

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 355 Session of  
1991

INTRODUCED BY GEIST, NOYE, FAIRCHILD, DEMPSEY, PESCI, HERMAN,  
NAILOR, DeLUCA, BATTISTO, MARKOSEK, HALUSKA, REBER, RAYMOND,  
MICOZZIE, BUNT, JOHNSON, R. C. WRIGHT, ALLEN, HESS, FARGO,  
BILLOW, TRELLO, WILSON, JAMES, M. N. WRIGHT, NAHILL,  
GODSHALL, E. Z. TAYLOR, HERSHEY, STABACK, ANGSTADT, SEMMEL,  
SERAFINI, B. SMITH, BOYES, OLASZ, BISHOP, TELEK, MICHLOVIC  
AND STURLA, FEBRUARY 11, 1991

AS AMENDED ON THIRD CONSIDERATION, IN SENATE, JUNE 29, 1992

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, ADDING A DEFINITION OF "COMMERCIAL IMPLEMENT OF <—  
3 HUSBANDRY" AND ADDING AMENDING PROVISIONS RELATING THERETO;  
4 FURTHER PROVIDING FOR VEHICLES EXEMPT FROM REGISTRATION AND  
5 FOR PERMITS FOR CERTAIN CHEMICAL AND FERTILIZER VEHICLES;  
6 further providing for DRIVERS REQUIRED TO BE LICENSED AND, <—  
7 FOR restrictions on use of handicapped parking areas and for <—  
8 the penalty for unlawfully parking in a designated  
9 handicapped parking area; and further providing for fines for  
10 parking violations. AND FOR DRIVING UNDER INFLUENCE OF <—  
11 ALCOHOL OR CONTROLLED SUBSTANCE; PROVIDING FOR PENNSYLVANIA  
12 TURNPIKE EXTENSIONS AND IMPROVEMENTS; AND MAKING A REPEAL.

13 The General Assembly of the Commonwealth of Pennsylvania  
14 hereby enacts as follows:

15 ~~Section 1. Section 3354(d)(3) and (f) of Title 75 of the <—~~  
16 ~~Pennsylvania Consolidated Statutes are IS amended and the <—~~  
17 ~~section is amended by adding a subsection to read:~~

18 SECTION 1. SECTION 102 OF TITLE 75 OF THE PENNSYLVANIA <—  
19 CONSOLIDATED STATUTES IS AMENDED BY ADDING A DEFINITION TO READ:

1 § 102. DEFINITIONS.

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

7 \* \* \*

8 "COMMERCIAL IMPLEMENT OF HUSBANDRY." A SELF-PROPELLED  
9 VEHICLE USED TO APPLY NUTRIENTS, SOIL AMENDMENTS OR CHEMICALS  
10 COMMERCIALLY FOR PRODUCTION AGRICULTURE AND ONLY OCCASIONALLY  
11 OPERATED OR MOVED UPON HIGHWAYS.

12 \* \* \*

13 SECTION 2. SECTION 1302(11) OF TITLE 75 IS AMENDED TO READ:

14 § 1302. VEHICLES EXEMPT FROM REGISTRATION.

15 THE FOLLOWING TYPES OF VEHICLES ARE EXEMPT FROM REGISTRATION:

16 \* \* \*

17 (11) ANY TRAILER OR SEMITRAILER, INCLUDING BUT NOT  
18 LIMITED TO NON-SELF-PROPELLED SPECIAL MOBILE EQUIPMENT, TO BE  
19 USED PRIMARILY FOR OFF HIGHWAY USE AND ONLY OPERATED  
20 INCIDENTALLY UPON THE HIGHWAY.

21 \* \* \*

22 SECTION ~~±~~ 3. SECTIONS 1501(A) AND ~~3354(D)-(3)~~ 1547(D) OF  
23 TITLE 75 ~~OF THE PENNSYLVANIA CONSOLIDATED STATUTES~~ ARE AMENDED  
24 TO READ:

25 § 1501. DRIVERS REQUIRED TO BE LICENSED.

26 (A) GENERAL RULE.--NO PERSON, EXCEPT THOSE EXPRESSLY  
27 EXEMPTED, SHALL DRIVE ANY MOTOR VEHICLE UPON A HIGHWAY OR PUBLIC  
28 PROPERTY IN THIS COMMONWEALTH UNLESS THE PERSON HAS A DRIVER'S  
29 LICENSE VALID UNDER THE PROVISIONS OF THIS CHAPTER. AS USED IN  
30 THIS SUBSECTION, THE TERM "PUBLIC PROPERTY" INCLUDES, BUT IS NOT

1 LIMITED TO, DRIVEWAYS AND PARKING LOTS OWNED OR LEASED BY THE  
2 COMMONWEALTH, A POLITICAL SUBDIVISION OR AN AGENCY OR  
3 INSTRUMENTALITY OF EITHER.

4 \* \* \*

5 § 1547. CHEMICAL TESTING TO DETERMINE AMOUNT OF ALCOHOL OR  
6 CONTROLLED SUBSTANCE.

7 \* \* \*

8 (D) PRESUMPTIONS FROM AMOUNT OF ALCOHOL.--IF CHEMICAL  
9 TESTING OF A PERSON'S BREATH, BLOOD OR URINE SHOWS:

10 (1) THAT THE AMOUNT OF ALCOHOL BY WEIGHT IN THE BLOOD OF  
11 THE PERSON TESTED IS 0.05% OR LESS, IT SHALL BE PRESUMED THAT  
12 THE PERSON TESTED WAS NOT UNDER INFLUENCE OF ALCOHOL AND THE  
13 PERSON SHALL NOT BE CHARGED WITH ANY VIOLATION UNDER SECTION  
14 3731(A)(1) [OR (4)], (4) OR (5) (RELATING TO DRIVING UNDER  
15 INFLUENCE OF ALCOHOL OR CONTROLLED SUBSTANCE), OR, IF THE  
16 PERSON WAS SO CHARGED PRIOR TO THE TEST, THE CHARGE SHALL BE  
17 VOID AB INITIO. THIS FACT SHALL NOT GIVE RISE TO ANY  
18 PRESUMPTION CONCERNING A VIOLATION OF SECTION 3731(A)(2) OR  
19 (3) OR (I).

20 (2) THAT THE AMOUNT OF ALCOHOL BY WEIGHT IN THE BLOOD OF  
21 THE PERSON TESTED IS IN EXCESS OF 0.05% BUT LESS THAN 0.10%,  
22 THIS FACT SHALL NOT GIVE RISE TO ANY PRESUMPTION THAT THE  
23 PERSON TESTED WAS OR WAS NOT UNDER THE INFLUENCE OF ALCOHOL,  
24 BUT THIS FACT MAY BE CONSIDERED WITH OTHER COMPETENT EVIDENCE  
25 IN DETERMINING WHETHER THE PERSON WAS OR WAS NOT UNDER THE  
26 INFLUENCE OF ALCOHOL. THIS PROVISION SHALL NOT NEGATE THE  
27 PROVISIONS OF SECTION 3731(I).

28 (3) THAT THE AMOUNT OF ALCOHOL BY WEIGHT IN THE BLOOD OF  
29 THE PERSON TESTED IS 0.10% OR MORE, THIS FACT MAY BE  
30 INTRODUCED INTO EVIDENCE IF THE PERSON IS CHARGED WITH

VIOLATING SECTION 3731.

\* \* \*

SECTION 4. TITLE 75 IS AMENDED BY ADDING A SECTION TO READ:

§ 1933. COMMERCIAL IMPLEMENTS OF HUSBANDRY.

THE ANNUAL FEE FOR REGISTRATION OF A COMMERCIAL IMPLEMENT OF  
HUSBANDRY SHALL BE \$51 OR ONE-HALF OF THE REGULAR FEE, WHICHEVER  
IS GREATER.

SECTION 5. SECTION 2105(A) OF TITLE 75 IS AMENDED BY ADDING  
A PARAGRAPH TO READ:

§ 2105. EXEMPTIONS.

(A) GENERAL RULE.--THE REQUIREMENTS OF THIS CHAPTER AND  
CHAPTER 96 (RELATING TO MOTOR CARRIERS ROAD TAX) DO NOT APPLY TO  
THE FOLLOWING VEHICLES:

\* \* \*

(10) A COMMERCIAL IMPLEMENT OF HUSBANDRY.

\* \* \*

SECTION 6. SECTIONS 3354, 3731(A), 4303(E), 4502(D),  
4529(A), 4534, 4535(C) AND 4536 OF TITLE 75 ARE AMENDED TO READ:  
§ 3354. Additional parking regulations.

\* \* \*

(d) Handicapped persons and disabled veterans.--

\* \* \*

(3) (i) Except for persons parking vehicles lawfully  
bearing a handicapped or severely disabled veteran  
registration plate or displaying a handicapped or  
severely disabled veteran parking placard when such  
vehicles are being operated by or for the transportation  
of a handicapped person or a severely disabled veteran,  
no person shall park a vehicle on public or private  
property reserved for a handicapped person or severely

1 disabled veteran which property has been so posted in  
2 accordance with departmental regulations[.] which shall  
3 include a separate sign stating the penalty amount <—  
4 outlined in subsection (f). The department shall, within  
5 six months of the effective date of this amendatory act,  
6 promulgate regulations relating to the content of the  
7 signs, including, but not limited to, language relating  
8 to section 2.1 of the act of September 1, 1965 (P.L.459,  
9 No.235), entitled "An act requiring that certain  
10 buildings and facilities adhere to certain principles,  
11 standards and specifications to make the same accessible  
12 to and usable by persons with physical handicaps, and  
13 providing for enforcement," and the Federal Americans  
14 with Disabilities Act of 1990. The regulation shall also  
15 provide for the replacement of existing signage when the  
16 existing signage is obsolete. REQUIRE A SIGN STATING THE <—  
17 PENALTY AMOUNT INDICATED IN SUBSECTION (F), A SIGN  
18 INDICATING THAT VEHICLES IN VIOLATION OF THE SUBSECTION  
19 MAY BE TOWED AND REQUIRE THAT SIGNS BE REPLACED WHEN THEY  
20 BECOME EITHER OBSOLETE OR MISSING WITH ALL COSTS TO  
21 REPLACE THE NECESSARY SIGNS TO BE BORNE BY THE PERSONS  
22 RESPONSIBLE FOR SIGNING THE PARTICULAR LOCATION. Any  
23 vehicle which is unlawfully parked in a designated  
24 handicapped parking area may be removed from that area by  
25 towing and may be reclaimed by the vehicle owner upon  
26 payment of the towing costs.

27 (ii) Local authorities shall have the power and may,  
28 by ordinance or resolution, authorize handicapped persons  
29 and severely disabled veterans to issue statements to  
30 violators or violating vehicles for violation of

subparagraph (i). The form of the statement shall be as  
prescribed by the local authorities.

\* \* \*

~~(f) Penalty. Any person violating subsection (a), (b) or  
(d)(1) is guilty of a summary offense and shall, upon  
conviction, be sentenced to pay a fine of not more than \$15. Any  
person violating subsection (d)(2) or (3) or (e) is guilty of a  
summary offense and shall, upon conviction, be sentenced to pay  
a fine of not less than \$50 nor more than [\$200] \$150.~~

~~(g) Special penalty; disposition.~~

~~(1) In addition to any other penalty imposed under this  
section, any person who is convicted of violating subsection  
(d)(2) or (3) shall be sentenced to pay a fine of \$50.~~

~~(2) All fines collected under this subsection shall be  
disposed of as follows:~~

~~(i) Ninety five percent shall be paid to the  
Department of Revenue, transmitted to the Treasury  
Department and credited to the Department of Public  
Welfare for use for the Attendant Care Program.~~

~~(ii) Five percent shall be paid to the municipality  
in which the offense occurred.~~

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

§ 3731. DRIVING UNDER INFLUENCE OF ALCOHOL OR CONTROLLED  
SUBSTANCE.

(A) OFFENSE DEFINED.--A PERSON SHALL NOT DRIVE, OPERATE OR  
BE IN ACTUAL PHYSICAL CONTROL OF THE MOVEMENT OF ANY VEHICLE  
[WHILE]:

(1) WHILE UNDER THE INFLUENCE OF ALCOHOL TO A DEGREE  
WHICH RENDERS THE PERSON INCAPABLE OF SAFE DRIVING;

(2) WHILE UNDER THE INFLUENCE OF ANY CONTROLLED

SUBSTANCE, AS DEFINED IN THE ACT OF APRIL 14, 1972 (P.L.233,  
NO.64), KNOWN AS "THE CONTROLLED SUBSTANCE, DRUG, DEVICE AND  
COSMETIC ACT," TO A DEGREE WHICH RENDERES THE PERSON INCAPABLE  
OF SAFE DRIVING;

(3) WHILE UNDER THE COMBINED INFLUENCE OF ALCOHOL AND  
ANY CONTROLLED SUBSTANCE TO A DEGREE WHICH RENDERES THE PERSON  
INCAPABLE OF SAFE DRIVING; [OR]

(4) WHILE THE AMOUNT OF ALCOHOL BY WEIGHT IN THE BLOOD  
OF THE PERSON IS 0.10% OR GREATER[.]; OR

(5) IF THE AMOUNT OF ALCOHOL BY WEIGHT IN THE BLOOD OF  
THE PERSON IS 0.10% OR GREATER AT THE TIME OF A CHEMICAL TEST  
OF A SAMPLE OF THE PERSON'S BREATH, BLOOD OR URINE WHICH  
SAMPLE IS:

(I) OBTAINED WITHIN THREE HOURS AFTER THE PERSON  
DROVE, OPERATED OR WAS IN ACTUAL PHYSICAL CONTROL OF THE  
VEHICLE; OR

(II) IF THE CIRCUMSTANCES OF THE INCIDENT PREVENT  
TESTING WITHIN THREE HOURS, OBTAINED WITHIN A REASONABLE  
ADDITIONAL TIME AFTER THE PERSON DROVE, OPERATED OR WAS  
IN ACTUAL PHYSICAL CONTROL OF THE VEHICLE.

\* \* \*

§ 4303. GENERAL LIGHTING REQUIREMENTS.

\* \* \*

(E) EQUIPMENT EXEMPTED BY REGULATION.--ANTIQUE MOTOR  
VEHICLES, ANIMAL-DRAWN VEHICLES, IMPLEMENTS OF HUSBANDRY,  
COMMERCIAL IMPLEMENTS OF HUSBANDRY AND SPECIAL MOBILE EQUIPMENT,  
IF OPERATED EXCLUSIVELY BETWEEN THE HOURS OF SUNRISE AND SUNSET  
AND NOT DURING PERIODS OF REDUCED VISIBILITY OR INSUFFICIENT  
ILLUMINATION, MAY BE EXEMPTED FROM CERTAIN LIGHTING EQUIPMENT  
REQUIREMENTS OF THIS PART BY REGULATIONS OF THE DEPARTMENT.

1 § 4502. GENERAL REQUIREMENTS FOR BRAKING SYSTEMS.

2 \* \* \*

3 (D) EXCEPTIONS.--THIS SECTION DOES NOT APPLY TO TOWED  
4 INSTRUMENTS OF HUSBANDRY AND SUCH ITEMS OR TYPES OF SPECIAL  
5 MOBILE EQUIPMENT OR COMMERCIAL IMPLEMENTS OF HUSBANDRY AS ARE  
6 SPECIFICALLY EXEMPTED FROM COMPLIANCE BY REGULATIONS PROMULGATED  
7 BY THE DEPARTMENT.

8 § 4529. SLOW MOVING VEHICLE EMBLEM.

9 (A) GENERAL RULE.--ALL IMPLEMENTS OF HUSBANDRY, COMMERCIAL  
10 IMPLEMENTS OF HUSBANDRY AND SPECIAL MOBILE EQUIPMENT DESIGNED TO  
11 OPERATE AT 25 MILES PER HOUR OR LESS AND ALL ANIMAL-DRAWN  
12 VEHICLES SHALL, WHEN TRAVELING ON A HIGHWAY, DISPLAY ON THE REAR  
13 OF THE VEHICLE A REFLECTIVE SLOW MOVING VEHICLE EMBLEM AS  
14 SPECIFIED IN REGULATIONS OF THE DEPARTMENT. THE USE OF THE SLOW  
15 MOVING VEHICLE EMBLEM SHALL BE IN ADDITION TO ANY OTHER LIGHTING  
16 DEVICES OR EQUIPMENT REQUIRED BY THIS TITLE.

17 \* \* \*

18 § 4534. REARVIEW MIRRORS.

19 NO PERSON SHALL OPERATE A MOTOR VEHICLE OR COMBINATION ON A  
20 HIGHWAY UNLESS THE VEHICLE OR COMBINATION IS EQUIPPED WITH AT  
21 LEAST ONE MIRROR, OR SIMILAR DEVICE, WHICH PROVIDES THE DRIVER  
22 AN UNOBSTRUCTED VIEW OF THE HIGHWAY TO THE REAR OF THE VEHICLE  
23 OR COMBINATION. THIS SECTION SHALL NOT APPLY TO ANY SPECIAL  
24 MOBILE EQUIPMENT, COMMERCIAL IMPLEMENT OF HUSBANDRY OR IMPLEMENT  
25 OF HUSBANDRY THAT IS NOT SO EQUIPPED BY THE ORIGINAL  
26 MANUFACTURER.

27 § 4535. AUDIBLE WARNING DEVICES.

28 \* \* \*

29 (C) EXCEPTIONS.--THIS SECTION SHALL NOT APPLY TO ANY SPECIAL  
30 MOBILE EQUIPMENT, COMMERCIAL IMPLEMENT OF HUSBANDRY OR IMPLEMENT



1 OF HUSBANDRY THAT IS NOT SO EQUIPPED BY THE ORIGINAL  
2 MANUFACTURER.

3 § 4536. BUMPERS.

4 NO PERSON SHALL OPERATE ANY VEHICLE UPON A HIGHWAY WITHOUT  
5 BUMPERS OF A TYPE SPECIFIED BY REGULATIONS OF THE DEPARTMENT IN  
6 BOTH THE FRONT AND REAR UNLESS THE VEHICLE WAS ORIGINALLY  
7 DESIGNED AND MANUFACTURED TO BE USED WITHOUT BUMPERS. THIS  
8 SECTION SHALL NOT APPLY TO ANY SPECIAL MOBILE EQUIPMENT,  
9 COMMERCIAL IMPLEMENT OF HUSBANDRY OR IMPLEMENT OF HUSBANDRY THAT  
10 IS NOT SO EQUIPPED BY THE ORIGINAL MANUFACTURER.

11 SECTION 7. SECTION 4703(B) OF TITLE 75 IS AMENDED BY ADDING  
12 A PARAGRAPH TO READ:

13 § 4703. OPERATION OF VEHICLE WITHOUT OFFICIAL CERTIFICATE OF  
14 INSPECTION.

15 \* \* \*

16 (B) EXCEPTIONS.--SUBSECTION (A) DOES NOT APPLY TO:

17 \* \* \*

18 (11) COMMERCIAL IMPLEMENTS OF HUSBANDRY.

19 \* \* \*

20 SECTION 8. SECTIONS 4704(G) AND 4905(E) OF TITLE 75 ARE  
21 AMENDED TO READ:

22 § 4704. INSPECTION BY POLICE OR COMMONWEALTH PERSONNEL.

23 \* \* \*

24 (G) LIMITATIONS.--FARM TRUCKS NOT REQUIRED TO BE REGISTERED,  
25 IMPLEMENTS OF HUSBANDRY, COMMERCIAL IMPLEMENTS OF HUSBANDRY AND  
26 SPECIAL MOBILE EQUIPMENT SHALL NOT BE SUBJECT TO THE SYSTEMATIC  
27 VEHICLE INSPECTIONS AUTHORIZED UNDER SUBSECTION (A).

28 § 4905. SAFETY REQUIREMENTS FOR TOWED VEHICLES.

29 \* \* \*

30 (E) OBSTRUCTED LIGHTING EQUIPMENT.--WHENEVER THE REAR

1 RUNNING LIGHTS, STOP LIGHTS, TURN SIGNALS OR HAZARD WARNING  
2 LIGHTS REQUIRED BY THE PROVISIONS OF CHAPTER 43 (RELATING TO  
3 LIGHTING EQUIPMENT) ARE OBSTRUCTED BY THE LOAD ON A VEHICLE OR  
4 BY A TOWED VEHICLE OR ITS LOAD, LIGHTING EQUIPMENT SHALL BE  
5 DISPLAYED ON THE REAR OF THE TOWED VEHICLE OR LOAD EQUIVALENT TO  
6 THE OBSTRUCTED LIGHTS OR SIGNALS, EXCEPT IN THE CASE OF  
7 IMPLEMENTS OF HUSBANDRY OR COMMERCIAL IMPLEMENTS OF HUSBANDRY  
8 DISPLAYING THE SLOW-MOVING VEHICLE EMBLEM AND OPERATING BETWEEN  
9 SUNRISE AND SUNSET.

10 SECTION 9. SECTION 4921(B) OF TITLE 75 IS AMENDED BY ADDING  
11 A PARAGRAPH TO READ:

12 § 4921. WIDTH OF VEHICLES.

13 \* \* \*

14 (B) SPECIAL VEHICLES.--

15 \* \* \*

16 (6) COMMERCIAL IMPLEMENTS OF HUSBANDRY NOT EXCEEDING 10  
17 FEET 8 INCHES IN WIDTH MAY BE DRIVEN, HAULED OR TOWED BETWEEN  
18 SUNRISE AND SUNSET ON HIGHWAYS OTHER THAN FREEWAYS.

19 \* \* \*

20 SECTION 10. SECTIONS 4971 AND 7134(E) OF TITLE 75 ARE  
21 AMENDED TO READ:

22 [§ 4971. PERMIT FOR OPERATION OF CHEMICAL AND FERTILIZER  
23 VEHICLES.

24 A PERMIT MAY BE ISSUED FOR A PERIOD OF 45 CONSECUTIVE DAYS  
25 AUTHORIZING THE OPERATION IN THE COMMONWEALTH OF ANY VEHICLE  
26 REGISTERED IN ANOTHER STATE WHICH IS USED FOR THE TRANSPORTATION  
27 AND APPLICATION OF CHEMICALS AND FERTILIZER.]

28 § 7134. ODOMETER DISCLOSURE REQUIREMENTS.

29 \* \* \*

30 (E) EXEMPTIONS.--A TRANSFER OF ANY OF THE FOLLOWING TYPES OF

MOTOR VEHICLES IS EXEMPT FROM THE REQUIREMENTS OF THIS SECTION:

(1) A MOTOR VEHICLE HAVING A REGISTERED GROSS WEIGHT OF  
MORE THAN 16,000 POUNDS.

(2) A MOTOR VEHICLE [25] 10 YEARS OR OLDER.

(3) AN IMPLEMENT OF HUSBANDRY.

(4) SPECIAL MOBILE EQUIPMENT.

(5) A COMMERCIAL IMPLEMENT OF HUSBANDRY.

SECTION 11. TITLE 75 IS AMENDED BY ADDING A CHAPTER TO READ:

CHAPTER 89

PENNSYLVANIA TURNPIKE

SUBCHAPTER

A. PRELIMINARY PROVISIONS

B. TURNPIKE EXTENSIONS AND IMPROVEMENTS

SUBCHAPTER A

PRELIMINARY PROVISIONS

SEC.

8901. DEFINITIONS.

§ 8901. DEFINITIONS.

THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS CHAPTER  
SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE  
CONTEXT CLEARLY INDICATES OTHERWISE:

"COMMISSION." THE PENNSYLVANIA TURNPIKE COMMISSION.

SUBCHAPTER B

TURNPIKE EXTENSIONS AND IMPROVEMENTS

SEC.

8911. IMPROVEMENT AND EXTENSION AUTHORIZATIONS.

8912. SUBSEQUENT EXTENSION AUTHORIZATIONS.

8913. ADDITIONAL SUBSEQUENT EXTENSION AUTHORIZATIONS.

8914. FURTHER SUBSEQUENT AUTHORIZATIONS.

8915. CONVERSION TO TOLL ROADS.

1 8916. TURNPIKE SYSTEM.

2 § 8911. IMPROVEMENT AND EXTENSION AUTHORIZATIONS.

3 IN ORDER TO FACILITATE VEHICULAR TRAFFIC WITHIN AND ACROSS  
4 THIS COMMONWEALTH, THE COMMISSION IS HEREBY AUTHORIZED AND  
5 EMPOWERED TO CONSTRUCT, OPERATE AND MAINTAIN TURNPIKE EXTENSIONS  
6 AND TURNPIKE IMPROVEMENTS AT SUCH SPECIFIC LOCATIONS AND  
7 ACCORDING TO SUCH SCHEDULE AS SHALL BE DEEMED FEASIBLE AND  
8 APPROVED BY THE COMMISSION, TOGETHER WITH CONNECTING ROADS,  
9 STORM WATER MANAGEMENT SYSTEMS, TUNNELS AND BRIDGES, SUBJECT TO  
10 THE WAIVER OF THE FEDERAL TOLL PROHIBITION PROVISIONS WHERE  
11 APPLICABLE, AS FOLLOWS:

12 (1) WIDEN TURNPIKE TO SIX LANES BETWEEN THE NORTHEAST  
13 EXTENSION AND THE DELAWARE RIVER INTERCHANGE.

14 (2) CONSTRUCT TURNPIKE INTERCHANGE WITH INTERSTATE ROUTE  
15 95 IN BUCKS COUNTY.

16 (3) CONSTRUCT TURNPIKE INTERCHANGE WITH INTERSTATE ROUTE  
17 476 IN MONTGOMERY COUNTY.

18 (4) CONSTRUCT TURNPIKE INTERCHANGE WITH KEYSER AVENUE IN  
19 LACKAWANNA COUNTY.

20 (5) CONSTRUCT EXTENSIONS TO THE EXISTING TURNPIKE FROM A  
21 POINT WESTERLY OF EXISTING INTERCHANGE 2 EXTENDING NORTHERLY  
22 TO A CONNECTION WITH THE EXISTING INTERCHANGE BETWEEN U.S.  
23 ROUTE 422 AND PROPOSED STATE ROUTE 60 IN LAWRENCE COUNTY AND  
24 EXTENDING SOUTHERLY TO A CONNECTION WITH EXISTING STATE ROUTE  
25 60 IN BEAVER COUNTY AT OR NEAR STATE ROUTE 51.

26 (6) CONSTRUCT AN EXTENSION TO THE TURNPIKE FROM A POINT  
27 AT OR NEAR INTERCHANGE 8 IN WESTMORELAND COUNTY EXTENDING  
28 NORTHERLY TO AN INTERCHANGE WITH STATE ROUTE 66 NORTHWEST OF  
29 GREENSBURG AND CONTINUING NORTHERLY TO AN INTERCHANGE WITH  
30 U.S. ROUTE 22 SOUTH OF DELMONT.

(7) CONSTRUCT AN ADDITIONAL LEHIGH TUNNEL ON THE  
NORTHEAST EXTENSION OF THE TURNPIKE.

(8) CONSTRUCT A PRIVATE TURNPIKE INTERCHANGE DIRECTLY  
CONNECTED TO THE NEW CUMBERLAND ARMY DEPOT. THE COMMISSION  
MAY COMMENCE CONSTRUCTION OF THE PRIVATE TURNPIKE INTERCHANGE  
NOTWITHSTANDING THE CONSTRUCTION SCHEDULE ESTABLISHED BY THIS  
SECTION.

(9) CONSTRUCT AN INTERCHANGE ON THE NORTHEAST EXTENSION  
WITH STATE ROUTE 903 IN CARBON COUNTY. THE COMMISSION MAY  
COMMENCE CONSTRUCTION OF THIS INTERCHANGE NOTWITHSTANDING THE  
CONSTRUCTION SCHEDULE ESTABLISHED BY THIS SECTION.

§ 8912. SUBSEQUENT EXTENSION AUTHORIZATIONS.

THE COMMISSION IS ALSO HEREBY AUTHORIZED AND EMPOWERED TO  
CONSTRUCT, OPERATE AND MAINTAIN FURTHER EXTENSIONS AND  
IMPROVEMENTS OF THE TURNPIKE AT SUCH SPECIFIC LOCATIONS AND  
ACCORDING TO SUCH SCHEDULES AS SHALL BE DEEMED FEASIBLE AND  
WHICH SHALL BE APPROVED BY THE COMMISSION, SUBJECT TO THE WAIVER  
OF THE FEDERAL TOLL PROHIBITION PROVISIONS WHERE APPLICABLE, AS  
FOLLOWS:

(1) FROM AN INTERCHANGE WITH INTERSTATE ROUTE 70 BETWEEN  
EXISTING INTERCHANGES AT LOVER AND SPEERS EXTENDING NORTHERLY  
TO AN INTERCHANGE WITH INTERSTATE ROUTE 376 IN PITTSBURGH  
EXTENDING NORTHWESTERLY ALONG THE WASHINGTON/ALLEGHENY LINE  
TOWARD THE MIDFIELD TERMINAL, GREATER PITTSBURGH AIRPORT,  
SOUTHERN BELTWAY, EXTENSION OF THE FINDLAY CONNECTOR ALONG  
INTERSTATE 79, AND ALSO EXTENDING SOUTHERLY CONNECTING WITH  
THE EXISTING INTERCHANGE BETWEEN U.S. ROUTE 40 AND THE MON  
VALLEY EXPRESSWAY (L.R.1125).

(2) FROM A POINT AT OR NEAR THE EXISTING INTERCHANGE  
BETWEEN U.S. ROUTE 40 AND THE MON VALLEY EXPRESSWAY

1 (L.R.1125) IN FAYETTE COUNTY SOUTHEASTERLY ALONG U.S. ROUTE  
2 40 TO UNIONTOWN AND CONTINUING SOUTHERLY ALONG PA. ROUTE 857  
3 TO THE WEST VIRGINIA BORDER.

4 (3) FROM AN INTERCHANGE WITH THE TURNPIKE AT OR NEAR  
5 INTERCHANGE 10 EXTENDING NORTHERLY GENERALLY FOLLOWING AND  
6 COINCIDENT WHERE FEASIBLE WITH EXISTING U.S. ROUTE 219 TO AN  
7 INTERCHANGE WITH INTERSTATE ROUTE 80 AT OR NEAR INTERCHANGE  
8 16.

9 (4) CONSTRUCTION OF AN INTERCHANGE FOR ACCESS TO THE  
10 INTERNATIONAL DISTRIBUTION CENTER AT THE WILKES-BARRE-  
11 SCRANTON INTERNATIONAL AIRPORT IN LUZERNE COUNTY ON THE  
12 NORTHEAST EXTENSION OF THE PENNSYLVANIA TURNPIKE SYSTEM.

13 (5) FROM A POINT AT OR NEAR TURNPIKE INTERCHANGE 10  
14 SOUTHERLY GENERALLY ALONG U.S. ROUTE 219 TO THE MARYLAND  
15 BORDER.

16 § 8913. ADDITIONAL SUBSEQUENT EXTENSION AUTHORIZATIONS.

17 UPON SUBSTANTIAL COMPLETION OF THE TURNPIKE EXTENSIONS AND  
18 IMPROVEMENTS SET FORTH IN SECTIONS 8911 (RELATING TO IMPROVEMENT  
19 AND EXTENSION AUTHORIZATIONS) AND 8912 (RELATING TO SUBSEQUENT  
20 EXTENSION AUTHORIZATIONS), THE COMMISSION IS HEREBY AUTHORIZED  
21 AND EMPOWERED TO CONSTRUCT, OPERATE AND MAINTAIN FURTHER  
22 EXTENSIONS AND IMPROVEMENTS OF THE TURNPIKE AT SUCH SPECIFIC  
23 LOCATIONS AND ACCORDING TO SUCH SCHEDULES AS SHALL BE DEEMED  
24 FEASIBLE AND WHICH SHALL BE APPROVED BY THE COMMISSION, SUBJECT  
25 TO THE WAIVER OF THE FEDERAL TOLL PROHIBITION PROVISIONS WHERE  
26 APPLICABLE, AS FOLLOWS:

27 (1) FROM A POINT AT OR NEAR INTERSTATE ROUTE 80  
28 INTERCHANGE 16 NORTHERLY GENERALLY ALONG U.S. ROUTE 219 TO A  
29 CONNECTION WITH THE EXISTING U.S. ROUTE 219 EXPRESSWAY SOUTH  
30 OF BRADFORD IN MCKEAN COUNTY.

1           (2)   CONSTRUCT FROM A POINT AT OR NEAR INTERSTATE ROUTE  
2       80 INTERCHANGE 23 AT MILESBURG SOUTHWESTERLY GENERALLY ALONG  
3       U.S. ROUTE 220 TO A CONNECTION WITH THE EXISTING U.S. ROUTE  
4       220 EXPRESSWAY SOUTH OF BALD EAGLE.

5   § 8914.   FURTHER SUBSEQUENT AUTHORIZATIONS.

6       UPON COMPLETION OF THE TURNPIKE EXTENSIONS AND IMPROVEMENTS  
7   SET FORTH IN SECTIONS 8911 (RELATING TO IMPROVEMENT AND  
8   EXTENSION AUTHORIZATIONS), 8912 (RELATING TO SUBSEQUENT  
9   EXTENSION AUTHORIZATIONS) AND 8913 (RELATING TO ADDITIONAL  
10   SUBSEQUENT EXTENSION AUTHORIZATIONS), THE COMMISSION IS HEREBY  
11   AUTHORIZED AND EMPOWERED TO CONSTRUCT, OPERATE AND MAINTAIN  
12   FURTHER EXTENSIONS AND IMPROVEMENTS OF THE TURNPIKE AT SUCH  
13   SPECIFIC LOCATIONS AND ACCORDING TO SUCH SCHEDULES AS SHALL BE  
14   DEEMED FEASIBLE AND WHICH SHALL BE APPROVED BY THE COMMISSION,  
15   SUBJECT TO THE WAIVER OF THE FEDERAL TOLL PROHIBITION PROVISIONS  
16   WHERE APPLICABLE, AS FOLLOWS:

17           (1)   FROM A POINT AT OR NEAR THE INTERSECTION OF STATE  
18       ROUTE 65 AND CROWS RUN ROAD IN BEAVER COUNTY, IN A  
19       SOUTHEASTERLY DIRECTION TO A POINT AT OR NEAR THE PERRY  
20       HIGHWAY INTERCHANGE OF THE PENNSYLVANIA TURNPIKE.

21           (2)   FROM A POINT AT OR NEAR EXIT 5 OF THE TURNPIKE  
22       NORTHERLY TO BROOKVILLE, JEFFERSON COUNTY, TO A POINT AT THE  
23       INTERSECTION WITH INTERSTATE ROUTE 80.

24           (3)   FROM A POINT AT OR NEAR THE PENNSYLVANIA TURNPIKE  
25       SYSTEM INTO VARIOUS AREAS OF BERKS COUNTY IN ORDER TO  
26       COMPLETE THE CONSTRUCTION OF THE INNER LOOP SYSTEM AND OUTER  
27       LOOP SYSTEM OF HIGHWAYS SURROUNDING THE CITY OF READING AND  
28       TO COMPLETE THE MISSING LINKS ON ROUTES 222 TO 422 TO 1035.

29           (4)   FROM A POINT AT OR NEAR THE INTERSECTIONS OF  
30       INTERSTATE ROUTE 70, INTERSTATE ROUTE 76 AND T.R.119 IN THE

1 BOROUGH OF YOUNGWOOD, WESTMORELAND COUNTY, IN A NORTHERLY  
2 DIRECTION ALONG T.R.119 AND T.R.66 TO THE INTERSECTION OF  
3 T.R.22 WITH A BYPASS AROUND THE CITY OF GREENSBURG,  
4 WESTMORELAND COUNTY; THENCE NORTH ON T.R.66 TO T.R.356;  
5 THENCE NORTH ON T.R.356 TO THE INTERSECTION WITH T.R.28.

6 (5) FROM A POINT AT OR NEAR THE INTERSECTION OF T.R.66  
7 AND T.R.22 IN SALEM TOWNSHIP, WESTMORELAND COUNTY; THENCE IN  
8 A WESTERLY DIRECTION PARALLELING T.R.22 TO EXIT 6 OF  
9 INTERSTATE 76.

10 § 8915. CONVERSION TO TOLL ROADS.

11 IN ORDER TO FACILITATE VEHICULAR TRAFFIC WITHIN AND ACROSS  
12 THIS COMMONWEALTH, AND AFTER COMPLETION OF THE TURNPIKE  
13 EXTENSIONS AND IMPROVEMENTS AUTHORIZED IN SECTION 8911 (RELATING  
14 TO IMPROVEMENT AND EXTENSION AUTHORIZATIONS), AND SUBJECT TO  
15 PRIOR LEGISLATIVE APPROVAL BY THE GENERAL ASSEMBLY AND THE  
16 UNITED STATES CONGRESS, THE COMMISSION IS HEREBY AUTHORIZED AND  
17 EMPOWERED TO CONVERT TO TOLL ROADS SUCH PORTIONS OF  
18 PENNSYLVANIA'S INTERSTATE HIGHWAY SYSTEM AS MAY BE REQUIRED IN  
19 ORDER TO FACILITATE THE COMPLETION OF THE TURNPIKE EXTENSIONS  
20 AND IMPROVEMENTS AUTHORIZED IN SECTIONS 8912 (RELATING TO  
21 SUBSEQUENT EXTENSION AUTHORIZATIONS), 8913 (RELATING TO  
22 ADDITIONAL SUBSEQUENT EXTENSION AUTHORIZATIONS) AND 8914  
23 (RELATING TO FURTHER SUBSEQUENT AUTHORIZATIONS) AND TO OPERATE  
24 AND MAINTAIN SUCH CONVERTED INTERSTATES AS TOLL ROADS UPON THE  
25 APPROVAL BY THE CONGRESS OF THE UNITED STATES OF AMERICA AND THE  
26 GENERAL ASSEMBLY OF THIS COMMONWEALTH OF LEGISLATION EXPRESSLY  
27 PERMITTING THE CONVERSION OF SUCH INTERSTATES TO TOLL ROADS.  
28 SUCH CONVERSIONS SHALL TAKE PLACE AT A TIME AND MANNER SET FORTH  
29 IN THE PLAN FOR THE CONVERSION PREPARED BY THE DEPARTMENT. THE  
30 PROVISIONS AUTHORIZING THE COMMISSION TO CONSTRUCT, OPERATE AND



1 MAINTAIN THE TURNPIKE ROUTES IN SECTIONS 8911, 8912 AND 8913  
2 SHALL BE SUBJECT TO:

3 (1) THE PRIOR PASSAGE BY THE CONGRESS OF THE UNITED  
4 STATES AND THE GENERAL ASSEMBLY OF THIS COMMONWEALTH OF  
5 LEGISLATION PERMITTING THE CONVERSION OF CERTAIN INTERSTATES  
6 TO TOLL ROADS; OR

7 (2) THE AVAILABILITY OF SUCH OTHER FUNDS AS MIGHT BECOME  
8 AVAILABLE IN AMOUNTS THAT WOULD BE SUFFICIENT TO FUND TO  
9 COMPLETION ANY OF THE INDIVIDUAL TURNPIKE EXTENSIONS AND  
10 IMPROVEMENTS SET FORTH IN SECTIONS 8912, 8913 AND 8914 SO  
11 LONG AS NO TURNPIKE EXTENSION OR IMPROVEMENT AUTHORIZED BY  
12 SECTION 8914 IS UNDERTAKEN UNTIL AFTER ALL THE TURNPIKE  
13 EXTENSIONS AUTHORIZED BY SECTION 8913 ARE COMPLETED AND NO  
14 TURNPIKE EXTENSION AUTHORIZED BY SECTION 8913 IS UNDERTAKEN  
15 UNTIL AFTER ALL THE TURNPIKE EXTENSIONS AND IMPROVEMENTS  
16 AUTHORIZED BY SECTION 8912 ARE COMPLETED. THE COMMISSION IS  
17 AUTHORIZED TO USE FEDERAL FUNDS WHICH MAY BE AVAILABLE FOR  
18 TOLL ROADS ONLY PURSUANT TO THE APPROVAL OF THE SECRETARY OF  
19 TRANSPORTATION AND ONLY PURSUANT TO THE AUTHORITY GRANTED IN  
20 SECTION 19 OF THE ACT OF SEPTEMBER 30, 1985 (P.L.240, NO.61),  
21 KNOWN AS THE TURNPIKE ORGANIZATION, EXTENSION AND TOLL ROAD  
22 CONVERSION ACT.

23 § 8916. TURNPIKE SYSTEM.

24 THE TURNPIKES AND THE FUTURE TOLL ROAD CONVERSIONS AUTHORIZED  
25 BY THIS CHAPTER ARE HEREBY OR SHALL BE MADE PART OF THE  
26 PENNSYLVANIA TURNPIKE SYSTEM, AS PROVIDED IN THE ACT OF AUGUST  
27 14, 1951 (P.L.1232, NO.282), REFERRED TO AS THE PENNSYLVANIA  
28 TURNPIKE SYSTEM FINANCING ACT.

29 SECTION 12. THE PROVISIONS OF 74 PA.C.S. CH. 81 ARE REPEALED.

30 SECTION 13. THIS ACT SHALL TAKE EFFECT IN 60 DAYS.