
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1443 Session of
1993

INTRODUCED BY DALEY, PESCI, MELIO, TRELLO, GEIST, TOMLINSON AND
PISTELLA, APRIL 27, 1993

REFERRED TO COMMITTEE ON TRANSPORTATION, APRIL 27, 1993

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for the certification of
3 employees and equipment to perform vehicle weight
4 inspections.

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

7 Section 1. Section 4981(a) and (e) of Title 75 of the
8 Pennsylvania Consolidated Statutes are amended and the section
9 is amended by adding a subsection to read:

10 § 4981. Weighing and measurement of vehicles.

11 (a) Authority of police officers and qualified department
12 employees.--Any police officer or qualified department employee
13 is authorized to require the driver of any vehicle or
14 combination to stop and submit the vehicle or combination to be
15 measured and weighed. Weighing may be done by using either
16 portable or stationary scales, provided that when portable
17 scales more than one inch in height are used, sufficient ramp
18 blocks shall be made available to allow the vehicle or

1 combination to mount the scales safely. The weighing shall be
2 conducted by qualified personnel who have been trained in the
3 use of weighing equipment in a training program approved by [the
4 Department of Agriculture] an agency of this Commonwealth. The
5 personnel performing the weighing on all highways and
6 interstates in this Commonwealth shall inform the drivers of the
7 vehicle of the right to readjust or rearrange the load under
8 section 4982(c) (relating to reducing or readjusting loads of
9 vehicles). The driver or owner, if present, of any vehicle or
10 combination may, at the time of weighing, witness in an orderly
11 fashion the weighing procedure. If the driver wishes to witness
12 the procedure from outside the cab of the vehicle, he shall be
13 required to turn off the engine, put the transmission in gear
14 and set the emergency brake before leaving the cab. A police
15 officer or qualified department employee may require that a
16 vehicle or combination be driven to the nearest available
17 portable or stationary scales if the scales are within two
18 miles.

19 * * *

20 (e) [Calibration] Certification and accuracy of portable
21 scales.--Portable scales shall be [calibrated] checked every 30
22 days for the purpose of certification [and] of accuracy by the
23 Department of [Agriculture.] General Services. A certificate
24 from the Department of General Services showing that portable
25 scales were checked and found to be accurate shall be competent
26 and prima facie evidence of those facts in every proceeding in
27 which a violation of this chapter is charged. This certificate
28 and the weight of a vehicle or combination as determined by
29 portable scales so certified shall not be contradicted except by
30 clear and convincing evidence.

1 (f) Certification of qualified personnel.--The competency of
2 a witness to testify concerning the weighing of a vehicle may be
3 established by a certificate from an agency of this Commonwealth
4 showing that the person was trained in the use of weighing
5 equipment in a training program approved by a Commonwealth
6 agency. This certification shall be admissible as competent and
7 prima facie evidence that the person is qualified and trained in
8 the use of weighing equipment.

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