

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 94

Session of
1985

INTRODUCED BY STEIGHNER, GEIST, COLAFELLA, GREENWOOD, VAN HORNE,
E. Z. TAYLOR, FEE, OLIVER, J. L. WRIGHT, DeWEESE, KUKOVICH,
HALUSKA, COWELL, BALDWIN, BIRMELIN, RYBAK, VROON, COY,
DeLUCA, PETRARCA, LESCOVITZ, SEVENTY, SEMMEL, FLICK, CLARK,
MICHLOVIC, GRUPPO, MORRIS, GODSHALL, DAVIES, TRUMAN, PRESTON,
WILSON, TELEK, JAROLIN, McCALL, KASUNIC, BELARDI, CAWLEY,
PISTELLA, OLASZ, AFFLERBACH AND STUBAN, JANUARY 23, 1985

SENATOR CORMAN, TRANSPORTATION, IN SENATE, AS AMENDED,
JUNE 24, 1985

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, CHANGING THE DEFINITION OF "EMERGENCY VEHICLE"; <—
3 FURTHER PROVIDING FOR REGISTRATION EXEMPTIONS; placing
4 limitations on the use of speed timing devices; INCREASING <—
5 THE MAXIMUM CHARGE FOR EMISSION INSPECTIONS; AND FURTHER
6 PROVIDING FOR SINGLE PERMITS FOR MULTIPLE HIGHWAY CROSSINGS.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 ~~Section 1. Section 3368 of Title 75 of the Pennsylvania~~ <—
10 ~~Consolidated Statutes is amended by adding a subsection to read:~~
11 ~~§ 3368. Speed timing devices.~~

12 * * *

13 SECTION 1. THE DEFINITION OF "EMERGENCY VEHICLE" IN SECTION <—
14 102 OF TITLE 75 OF THE PENNSYLVANIA CONSOLIDATED STATUTES IS
15 AMENDED TO READ:
16 § 102. DEFINITIONS.

SUBJECT TO ADDITIONAL DEFINITIONS CONTAINED IN SUBSEQUENT PROVISIONS OF THIS TITLE WHICH ARE APPLICABLE TO SPECIFIC PROVISIONS OF THIS TITLE, THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS TITLE SHALL HAVE, UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE, THE MEANINGS GIVEN TO THEM IN THIS SECTION:

* * *

"EMERGENCY VEHICLE." A FIRE DEPARTMENT VEHICLE, POLICE VEHICLE, AMBULANCE, BLOOD-DELIVERY VEHICLE, ARMED FORCES EMERGENCY VEHICLE, ONE VEHICLE OPERATED BY A CORONER OR CHIEF COUNTY MEDICAL EXAMINER AND ONE VEHICLE OPERATED BY A CHIEF DEPUTY CORONER OR DEPUTY CHIEF COUNTY MEDICAL EXAMINER USED FOR ANSWERING EMERGENCY CALLS, ONE PRIVATE VEHICLE OF A FIRE OR POLICE CHIEF OR ASSISTANT CHIEF OR, WHEN A FIRE COMPANY HAS THREE OR MORE FIRE VEHICLES, A SECOND ASSISTANT CHIEF, OR FIRE POLICE CAPTAIN AND FIRE POLICE LIEUTENANT OR AMBULANCE CORPS COMMANDER OR ASSISTANT COMMANDER OR OF A RIVER RESCUE COMMANDER OR ASSISTANT COMMANDER OR EMERGENCY MANAGEMENT COORDINATOR OR FIRE MARSHAL USED FOR ANSWERING EMERGENCY CALLS OR OTHER VEHICLE DESIGNATED BY THE STATE POLICE UNDER SECTION 6106 (RELATING TO DESIGNATION OF EMERGENCY VEHICLES BY PENNSYLVANIA STATE POLICE).

* * *

SECTION 2. SECTION 1302(13) OF TITLE 75 IS AMENDED TO READ:

§ 1302. VEHICLES EXEMPT FROM REGISTRATION.

THE FOLLOWING TYPES OF VEHICLES ARE EXEMPT FROM REGISTRATION:

* * *

(13) ANY OVERSIZED OR OVERWEIGHT [VEHICLES EXCLUSIVE OF LOAD AND ONLY] VEHICLE WHICH MAY BE MOVED OR OPERATED ONLY UNDER A PERMIT [ISSUED] AND WITHOUT A LOAD PURSUANT TO SECTION 4961(A) (RELATING TO AUTHORITY TO ISSUE PERMITS) AND SECTION 4962(F) (RELATING TO WHEN LOADS PERMITTED).

1 * * *

2 SECTION 3. SECTION 3368(C) OF TITLE 75 IS AMENDED AND THE
3 SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:

4 § 3368. SPEED TIMING DEVICES.

5 * * *

6 (C) MECHANICAL, ELECTRICAL AND ELECTRONIC DEVICES
7 AUTHORIZED.--

8 (1) [THE] EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION,
9 THE RATE OF SPEED OF ANY VEHICLE MAY BE TIMED ON ANY HIGHWAY
10 BY A POLICE OFFICER USING A MECHANICAL OR ELECTRICAL SPEED
11 TIMING DEVICE.

12 (2) ELECTRONIC DEVICES SUCH AS RADIO-MICROWAVE DEVICES
13 (COMMONLY REFERRED TO AS ELECTRONIC SPEED METERS OR RADAR)
14 MAY BE USED ONLY BY MEMBERS OF THE PENNSYLVANIA STATE POLICE.
15 NO PERSON MAY BE CONVICTED UPON EVIDENCE OBTAINED THROUGH THE
16 USE OF SUCH DEVICES UNLESS THE SPEED RECORDED IS SIX OR MORE
17 MILES PER HOUR IN EXCESS OF THE LEGAL SPEED LIMIT.

18 * * *

19 (e) Distance requirements for use of mechanical, electrical
20 and electronic devices.--Mechanical, electrical or electronic
21 devices may not be used to time the rate of speed of vehicles
22 within 1,000 feet of AFTER a speed limit sign indicating a <—
23 decrease of speed. This limitation on the use of speed timing
24 devices shall not apply to speed limit signs indicating school
25 zones, BRIDGE AND ELEVATED STRUCTURE SPEED LIMITS, HAZARDOUS <—
26 GRADE SPEED LIMITS AND WORK ZONE SPEED LIMITS.

27 ~~Section 2. This act shall take effect in 60 days.~~ <—

28 SECTION 4. SECTION 4706(D) OF TITLE 75 IS AMENDED TO READ: <—

29 § 4706. PROHIBITION ON EXPENDITURES FOR EMISSION INSPECTION
30 PROGRAM.

1 * * *

2 (D) CHARGE FOR INSPECTION.--WHENEVER A SYSTEM FOR THE
3 PERIODIC INSPECTION OF EMISSIONS OR EMISSION SYSTEMS IS
4 ESTABLISHED AS AUTHORIZED IN SUBSECTION (B), THE MAXIMUM CHARGE
5 FOR SUCH INSPECTION SHALL BE [\$5] \$8. NO ADDITIONAL CHARGE SHALL
6 BE MADE BY THE INSPECTING STATION FOR ONE NECESSARY REINSPECTION
7 WITHIN 30 DAYS OF THE ORIGINAL INSPECTION.

8 * * *

9 SECTION 5. SECTION 4904 OF TITLE 75 IS AMENDED BY ADDING A
10 SUBSECTION TO READ:

11 § 4904. LIMITS ON NUMBER OF TOWED VEHICLES.

12 * * *

13 (G) COMBINATIONS PERMITTED UNDER SECTION 4965(2).--
14 COMBINATIONS PERMITTED ONLY TO CROSS A HIGHWAY TO GET FROM ONE
15 COMMERCIAL OR INDUSTRIAL FACILITY TO ANOTHER UNDER SECTION
16 4965(2) (RELATING TO SINGLE PERMITS FOR MULTIPLE HIGHWAY
17 CROSSINGS) MAY CONSIST OF MORE THAN TWO UNITS AS LONG AS THE
18 DIMENSIONS AND GROSS AXLE AND WHEEL WEIGHT OF THE COMBINATION
19 AND LOADS DO NOT EXCEED THE MAXIMUMS SPECIFIED IN THIS CHAPTER.

20 SECTION 6. SECTION 4961(A) OF TITLE 75 IS AMENDED BY ADDING
21 A PARAGRAPH TO READ:

22 § 4961. AUTHORITY TO ISSUE PERMITS.

23 (A) GENERAL RULE.--THE DEPARTMENT AND LOCAL AUTHORITIES WITH
24 RESPECT TO HIGHWAYS UNDER THEIR RESPECTIVE JURISDICTIONS MAY,
25 UPON APPLICATION IN WRITING SHOWING GOOD CAUSE, ISSUE SPECIAL
26 PERMITS IN WRITING AUTHORIZING THE APPLICANT TO OPERATE OR MOVE
27 ON SPECIFIED HIGHWAYS ANY OF THE FOLLOWING:

28 * * *

29 (7) SUCH OTHER VEHICLES AND COMBINATIONS AS ARE
30 SPECIFICALLY AUTHORIZED IN THIS CHAPTER.

* * *

SECTION 7. SECTION 4962 OF TITLE 75 IS AMENDED BY ADDING A
SUBSECTION TO READ:

§ 4962. CONDITIONS OF PERMITS AND SECURITY FOR DAMAGES.

* * *

(F) WHEN LOADS PERMITTED.--ONLY VEHICLES AND COMBINATIONS
PERMITTED UNDER THE FOLLOWING PROVISIONS SHALL BE AUTHORIZED TO
CARRY OR HAUL LOADS WHILE OPERATING UNDER THE PERMIT:

SECTION 4965(2) (RELATING TO SINGLE PERMITS FOR MULTIPLE
HIGHWAY CROSSINGS).

SECTION 4969 (RELATING TO PERMIT FOR MOVEMENT OF VEHICLES
WITH OVERSIZE WHEELS AND TIRES).

SECTION 4970(B) (RELATING TO PERMIT FOR MOVEMENT OF
CONSTRUCTION EQUIPMENT).

SECTION 4971 (RELATING TO PERMIT FOR OPERATION OF
CHEMICAL AND FERTILIZER VEHICLES).

SECTION 4972 (RELATING TO PERMITS FOR MIGRANT FARM
VEHICLES).

SECTION 8. SECTION 4965 OF TITLE 75 IS AMENDED TO READ:
§ 4965. SINGLE PERMITS FOR MULTIPLE HIGHWAY CROSSINGS.

A SINGLE PERMIT MAY BE ISSUED FOR A NUMBER OF MOVEMENTS
ACROSS THE HIGHWAY AT SPECIFIED LOCATIONS WITHIN A FIXED PERIOD
OF TIME OF VEHICLES OR COMBINATIONS:

(1) EXCEEDING THE MAXIMUM SIZE OR WEIGHT SPECIFIED IN
THIS CHAPTER; OR

(2) USED TO CROSS A HIGHWAY TO GET FROM ONE COMMERCIAL
OR INDUSTRIAL FACILITY TO ANOTHER COMMERCIAL OR INDUSTRIAL
FACILITY UNDER THE SAME OPERATION.

WHENEVER A PERMIT IS ISSUED FOR CROSSING THE HIGHWAY, IT IS
UNLAWFUL TO MOVE THE VEHICLES ALONG THE HIGHWAY.

1 SECTION 9. (A) SECTION 4 (RELATING TO SECTION 4706(D)) OF
2 THE ACT SHALL TAKE EFFECT SEPTEMBER 1, 1985, OR IMMEDIATELY,
3 WHICHEVER IS LATER.

4 (B) SECTIONS 2, 5, 6, 7 AND 8 OF THIS ACT SHALL TAKE EFFECT
5 IN 90 DAYS.

6 (C) SECTIONS 1 AND 3 OF THIS ACT SHALL TAKE EFFECT IN 60
7 DAYS.

8 (D) SECTION 9 OF THIS ACT SHALL TAKE EFFECT IMMEDIATELY.