

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 78

Session of  
1993

INTRODUCED BY CAPPABIANCA, MIHALICH, CALTAGIRONE, DEMPSEY,  
PESCI, SCHULER, HALUSKA, CLYMER, SCRIMENTI, GEIST, STABACK,  
KAISER, COY, PETRARCA, LEDERER, FAIRCHILD, BROWN, FAJT,  
E. Z. TAYLOR, TRELLO, MASLAND, PRESTON, TOMLINSON, MELIO,  
KING, ROONEY, BEBKO-JONES, FICHTER, WAUGH, RICHARDSON AND  
JAMES, JANUARY 27, 1993

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,  
MAY 25, 1993

## AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, further defining "emergency ~~vehiele.~~ VEHICLE"; <—  
3 FURTHER PROVIDING FOR SECURING LOADS IN VEHICLES; AND  
4 REGULATING SOURCE-SEPARATED RECYCLABLE MATERIALS TRANSPORTED  
5 WITHIN THIS COMMONWEALTH.

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

8 Section 1. The INTRODUCTORY PARAGRAPH OF THE definition of <—  
9 "emergency vehicle" in section 102 of Title 75 of the  
10 Pennsylvania Consolidated Statutes is amended AND THE DEFINITION <—  
11 IS AMENDED by adding a paragraph to read:

12 § 102. Definitions.

13 Subject to additional definitions contained in subsequent  
14 provisions of this title which are applicable to specific  
15 provisions of this title, the following words and phrases when  
16 used in this title shall have, unless the context clearly  
17 indicates otherwise, the meanings given to them in this section:

1 \* \* \*

2 "Emergency vehicle." A fire department vehicle, police  
3 vehicle, sheriff vehicle, ambulance, blood-delivery vehicle,  
4 armed forces emergency vehicle, one vehicle operated by a  
5 coroner or chief county medical examiner and one vehicle  
6 operated by a chief deputy coroner or deputy chief county  
7 medical examiner used for answering emergency calls, ONE VEHICLE <—  
8 OPERATED BY THE HAZARDOUS INCIDENT RESPONSE TEAM, or any other  
9 vehicle designated by the State Police under section 6106  
10 (relating to designation of emergency vehicles by Pennsylvania  
11 State Police), or a privately owned vehicle used in answering an  
12 emergency call when used by any of the following:

13 \* \* \*

14 (9) The commander and assistant commander of an  
15 organized scuba rescue team.

16 \* \* \*

17 SECTION 2. SECTION 4903(F) OF TITLE 75 IS AMENDED AND THE <—  
18 SECTION IS AMENDED BY ADDING SUBSECTIONS TO READ:

19 § 4903. SECURING LOADS IN VEHICLES.

20 \* \* \*

21 (C.3) LOAD OF CRUSHED VEHICLES.--ANY VEHICLE USED TO CARRY A  
22 LOAD OF FOUR OR MORE CRUSHED VEHICLES MUST BE EQUIPPED WITH FOUR  
23 SIDES OF A HEIGHT OF NOT LESS THAN THE MAXIMUM HEIGHT OF THE  
24 LOAD.

25 \* \* \*

26 (F) PENALTY FOR VIOLATION OF SUBSECTION (A), (B) [OR] (C)  
27 OR (C.3).--A PERSON WHO OWNS OR WHO OPERATES A VEHICLE IN  
28 VIOLATION OF SUBSECTION (A), (B) [OR] (C) OR (C.3) AND, AS A  
29 RESULT OF THE VIOLATION, ANY ITEM, PIECE, FRAGMENT OR PART OF  
30 THE LOAD ESCAPES AND CAUSES INJURY TO A PERSON OR DAMAGE TO

1 ANOTHER VEHICLE OR OTHER PROPERTY COMMITS A SUMMARY OFFENSE AND  
2 SHALL, UPON CONVICTION, BE SENTENCED TO PAY A FINE OF NOT LESS  
3 THAN \$300 NOR MORE THAN \$1,000. A VIOLATION OF SUBSECTION (A),  
4 (B) [OR], (C) OR (C.3) WHICH DOES NOT RESULT IN INJURY TO A  
5 PERSON OR DAMAGE TO ANOTHER VEHICLE OR OTHER PROPERTY  
6 CONSTITUTES A SUMMARY OFFENSE, PUNISHABLE BY A FINE OF NOT LESS  
7 THAN \$100 NOR MORE THAN \$300.

8 \* \* \*

9 (H) DEFINITION.--AS USED IN THIS SECTION, THE TERM "WASTE"  
10 SHALL INCLUDE SOURCE-SEPARATED RECYCLABLE MATERIALS WHICH ARE  
11 SEPARATED FROM MUNICIPAL WASTE AT THE POINT OF ORIGIN AND  
12 TRANSPORTED THROUGH OR WITHIN THIS COMMONWEALTH.

13 Section ~~2~~ 3. This act shall take effect in 60 days.

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