
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, IN SENATE, JUNE 25, 1996

AN ACT

1 Amending Title TITLES 74 (TRANSPORTATION) AND 75 (Vehicles) of <—
2 the Pennsylvania Consolidated Statutes, PROVIDING FOR UTILITY <—
3 TRAILERS AND FOR THE DESIGNATION OF CERTAIN SCENIC BYWAYS;
4 further providing for definitions, FOR APPLICATION FOR <—
5 CERTIFICATE OF TITLE BY AGENT, for vehicle registration
6 periods of less than one year and, FOR TEMPORARY REGISTRATION <—
7 CARDS, FOR DUTIES OF AGENTS, FOR SUSPENSION OR REVOCATION OF
8 VEHICLE BUSINESS REGISTRATION PLATES, FOR FINANCIAL
9 RESPONSIBILITY, FOR A STEELWORKER REGISTRATION PLATE, FOR
10 CHEMICAL TESTING TO DETERMINE AMOUNT OF ALCOHOL OR CONTROLLED
11 SUBSTANCE, FOR COMMERCIAL DRIVERS' LICENSES, FOR ANNUAL
12 HAULING PERMIT, for exemptions from the motorbus MOTOR <—
13 CARRIERS road tax; PROVIDING FOR PROHIBITING MINORS FROM <—
14 OPERATING WITH ANY ALCOHOL IN THEIR SYSTEMS; FURTHER
15 PROVIDING FOR DRIVING UNDER INFLUENCE OF ALCOHOL OR
16 CONTROLLED SUBSTANCE, FOR HOMICIDE BY VEHICLE WHILE DRIVING
17 UNDER THE INFLUENCE, FOR ACCIDENTS INVOLVING DEATH OR
18 PERSONAL INJURY WHILE NOT PROPERLY LICENSED, FOR SEMIANNUAL
19 VEHICLE INSPECTIONS, FOR ISSUANCE OF CERTIFICATE OF
20 INSPECTION AND FOR CONDITIONS OF PERMITS AND SECURITY FOR
21 DAMAGES; PROVIDING FOR MOVEMENT OF WOODEN STRUCTURES; FURTHER
22 PROVIDING FOR AUTHORIZATION OF SALVORS; PROVIDING FOR
23 INSTALLING PILOT PROGRAMS FOR MOTOR VEHICLE LICENSE
24 TRANSACTIONS, FOR LIABILITY INSURANCE AND FOR PENALTIES; <—
25 FURTHER PROVIDING FOR SECURING LOADS IN VEHICLES AND FOR <—
26 CONTAINERIZED CARGO; AND MAKING A REPEAL.

27 The General Assembly of the Commonwealth of Pennsylvania

1 hereby enacts as follows:

2 ~~Section 1. The definition of "emergency vehicle" in section~~ <—
3 ~~102 of Title 75 of the Pennsylvania Consolidated Statutes is~~
4 ~~amended to read:~~

5 ~~§ 102. Definitions.~~

6 ~~Subject to additional definitions contained in subsequent~~
7 ~~provisions of this title which are applicable to specific~~
8 ~~provisions of this title, the following words and phrases when~~
9 ~~used in this title shall have, unless the context clearly~~
10 ~~indicates otherwise, the meanings given to them in this section:~~

11 ~~* * *~~

12 ~~"Emergency vehicle." A fire department vehicle, police~~
13 ~~vehicle, sheriff vehicle, ambulance, blood delivery vehicle,~~
14 ~~hazardous material response vehicle, armed forces emergency~~
15 ~~vehicle, one vehicle operated by a coroner or chief county~~
16 ~~medical examiner and one vehicle operated by a chief deputy~~
17 ~~coroner or deputy chief county medical examiner used for~~
18 ~~answering emergency calls, or any other vehicle designated by~~
19 ~~the State Police under section 6106 (relating to designation of~~
20 ~~emergency vehicles by Pennsylvania State Police), or a privately~~
21 ~~owned vehicle used in answering an emergency call when used by~~
22 ~~any of the following:~~

23 ~~(1) A police chief and assistant chief.~~

24 ~~(2) A fire chief, assistant chief and, when a fire~~
25 ~~company has three or more fire vehicles, a second or third~~
26 ~~assistant chief.~~

27 ~~(3) A fire police captain and fire police lieutenant.~~

28 ~~(4) An ambulance corps commander and assistant~~
29 ~~commander.~~

30 ~~(5) A river rescue commander and assistant commander.~~

1 ~~(6) A county emergency management coordinator.~~

2 ~~(7) A fire marshal.~~

3 ~~(8) A rescue service chief and assistant chief.~~

4 * * *

5 SECTION 1. SECTION 8301 HEADING AND (A) OF TITLE 74 OF THE <—
6 PENNSYLVANIA CONSOLIDATED STATUTES ARE AMENDED TO READ:

7 § 8301. DESIGNATION OF [STATE ROUTE 476 AS SCENIC BYWAY.

8 (A) GENERAL RULE.--BECAUSE OF ITS OUTSTANDING SCENIC,

9 HISTORIC, RECREATIONAL, CULTURAL AND ARCHEOLOGICAL

10 CHARACTERISTICS, STATE ROUTE 476, COMMONLY KNOWN AS THE BLUE

11 ROUTE, IS DESIGNATED AS A SCENIC BYWAY.] CERTAIN STATE ROUTES AS

12 SCENIC BYWAYS.

13 (A) GENERAL RULE.--BECAUSE OF THEIR OUTSTANDING SCENIC,

14 HISTORIC, NATURAL, RECREATIONAL AND ARCHEOLOGICAL

15 CHARACTERISTICS AND QUALITIES, AND BECAUSE OF OPPORTUNITIES FOR

16 ECONOMIC DEVELOPMENT AND TOURISM AND FOR CONSERVATION OF THE

17 OUTSTANDING QUALITIES, THE FOLLOWING ARE DESIGNATED AS SCENIC

18 BYWAYS:

19 (1) STATE ROUTE 476, COMMONLY KNOWN AS THE BLUE ROUTE.

20 (2) STATE ROUTE 711 FROM THE CONEMAUGH RIVER TO JONES

21 MILLS CONTINUING ALONG ROUTES 711/381 SOUTH TO NORMALVILLE

22 AND ALONG ROUTE 381 TO THE STATE LINE OF WEST VIRGINIA,

23 COMMONLY REFERRED TO AS THE LAUREL HIGHLANDS SCENIC BYWAY.

24 (3) STATE ROUTE 40 FROM THE BORDER OF PENNSYLVANIA AND

25 MARYLAND TO THE BORDER OF PENNSYLVANIA AND WEST VIRGINIA,

26 COMMONLY REFERRED TO AS THE NATIONAL ROAD.

27 * * *

28 SECTION 2. SECTION 102 OF TITLE 75 IS AMENDED BY ADDING A <—
29 DEFINITION TO READ:

30 § 102. DEFINITIONS.

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

* * *

"UTILITY TRAILER." A TRAILER, EXCEPT A RECREATIONAL TRAILER, WHICH DOES NOT HAVE AIR BRAKES.

* * *

SECTION ~~2~~ 3. SECTION 1119(C) OF TITLE 75 IS AMENDED TO READ: <—
§ 1119. APPLICATION FOR CERTIFICATE OF TITLE BY AGENT.

* * *

(C) PERSONS AUTHORIZED TO HOLD CERTIFICATE.--

(1) NO PERSON SHALL RECEIVE, OBTAIN OR HOLD A CERTIFICATE OF TITLE RECORDED IN THE NAME OF ANOTHER PERSON FOR THE OTHER PERSON WHO IS NOT IN THE REGULAR EMPLOY OF, OR NOT A MEMBER OF THE FAMILY OF, THE OTHER PERSON[, UNLESS THE PERSON RECEIVING, OBTAINING OR HOLDING THE CERTIFICATE OF TITLE HAS A VALID UNDISCHARGED LIEN RECORDED IN THE DEPARTMENT AGAINST THE VEHICLE REPRESENTED BY THE CERTIFICATE OF TITLE].

(2) THE FOLLOWING PERSONS ARE EXEMPT FROM THE LIMITATIONS OF PARAGRAPH (1):

(I) A LIENHOLDER WHO HAS A VALID UNDISCHARGED LIEN RECORDED IN THE DEPARTMENT AGAINST THE VEHICLE REPRESENTED BY THE CERTIFICATE OF TITLE.

(II) A VEHICLE AUCTION, LICENSED BY THE STATE BOARD OF VEHICLE MANUFACTURERS, DEALERS AND SALESPERSONS, WHEN OFFERING VEHICLES FOR SALE.

(III) A VEHICLE DEALER, LICENSED BY THE STATE BOARD

OF VEHICLE MANUFACTURERS, DEALERS AND SALESPERSONS,
OFFERING A VEHICLE FOR SALE PURSUANT TO A WRITTEN
CONSIGNMENT AGREEMENT WITH THE TRANSFEROR.

* * *

Section ~~2-3~~ 4. Section 1307 of Title 75 is amended by adding <—
a subsection to read:

§ 1307. Period of registration.

* * *

(a.1) Seasonal registration.--Upon application on a form
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. NO INSURER OF A VEHICLE BELONGING TO ANY
OWNER OR LESSEE WHO OBTAINS A SEASONAL REGISTRATION AND WHO
APPLIES FOR OR RECEIVES A REDUCED AUTOMOBILE INSURANCE PREMIUM
ON ACCOUNT THEREOF SHALL BE REQUIRED TO PROVIDE ANY CONTRACTUAL
COVERAGE, WHETHER IN THE FORM OF THE PROVISION OF A DEFENSE OR
THE PAYMENT OF FIRST-PARTY OR THIRD-PARTY BENEFITS OR OTHERWISE,

1 TO THE OWNER OR LESSEE IN CONNECTION WITH ANY EVENT OCCURRING
2 DURING THAT PART OF THE YEAR IN WHICH THE VEHICLE IS NOT
3 REGISTERED; AND SUCH OWNER OR LESSEE SHALL BE TREATED FOR ALL
4 PURPOSES, INCLUDING, WITHOUT LIMITATION, ASCERTAINING RIGHTS TO
5 STACK COVERAGES AND TO UNINSURED AND UNDERINSURED MOTORIST
6 COVERAGE, AS A PERSON WHO DOES NOT OWN THAT VEHICLE AND HAS NO
7 DUTY TO CARRY FINANCIAL RESPONSIBILITY ON IT FOR THAT PART OF
8 THE YEAR.

9 * * *

10 SECTION 4 5. SECTIONS 1310(A) AND 1318 OF TITLE 75 ARE
11 AMENDED TO READ:

12 § 1310. TEMPORARY REGISTRATION CARDS.

13 (A) GENERAL RULE.--THE DEPARTMENT SHALL PROVIDE TEMPORARY
14 REGISTRATION CARDS FOR USE PENDING ISSUANCE OR TRANSFER OF
15 PERMANENT REGISTRATION CARDS. TEMPORARY REGISTRATION CARDS AND
16 PLATES MAY BE DELIVERED TO DESIGNATED AGENTS WHO SHALL HAVE THE
17 AUTHORITY TO ISSUE THEM IN ACCORDANCE WITH REGULATIONS
18 PROMULGATED BY THE DEPARTMENT. WHEN DETERMINING WHETHER TO
19 SUSPEND, REVOKE OR IMPOSE A MONETARY PENALTY UPON AN AGENT, THE
20 DEPARTMENT MAY CONSIDER RELEVANT MITIGATING EVENTS.

21 * * *

22 § 1318. DUTIES OF AGENTS.

23 (A) VERIFICATION OF FINANCIAL RESPONSIBILITY.--AN AGENT OF
24 THE DEPARTMENT OF TRANSPORTATION WHO IS AUTHORIZED TO ISSUE ON
25 BEHALF OF THE DEPARTMENT A VEHICLE REGISTRATION RENEWAL OR
26 TEMPORARY REGISTRATION SHALL BE REQUIRED TO VERIFY FINANCIAL
27 RESPONSIBILITY PRIOR TO ISSUANCE.

28 (B) PROOF.--PROOF OF FINANCIAL RESPONSIBILITY SHALL BE
29 VERIFIED BY EXAMINING ONE OF THE FOLLOWING DOCUMENTS:

30 (1) AN IDENTIFICATION CARD AS REQUIRED BY REGULATIONS

PROMULGATED BY THE INSURANCE DEPARTMENT.

(2) THE DECLARATION PAGE OF AN INSURANCE POLICY.

(3) A CERTIFICATE OF FINANCIAL RESPONSIBILITY.

(4) A VALID BINDER OF INSURANCE ISSUED BY AN INSURANCE COMPANY LICENSED TO SELL MOTOR VEHICLE LIABILITY INSURANCE IN PENNSYLVANIA.

(5) A LEGIBLE PHOTOCOPY, FACSIMILE OR PRINTOUT OF AN ELECTRONIC TRANSMISSION OF A DOCUMENT LISTED IN PARAGRAPHS (1) THROUGH (4), PROVIDED THE AGENT RECEIVES THE PHOTOCOPY, FACSIMILE OR PRINTOUT DIRECTLY FROM A LICENSED INSURANCE COMPANY OR LICENSED INSURANCE AGENCY. THE AGENT SHALL NOT ACCEPT A PHOTOCOPY, FACSIMILE OR PRINTOUT UNLESS THE LICENSED INSURANCE COMPANY OR LICENSED INSURANCE AGENCY PROVIDES IT ON THE LETTERHEAD OF THE COMPANY OR THE AGENCY, OR WITH A LETTER WRITTEN UPON THE COMPANY'S OR AGENCY'S LETTERHEAD, WHICH SPECIFICALLY REFERENCES THE PROOF OF FINANCIAL RESPONSIBILITY BY THE INSURED'S NAME AND ADDRESS AND THE MAKE, MODEL AND VEHICLE IDENTIFICATION NUMBER OF THE INSURED VEHICLE. AN ISSUING AGENT OF THE DEPARTMENT SHALL NOT ACCEPT A PHOTOCOPY, FACSIMILE OR PRINTOUT OF AN ELECTRONIC TRANSMISSION AS PROOF OF FINANCIAL RESPONSIBILITY UNDER THIS PARAGRAPH WHEN THE ISSUING AGENT IS ALSO ACTING AS AN INSURANCE AGENT FOR THE LICENSED INSURANCE COMPANY OR LICENSED INSURANCE AGENCY.

(C) HANDWRITTEN PROOF OF FINANCIAL RESPONSIBILITY.--IF HANDWRITTEN PROOF OF FINANCIAL RESPONSIBILITY IS ACCEPTABLE PROOF OF INSURANCE IN THE STATE WHERE THE VEHICLE IS TO BE REGISTERED, THE ISSUING AGENT IS AUTHORIZED TO ACCEPT SUCH HANDWRITTEN PROOF, PROVIDED THE ISSUING AGENT RECEIVES WRITTEN CONFIRMATION FROM THE APPLICABLE STATE, INSURANCE COMPANY OR INSURANCE AGENCY THAT HANDWRITTEN PROOF IS ACCEPTABLE IN THAT

1 STATE. THE AGENT SHALL RETAIN A COPY OF THE WRITTEN CONFIRMATION
2 ALONG WITH THE COPY OF THE DOCUMENT PROVIDED AS PROOF OF
3 FINANCIAL RESPONSIBILITY.

4 SECTION ~~5~~ 6. TITLE 75 IS AMENDED BY ADDING A SECTION TO <—
5 READ:

6 § 1359. SPECIAL PLATES FOR STEELWORKERS.

7 (A) GENERAL RULE.--UPON APPLICATION OF ANY PERSON WHO IS A
8 STEELWORKER, ACCOMPANIED BY A FEE OF \$20 WHICH SHALL BE IN
9 ADDITION TO THE ANNUAL REGISTRATION FEE AND BY SUCH
10 DOCUMENTATION AS THE DEPARTMENT SHALL REQUIRE BY REGULATION, THE
11 DEPARTMENT SHALL ISSUE TO SUCH PERSON A SPECIAL REGISTRATION
12 PLATE DESIGNATING THE VEHICLE SO LICENSED AS BELONGING TO A
13 PERSON WHO IS A STEELWORKER. THE SPECIAL REGISTRATION PLATE MAY
14 BE USED ONLY ON A PASSENGER CAR OR A TRUCK WITH A GROSS VEHICLE
15 WEIGHT RATING OF NOT MORE THAN 9,000 POUNDS. THE PLATE SHALL
16 BEAR THE LIKENESS OF THE OFFICIAL EMBLEM OF THE AMERICAN IRON
17 AND STEEL INSTITUTE.

18 (B) DEFINITION.--AS USED IN THIS SECTION, THE TERM
19 "STEELWORKER" MEANS A PERSON CURRENTLY OR FORMERLY EMPLOYED IN
20 THE MANUFACTURE OF STEEL OR A SURVIVING MEMBER OF THE
21 STEELWORKER'S FAMILY.

22 SECTION ~~6~~ 7. SECTION 1374(D) OF TITLE 75 IS AMENDED TO READ: <—

23 § 1374. SUSPENSION OR REVOCATION OF VEHICLE BUSINESS
24 REGISTRATION PLATES.

25 * * *

26 (D) SCHEDULE OF SANCTIONS.--THE DEPARTMENT SHALL IMPOSE THE
27 FOLLOWING SANCTIONS FOR VIOLATIONS:

28 (1) IF THE DEPARTMENT FINDS THAT THE REGISTRANT HAS
29 VIOLATED SUBSECTION (A)(5) OR (7) AS A SECOND OFFENSE, THE
30 REGISTRANT MAY BE SANCTIONED WITH A MONETARY PENALTY OF NOT

1 LESS THAN \$50 AND NOT MORE THAN \$100 PER VIOLATION.

2 (2) IF THE DEPARTMENT FINDS THAT THE REGISTRANT HAS
3 VIOLATED SUBSECTION (A)(5) OR (7) AS A THIRD OFFENSE, THE
4 REGISTRANT MAY BE SANCTIONED WITH A MONETARY PENALTY OF NOT
5 LESS THAN \$100 AND NOT MORE THAN \$200 PER VIOLATION.

6 (2.1) IF THE DEPARTMENT FINDS THAT THE REGISTRANT HAS
7 VIOLATED SUBSECTION (A)(5) AS A FOURTH OR SUBSEQUENT OFFENSE,
8 THE DEPARTMENT MAY SUSPEND FOR NOT LESS THAN THREE MONTHS OR
9 REVOKE THE REGISTRATION PLATES AND CARDS OF THE REGISTRANT.

10 (3) A MONETARY PENALTY IMPOSED FOR A VIOLATION OF
11 SUBSECTION (A)(5) SHALL BE IN ADDITION TO THE REQUIREMENT
12 THAT THE REGISTRANT DELIVER A PROPERLY ASSIGNED CERTIFICATE
13 OF TITLE. [IF] UNLESS EXTENDED BY THE DEPARTMENT, IF THE
14 REGISTRANT FAILS TO PAY THE MONETARY PENALTY OR TO DELIVER
15 THE CERTIFICATE OF TITLE WITHIN 45 DAYS AFTER NOTICE WAS SENT
16 BY THE DEPARTMENT, EXCEPT AS OTHERWISE PROVIDED BY SECTION
17 1377 (RELATING TO JUDICIAL REVIEW), THE DEPARTMENT SHALL
18 SUSPEND THE REGISTRANT'S REGISTRATION PLATES UNTIL THE
19 MONETARY PENALTY HAS BEEN PAID AND THE TITLE DELIVERED.

20 (4) A MONETARY PENALTY IMPOSED FOR A VIOLATION OF
21 SUBSECTION (A)(7) SHALL BE IN ADDITION TO PAYMENT OF THE
22 ORIGINAL AMOUNT DUE FOR TAXES AND FEES AND ANY OTHER PENALTY
23 PROVIDED BY LAW FOR SUBMISSION OF AN UNCOLLECTIBLE OR
24 DISHONORED CHECK. [IF] UNLESS EXTENDED BY THE DEPARTMENT, IF
25 THE REGISTRANT FAILS TO PAY THE MONETARY PENALTY, THE
26 ORIGINAL AMOUNT DUE OR ANY OTHER PENALTY WITHIN 45 DAYS AFTER
27 NOTICE WAS SENT BY THE DEPARTMENT, EXCEPT AS OTHERWISE
28 PROVIDED BY SECTION 1377, THE DEPARTMENT SHALL SUSPEND THE
29 REGISTRANT'S REGISTRATION PLATES UNTIL ALL FEES, TAXES AND
30 PENALTIES HAVE BEEN PAID.

1 (5) A VIOLATION OF SUBSECTION (A)(5) SHALL REMAIN ON THE
2 REGISTRANT'S RECORD FOR A PERIOD OF 18 MONTHS FROM THE DATE
3 THAT THE VIOLATION WAS SANCTIONED BY THE DEPARTMENT. IF THE
4 REGISTRANT DOES NOT COMMIT ANOTHER VIOLATION OF SUBSECTION
5 (A)(5) WITHIN THAT 18-MONTH PERIOD, THE DEPARTMENT SHALL
6 RESCIND FROM THE REGISTRANT'S RECORD THE PRIOR SANCTION THAT
7 WAS IMPOSED. AFTER RESCISSION OF THE PRIOR SANCTION, IF THE
8 REGISTRANT THEREAFTER COMMITS A SUBSEQUENT VIOLATION OF
9 SUBSECTION (A)(5), THAT VIOLATION SHALL BE CONSIDERED THE
10 SAME DEGREE OF OFFENSE AS WAS PREVIOUSLY IMPOSED, UNLESS MORE
11 THAN THREE YEARS HAVE ELAPSED SINCE THE LAST DATE THAT THE
12 REGISTRANT WAS SANCTIONED FOR A VIOLATION OF SUBSECTION
13 (A)(5), IN WHICH CASE SAID SUBSEQUENT VIOLATION SHALL BE
14 DEEMED A FIRST OFFENSE.

15 (6) IF THE DEPARTMENT HAS PREVIOUSLY GIVEN NOTICE OF,
16 AND CONSIDERED AT A DEPARTMENTAL HEARING, VIOLATIONS OF
17 SUBSECTION (A)(5), NO SANCTION SHALL BE IMPOSED FOR AN
18 ALLEGED VIOLATION OF SUBSECTION (A)(5) WHICH WAS NOT INCLUDED
19 WITHIN SAID NOTICE IF SAID VIOLATION OCCURRED PRIOR TO THE
20 DATE OF THE NOTICE, THE DEPARTMENT'S RECORDS REFLECTED THAT
21 THE VIOLATION EXISTED AND THE VIOLATION COULD HAVE BEEN
22 INCLUDED IN THE NOTICE AS AN ADDITIONAL SUBJECT OF THE
23 DEPARTMENTAL HEARING.

24 (7) IF A REGISTRANT IS SANCTIONED PURSUANT TO SUBSECTION
25 (C), OR PARAGRAPH (1) OR (2) OR THE CORRESPONDING PROVISIONS
26 OF DEPARTMENTAL REGULATIONS, 67 PA. CODE CH. 53 (RELATING TO
27 MANUFACTURERS, DEALERS AND MISCELLANEOUS MOTOR VEHICLE
28 BUSINESSES REGISTRATION PLATES), AND THE DEPARTMENT ALSO
29 SANCTIONS THE REGISTRANT FOR CORRESPONDING VIOLATIONS AS AN
30 ISSUING AGENT PURSUANT TO DEPARTMENTAL REGULATIONS, 67 PA.

1 CODE CH. 43 (RELATING TO TEMPORARY REGISTRATION CARDS AND
2 PLATES), THE DEPARTMENT SHALL ONLY IMPOSE THE SANCTION
3 PRESCRIBED BY THIS SECTION OR THE CORRESPONDING SECTION OF 67
4 PA. CODE CH. 53. NOTWITHSTANDING, THE DEPARTMENT SHALL NOTE
5 THE OFFENSE PERTAINING TO THE REGISTRANT AND THE OFFENSE
6 PERTAINING TO THE ISSUING AGENT UPON EACH RECORD, AND THE
7 DEPARTMENT SHALL CONSIDER EACH RECORD WHEN CALCULATING
8 SECOND, THIRD OR SUBSEQUENT OFFENSES BY THE REGISTRANT AND
9 THE ISSUING AGENT.

10 * * *

11 SECTION 7 8. SECTION 1547(D) OF TITLE 75 IS AMENDED AND THE <—
12 SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:

13 § 1547. CHEMICAL TESTING TO DETERMINE AMOUNT OF ALCOHOL OR
14 CONTROLLED SUBSTANCE.

15 * * *

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

18 (1) THAT THE AMOUNT OF ALCOHOL BY WEIGHT IN THE BLOOD OF
19 [THE PERSON TESTED] AN ADULT IS 0.05% OR LESS, IT SHALL BE
20 PRESUMED THAT THE [PERSON TESTED] ADULT WAS NOT UNDER THE
21 INFLUENCE OF ALCOHOL AND THE [PERSON] ADULT SHALL NOT BE
22 CHARGED WITH ANY VIOLATION UNDER SECTION 3731(A)(1), (4) OR
23 (5) (RELATING TO DRIVING UNDER INFLUENCE OF ALCOHOL OR
24 CONTROLLED SUBSTANCE), OR, IF THE [PERSON] ADULT WAS SO
25 CHARGED PRIOR TO THE TEST, THE CHARGE SHALL BE VOID AB
26 INITIO. THIS FACT SHALL NOT GIVE RISE TO ANY PRESUMPTION
27 CONCERNING A VIOLATION OF SECTION 3731(A)(2) OR (3) OR (I).

28 (2) THAT THE AMOUNT OF ALCOHOL BY WEIGHT IN THE BLOOD OF
29 [THE PERSON TESTED] AN ADULT IS IN EXCESS OF 0.05% BUT LESS
30 THAN 0.10%, THIS FACT SHALL NOT GIVE RISE TO ANY PRESUMPTION

1 THAT THE [PERSON TESTED] ADULT WAS OR WAS NOT UNDER THE
2 INFLUENCE OF ALCOHOL, BUT THIS FACT MAY BE CONSIDERED WITH
3 OTHER COMPETENT EVIDENCE IN DETERMINING WHETHER THE [PERSON]
4 ADULT WAS OR WAS NOT UNDER THE INFLUENCE OF ALCOHOL. THIS
5 PROVISION SHALL NOT NEGATE THE PROVISIONS OF SECTION 3731(I).

6 (3) THAT THE AMOUNT OF ALCOHOL BY WEIGHT IN THE BLOOD
7 [OF THE PERSON TESTED IS 0.10% OR MORE]:

8 (I) OF AN ADULT IS 0.10% OR MORE; OR

9 (II) OF A MINOR IS 0.02% OR MORE,

10 THIS FACT MAY BE INTRODUCED INTO EVIDENCE IF THE PERSON IS
11 CHARGED WITH VIOLATING SECTION 3731.

12 * * *

13 (L) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING
14 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
15 SUBSECTION:

16 "ADULT." A PERSON 21 YEARS OF AGE OR OLDER.

17 "MINOR." A PERSON UNDER 21 YEARS OF AGE.

18 SECTION & 9. SECTION 1607(A) OF TITLE 75 IS AMENDED TO READ: <—
19 § 1607. COMMERCIAL DRIVER'S LICENSE QUALIFICATION STANDARDS.

20 (A) TESTING.--

21 (1) THE COMMONWEALTH SHALL OFFER ONE KNOWLEDGE TEST TO
22 ALL COMMERCIAL DRIVER'S LICENSE HOLDERS UNTIL APRIL 1, 1992,
23 FOR EACH CLASS AND FOR EACH ENDORSEMENT FOR DRIVING A
24 COMMERCIAL MOTOR VEHICLE WHICH COMPLIES WITH MINIMUM
25 STANDARDS ESTABLISHED BY FEDERAL REGULATION AND ALL OTHER
26 REQUIREMENTS OF THE COMMERCIAL MOTOR VEHICLE SAFETY ACT OF
27 1986 (PUBLIC LAW 99-570, 49 U.S.C. APP. § 2701 ET SEQ.). THIS
28 SUBSECTION SHALL NOT APPLY TO AN APPLICANT FOR A COMMERCIAL
29 DRIVER LEARNER'S PERMIT.

30 (2) NO PERSON SHALL BE ISSUED A COMMERCIAL DRIVER'S

1 LICENSE UNLESS THE PERSON IS A RESIDENT OF THIS COMMONWEALTH
2 AND HAS PASSED A KNOWLEDGE AND SKILLS TEST FOR DRIVING A
3 COMMERCIAL MOTOR VEHICLE WHICH COMPLIES WITH MINIMUM
4 STANDARDS ESTABLISHED BY FEDERAL REGULATION, ALL OTHER
5 REQUIREMENTS OF THE COMMERCIAL MOTOR VEHICLE SAFETY ACT OF
6 1986 AND OTHER REQUIREMENTS IMPOSED UNDER FEDERAL REGULATION
7 WHICH ARE PUBLISHED BY THE DEPARTMENT AS A NOTICE IN THE
8 PENNSYLVANIA BULLETIN[, AS WELL AS ALL REQUIREMENTS OF THIS
9 TITLE OR STATE REGULATION]. THE DEPARTMENT SHALL PUBLISH THE
10 CONTENT OF THE DRIVING EXAMINATION FOR THE COMMERCIAL
11 DRIVER'S LICENSE AS A NOTICE IN THE PENNSYLVANIA BULLETIN.
12 THE TESTS SHALL BE OFFERED BY THE DEPARTMENT OR ITS AGENTS.

13 (3) THE DEPARTMENT MAY AUTHORIZE A PERSON, INCLUDING AN
14 AGENCY OF THIS OR ANOTHER STATE, AN EMPLOYER, A PRIVATE
15 INSTITUTION, ASSOCIATION OR DRIVER TRAINING SCHOOL, OR A
16 DEPARTMENT, AGENCY OR INSTRUMENTALITY OF LOCAL GOVERNMENT TO
17 ADMINISTER THE SKILLS TEST SPECIFIED BY THIS SECTION,
18 PROVIDED:

19 (I) THE TEST IS THE SAME AS THAT WHICH WOULD
20 OTHERWISE BE ADMINISTERED BY THE DEPARTMENT.

21 (II) THE THIRD PARTY HAS ENTERED INTO AN AGREEMENT
22 WITH THE DEPARTMENT.

23 (4) (REPEALED).

24 (5) AS A RESULT OF THIS SECTION, NO LAYOFFS SHALL OCCUR
25 IN THE CLASSIFICATION KNOWN AS DRIVER'S LICENSE EXAMINER.

26 (6) THE DEPARTMENT SHALL PROVIDE APPLICANTS FOR
27 COMMERCIAL DRIVER'S LICENSES WITH THE CHOICE OF SELECTING A
28 KNOWLEDGE TEST ADMINISTERED IN EITHER A WRITTEN OR AN ORAL
29 FORMAT:

30 (I) THE DEPARTMENT SHALL ADMINISTER THE KNOWLEDGE

TESTS IN BOTH THE ENGLISH AND SPANISH LANGUAGES.

(II) AN APPLICANT REQUESTING THE ORAL OR SPANISH VERSION OF THE KNOWLEDGE TEST MUST SCHEDULE FOR THE EXAMINATION AT A TESTING SITE AUTHORIZED BY THE DEPARTMENT.

(III) THE DEPARTMENT SHALL OFFER ALTERNATE TESTING FORMATS TO AVOID DISCRIMINATION AGAINST DRIVERS WITH LIMITED LITERACY OR VERBAL COMPREHENSION SKILLS.

(IV) THE ALTERNATIVE OF AN ORAL VERSION OF THE KNOWLEDGE TEST SHALL NOT BE AVAILABLE TO PERSONS SEEKING A HAZARDOUS MATERIALS ENDORSEMENT ON A COMMERCIAL DRIVER'S LICENSE.

* * *

Section ~~3-9~~ 10. 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 provided by section 1960 (relating to reinstatement of operating privilege or vehicle registration) is paid. Whenever the department revokes or suspends the registration of any vehicle

1 under this chapter, the department shall not restore the
2 registration until the vehicle owner furnishes proof of
3 financial responsibility in a manner determined by the
4 department and submits an application for registration to the
5 department, accompanied by the fee for restoration of
6 registration provided by section 1960. This subsection shall not
7 apply in the following circumstances:

8 * * *

9 (3) The insurance coverage has terminated or financial
10 responsibility has lapsed simultaneously with, or subsequent
11 to, expiration of a seasonal registration, as provided in
12 section 1307(a.1) (relating to period of registration).

13 * * *

14 (g) Defenses.--

15 * * *

16 (2) No person shall be penalized for maintaining a
17 registered motor vehicle without financial responsibility
18 under subsection (d) if, at the time insurance coverage
19 terminated or financial responsibility lapsed, the
20 registration plate and card were voluntarily surrendered to
21 the department, a full agent designated by the department to
22 accept voluntarily surrendered registration plates and cards
23 pursuant to regulations promulgated by the department or a
24 decentralized service agent appointed by the department. If a
25 seasonal registration, as provided in section 1307(a.1), has
26 been issued for the vehicle, return of the registration plate
27 and card shall be required only if the insurance coverage
28 terminates or financial responsibility lapses prior to the
29 expiration of the seasonal registration. The department, a
30 full agent or the decentralized service agent, as the case

1 may be, shall issue a receipt showing the date that the
2 registration plate and card were received. The designated
3 full agent or the decentralized service agent shall return
4 the registration plate and card to the department accompanied
5 by a copy of the receipt.

6 * * *

7 ~~Section 4. Section 9804 of Title 75 is amended by adding a~~ <—
8 ~~paragraph to read:~~

9 ~~§ 9804. Exemptions.~~

10 ~~The requirements of this chapter do not apply to the~~
11 ~~following motorbuses:~~

12 * * *

13 ~~(4) A motorbus owned and registered to:~~

14 ~~(i) A nonprofit youth center, youth camp or~~
15 ~~nonpublic school.~~

16 ~~(ii) The American Red Cross.~~

17 ~~(iii) A church.~~

18 ~~(iv) The Girl Scouts of America.~~

19 ~~(v) The Boy Scouts of America.~~

20 ~~(vi) The Salvation Army.~~

21 ~~(vii) A duly chartered post of national veterans'~~
22 ~~organizations.~~

23 ~~(viii) The Young Men's Christian Association.~~

24 ~~(ix) The Young Men's Hebrew Association.~~

25 ~~(x) The Young Women's Christian Association.~~

26 ~~(xi) The Young Women's Hebrew Association.~~

27 ~~(xii) A Jewish community center.~~

28 ~~(xiii) A nonprofit corporation of musical marching~~
29 ~~groups of youths.~~

30 ~~(xiv) A nonprofit organization which cares for or~~

~~otherwise provides services for the elderly or the
infirm.~~

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

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

SECTION ~~10~~ 11. SECTION 1943 OF TITLE 75 IS AMENDED BY ADDING <—
SUBSECTIONS TO READ:

§ 1943. ANNUAL HAULING PERMITS.

* * *

(G) DOMESTIC ANIMAL FEED.--THE ANNUAL FEE FOR MOVEMENT OF
EACH VEHICLE HAULING DOMESTIC ANIMAL FEED, IN BULK, AS PROVIDED
FOR IN SECTION 4976 (RELATING TO PERMIT FOR MOVEMENT OF DOMESTIC
ANIMAL FEED), SHALL BE \$400.

(H) MOVEMENT OF WOODEN STRUCTURES.--THE ANNUAL FEE FOR
MOVEMENT OF WOODEN STRUCTURES, AS PROVIDED FOR IN SECTION 4977
(RELATING TO PERMIT FOR MOVEMENT OF WOODEN STRUCTURES), SHALL BE
\$1,000.

SECTION ~~11~~ 12. SECTION 2105(A) OF TITLE 75, AMENDED DECEMBER <—
20, 1995 (P.L.669, NO.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:

* * *

(5.1) A MOTORBUS OWNED BY AND REGISTERED TO A CHURCH.

* * *

SECTION ~~12~~ 13. TITLE 75 IS AMENDED BY ADDING A SECTION TO <—

1 READ:

2 § 3718. MINOR PROHIBITED FROM OPERATING WITH ANY ALCOHOL IN
3 SYSTEM.

4 (A) OFFENSE DEFINED.--NOTWITHSTANDING ANY OTHER PROVISION OF
5 THIS TITLE, A MINOR SHALL NOT DRIVE, OPERATE OR BE IN PHYSICAL
6 CONTROL OF A MOTOR VEHICLE WHILE HAVING ANY ALCOHOL IN HIS
7 SYSTEM.

8 (B) PENALTY.-- A PERSON WHO VIOLATES SUBSECTION (A) COMMITS
9 A SUMMARY OFFENSE AND SHALL, UPON CONVICTION, BE SENTENCED TO
10 PAY A FINE OF \$100.

11 (C) DEFINITION.--AS USED IN THIS SECTION, THE TERM "MINOR"
12 MEANS A PERSON UNDER 21 YEARS OF AGE.

13 SECTION ~~13~~ 14. SECTION 3731(A) AND (A.1) ARE AMENDED AND THE <—
14 SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:

15 § 3731. DRIVING UNDER INFLUENCE OF ALCOHOL OR CONTROLLED
16 SUBSTANCE.

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

20 (1) [WHILE] WHILE UNDER THE INFLUENCE OF ALCOHOL TO A
21 DEGREE WHICH RENDERES THE PERSON INCAPABLE OF SAFE DRIVING[;]_.

22 (2) [WHILE] WHILE UNDER THE INFLUENCE OF ANY CONTROLLED
23 SUBSTANCE, AS DEFINED IN THE ACT OF APRIL 14, 1972 (P.L.233,
24 NO.64), KNOWN AS ["]THE CONTROLLED SUBSTANCE, DRUG, DEVICE
25 AND COSMETIC ACT,["] TO A DEGREE WHICH RENDERES THE PERSON
26 INCAPABLE OF SAFE DRIVING[;]_.

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

30 (4) [WHILE] WHILE THE AMOUNT OF ALCOHOL BY WEIGHT IN THE

BLOOD [OF THE PERSON IS 0.10% OR GREATER; OR]:

(I) OF AN ADULT IS 0.10% OR GREATER; OR

(II) OF A MINOR IS 0.02% OR MORE.

(5) [IF] (I) IF THE AMOUNT OF ALCOHOL BY WEIGHT IN THE
BLOOD [OF THE PERSON IS 0.10% OR GREATER]:

(A) OF AN ADULT IS 0.10% OR GREATER; OR

(B) OF A MINOR IS 0.02% OR GREATER, AT THE TIME

OF A CHEMICAL TEST OF A SAMPLE OF THE PERSON'S

BREATH, BLOOD OR URINE[, WHICH] ; AND

(II) THE SAMPLE IS:

[(I)] (A) OBTAINED WITHIN THREE HOURS AFTER THE

PERSON DROVE, OPERATED OR WAS IN ACTUAL PHYSICAL

CONTROL OF THE VEHICLE; OR

[(II)] (B) IF THE CIRCUMSTANCES OF THE INCIDENT

PREVENT COLLECTING THE SAMPLE WITHIN THREE HOURS,

OBTAINED WITHIN A REASONABLE ADDITIONAL TIME AFTER

THE PERSON DROVE, OPERATED OR WAS IN ACTUAL PHYSICAL

CONTROL OF THE VEHICLE.

(A.1) DEFENSE.--IT SHALL BE A DEFENSE TO A PROSECUTION UNDER
SUBSECTION (A)(5) IF THE PERSON PROVES BY A PREPONDERANCE OF
EVIDENCE THAT THE PERSON CONSUMED ALCOHOL AFTER THE LAST
INSTANCE IN WHICH HE DROVE, OPERATED OR WAS IN ACTUAL PHYSICAL
CONTROL OF THE VEHICLE, AND THAT THE AMOUNT OF ALCOHOL BY WEIGHT
[IN HIS]:

(1) IN AN ADULT'S BLOOD WOULD NOT HAVE EXCEEDED 0.10%;

OR

(2) IN A MINOR'S BLOOD WOULD NOT HAVE EXCEEDED 0.02%,

AT THE TIME OF THE TEST BUT FOR SUCH CONSUMPTION.

* * *

(J) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING

1 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
2 SUBSECTION:

3 "ADULT." A PERSON 21 YEARS OF AGE OR OLDER.

4 "MINOR." A PERSON UNDER 21 YEARS OF AGE.

5 SECTION ~~14~~ 15. SECTION 3735 OF TITLE 75 IS AMENDED TO READ: <—

6 § 3735. HOMICIDE BY VEHICLE WHILE DRIVING UNDER INFLUENCE.

7 (A) OFFENSE DEFINED.--ANY PERSON WHO UNINTENTIONALLY CAUSES
8 THE DEATH OF ANOTHER PERSON AS THE DIRECT RESULT OF A VIOLATION
9 OF SECTION 3731 (RELATING TO DRIVING UNDER INFLUENCE OF ALCOHOL
10 OR CONTROLLED SUBSTANCE) AND WHO IS CONVICTED OF VIOLATING

11 SECTION 3731 IS GUILTY OF A FELONY OF THE THIRD DEGREE WHEN THE
12 VIOLATION IS THE CAUSE OF DEATH AND THE SENTENCING COURT SHALL

13 ORDER THE PERSON TO SERVE A MINIMUM TERM OF IMPRISONMENT OF NOT
14 LESS THAN THREE YEARS. A SEPARATE THREE-YEAR TERM OF

15 IMPRISONMENT SHALL BE IMPOSED FOR EACH VICTIM WHOSE DEATH IS THE
16 DIRECT RESULT OF THE VIOLATION OF SECTION 3731.

17 (B) APPLICABILITY OF SENTENCING GUIDELINES.--THE SENTENCING
18 GUIDELINES PROMULGATED BY THE PENNSYLVANIA COMMISSION ON
19 SENTENCING SHALL NOT SUPERSEDE THE MANDATORY PENALTY OF THIS
20 SECTION.

21 SECTION ~~15~~ 16. SECTION 3742.1 OF TITLE 75, ADDED FEBRUARY <—
22 23, 1996 (P.L.21, NO.8), IS AMENDED TO READ:

23 § 3742.1. ACCIDENTS INVOLVING DEATH OR PERSONAL INJURY WHILE
24 NOT PROPERLY LICENSED.

25 (A) OFFENSE DEFINED.--A PERSON COMMITS AN OFFENSE UNDER THIS
26 SECTION IF THE PERSON WAS THE DRIVER OF ANY VEHICLE AND CAUSED
27 AN ACCIDENT RESULTING IN INJURY OR DEATH OF ANY PERSON AND WHOSE
28 OPERATING PRIVILEGE AT THE TIME OF THE ACCIDENT IS CANCELED,
29 RECALLED, REVOKED OR SUSPENDED [PURSUANT TO SECTION 1532
30 (RELATING TO REVOCATION OR SUSPENSION OF OPERATING PRIVILEGE)]

1 AND NOT RESTORED OR WHO AT THE TIME OF THE ACCIDENT HAD NOT BEEN
2 ISSUED A VALID DRIVER'S LICENSE.

3 (B) PENALTIES.--

4 (1) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, ANY
5 PERSON VIOLATING SUBSECTION (A) COMMITS A MISDEMEANOR OF THE
6 SECOND DEGREE IF AT THE TIME OF THE ACCIDENT THE PERSON'S
7 OPERATING PRIVILEGE IS CANCELED, RECALLED, REVOKED OR
8 SUSPENDED [PURSUANT TO SECTION 1532] AND NOT RESTORED. IF THE
9 PERSON HAD NOT BEEN ISSUED A VALID DRIVER'S LICENSE, THE
10 OFFENSE IS A MISDEMEANOR OF THE THIRD DEGREE.

11 (2) IF THE VICTIM SUFFERS SERIOUS BODILY INJURY OR
12 DEATH, ANY PERSON VIOLATING SUBSECTION (A) COMMITS A FELONY
13 OF THE THIRD DEGREE IF AT THE TIME OF THE ACCIDENT THE
14 PERSON'S OPERATING PRIVILEGE IS CANCELED, RECALLED, REVOKED
15 OR SUSPENDED [PURSUANT TO SECTION 1532] AND NOT RESTORED. IF
16 THE PERSON HAD NOT BEEN ISSUED A VALID DRIVER'S LICENSE, THE
17 OFFENSE IS A MISDEMEANOR OF THE FIRST DEGREE.

18 (3) ANY MOTOR VEHICLE, AS DEFINED IN SECTION 102
19 (RELATING TO DEFINITIONS), USED IN THE COMMISSION OF AN
20 OFFENSE UNDER THIS SECTION MAY BE DEEMED CONTRABAND AND
21 FORFEITED IN ACCORDANCE WITH THE PROVISIONS SET FORTH IN 18
22 PA.C.S. § 6501(D) (RELATING TO SCATTERING RUBBISH) IF THE
23 DRIVER'S OPERATING PRIVILEGE IS CANCELED, RECALLED, REVOKED
24 OR SUSPENDED [PURSUANT TO SECTION 1532] AND NOT RESTORED AT
25 THE TIME OF THE ACCIDENT.

26 (C) DEFINITIONS.--AS USED IN THIS SECTION, THE TERM "SERIOUS
27 BODILY INJURY" MEANS ANY BODILY INJURY WHICH CREATES A
28 SUBSTANTIAL RISK OF DEATH OR WHICH CAUSES SERIOUS, PERMANENT
29 DISFIGUREMENT OR PROTRACTED LOSS OR IMPAIRMENT OF THE FUNCTION
30 OF ANY BODILY MEMBER OR ORGAN.

SECTION ~~16~~ 17. SECTIONS 4702(B), 4903(C) AND 4727(D) OF
TITLE 75 ARE AMENDED TO READ:

§ 4702. REQUIREMENT FOR PERIODIC INSPECTION OF VEHICLES.

* * *

(B) SEMIANNUAL SAFETY INSPECTION OF CERTAIN VEHICLES.--
[SCHOOL BUSES, PASSENGER VANS UNDER CONTRACT WITH OR OWNED BY A
SCHOOL DISTRICT OR PRIVATE OR PAROCHIAL SCHOOL, INCLUDING
VEHICLES HAVING CHARTERED, GROUP AND PARTY RIGHTS UNDER THE
PUBLIC UTILITY COMMISSION AND USED TO TRANSPORT SCHOOL STUDENTS,
PASSENGER VANS USED TO TRANSPORT PERSONS FOR HIRE OR OWNED BY A
COMMERCIAL ENTERPRISE AND USED FOR THE TRANSPORTATION OF
EMPLOYEES TO OR FROM THEIR PLACE OF EMPLOYMENT, TRAILERS HAVING
A REGISTERED GROSS WEIGHT IN EXCESS OF 10,000 POUNDS,
CONSTRUCTION TRUCKS FOR WHICH ANNUAL PERMITS ARE ISSUED PURSUANT
TO SECTION 4970(B) (RELATING TO PERMIT FOR MOVEMENT OF
CONSTRUCTION EQUIPMENT), MASS TRANSIT VEHICLES AND MOTOR CARRIER
VEHICLES, OTHER THAN FARM VEHICLES FOR WHICH A BIENNIAL
CERTIFICATE OF EXEMPTION HAS BEEN ISSUED,] THE FOLLOWING
VEHICLES SHALL BE SUBJECT TO SEMIANNUAL SAFETY INSPECTION[.]:

(1) SCHOOL BUSES.

(2) PASSENGER VANS UNDER CONTRACT WITH OR OWNED BY A
SCHOOL DISTRICT OR PRIVATE OR PAROCHIAL SCHOOL, INCLUDING
VEHICLES HAVING CHARTERED GROUP AND PARTY RIGHTS UNDER THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION AND USED TO TRANSPORT
SCHOOL STUDENTS.

(3) PASSENGER VANS USED TO TRANSPORT PERSONS FOR HIRE OR
OWNED BY A COMMERCIAL ENTERPRISE AND USED FOR THE
TRANSPORTATION OF EMPLOYEES TO OR FROM THEIR PLACE OF
EMPLOYMENT.

(4) TRAILERS, OTHER THAN RECREATIONAL TRAILERS, HAVING A

1 REGISTERED GROSS WEIGHT IN EXCESS OF 10,000 POUNDS.

2 RECREATIONAL TRAILERS SHALL BE SUBJECT TO ANNUAL SAFETY
3 INSPECTION.

4 (5) CONSTRUCTION TRUCKS FOR WHICH ANNUAL PERMITS ARE
5 ISSUED PURSUANT TO SECTION 4970(B) (RELATING TO PERMIT FOR
6 MOVEMENT OF CONSTRUCTION EQUIPMENT).

7 (6) MASS TRANSIT VEHICLES.

8 (7) MOTOR CARRIER VEHICLES, OTHER THAN FARM VEHICLES FOR
9 WHICH A BIENNIAL CERTIFICATE OF EXEMPTION HAS BEEN ISSUED.

10 * * *

11 § 4903. SECURING LOADS IN VEHICLES.

<—

12 * * *

13 (C) LOAD OF LOGS.--

14 (1) EVERY LOAD OF LOGS ON A VEHICLE SHALL BE SECURELY
15 FASTENED WITH [AT LEAST THREE] BINDERS, CHAINS OR STRAPS AND,
16 IN THE CASE OF AN OPEN-BODY OR STAKE-BODY VEHICLE, TRAILER OR
17 SEMITRAILER THERE SHALL BE A SUFFICIENT NUMBER OF VERTICAL
18 METAL STAKES OR POSTS SECURELY ATTACHED ON EACH SIDE OF THE
19 VEHICLE, TRAILER OR SEMITRAILER AT LEAST AS HIGH AS THE TOP
20 OF THE LOAD TO SECURE SUCH LOAD IN THE EVENT OF A FAILURE OF
21 THE BINDERS, CHAINS OR STRAPS.

22 (2) A LOAD OF LOGS WHICH ARE GREATER THAN SIX FEET IN
23 LENGTH MUST BE SECURED BY THREE BINDERS FOR EACH STACK OF
24 LOGS, EXCEPT THAT, IF THE STACKS ARE TIERED SO THAT ONE STACK
25 RESTS UPON THE BOTTOM STACK OR STACKS, A TOTAL OF THREE
26 BINDERS IS NECESSARY FOR THAT TIERED COMBINATION.

27 (3) A LOAD OF LOGS WHICH ARE SIX FEET OR LESS IN LENGTH
28 MUST BE SECURED BY TWO BINDERS FOR EACH STACK OF LOGS, EXCEPT
29 THAT, IF THE STACKS ARE TIERED SO THAT ONE STACK RESTS UPON
30 THE BOTTOM STACK OR STACKS, A TOTAL OF THREE BINDERS IS

1 NECESSARY FOR THAT TIERED COMBINATION.

2 (4) A TIERED COMBINATION WHICH INCLUDES LOGS WHICH ARE
3 GREATER THAN SIX FEET AND LOGS WHICH ARE SIX FEET OR LESS
4 SHALL BE GOVERNED BY PARAGRAPH (2).

5 * * *

6 § 4727. ISSUANCE OF CERTIFICATE OF INSPECTION.

7 * * *

8 (D) PROOF OF INSURANCE.--

9 (1) NO CERTIFICATE OF INSPECTION SHALL BE ISSUED UNLESS
10 PROOF OF FINANCIAL RESPONSIBILITY IS SUBMITTED TO THE
11 INSPECTION OFFICIAL, WHO SHALL, ON THE OFFICIAL STATE
12 INSPECTION RECORD PROVIDED BY THE DEPARTMENT, RECORD THE NAME
13 OF THE INSURED, THE VEHICLE TAG NUMBER, THE ISSUING COMPANY,
14 THE POLICY NUMBER AND THE EXPIRATION DATE. THE REQUIREMENT
15 THAT THE INSPECTION OFFICIAL RECORD FINANCIAL RESPONSIBILITY
16 INFORMATION SHALL NOT BE CONSTRUED TO REQUIRE THE INSPECTION
17 OFFICIAL TO VERIFY THE INFORMATION SUBMITTED.

18 (2) IN THOSE CASES WHERE THE INSURED FAILS TO PRESENT
19 PROOF OF FINANCIAL RESPONSIBILITY TO THE INSPECTION OFFICIAL,
20 THE INSPECTION OFFICIAL, IN ADDITION TO DENYING A CERTIFICATE
21 OF INSPECTION, MAY PROVIDE NOTIFICATION TO THE DEPARTMENT, ON
22 THE FORM PROVIDED BY THE DEPARTMENT, WITHIN 30 DAYS OF THE
23 INSURED'S FAILURE TO PRESENT PROOF OF FINANCIAL
24 RESPONSIBILITY. FAILURE OF THE INSPECTION OFFICIAL TO MAKE
25 NOTIFICATION UNDER THIS SUBSECTION SHALL NOT IMPOSE ANY DUTY
26 OR LIABILITY ON THE MECHANIC OR STATION OWNER.

27 (3) FINANCIAL RESPONSIBILITY MAY BE PROVEN BY SHOWING
28 ONE OF THE FOLLOWING DOCUMENTS:

29 (I) AN IDENTIFICATION CARD AS REQUIRED BY
30 REGULATIONS PROMULGATED BY THE INSURANCE DEPARTMENT.

1 (II) THE DECLARATION PAGE OF AN INSURANCE POLICY.

2 (III) A CERTIFICATE OF FINANCIAL RESPONSIBILITY.

3 (IV) A VALID BINDER OF INSURANCE ISSUED BY AN
4 INSURANCE COMPANY LICENSED TO SELL MOTOR VEHICLE
5 LIABILITY INSURANCE IN PENNSYLVANIA.

6 (V) A LEGIBLE PHOTOCOPY, FACSIMILE OR PRINTOUT OF AN
7 ELECTRONIC TRANSMISSION OF A DOCUMENT LISTED IN
8 SUBPARAGRAPHS (I) THROUGH (IV), PROVIDED THE CERTIFIED
9 INSPECTION MECHANIC RECEIVES THE PHOTOCOPY, FACSIMILE OR
10 PRINTOUT DIRECTLY FROM A LICENSED INSURANCE COMPANY OR
11 LICENSED INSURANCE AGENCY. THE CERTIFIED INSPECTION
12 MECHANIC SHALL NOT ACCEPT A PHOTOCOPY, FACSIMILE OR
13 PRINTOUT UNLESS IT IS PROVIDED ON THE LETTERHEAD OF THE
14 LICENSED INSURANCE COMPANY OR LICENSED INSURANCE AGENCY,
15 OR IS PROVIDED WITH A LETTER WRITTEN UPON THE COMPANY'S
16 OR AGENCY'S LETTERHEAD, WHICH SPECIFICALLY REFERENCES THE
17 DOCUMENT PROVIDED AS PROOF OF FINANCIAL RESPONSIBILITY BY
18 DESCRIBING THE INSURED'S NAME AND ADDRESS AND THE MAKE,
19 MODEL AND VEHICLE IDENTIFICATION NUMBER OF THE INSURED
20 VEHICLE.

21 (4) IF HANDWRITTEN PROOF OF FINANCIAL RESPONSIBILITY IS
22 ACCEPTABLE PROOF OF INSURANCE IN THE STATE WHERE THE VEHICLE
23 IS REGISTERED, THE CERTIFIED INSPECTION MECHANIC MAY ACCEPT
24 SUCH HANDWRITTEN PROOF, PROVIDED THE CERTIFIED INSPECTION
25 MECHANIC RECEIVES WRITTEN CONFIRMATION FROM THE APPLICABLE
26 STATE, INSURANCE COMPANY OR INSURANCE AGENCY THAT HANDWRITTEN
27 PROOF IS ACCEPTABLE IN THAT STATE. THIS PARAGRAPH IS
28 APPLICABLE ONLY TO VEHICLES REGISTERED IN A STATE OTHER THAN
29 THIS COMMONWEALTH.

30 * * *

1 SECTION 18. SECTION 4921 OF TITLE 75 IS AMENDED BY ADDING A <—
2 SUBSECTION TO READ:

3 § 4921. WIDTH OF VEHICLES.

4 * * *

5 (C.2) UTILITY TRAILERS.--A UTILITY TRAILER WITH A REGISTERED
6 GROSS WEIGHT NOT TO EXCEED 10,000 POUNDS MAY HAVE A TOTAL
7 OUTSIDE WIDTH NOT TO EXCEED EIGHT FEET SIX INCHES.

8 * * *

9 SECTION ~~17~~ 19. SECTION 4962(F) OF TITLE 75, AMENDED DECEMBER <—
10 20, 1995 (P.L.669, NO.75), IS AMENDED TO READ:

11 § 4962. CONDITIONS OF PERMITS AND SECURITY FOR DAMAGES.

12 * * *

13 (F) WHEN LOADS PERMITTED.--ONLY VEHICLES AND COMBINATIONS
14 PERMITTED UNDER THE FOLLOWING PROVISIONS SHALL BE AUTHORIZED TO
15 CARRY OR HAUL LOADS WHILE OPERATING UNDER THE PERMIT:

16 SECTION 4961(A)(2), (3) AND (6) (RELATING TO AUTHORITY TO
17 ISSUE PERMITS).

18 SECTION 4965 (RELATING TO SINGLE PERMITS FOR MULTIPLE
19 HIGHWAY CROSSINGS).

20 SECTION 4968 (RELATING TO PERMIT FOR MOVEMENT DURING
21 COURSE OF MANUFACTURE).

22 SECTION 4970(B) (RELATING TO PERMIT FOR MOVEMENT OF
23 CONSTRUCTION EQUIPMENT).

24 SECTION 4974 (RELATING TO PERMIT FOR MOVEMENT OF
25 CONTAINERIZED CARGO).

26 SECTION 4975 (RELATING TO PERMIT FOR MOVEMENT OF SPECIAL
27 MOBILE EQUIPMENT).

28 SECTION 4976 (RELATING TO PERMIT FOR MOVEMENT OF DOMESTIC
29 ANIMAL FEED).

30 SECTION 4977 (RELATING TO PERMIT FOR MOVEMENT OF WOODEN

1 STRUCTURES).

2 * * *

3 SECTION 20. SECTION 4974 OF TITLE 75, AMENDED FEBRUARY 23, <—
4 1996 (P.L.21, NO.8), IS AMENDED TO READ:

5 § 4974. PERMIT FOR MOVEMENT OF CONTAINERIZED CARGO.

6 AN ANNUAL PERMIT MAY BE ISSUED AUTHORIZING THE MOVEMENT ON
7 HIGHWAYS OF CONTAINERIZED CARGO WHICH EXCEEDS THE MAXIMUM
8 VEHICLE GROSS OR MAXIMUM AXLE WEIGHTS SPECIFIED IN SUBCHAPTER C
9 (RELATING TO MAXIMUM WEIGHTS OF VEHICLES). THE WEIGHT OF ANY
10 COMBINATION PERMITTED UNDER THIS SECTION SHALL NOT EXCEED 90,000
11 POUNDS OVERALL GROSS WEIGHT AND 21,000 POUNDS ON ANY AXLE. A
12 BRAKE RETARDER IS NOT REQUIRED ON A COMBINATION PERMITTED UNDER
13 THIS SECTION WHILE THE COMBINATION IS OPERATED WITHIN THE
14 COUNTIES WHICH COMPRISE THE DISTRICT OF A PORT OF A CITY OF THE
15 FIRST CLASS. A VEHICLE OPERATING UNDER A PERMIT AUTHORIZED UNDER
16 THIS SECTION MAY BE DRIVEN 24 HOURS A DAY, SEVEN DAYS A WEEK,
17 EXCEPT ON HOLIDAYS AND IN INCLEMENT WEATHER.

18 SECTION ~~18~~ 21. TITLE 75 IS AMENDED BY ADDING A SECTION TO <—
19 READ:

20 § 4977. PERMIT FOR MOVEMENT OF WOODEN STRUCTURES.

21 AN ANNUAL PERMIT MAY BE ISSUED FOR THE MOVEMENT OF CERTAIN
22 WOODEN STRUCTURES WHICH EXCEED THE MAXIMUM LENGTH AND WIDTH
23 SPECIFIED IN SUBCHAPTER B (RELATING TO WIDTH, HEIGHT AND
24 LENGTH), SUBJECT TO THE FOLLOWING CONDITIONS:

25 (1) THE OVERALL WIDTH, INCLUDING ALL APPURTENANCES AND
26 OVERHANGS, MAY NOT EXCEED 13 FEET.

27 (2) THE OVERALL LENGTH MAY NOT EXCEED 90 FEET.

28 (3) THE WOODEN STRUCTURE OR STRUCTURES MUST BE
29 TRANSPORTED ON A TRAILER DESIGNED SOLELY FOR THE
30 TRANSPORTATION OF SUCH STRUCTURES AND NOT USED FOR THE

1 TRANSPORTATION OF ANY OTHER TYPE OF LOAD.

2 (4) MOVEMENT UNDER THIS SECTION IS LIMITED TO WOODEN
3 UTILITY SHEDS, GAZEBOS, GARAGES AND PLAY EQUIPMENT.

4 SECTION ~~19~~ 22. SECTION 7301(D) OF TITLE 75 IS AMENDED TO <—
5 READ:

6 § 7301. AUTHORIZATION OF SALVORS.

7 * * *

8 (D) STORAGE FACILITY.--A SALVOR MAY RENT OR OWN A STORAGE
9 FACILITY, WHICH SHALL COMPLY WITH THE ACT OF [DECEMBER 15, 1971
10 (P.L.596, NO.160), KNOWN AS THE "OUTDOOR ADVERTISING CONTROL ACT
11 OF 1971,"] JULY 28, 1966 (3RD SP.SESS., P.L.91, NO.4), REFERRED
12 TO AS THE JUNKYARD AND AUTOMOTIVE RECYCLER SCREENING LAW, WHERE
13 APPLICABLE, AND WITH REGULATIONS PROMULGATED BY THE DEPARTMENT.

14 SECTION 23. TITLE 75 IS AMENDED BY ADDING A SECTION TO READ: <—
15 § 7730. LIABILITY INSURANCE.

16 (A) REQUIREMENT.--ANY SNOWMOBILE REQUIRED TO BE REGISTERED
17 PURSUANT TO THIS CHAPTER SHALL HAVE LIABILITY INSURANCE COVERAGE
18 ISSUED BY AN INSURANCE CARRIER AUTHORIZED TO DO BUSINESS IN THIS
19 COMMONWEALTH.

20 (B) PROOF OF INSURANCE.--PROOF OF INSURANCE AS REQUIRED BY
21 THIS SECTION SHALL BE PRODUCED AND DISPLAYED BY THE OWNER OR
22 OPERATOR OF SUCH SNOWMOBILE UPON THE REQUEST OF ANY MAGISTRATE
23 OR ANY PERSON HAVING AUTHORITY TO ENFORCE THE PROVISIONS OF THIS
24 CHAPTER OR TO ANY PERSON WHO HAS SUFFERED OR CLAIMS TO HAVE
25 SUFFERED EITHER PERSONAL INJURY OR PROPERTY DAMAGE AS A RESULT
26 OF THE OPERATION OF SUCH SNOWMOBILE. IT SHALL BE AN AFFIRMATIVE
27 DEFENSE TO ANY PROSECUTION FOR A VIOLATION OF THIS SECTION THAT
28 SUCH PROOF WAS SO PRODUCED WITHIN 24 HOURS OF RECEIVING NOTICE
29 OF SUCH VIOLATION, INJURY OR DAMAGE, OR THE CLAIM OF SUCH INJURY
30 OR DAMAGE.

1 (C) OWNER'S RESPONSIBILITY.--NO OWNER OF A SNOWMOBILE SHALL
2 OPERATE OR PERMIT THE SAME TO BE OPERATED WITHOUT HAVING IN FULL
3 FORCE AND EFFECT LIABILITY INSURANCE COVERAGE REQUIRED BY THIS
4 SECTION. THE OPERATOR OF A SNOWMOBILE SHALL CARRY PROOF OF
5 INSURANCE ON THEIR PERSON OR ON THE SNOWMOBILE WHEN IT IS IN
6 OPERATION.

7 SECTION 24. SECTION 7752 OF TITLE 75 IS AMENDED TO READ:

8 § 7752. PENALTIES FOR VIOLATION OF CHAPTER.

9 (A) GENERAL RULE.--EXCEPT AS PROVIDED IN SUBSECTIONS (B) AND
10 (C), ANY PERSON VIOLATING ANY OF THE PROVISIONS OF THIS CHAPTER
11 IS GUILTY OF A SUMMARY OFFENSE AND SHALL, UPON CONVICTION:

12 (1) FOR A FIRST OFFENSE, BE SENTENCED TO PAY A FINE OF
13 NOT LESS THAN \$25 NOR MORE THAN \$100 AND COSTS OF PROSECUTION
14 AND, IN DEFAULT OF THE PAYMENT THEREOF, SHALL UNDERGO
15 IMPRISONMENT FOR NOT MORE THAN TEN DAYS.

16 (2) FOR A SECOND OFFENSE, BE SENTENCED TO PAY A FINE OF
17 NOT LESS THAN \$50 NOR MORE THAN \$200 AND COSTS OF PROSECUTION
18 AND, IN DEFAULT OF THE PAYMENT THEREOF, SHALL UNDERGO
19 IMPRISONMENT FOR NOT MORE THAN 30 DAYS.

20 (B) FAILURE TO OBTAIN LIABILITY INSURANCE.--ANY PERSON WHO
21 FAILS TO OBTAIN LIABILITY INSURANCE REQUIRED PURSUANT TO THIS
22 CHAPTER COMMITS A SUMMARY OFFENSE AND SHALL, UPON CONVICTION, BE
23 SENTENCED TO PAY A FINE OF \$300 WHICH SHALL BE RETURNED TO THE
24 RESTRICTED RECEIPTS ACCOUNT CREATED PURSUANT TO THIS CHAPTER.

25 ~~[(B)]~~ (C) UNAUTHORIZED DISPOSITION OF FORMS.--ANY PERSON WHO
26 DISPOSES OF ANY SUMMONS OR COMPLAINT ISSUED PURSUANT TO THIS
27 CHAPTER IN ANY OTHER MANNER THAN THAT PRESCRIBED BY LAW, RULE OR
28 REGULATION IS GUILTY OF A MISDEMEANOR OF THE THIRD DEGREE.

29 ~~[(C)]~~ (D) REGISTRATION AND DECALS.--ANY PERSON VIOLATING
30 SECTION 7713(A) (RELATING TO CERTIFICATES OF REGISTRATION AND

1 DECALS) BY FAILING TO OBTAIN A CERTIFICATE OF REGISTRATION
2 COMMITS A SUMMARY OFFENSE AND SHALL, UPON CONVICTION, BE
3 SENTENCED TO PAY A FINE OF \$300 OR TO 90 DAYS IMPRISONMENT, OR
4 BOTH. ANY PERSON VIOLATING SECTION 7713(A) BY FAILING TO
5 PROPERLY DISPLAY A REGISTRATION NUMBER OR THE VALIDATION DECAL
6 COMMITS A SUMMARY OFFENSE AND SHALL, UPON CONVICTION, BE
7 SENTENCED TO PAY A FINE OF \$50.

8 SECTION ~~20~~ 25. THE DEPARTMENT OF TRANSPORTATION SHALL <—
9 INSTALL AT LEAST THREE PILOT PROGRAMS OF PRIVATE SECTOR,
10 DECENTRALIZED SERVICES FOR MOTOR VEHICLE AND DRIVER LICENSE
11 TRANSACTIONS, INCLUDING, BUT NOT LIMITED TO, AT LEAST THREE
12 VEHICLE DEALERSHIPS, DECENTRALIZED AGENTS OR OTHER PRIVATE
13 BUSINESS ENTITIES WHO, NOTWITHSTANDING ANY OTHER PROVISION OF 75
14 PA.C.S. OR DEPARTMENTAL REGULATIONS, SHALL BE TEMPORARILY
15 AUTHORIZED TO OBTAIN REAL TIME OR ON-LINE ACCESS TO THE
16 DEPARTMENT'S DATA BASES TO READ MOTOR VEHICLE RECORDS AND
17 INFORMATION AND DRIVER LICENSE RECORDS AFTER FIRST OBTAINING THE
18 WRITTEN CONSENT OF THE PERSON WHO IS THE SUBJECT OF THE RECORD
19 AS PROVIDED UNDER 75 PA.C.S. § 6114. COMPUTERIZED AND
20 ELECTRONICALLY RECORDED DATA MAY BE SUBMITTED TO THE DEPARTMENT
21 FOR THE PURPOSE OF UPDATING RECORDS. THE DEPARTMENT SHALL PERMIT
22 TEMPORARILY AUTHORIZED DEALERSHIPS, DECENTRALIZED AGENTS OR
23 BUSINESS ENTITIES TO ISSUE ACCOUNTABLE DOCUMENTS WHICH, AS
24 DETERMINED BY THE DEPARTMENT, MAY INCLUDE CERTIFICATES OF TITLE,
25 CERTIFICATES OF SALVAGE, REGISTRATION PLATES, CARDS AND STICKERS
26 AND DRIVER LICENSES. THE TEMPORARILY AUTHORIZED DEALERSHIPS,
27 DECENTRALIZED AGENTS OR PRIVATE BUSINESS ENTITIES SHALL NOT HAVE
28 BEEN PREVIOUSLY SANCTIONED BY THE DEPARTMENT FOR VIOLATIONS OF
29 75 PA.C.S. OR DEPARTMENTAL REGULATIONS WITHIN THE PAST THREE
30 YEARS. TEMPORARILY AUTHORIZED DEALERSHIPS, DECENTRALIZED AGENTS

1 OR PRIVATE BUSINESS ENTITIES SHALL BE PERMITTED TO CHARGE A
2 REASONABLE FEE TO CUSTOMERS FOR PROVIDING THESE SERVICES.

3 SECTION ~~21~~ 26. SECTION 8(A)(4) OF THE ACT OF DECEMBER 16, <—
4 1992 (P.L.1250, NO.166), ENTITLED "AN ACT AMENDING TITLE 75
5 (VEHICLES) OF THE PENNSYLVANIA CONSOLIDATED STATUTES, PROVIDING
6 FOR THE IMPLEMENTATION AND ADMINISTRATION OF AN ENHANCED VEHICLE
7 EMISSION INSPECTION PROGRAM; FURTHER PROVIDING FOR
8 ADMINISTRATIVE DUTIES OF THE DEPARTMENT OF TRANSPORTATION FOR
9 CERTAIN SERVICES AND THE DEPARTMENT OF ENVIRONMENTAL RESOURCES;
10 PROVIDING FOR AN ALTERNATIVE FUELS GRANT PROGRAM; ESTABLISHING
11 THE ALTERNATIVE FUELS INCENTIVE GRANT FUND; AND MAKING AN
12 APPROPRIATION," IS REPEALED.

13 SECTION ~~22~~ 27. THE PROVISIONS OF 67 PA. CODE §§ 75.25, <—
14 75.26, 75.27 AND 75.28 ARE REPEALED UPON THE PUBLICATION OF
15 TESTING PROCEDURES AS SET FORTH IN 75 PA.C.S. § 1607(A) IN THE
16 PENNSYLVANIA BULLETIN.

17 SECTION ~~23~~ 28. (A) THE AMENDMENT OF 74 PA.C.S. § 8301 SHALL <—
18 BE RETROACTIVE TO JANUARY 1, 1996.

19 (B) THE AMENDMENT OF 75 PA.C.S. § 2105 SHALL BE RETROACTIVE
20 TO AUGUST 10, 1992.

21 Section ~~6-24~~ 29. This act shall take effect as follows: <—

22 ~~(1) The amendment of the definition of "emergency~~ <—
23 ~~vehicle" in 75 Pa.C.S. § 102 shall take effect in 120 days.~~

24 (1) THE AMENDMENT OR ADDITION OF 75 PA.C.S. §§ 1547, <—
25 3718 AND 3731 SHALL TAKE EFFECT JULY 30, 1996, OR IN 30 DAYS,
26 WHICHEVER OCCURS LATER.

27 (2) THE AMENDMENT OR ADDITION OF 75 PA.C.S. §§ 1943(G),
28 3742.1, 4962(F) (WHICH ADDS § 4976) AND 7301(D) SHALL TAKE
29 EFFECT IMMEDIATELY.

30 (3) THE AMENDMENT OR ADDITION OF 75 PA.C.S. §§ 1943(H),

1 4962(F) (WHICH ADDS § 4977) AND 4977 SHALL TAKE EFFECT IN 60
2 DAYS.

3 ~~(2)~~ (4) The amendment of 75 Pa.C.S. ~~§ 9804~~ § 2105 shall <—
4 take effect immediately.

5 ~~(3)~~ (5) This section shall take effect immediately. <—

6 ~~(4)~~ (6) The remainder of this act shall take effect in <—
7 60 days.