

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1712 Session of
1995

INTRODUCED BY PHILLIPS, MARKOSEK, STISH, LYNCH, BAKER, FICHTER,
M. N. WRIGHT, LEH, STABACK, TRUE, SAYLOR, SATHER, SERAFINI,
TRELLO, STETLER, ARMSTRONG, HENNESSEY, MERRY, MARSICO,
SEMMELE, YOUNGBLOOD, EGOLF, HESS, BROWNE AND ITKIN,
JUNE 7, 1995

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
OCTOBER 17, 1995

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for DEFINITIONS, FOR VEHICLE <—
3 REGISTRATION PERIODS OF LESS THAN ONE YEAR AND FOR exemptions
4 from the motorbus road tax.

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

7 ~~Section 1. Section 9804 of Title 75 of the Pennsylvania~~ <—
8 ~~Consolidated Statutes is amended by adding a paragraph to read:~~

9 SECTION 1. THE DEFINITION OF "EMERGENCY VEHICLE" IN SECTION <—
10 102 OF TITLE 75 OF THE PENNSYLVANIA CONSOLIDATED STATUTES IS
11 AMENDED 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 HAZARDOUS MATERIAL RESPONSE VEHICLE, ARMED FORCES EMERGENCY
5 VEHICLE, ONE VEHICLE OPERATED BY A CORONER OR CHIEF COUNTY
6 MEDICAL EXAMINER AND ONE VEHICLE OPERATED BY A CHIEF DEPUTY
7 CORONER OR DEPUTY CHIEF COUNTY MEDICAL EXAMINER USED FOR
8 ANSWERING EMERGENCY CALLS, OR ANY OTHER VEHICLE DESIGNATED BY
9 THE STATE POLICE UNDER SECTION 6106 (RELATING TO DESIGNATION OF
10 EMERGENCY VEHICLES BY PENNSYLVANIA STATE POLICE), OR A PRIVATELY
11 OWNED VEHICLE USED IN ANSWERING AN EMERGENCY CALL WHEN USED BY
12 ANY OF THE FOLLOWING:

13 (1) A POLICE CHIEF AND ASSISTANT CHIEF.

14 (2) A FIRE CHIEF, ASSISTANT CHIEF AND, WHEN A FIRE
15 COMPANY HAS THREE OR MORE FIRE VEHICLES, A SECOND OR THIRD
16 ASSISTANT CHIEF.

17 (3) A FIRE POLICE CAPTAIN AND FIRE POLICE LIEUTENANT.

18 (4) AN AMBULANCE CORPS COMMANDER AND ASSISTANT
19 COMMANDER.

20 (5) A RIVER RESCUE COMMANDER AND ASSISTANT COMMANDER.

21 (6) A COUNTY EMERGENCY MANAGEMENT COORDINATOR.

22 (7) A FIRE MARSHAL.

23 (8) A RESCUE SERVICE CHIEF AND ASSISTANT CHIEF.

24 * * *

25 SECTION 2. SECTION 1307 OF TITLE 75 IS AMENDED BY ADDING A
26 SUBSECTION TO READ:

27 § 1307. PERIOD OF REGISTRATION.

28 * * *

29 (A.1) SEASONAL REGISTRATION.--UPON APPLICATION ON A FORM
30 PRESCRIBED BY THE DEPARTMENT, THE OWNER OR LESSEE OF A PASSENGER

CAR, MOTORCYCLE, TRUCK OR FARM VEHICLE WHICH DOES NOT HAVE A
GROSS VEHICLE WEIGHT RATING OF MORE THAN 9,000 POUNDS MAY
REGISTER THE VEHICLE WITH THE DEPARTMENT FOR A PERIOD OF
SUCCESSIVE MONTHS OF LESS THAN ONE YEAR. THE APPLICANT SHALL
SPECIFY THE PERIOD OF MONTHS DURING WHICH THE VEHICLE SHALL BE
REGISTERED. EXCEPT WHEN THE DEPARTMENT INITIALLY CONVERTS A
CURRENTLY VALID ANNUAL REGISTRATION TO A SEASONAL REGISTRATION,
THE ANNUAL FEE PRESCRIBED FOR THE VEHICLE BY CHAPTER 19
(RELATING TO FEES) SHALL BE PAID IN FULL BY THE APPLICANT
REGARDLESS OF THE NUMBER OF MONTHS CHOSEN FOR REGISTRATION BY
THE APPLICANT. UPON RECEIPT OF THE APPROPRIATE FEE AND THE
PROPERLY COMPLETED FORM, INCLUDING ALL INFORMATION REQUIRED BY
THIS CHAPTER, THE DEPARTMENT SHALL ISSUE A SEASONAL REGISTRATION
THAT SHALL EXPIRE ON THE LAST DAY OF THE EXPIRATION MONTH CHOSEN
BY THE REGISTRANT.

* * *

SECTION 3. SECTION 1786(G)(2) OF TITLE 75 IS AMENDED AND
SUBSECTION (D) IS AMENDED BY ADDING A PARAGRAPH TO READ:
§ 1786. REQUIRED FINANCIAL RESPONSIBILITY.

* * *

(D) SUSPENSION OF REGISTRATION AND OPERATING PRIVILEGE.--THE
DEPARTMENT OF TRANSPORTATION SHALL SUSPEND THE REGISTRATION OF A
VEHICLE FOR A PERIOD OF THREE MONTHS IF IT DETERMINES THE
REQUIRED FINANCIAL RESPONSIBILITY WAS NOT SECURED AS REQUIRED BY
THIS CHAPTER AND SHALL SUSPEND THE OPERATING PRIVILEGE OF THE
OWNER OR REGISTRANT FOR A PERIOD OF THREE MONTHS IF THE
DEPARTMENT DETERMINES THAT THE OWNER OR REGISTRANT HAS OPERATED
OR PERMITTED THE OPERATION OF THE VEHICLE WITHOUT THE REQUIRED
FINANCIAL RESPONSIBILITY. THE OPERATING PRIVILEGE SHALL NOT BE
RESTORED UNTIL THE RESTORATION FEE FOR OPERATING PRIVILEGE

1 PROVIDED BY SECTION 1960 (RELATING TO REINSTATEMENT OF OPERATING
2 PRIVILEGE OR VEHICLE REGISTRATION) IS PAID. WHENEVER THE
3 DEPARTMENT REVOKES OR SUSPENDS THE REGISTRATION OF ANY VEHICLE
4 UNDER THIS CHAPTER, THE DEPARTMENT SHALL NOT RESTORE THE
5 REGISTRATION UNTIL THE VEHICLE OWNER FURNISHES PROOF OF
6 FINANCIAL RESPONSIBILITY IN A MANNER DETERMINED BY THE
7 DEPARTMENT AND SUBMITS AN APPLICATION FOR REGISTRATION TO THE
8 DEPARTMENT, ACCOMPANIED BY THE FEE FOR RESTORATION OF
9 REGISTRATION PROVIDED BY SECTION 1960. THIS SUBSECTION SHALL NOT
10 APPLY IN THE FOLLOWING CIRCUMSTANCES:

11 * * *

12 (3) THE INSURANCE COVERAGE HAS TERMINATED OR FINANCIAL
13 RESPONSIBILITY HAS LAPSED SIMULTANEOUSLY WITH, OR SUBSEQUENT
14 TO, EXPIRATION OF A SEASONAL REGISTRATION, AS PROVIDED IN
15 SECTION 1307(A.1) (RELATING TO PERIOD OF REGISTRATION).

16 * * *

17 (G) DEFENSES.--

18 * * *

19 (2) NO PERSON SHALL BE PENALIZED FOR MAINTAINING A
20 REGISTERED MOTOR VEHICLE WITHOUT FINANCIAL RESPONSIBILITY
21 UNDER SUBSECTION (D) IF, AT THE TIME INSURANCE COVERAGE
22 TERMINATED OR FINANCIAL RESPONSIBILITY LAPSED, THE
23 REGISTRATION PLATE AND CARD WERE VOLUNTARILY SURRENDERED TO
24 THE DEPARTMENT, A FULL AGENT DESIGNATED BY THE DEPARTMENT TO
25 ACCEPT VOLUNTARILY SURRENDERED REGISTRATION PLATES AND CARDS
26 PURSUANT TO REGULATIONS PROMULGATED BY THE DEPARTMENT OR A
27 DECENTRALIZED SERVICE AGENT APPOINTED BY THE DEPARTMENT. IF A
28 SEASONAL REGISTRATION, AS PROVIDED IN SECTION 1307(A.1), HAS
29 BEEN ISSUED FOR THE VEHICLE, RETURN OF THE REGISTRATION PLATE
30 AND CARD SHALL BE REQUIRED ONLY IF THE INSURANCE COVERAGE

1 TERMINATES OR FINANCIAL RESPONSIBILITY LAPSES PRIOR TO THE
2 EXPIRATION OF THE SEASONAL REGISTRATION. THE DEPARTMENT, A
3 FULL AGENT OR THE DECENTRALIZED SERVICE AGENT, AS THE CASE
4 MAY BE, SHALL ISSUE A RECEIPT SHOWING THE DATE THAT THE
5 REGISTRATION PLATE AND CARD WERE RECEIVED. THE DESIGNATED
6 FULL AGENT OR THE DECENTRALIZED SERVICE AGENT SHALL RETURN
7 THE REGISTRATION PLATE AND CARD TO THE DEPARTMENT ACCOMPANIED
8 BY A COPY OF THE RECEIPT.

9 * * *

10 SECTION 4. SECTION 9804 OF TITLE 75 IS AMENDED BY ADDING A
11 PARAGRAPH TO READ:

12 § 9804. Exemptions.

13 The requirements of this chapter do not apply to the
14 following motorbuses:

15 * * *

16 (4) A motorbus owned and registered to:

17 (i) A nonprofit youth center, youth camp or
18 nonpublic school.

19 (ii) The American Red Cross.

20 (iii) A church.

21 (iv) The Girl Scouts of America.

22 (v) The Boy Scouts of America.

23 (vi) The Salvation Army.

24 (vii) A duly chartered post of national veterans'
25 organizations.

26 (viii) The Young Men's Christian Association.

27 (ix) The Young Men's Hebrew Association.

28 (x) The Young Women's Christian Association.

29 (xi) The Young Women's Hebrew Association.

30 (xii) A Jewish community center.

1 (xiii) A nonprofit corporation of musical marching
2 groups of youths.

3 (xiv) A nonprofit organization which cares for or
4 otherwise provides services for the elderly or the
5 infirm.

6 (xv) A nonprofit organization which principally
7 serves persons with a mental or physical handicap or
8 disability.

9 Section 2 5. The amendment of 75 Pa.C.S. § 9804 shall be
10 retroactive to August 10, 1992.

11 ~~Section 3. This act shall take effect immediately.~~

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

13 (1) THE AMENDMENT OF THE DEFINITION OF "EMERGENCY
14 VEHICLE" IN 75 PA.C.S. § 102 SHALL TAKE EFFECT IN 120 DAYS.

15 (2) THE AMENDMENT OF 75 PA.C.S. § 9804 SHALL TAKE EFFECT
16 IMMEDIATELY.

17 (3) THIS SECTION SHALL TAKE EFFECT IMMEDIATELY.

18 (4) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT IN 60
19 DAYS.