
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1892 Session of
1993

INTRODUCED BY MARKOSEK, HASAY, DENT, MAYERNIK, DERMODY,
GIGLIOTTI, GORDNER, YANDRISEVITS, PESCI, SANTONI, VAN HORNE,
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KING, M. N. WRIGHT, PISTELLA, FAJT, RAYMOND, PETTIT, SATHER,
BUNT, GODSHALL, CLARK, OLASZ, GEIST, PRESTON, DRUCE, McCALL,
MELIO, COLAFELLA, B. SMITH, TRELLO, LEH, BELFANTI, TANGRETTI,
PETRARCA, D. W. SNYDER, MICHLOVIC AND BOYES, JUNE 23, 1993

SENATOR FUMO, APPROPRIATIONS, RE-REPORTED AS AMENDED,
MARCH 15, 1994

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for schedule of convictions and
3 points, FOR PERIODS OF DRIVERS' LICENSES REVOCATION OR <—
4 SUSPENSION, for drivers' licenses and permits and for
5 emissions program; PROVIDING FOR WIDTHS OF MOTOR HOMES; and <—
6 making a ~~repeal~~ REPEALS. <—

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

9 Section 1. Sections 1510(b), 1535(b), 1541(A), 1951 and 4706 <—
10 heading, (a), ~~(b.1)(1)~~ and ~~(c)(1)~~ AND (B.1)(1) of Title 75 of <—
11 the Pennsylvania Consolidated Statutes are amended to read:
12 § 1510. Issuance and content of driver's license.

13 * * *

14 (b) Identification card.--The department shall, upon payment
15 of the required fee, issue an identification card to any person

1 who has made application therefor in such manner as the
2 department shall prescribe or whose driver's license has been
3 surrendered to the department because of a suspension or
4 revocation of an operating privilege under this or any other
5 title for a period of at least 90 days. The identification card <—
6 shall have substantially the same content as a driver's license
7 but shall clearly indicate that it is not a driver's license.
8 Upon failure of any person to pass any examination required
9 under section 1514 (relating to expiration and renewal of
10 drivers' licenses), the department shall, where appropriate,
11 issue a complimentary identification card as an expression of
12 gratitude for years of safe driving. The card shall only be
13 issued upon receipt of the person's driver's license.

14 * * *

15 § 1535. Schedule of convictions and points.

16 * * *

17 (b) Multiple offenses from same act.--If a driver is
18 convicted of [two or more offenses as a result of the same act,
19 points shall be assessed only for the offense for which the
20 greatest number of points may be assessed] an offense under
21 section 3361 (relating to driving vehicle at safe speed) or 3714
22 (relating to careless driving), in addition to being convicted
23 of another offense committed at the same time and place, no
24 points shall be assigned for violation of section 3361 or 3714
25 if points are assigned for the other offense.

26 * * *

27 § 1541. PERIOD OF REVOCATION OR SUSPENSION OF OPERATING <—
28 PRIVILEGE.

29 (A) COMMENCEMENT OF PERIOD.--THE PERIOD OF REVOCATION OR
30 SUSPENSION OF THE OPERATING PRIVILEGE OR THE DISQUALIFICATION OF

1 THE COMMERCIAL OPERATING PRIVILEGE SHALL COMMENCE AS PROVIDED
2 FOR IN SECTION 1540 (RELATING TO SURRENDER OF LICENSE). NO
3 CREDIT TOWARD THE REVOCATION [OR], SUSPENSION OR
4 DISQUALIFICATION SHALL BE EARNED UNTIL THE DRIVER'S LICENSE IS
5 SURRENDERED TO THE DEPARTMENT, THE COURT OR THE DISTRICT
6 ATTORNEY, AS THE CASE MAY BE. A NONRESIDENT LICENSED DRIVER OR
7 AN UNLICENSED DRIVER SHALL SUBMIT AN ACKNOWLEDGMENT OF
8 SUSPENSION OR REVOCATION TO THE DEPARTMENT IN LIEU OF A DRIVER'S
9 LICENSE. THE DEPARTMENT MAY, UPON REQUEST OF THE PERSON WHOSE
10 LICENSE IS SUSPENDED OR DISQUALIFIED, DELAY THE COMMENCEMENT OF
11 THE PERIOD OF SUSPENSION OR DISQUALIFICATION FOR A PERIOD NOT
12 EXCEEDING SIX MONTHS WHENEVER THE DEPARTMENT DETERMINES THAT
13 FAILURE TO GRANT THE EXTENSION WILL RESULT IN HARDSHIP TO THE
14 PERSON WHOSE LICENSE HAS BEEN SUSPENDED OR DISQUALIFIED.

15 * * *

16 § 1951. Driver's license and learner's permit.

17 (a) Driver's license.--The annual fee for a driver's license
18 shall be \$5 plus the cost of the photograph required in section
19 1510(a) (relating to issuance and content of driver's license).

20 (b) Learner's permit.--The fee for a learner's permit shall
21 be \$5.

22 (c) Identification card.--The fee for an identification card
23 shall be \$5 plus the cost of the photograph.

24 (d) Replacement license or card.--The fee for a replacement
25 driver's license or identification card shall be \$5.

26 § 4706. [Prohibition on expenditures for emission] Emission
27 inspection program.

28 (a) General rule.--Except as provided in [subsection (b)]
29 this section, neither the department nor any other department or
30 agency of the executive branch of State government shall expend

1 any public funds for the establishment and administration of any
2 system for the periodic inspection of emissions or emission
3 systems of motor vehicles.

4 * * *

5 (b.1) Further exception.--

6 (1) The provisions of subsection (a) shall not apply if
7 the secretary shall certify that a system is required to
8 comply with the Clean Air Act (Public Law 95-95, 42 U.S.C. §
9 7401 et seq.) and subsequent amendments or a final decree of
10 a Federal court and is necessary for the Commonwealth to
11 receive or avoid the loss of Federal funds, in which case the
12 department shall establish and administer an enhanced
13 emission inspection program. This program shall be
14 established in all areas of this Commonwealth where the
15 secretary certifies by publication in the Pennsylvania
16 Bulletin that a system is required in order to comply with
17 Federal law. Any area, counties, county or portion thereof
18 certified to be in the program by the secretary must be
19 mandated to be in the program by Federal law. If a petition
20 is required to be sent to the Federal Government in order for
21 any counties, county or portions of any county to be exempted
22 from the emission inspection program, the secretary shall
23 petition the Federal Government on behalf of any counties,
24 county or portion of any county that may qualify for an
25 exemption. In cases where more than one county within a
26 metropolitan statistical area may be exempted from the
27 emissions inspection program, the county with the lowest
28 population per square mile shall be exempted first. In cases
29 where only portions of one county may be exempted from the
30 emissions inspection program, the areas with the lowest

1 population per area of postal zip code coverage region shall
2 be exempted first. If the secretary establishes a centralized
3 inspection program, the following limitations shall be
4 applicable:

5 (i) Vehicle emission inspection shall be on a
6 biennial basis.

7 (ii) No vehicle repairs or vehicle safety
8 inspections shall be performed at any centralized
9 emission inspection facility.

10 (iii) No contractor providing centralized inspection
11 shall own or have any business interest in any vehicle
12 repair facility in this Commonwealth.

13 (iv) For the purposes of this chapter, the
14 department may issue a contract for a period of seven
15 years or more to the successful bidder for the
16 establishment and operation of a centralized program for
17 emissions testing.

18 (v) The department shall promulgate regulations for
19 the conduct, supervision and qualification of a
20 contractor, its principals, employees or agents providing
21 centralized emission testing which shall include a
22 schedule of offenses punishable by fine of up to \$20,000
23 and shall make provision for the discipline, termination,
24 suspension and/or debarment of a contractor, its
25 principals, employees or agents for the violation of a
26 regulation pertaining to the emission testing program.

27 (vi) Every centralized emission inspection center
28 shall prominently display a sign containing the following
29 phrase:

30 Auto emissions testing is a requirement of the

Federal Environmental Protection Agency.

This phrase shall also appear on all correspondence
pertaining to auto emissions sent to motorists by the
department or its contractors. It shall be a violation of
this subparagraph, punishable by a civil penalty of
\$1,000, for any centralized emission inspection center to
fail to display or any department contractor to fail to
use the required phrase.

* * *

~~(c) Evidence of emission inspection.~~

<—

~~(1) The department shall issue evidence of emission
inspection through an official emission inspection station or
an authorized agent of the department, valid until the next
scheduled emission inspection, for a subject motor vehicle
which meets the following criteria:~~

~~(i) The subject vehicle has passed an inspection or
a reinspection performed by the emission inspection
station[, including an antitampering check,] and all
required emission control devices are installed[, except
as noted in subparagraph (ii)].~~

~~(ii) [For two years from the commencement of the
enhanced emission inspection program, a subject vehicle
that passes the tailpipe emissions portion of the test
but fails the antitampering check portion shall be issued
a tampering warning in lieu of a test failure. At the
expiration of this time period, the subject vehicle shall
meet the requirements of subparagraph (i) or shall be
considered to have failed the entire test.~~

~~(iii) The subject vehicle is exempt pursuant to the
provisions of section 4702(g) (relating to requirement~~

1 ~~for periodic inspection of vehicles).~~

2 * * *

3 SECTION 2. SECTION 4921 OF TITLE 75 IS AMENDED BY ADDING A <—
4 SUBSECTION TO READ:

5 § 4921. WIDTH OF VEHICLES.

6 * * *

7 (C.1) MOTOR HOMES.--ANY MOTOR HOME MAY HAVE A TOTAL OUTSIDE
8 WIDTH NOT TO EXCEED EIGHT FEET SIX INCHES.

9 * * *

10 Section 2 3. ~~For the last year of emission testing in~~ IN <—
11 those areas previously designated by the Department of
12 Transportation as requiring emission inspection, the department
13 shall ~~permit one half of all subject vehicles required to~~ <—
14 ~~undergo the emission inspection to receive an emission~~
15 ~~certificate that will expire in a period not to exceed 27~~
16 ~~months. Those vehicles~~ REQUIRE THOSE VEHICLES selected for a <—
17 biennial inspection ~~shall be required~~ to undergo a complete <—
18 enhanced emission inspection before the expiration of the
19 ~~biennial~~ certificate of inspection as provided under this act. <—
20 The remaining subject vehicles IN THOSE AREAS PREVIOUSLY <—
21 DESIGNATED AS REQUIRING EMISSION INSPECTION shall ~~undergo a~~ <—
22 ~~complete basic emission inspection for the last year of the~~
23 ~~current emission inspection program~~ BE PRESENTED TO A <—
24 CENTRALIZED EMISSION INSPECTION STATION FOR THE PURPOSE OF
25 REPLACING THE EXPIRING CERTIFICATE OF EMISSION INSPECTION WITH A
26 CERTIFICATE, AT A REDUCED FEE, VALID FOR ONE YEAR FROM THE DATE
27 OF THE EXPIRING CERTIFICATE and, in accordance with the
28 provisions of this act, shall undergo an enhanced emission
29 inspection thereafter. In those areas not previously designated
30 by the department as requiring emission inspection, the

1 department shall require one-half of all subject vehicles to
2 undergo a complete enhanced emission inspection as provided
3 under this act. The remaining subject vehicles shall undergo a
4 complete enhanced emission inspection the following year in
5 accordance with the provisions of this act.

6 Section 3 4. ~~(a)~~ The following acts and parts of acts are <—
7 repealed:

8 ~~Section 6~~ SECTIONS 6 AND 8(A)(5) AND (B)(1) of the act of <—
9 December 16, 1992 (P.L.1250, No.166), entitled "An act amending
10 Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes,
11 providing for the implementation and administration of an
12 enhanced vehicle emission inspection program; further providing
13 for administrative duties of the Department of Transportation
14 for certain services and the Department of Environmental
15 Resources; providing for an alternative fuels grant program;
16 establishing the Alternative Fuels Incentive Grant Fund; and
17 making an appropriation."

18 ~~(b) The following acts and parts of acts are repealed to the <—~~
19 ~~extent specified:~~

20 ~~Section 9(3) of the act of December 16, 1992 (P.L.1250,~~
21 ~~No.166), entitled "An act amending Title 75 of the Pennsylvania~~
22 ~~Consolidated Statutes, providing for the implementation and~~
23 ~~administration of an enhanced vehicle emission inspection~~
24 ~~program; further providing for administrative duties of the~~
25 ~~Department of Transportation for certain services and the~~
26 ~~Department of Environmental Resources; providing for an~~
27 ~~alternative fuels grant program; establishing the Alternative~~
28 ~~Fuels Incentive Grant Fund; and making an appropriation," is~~
29 ~~repealed insofar as it is inconsistent with the effective date~~
30 ~~of the reenactment of 75 Pa.C.S. § 4704(e) under this act.~~

1 ~~Section 4. This act shall take effect in 60 days.~~

2 SECTION 9 OF THE ACT OF FEBRUARY 10, 1994 (P.L. , NO.2), <—
3 ENTITLED "AN ACT AMENDING TITLE 75 (VEHICLES) OF THE
4 PENNSYLVANIA CONSOLIDATED STATUTES, REENACTING PROVISIONS ON
5 INSPECTION BY POLICE AND COMMONWEALTH PERSONNEL; FURTHER
6 DEFINING "TERMINAL"; DEFINING "MAXI-CUBE VEHICLE" AND "STINGER-
7 STEERED AUTOMOBILE" OR "BOAT TRANSPORTER"; FURTHER PROVIDING FOR
8 SUSPENSION OF REGISTRATION FOR LACK OF FINANCIAL RESPONSIBILITY,
9 FOR THE LENGTH, WIDTH, MAXIMUM NUMBER AND OPERATION OF CERTAIN
10 VEHICLES AND FOR THE AUTHORITY TO ISSUE PERMITS, FOR USE OF
11 MISCELLANEOUS MOTOR VEHICLE BUSINESS REGISTRATION PLATES, FOR
12 EMISSION INSPECTION PROGRAM EXPENDITURES AND FOR WEIGHING AND
13 MEASUREMENT OF VEHICLES; WAIVING CERTAIN SCHOOL BUS DRIVER
14 RECERTIFICATION TESTS; FURTHER PROVIDING FOR CERTAIN EMISSION
15 INSPECTION; AND MAKING REPEALS."

16 SECTION 5. IN PURSUING THE DIRECTIVES OF SECTION 8(A) OF THE <—
17 ACT OF DECEMBER 16, 1992 (P.L.1250, NO.166), ENTITLED "AN ACT
18 AMENDING TITLE 75 (VEHICLES) OF THE PENNSYLVANIA CONSOLIDATED
19 STATUTES, PROVIDING FOR THE IMPLEMENTATION AND ADMINISTRATION OF
20 AN ENHANCED VEHICLE EMISSION INSPECTION PROGRAM; FURTHER
21 PROVIDING FOR ADMINISTRATIVE DUTIES OF THE DEPARTMENT OF
22 TRANSPORTATION FOR CERTAIN SERVICES AND THE DEPARTMENT OF
23 ENVIRONMENTAL RESOURCES; PROVIDING FOR AN ALTERNATIVE FUELS
24 GRANT PROGRAM; ESTABLISHING THE ALTERNATIVE FUELS INCENTIVE
25 GRANT FUND; AND MAKING AN APPROPRIATION," THE DEPARTMENT OF
26 TRANSPORTATION IS AUTHORIZED TO CONTRACT WITH PRIVATE ENTITIES
27 FOR THE PURPOSE OF DEVELOPMENT, ADMINISTRATION AND OPERATION OF
28 A SYSTEM WHICH WILL PERMIT ELECTRONIC TRANSACTIONS, PAYMENT BY
29 CREDIT OR DEBIT CARD AND ELECTRONIC FUNDS TRANSFER. CONTRACTED
30 PRIVATE ENTITIES SHALL BE PERMITTED TO CHARGE A REASONABLE FEE

1 TO CUSTOMERS FOR PROVIDING THESE SERVICES. A THIRD PARTY
2 OPERATING A SECURED-HOST COMPUTER SYSTEM INTERFACING WITH THE
3 COMPUTER SYSTEM OF THE DEPARTMENT OF TRANSPORTATION MUST BE
4 BONDED IN AN AMOUNT SPECIFIED BY THE DEPARTMENT OF
5 TRANSPORTATION AND SHALL MAINTAIN TRANSACTION AUDIT TRAILS FOR A
6 PERIOD OF TIME SPECIFIED BY THE DEPARTMENT OF TRANSPORTATION.
7 THE DEPARTMENT OF TRANSPORTATION SHALL PROVIDE A WRITTEN REPORT
8 OF ITS ACTIVITIES RELATING TO DECENTRALIZED MOTOR VEHICLE AND
9 DRIVER'S LICENSE TRANSACTION SERVICES TO THE TRANSPORTATION
10 COMMITTEE OF THE SENATE AND THE TRANSPORTATION COMMITTEE OF THE
11 HOUSE OF REPRESENTATIVES BY NOVEMBER 30, 1994.

12 SECTION 6. THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

13 (1) THE AMENDMENT OF 75 PA.C.S. §§ 1510(B), 1535(B) AND
14 1951 SHALL TAKE EFFECT IN 60 DAYS.

15 (2) THE AMENDMENT OF 75 PA.C.S. § 4706 SHALL TAKE EFFECT
16 60 DAYS AFTER THE DEPARTMENT OF TRANSPORTATION CERTIFIES BY
17 NOTICE IN THE PENNSYLVANIA BULLETIN THAT AN ENHANCED EMISSION
18 INSPECTION PROGRAM WILL COMMENCE.

19 (3) THE AMENDMENT OF 75 PA.C.S. § 1541 SHALL TAKE EFFECT
20 IMMEDIATELY.

21 (4) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT
22 IMMEDIATELY.