
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 578 Session of
1995

INTRODUCED BY STOUT, BELAN, LAVALLE, BODACK, WENGER, O'PAKE,
PUNT, SCHWARTZ, STAPLETON, HART, ANDREZESKI, MUSTO AND
KASUNIC, FEBRUARY 23, 1995

SENATE AMENDMENTS TO HOUSE AMENDMENTS, NOVEMBER 21, 1995

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further defining "classic motor vehicle",
3 "commercial motor vehicle" and "emergency vehicle"; further
4 providing for the transfer of ownership of a vehicle and for <—
5 correction of certificate of title; providing for the <—
6 development of an electronic lien program, for a drug abuse
7 resistance education registration plate, FOR PERMITS, FOR THE <—
8 MOVEMENT OF SPECIAL MOBILE EQUIPMENT, for special funds, for
9 collectible motor vehicles, for an emission reduction program
10 in the Department of Environmental Protection and for
11 penalties relating to towed vehicles; further providing for
12 the enforcement of the International Fuel Tax Agreement;
13 revising reporting taxes and administrative procedures;
14 making appropriations; FURTHER PROVIDING FOR THE MOTORBUS <—
15 ROAD TAX; and making a repeal.

16 The General Assembly of the Commonwealth of Pennsylvania
17 hereby enacts as follows:

18 Section 1. The definitions of "classic motor vehicle" and
19 "emergency vehicle" in section 102 of Title 75 of the
20 Pennsylvania Consolidated Statutes are amended and the section
21 is amended by adding a definition to read:

22 § 102. Definitions.

23 Subject to additional definitions contained in subsequent

1 provisions of this title which are applicable to specific
2 provisions of this title, the following words and phrases when
3 used in this title shall have, unless the context clearly
4 indicates otherwise, the meanings given to them in this section:

5 * * *

6 "Classic motor vehicle." A motor vehicle, but not a
7 reproduction thereof, manufactured [at least ten years prior to
8 the effective date of the amendment to this definition and,
9 because of limited availability, determined by the department to
10 be a model or make of significant value to collectors or
11 exhibitors and] at least 15 years prior to the current year
12 which has been maintained in or restored to a condition which is
13 substantially in conformity with manufacturer specifications and
14 appearance[, provided that, five years from the effective date
15 of the amendment to this definition and thereafter, only a
16 vehicle which was manufactured at least 15 years prior thereto
17 and, because of limited availability, determined by the
18 department to be a model or make of significant value to
19 collectors or exhibitors and which has been maintained in or
20 restored to condition which is substantially in conformity with
21 manufacturer specifications and appearance shall be considered a
22 classic motor vehicle under this title]. Any classic motor
23 vehicle registered under section 1340 (relating to antique and
24 classic plates) on the effective date of the amendment to this
25 definition which fails to qualify as a classic motor vehicle
26 pursuant to these provisions may retain such classic
27 registration unless another type of registration is applied for
28 and issued for the vehicle.

29 "Collectible motor vehicle." A reconstructed motor vehicle,
30 but not a reproduction thereof, substantially modified from the

1 manufacturer's original specifications and appearance and
2 maintained in a collectible condition as determined by the
3 Department of Transportation.

4 * * *

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

16 (1) A police chief and assistant chief.

17 (2) A fire chief, assistant chief and, when a fire
18 company has three or more fire vehicles, a second or third
19 assistant chief.

20 (3) A fire police captain and fire police lieutenant.

21 (4) An ambulance corps commander and assistant
22 commander.

23 (5) A river rescue commander and assistant commander.

24 (6) A county emergency management coordinator.

25 (7) A fire marshal.

26 (8) A rescue service chief and assistant chief.

27 * * *

28 ~~Section 2. Sections 1111 and 1115 of Title 75 are amended by~~ <—
29 ~~adding subsections to read:~~

30 ~~§ 1111. Transfer of ownership of vehicle.~~

1 * * *

2 ~~(a.1) Exception for dealers. When a certificate of title~~
3 ~~for a vehicle acquired by a licensed dealer for the purpose of~~
4 ~~resale is encumbered by a lien, delivery of the certificate of~~
5 ~~title by the dealer as a transferor at the time of delivery of~~
6 ~~the vehicle upon resale shall not be required for a vehicle~~
7 ~~being titled in this Commonwealth if, prior to delivery of the~~
8 ~~vehicle, the dealer obtains the applicable powers of attorney to~~
9 ~~properly execute transfer of the title and the dealer requests~~
10 ~~and receives the departmental verification of any lienholders,~~
11 ~~ownership, odometer information, title brands and any other~~
12 ~~information that the department deems necessary to be verified.~~
13 ~~Upon payment of the established fee, the department shall~~
14 ~~provide the dealer or authorized messenger service with~~
15 ~~verification of the required information. The department may~~
16 ~~supply the verified information by either written or electronic~~
17 ~~means. The application and a properly assigned certificate of~~
18 ~~title shall be delivered to the department within the time~~
19 ~~period prescribed by section 1103.1 (relating to application for~~
20 ~~certificate of title). If a dealer sells a vehicle after~~
21 ~~verification of the required information for a certificate of~~
22 ~~title encumbered by a lien, but fails to satisfy the lien or~~
23 ~~deliver an assignment and warranty of title to the dealer's~~
24 ~~transferee within 90 days of the date of purchase, and this~~
25 ~~failure is the result of an act or omission by the dealer, the~~
26 ~~dealer shall accept return of the vehicle from the transferee~~
27 ~~and shall refund the purchase price less actual depreciation of~~
28 ~~the vehicle while it was within the possession of the~~
29 ~~transferee. In refunding the purchase price, the price shall~~
30 ~~include the listed dollar value of any trade in vehicle as~~

1 ~~stated in the sales transaction document in lieu of returning~~
2 ~~the transferee's trade in vehicle.~~

3 * * *

4 SECTION 2. SECTION 1115 OF TITLE 75 IS AMENDED BY ADDING A <—
5 SUBSECTION TO READ:

6 § 1115. Correction of certificate of title.

7 * * *

8 (b.1) Change in name on certificate.--Whenever there is a
9 change of name because of marriage or divorce, the owner shall
10 not be required to apply for a corrected certificate of title
11 but shall, in such manner as the department shall prescribe,
12 inform the department of the new name and of the title number of
13 every vehicle titled in the owner's former name. Upon receipt of
14 such information, the department shall correct the vehicle
15 record of the owner to indicate the name change. The department
16 shall not be required to produce a new certificate of title for
17 a name change because of marriage or divorce, unless the owner
18 submits an application for a new certificate of title. In the
19 event that the owner submits an application for a new
20 certificate of title, such owner shall be required to remit the
21 fee set forth in section 1952 (relating to certificate of title)
22 for the issuance of a certificate of title by the department.

23 * * *

24 ~~Section 3. Chapter 11 of Title 75 is amended by adding a~~ <—
25 ~~subchapter to read:~~

26 SUBCHAPTER C

27 ELECTRONIC LIEN PROGRAM

28 Sec.

29 ~~1151. Electronic media system for vehicle titles.~~

30 ~~1152. Development of pilot program.~~

1 ~~1153. Administration of system.~~

2 ~~1154. Expansion of pilot program.~~

3 ~~1155. Certification.~~

4 ~~§ 1151. Electronic media system for vehicle titles.~~

5 ~~(a) Initial responsibilities of department. The department~~
6 ~~is authorized to form a task force for the purpose of developing~~
7 ~~a system which will permit the voluntary recording of vehicle~~
8 ~~title information for new, transferred and corrected~~
9 ~~certificates of title, including the perfection and release of~~
10 ~~security interests, through electronic media in a cost effective~~
11 ~~manner in lieu of the submission and maintenance of paper~~
12 ~~documents otherwise required by this chapter. The members of the~~
13 ~~task force shall be appointed by the secretary and shall include~~
14 ~~representatives from the department, the commercial banking~~
15 ~~industry, sales finance companies, credit unions, savings~~
16 ~~institutions and the vehicle dealership industry.~~

17 ~~(b) Task force responsibilities. The task force shall~~
18 ~~research methods whereby the department, lending institutions~~
19 ~~and sales finance companies may exchange and maintain~~
20 ~~information concerning the perfection and release of vehicle~~
21 ~~security interests without submitting or receiving the paper~~
22 ~~title document. Further, the task force shall develop methods~~
23 ~~whereby lending institutions and sales finance companies may~~
24 ~~submit, through a variety of electronic media, updated~~
25 ~~information pertaining to the title record, including the~~
26 ~~addition, assignment or release of vehicle security interests.~~

27 ~~§ 1152. Development of pilot program.~~

28 ~~The task force appointed under section 1151 (relating to~~
29 ~~electronic media system for vehicle titles) shall develop a~~
30 ~~pilot program to implement voluntary electronic transactions in~~

~~lieu of the paper documents required by this chapter. The department may limit the number of counties in which the pilot program will be in effect and may also limit the number of lending institutions and sales finance companies participating in the program, but shall encourage lending institutions and sales finance companies of various sizes to participate.~~

~~§ 1153. Administration of system.~~

~~To carry out its responsibilities under this subchapter, the department is authorized to contract with private industries for the purpose of administering a system which will permit the electronic communication of title information and security interest notification. A third party operating a secured host computer system interfacing with the department's computer system and the computer system of a lending institution or other sales finance company shall be bonded in the amount specified by the department and shall maintain audit trails for a period of time specified by the department. The department is authorized to pay a reasonable fee to a third party to administer the system. Information received under this section by a third party shall remain confidential as specified by the department.~~

~~§ 1154. Expansion of pilot program.~~

~~If, after 12 months of operation, the secretary certifies in the Pennsylvania Bulletin that the pilot program created under section 1152 (relating to development of pilot program) has been successful, the department shall promulgate regulations governing voluntary electronic media transactions in lieu of submission and maintenance of paper documents otherwise required by this chapter. Until the regulations are adopted, the department may maintain and expand the pilot program provided for in section 1152.~~

1 ~~§ 1155. Certification.~~

2 ~~Notwithstanding any other provision of law, a written or~~
3 ~~printed report of an electronic transaction or recording~~
4 ~~permitted under this subchapter, if certified as true and~~
5 ~~correct by the department, shall serve as evidence of any~~
6 ~~signature, acknowledgment or information which was provided to~~
7 ~~or by the department through electronic means, and the~~
8 ~~certification shall be admissible in any legal proceeding as~~
9 ~~evidence of the facts stated therein.~~

10 Section 4 3. Sections 1307(e) and 1340 of Title 75 are
11 amended to read:

12 § 1307. Period of registration.

13 * * *

14 (e) Antique [and], classic and collectible vehicles.--
15 Antique [and], classic and collectible motor vehicle
16 registrations shall expire upon the [junking] salvaging,
17 scrapping or transfer of ownership of the vehicle, except that
18 if the transfer is between spouses or between parent and child
19 the registration may be transferred upon payment of a transfer
20 fee.

21 § 1340. Antique [and], classic and collectible plates.

22 (a) General rule.--Upon submission by a vehicle owner of
23 information satisfactory to the department that a motorcycle or
24 motor vehicle is an antique motorcycle or motor vehicle or
25 classic motorcycle or motor vehicle or collectible motorcycle or
26 motor vehicle, accompanied by the appropriate fee, the
27 department may issue special plates for the motorcycle or
28 vehicle. The applicant shall provide photographic proof in a
29 manner specified by the department to demonstrate the condition
30 of the motor vehicle. No annual registration fee may be charged

1 for antique, collectible or classic motorcycles or motor
2 vehicles.

3 (b) Use of plates.--It is unlawful for any person to operate
4 a motorcycle or vehicle with antique [or], classic or
5 collectible registration plates for general daily
6 transportation. Permitted use shall be limited to participation
7 in club activities, exhibits, tours, parades, occasional
8 transportation and similar uses. Occasional transportation shall
9 mean no more than one day per week.

10 Section ~~5~~ 4. Title 75 is amended by adding a section to <—
11 read:

12 § 1358. DARE plate.

13 The department, in consultation with the Pennsylvania
14 Commission on Crime and Delinquency, shall design a special drug
15 abuse resistance education (DARE) registration plate which
16 utilizes the DARE logo or slogan in the design. Upon application
17 of any person, accompanied by a fee of \$35 which shall be in
18 addition to the annual registration fee, the department shall
19 issue the plate for a passenger car, motor home, trailer or
20 truck with a gross vehicle weight rating of not more than 9,000
21 pounds. The Drug Abuse Resistance Education Program shall
22 receive \$15 of each additional fee for this plate.

23 Section ~~6~~ 5. The definition of "commercial motor vehicle" in <—
24 section 1603 of Title 75 is amended to read:

25 § 1603. Definitions.

26 The following words and phrases when used in this chapter
27 shall have the meanings given to them in this section unless the
28 context clearly indicates otherwise:

29 * * *

30 "Commercial motor vehicle." A motor vehicle designed or used

1 to transport passengers or property:

2 (1) if the vehicle has a gross vehicle weight rating of
3 26,001 or more pounds or such lesser rating as the department
4 shall adopt under the provisions of section 6103(c) (relating
5 to promulgation of rules and regulations by department), as
6 determined by Federal regulation and published by the
7 department as a notice in the Pennsylvania Bulletin;

8 (2) if the vehicle is designed to transport 16 or more
9 passengers, including the driver;

10 (3) if the vehicle is a school bus; or

11 (4) if the vehicle is transporting hazardous materials
12 and is required to be placarded in accordance with department
13 regulations.

14 The term does not include an antique or classic motor vehicle,
15 or an implement of husbandry, or any motor home or recreational
16 trailer operated solely for personal use, or motorized
17 construction equipment, including, but not limited to,
18 motorscrapers, backhoes, motorgraders, compactors, excavators,
19 tractors, trenchers and bulldozers.

20 * * *

21 Section 7 6. Section 1905 of Title 75 is amended by adding <—
22 ~~subsections~~ A SUBSECTION to read: <—
23 § 1905. Payments to special funds.

24 * * *

25 (c) Drug Abuse Resistance Education Fund.--Fifteen dollars
26 of each fee received under section 1358 (relating to DARE plate)
27 shall be credited to the Drug Abuse Resistance Education Fund,
28 established as follows:

29 (1) There is hereby established a special account in the
30 State Treasury which shall be known as the Drug Abuse

1 Resistance Education (DARE) Fund. The purpose of the DARE
2 Fund is to provide moneys for an ongoing educational program
3 in public schools to prevent drug abuse, utilizing police
4 agency representatives, school district employees, materials,
5 supplies and other necessary expenses associated with the
6 program.

7 (2) All moneys in the DARE Fund are hereby annually
8 appropriated to the Pennsylvania Commission on Crime and
9 Delinquency and may be expended for the purposes authorized
10 under this subsection.

11 (3) Estimates of amounts to be expended under this
12 subsection shall be submitted to the Governor by the
13 Pennsylvania Commission on Crime and Delinquency for his
14 approval.

15 (4) The State Treasurer shall not honor any requisition
16 for expenditures by the Pennsylvania Commission on Crime and
17 Delinquency in excess of estimates approved by the Governor
18 or in excess of the amount available for the purposes for
19 which the requisition was made, whichever is the lesser
20 amount.

21 ~~(d) Organ Donation Awareness Trust Fund. Moneys received by~~ <—
22 ~~the department in accordance with the provisions of 20 Pa.C.S. §~~
23 ~~8621 (relating to Organ Donation Awareness Trust Fund~~
24 ~~contributions) shall be credited to the Organ Donation Awareness~~
25 ~~Trust Fund.~~

26 ~~Section 8. Sections 1923 and 2101 of Title 75 are amended to~~
27 ~~read:~~

28 SECTION 7. SECTION 1923 OF TITLE 75 IS AMENDED TO READ: <—

29 § 1923. Antique [and], classic and collectible vehicles.

30 The fee for registration of an antique [or], classic or

1 collectible motor vehicle shall be \$50.

2 SECTION 8. SECTION 1943 OF TITLE 75 IS AMENDED BY ADDING A
3 SUBSECTION TO READ:

4 § 1943. ANNUAL HAULING PERMITS.

5 * * *

6 (E.1) SPECIAL MOBILE EQUIPMENT.--THE ANNUAL FEE FOR HAULING
7 OR TOWING EACH PIECE OF SPECIAL MOBILE EQUIPMENT, AS PROVIDED
8 FOR IN SECTION 4975 (RELATING TO PERMIT FOR MOVEMENT OF SPECIAL
9 MOBILE EQUIPMENT), SHALL BE \$200.

10 * * *

11 SECTION 9. SECTION 2101 OF TITLE 75 IS AMENDED TO READ:

12 § 2101. Construction.

13 This chapter shall be construed in conjunction with Chapter
14 96 (relating to motor carriers road tax) [and any reference to
15 the former section 11 of the act of June 19, 1964 (P.L.7, No.1),
16 known as the Motor Carriers Road Tax Act, shall be deemed a
17 reference to this chapter].

18 Section ~~9~~ 10. Title 75 is amended by adding a section to
19 read:

20 § 2101.1. Definitions.

21 The following words and phrases when used in this chapter and
22 in Chapter 96 (relating to motor carriers road tax) shall have
23 the meanings given to them in this section unless the context
24 clearly indicates otherwise:

25 "IFTA." The International Fuel Tax Agreement, including any
26 amendments.

27 "License." A valid unexpired and unrevoked license issued
28 pursuant to the International Fuel Tax Agreement by any base
29 jurisdiction thereof to the motor carrier.

30 "Qualified motor vehicle." A motor vehicle, other than a

recreational vehicle, which is used, designed or maintained for transportation of persons or property and:

(1) Having two axles and a gross weight or registered gross weight exceeding 26,000 pounds.

(2) Having three or more axles regardless of weight.

(3) Used in combination, when the gross weight or registered gross weight of the combination exceeds 26,000 pounds.

If there is no registered gross weight, then the gross vehicle weight rating (GVWR) or gross combination weight rating (GCWR) of the motor vehicle shall be used.

Section ~~10~~ 11. Sections 2102, 2104 and 2105 of Title 75 are <—
amended to read:

§ 2102. Identification markers and license or road tax registration card required.

(a) General rule.--The Secretary of Revenue shall provide [an identification marker for every motor carrier vehicle.]
identification markers as follows:

(1) Qualified motor vehicles subject to IFTA shall be issued identification markers (decals) and a license as required by IFTA.

(2) Qualified motor vehicles not subject to IFTA shall be issued identification markers and a road tax registration card.

[(1)] (3) All qualified motor vehicles required to display the identification [marker] markers shall permanently affix such identification [marker] markers on the [top one-half of the outside door panel on the driver's left-hand side] exterior portion of both sides of the cab and shall follow the directions as indicated on the reverse side of the

1 identification marker.

2 (4) A legible copy of the IFTA license (cab card) issued
3 to the motor carrier shall be carried in the cab of any
4 qualified motor vehicle subject to IFTA. The road tax
5 registration card issued to any qualified motor vehicle not
6 subject to IFTA shall be carried in the cab of the vehicle.

7 [(2)] (5) The identification [marker] markers, road tax
8 registration card and any IFTA license issued by the
9 Secretary of Revenue shall remain the property of the
10 Commonwealth and may be recalled for any violation of the
11 provisions of this chapter, Chapter 96 (relating to motor
12 carriers road tax) or the regulations promulgated thereunder.

13 (6) The Department of Revenue, for cause, may deny,
14 suspend or revoke any license, road tax registration card or
15 identification markers issued under this section, after an
16 opportunity for a hearing has been afforded the carrier,
17 provided, however, that a license, a road tax registration
18 card or identification markers may be denied or may be
19 suspended or revoked for failure to file a return as required
20 or for nonpayment of moneys due and not under appeal under
21 this chapter or Chapter 96, including related motor fuel
22 taxes prior to a hearing.

23 (b) Fee.--The fee for issuance of [an identification marker
24 prior to and including March 31, 1983 shall be \$25 and
25 thereafter the fee] identification markers shall be \$5 per
26 vehicle.

27 (c) Issuance of markers and licenses or road tax
28 registration cards.--

29 (1) Identification markers and licenses or road tax
30 registration cards shall be issued on a 12-month basis,

1 effective [April 1] January 1 of each year, and shall be
2 valid through the next succeeding [March 31] December 31;
3 however, enforcement of this section shall not become
4 effective until [April 15] March 1 of each year as to
5 qualified motor [carrier] vehicles displaying the previous
6 year's identification [marker.] markers. The identification
7 markers and license or road tax registration card may be
8 validly displayed and carried on or after December 1 of the
9 preceding year.

10 (2) The Department of Revenue shall have the power and
11 may designate [dealers of motor carrier vehicles, the
12 department and designated agents of the department located
13 within this Commonwealth] the Department of Transportation to
14 act as [agents] an agent for the Department of Revenue for
15 the purpose of collecting the fee under subsection (b),
16 processing the necessary papers and issuing a temporary
17 permit to authorize the operation of a qualified motor
18 [carrier] vehicle pending issuance of [a] permanent
19 identification [marker] markers by the department.

20 (d) Operation without identification [marker] markers
21 unlawful.--[It] Except as provided in paragraphs (2) and (3), it
22 shall be unlawful to operate or to cause to be operated in this
23 Commonwealth any qualified motor [carrier] vehicle unless the
24 vehicle bears the identification [marker] markers required by
25 this section or valid and unrevoked IFTA identification markers
26 issued by another IFTA jurisdiction.

27 (1) The Secretary of Revenue may by regulation exempt
28 from the requirement to display the identification [marker]
29 markers those qualified motor [carrier] vehicles which in his
30 opinion are clearly identifiable such that effective

1 enforcement of this chapter will not suffer thereby.

2 (2) For a period not exceeding [five] 30 days as to any
3 one motor carrier, the Secretary of Revenue by letter or
4 telegram may authorize the operation of a qualified motor
5 [carrier] vehicle or vehicles without the identification
6 [marker required or the payment of the axle tax when the]
7 markers required when both the following are applicable:

8 (i) enforcement of this section [or section 9902]
9 for that period would cause undue delay and hardship in
10 the operation of such qualified motor [carrier] vehicle
11 [or vehicles]; and

12 (ii) the motor carrier is registered and/or licensed
13 for the motor carriers road tax with the Department of
14 Revenue or has filed an application therefor with the
15 Department of Revenue:

16 [(i)] (A) The fee for such temporary permits shall
17 be [\$25] \$5 for each qualified motor [carrier]
18 vehicle which shall be deposited in the Highway
19 Bridge Improvement Restricted Account within the
20 Motor License Fund.

21 [(ii)] (B) Conditions for the issuance of such
22 permits shall be set forth in regulations promulgated
23 by the Department of Revenue.

24 (C) A temporary permit issued by another IFTA
25 jurisdiction under authority similar to this
26 paragraph shall be accorded the same effect as a
27 temporary permit issued under this paragraph.

28 (3) A motor carrier may, in lieu of paying the tax
29 imposed and filing the tax report required by Chapter 96
30 (relating to motor carriers road tax) and in lieu of

1 complying with any other provisions of this section that
2 would otherwise be applicable as a result of the operation of
3 a particular qualified motor vehicle, obtain from the
4 Department of Revenue a trip permit authorizing the carrier
5 to operate the qualified motor vehicle for a period of five
6 consecutive days. The Department of Revenue shall specify the
7 beginning and ending days on the face of the permit. The fee
8 for a trip permit for each qualified motor vehicle is \$50
9 which shall be deposited in the Highway Bridge Improvement
10 Restricted Account within the Motor License Fund. The report
11 otherwise required under Chapter 96 is not required with
12 respect to a vehicle for which a trip permit has been issued
13 under this subsection.

14 (e) Operation without IFTA license or road tax registration
15 card unlawful.--It shall be unlawful to operate or to cause to
16 be operated in this Commonwealth any qualified motor vehicle
17 unless the vehicle carries either the IFTA license or road tax
18 registration card required by this section.

19 § 2104. Special investigators; powers.

20 Such employees of the Department of Revenue as are designated
21 as special investigators, and who carry identification
22 indicating such capacity, are hereby declared to be peace
23 officers of the Commonwealth, are hereby given police power and
24 authority throughout the Commonwealth to arrest on view without
25 warrant any driver of a qualified motor [carrier] vehicle
26 engaged in any operations in violation of any provision of this
27 chapter or Chapter 96 (relating to motor carriers road tax) and
28 shall have the power and authority upon probable cause that any
29 such violation may have occurred to search and seize without
30 warrant or process any qualified motor vehicle so operated.

1 § 2105. Exemptions.

2 (a) General rule.--The requirements of this chapter and
3 Chapter 96 (relating to motor carriers road tax) do not apply to
4 the following vehicles:

5 (1) A qualified motor [carrier] vehicle bearing a
6 Pennsylvania farm vehicle registration plate and operated in
7 accordance with the restrictions of section 1344 (relating to
8 use of farm vehicle plates) or a qualified motor [carrier]
9 vehicle registered and operated under provisions of another
10 jurisdiction determined by the Department of Revenue [and the
11 Department of Transportation] to be similar to those
12 restrictions.

13 (2) A qualified motor [carrier] vehicle exempt from
14 registration as a farm [truck] vehicle and operated in
15 accordance with the restrictions of section 1302(a)(10)
16 (relating to vehicles exempt from registration) or a
17 qualified motor [carrier] vehicle operated under provisions
18 of another jurisdiction determined by the Department of
19 Revenue [and the Department of Transportation] to be similar
20 to those restrictions.

21 (3) An emergency vehicle as defined by section 102
22 (relating to definitions).

23 (4) A qualified motor [carrier] vehicle operated by or
24 on behalf of any department, board or commission of the
25 Commonwealth, or any political subdivision thereof, or any
26 quasi-governmental authority of which this Commonwealth is a
27 participating member, or any agency of the Federal Government
28 or the District of Columbia, any foreign country, or of any
29 state or any political subdivision thereof which grants
30 similar exemptions to publicly owned vehicles registered in

1 this Commonwealth.

2 (5) A [bus operated under the act of August 1, 1963
3 (P.L.476, No.249), relating to taxation of motor fuels
4 consumed by interstate buses, or any school bus operated by
5 or on behalf of any private or privately operated school.]
6 school bus.

7 (6) An implement of husbandry as defined by section 102.

8 (7) Special mobile equipment as defined by section 102.

9 (8) An unladen or towed motor vehicle or unladen trailer
10 which enters this Commonwealth solely for the purpose of
11 securing repairs or reconditioning. The repair facility shall
12 furnish to the motor carrier a certificate to be carried by
13 the qualified motor [carrier] vehicle operator while the
14 vehicle is in this Commonwealth for the purposes of this
15 paragraph.

16 (9) A qualified motor [carrier] vehicle needing
17 emergency repairs which secures authorization from the
18 Pennsylvania State Police to enter this Commonwealth under
19 this section.

20 (10) A commercial implement of husbandry.

21 (b) Regulations.--The Department of Revenue may promulgate
22 regulations to implement this section.

23 Section ~~11~~ 12. Sections 4702, 4706 and 4905 of Title 75 are <—
24 amended by adding subsections to read:

25 § 4702. Requirement for periodic inspection of vehicles.

26 * * *

27 (c.1) Safety inspection criteria for collectible motor
28 vehicles.--The department shall prescribe special inspection
29 criteria for vehicles registered as collectible motor vehicles.

30 * * *

§ 4706. Prohibition on expenditures for emission inspection
program.

* * *

(j) Program for repair of certain vehicles.--The provisions of subsection (a) shall not apply to the Credit for Repairing Polluting Vehicles Program which the Department of Environmental Protection may establish. The program may provide that any person could make repairs to or reimburse expenses for repairs to registered motor vehicles which have been identified as polluting vehicles. Upon certification that the vehicle is no longer a polluting vehicle, the Department of Environmental Protection shall award the appropriate emission credit to the person applying for the credit in accordance with the applicable requirements of this title, the act of January 8, 1960 (1959 P.L.2119, No.787), known as the Air Pollution Control Act, and the Clean Air Act (Public Law 95-95, 42 U.S.C. § 7401 et seq.).

§ 4905. Safety requirements for towed vehicles.

* * *

(f) Penalty for violation of subsection (e).--

(1) A person who operates a commercial motor vehicle, as defined in section 1603 (relating to definitions), in violation of subsection (e) commits a summary offense and shall, upon conviction, be sentenced to pay a fine of \$300 for each violation.

(2) A person who operates a motor vehicle other than a commercial motor vehicle, as defined in section 1603, in violation of subsection (e) commits a summary offense and shall, upon conviction, be sentenced to pay a fine of not less than \$50 nor more than \$100.

SECTION 13. SECTION 4962(F) OF TITLE 75 IS AMENDED TO READ:

<—

1 § 4962. CONDITIONS OF PERMITS AND SECURITY FOR DAMAGES.

2 * * *

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

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

8 SECTION 4965 (RELATING TO SINGLE PERMITS FOR MULTIPLE
9 HIGHWAY CROSSINGS).

10 SECTION 4968 (RELATING TO PERMIT FOR MOVEMENT DURING
11 COURSE OF MANUFACTURE).

12 SECTION 4970(B) (RELATING TO PERMIT FOR MOVEMENT OF
13 CONSTRUCTION EQUIPMENT).

14 SECTION 4974 (RELATING TO PERMIT FOR MOVEMENT OF
15 CONTAINERIZED CARGO).

16 SECTION 4975 (RELATING TO PERMIT FOR MOVEMENT OF SPECIAL
17 MOBILE EQUIPMENT).

18 * * *

19 SECTION 14. TITLE 75 IS AMENDED BY ADDING A SECTION TO READ:
20 § 4975. PERMIT FOR MOVEMENT OF SPECIAL MOBILE EQUIPMENT.

21 AN ANNUAL PERMIT MAY BE ISSUED AUTHORIZING THE HAULING OR
22 TOWING OF A PIECE OF SPECIAL MOBILE EQUIPMENT WHICH DOES NOT
23 EXCEED NINE FEET TWO INCHES IN WIDTH ON FREEWAYS, PROVIDED THE
24 PERMITTED VEHICLE OR COMBINATION MAINTAINS A SPEED OF 40 MILES
25 PER HOUR.

26 Section ~~12~~ 15. Section 6117 of Title 75 is amended to read: <—
27 § 6117. Authority of qualified employees of department and
28 Department of Revenue.

29 Employees of the department, the Department of Revenue and
30 the Pennsylvania Public Utility Commission who have completed a

1 training program approved by the respective secretaries of both
2 departments shall be authorized to institute criminal
3 proceedings by citation under the Pennsylvania Rules of Criminal
4 Procedure for violations of the provisions of Chapters 13
5 (relating to registration of vehicles), 21 (relating to motor
6 carriers road tax identification markers)[,] and 96 (relating to
7 motor carriers road tax) [and 98 (relating to motorbus road
8 tax)].

9 Section ~~13~~ 16. The introductory paragraph and the <—
10 definitions of "motor carrier," "motor vehicle" and "operations"
11 in section 9602 of Title 75 are amended and the section is
12 amended by adding definitions to read:

13 § 9602. Definitions.

14 The following words and phrases when used in this chapter and
15 in Chapter 21 (relating to motor carriers road tax
16 identification markers) shall have the meanings given to them in
17 this section and in section 2101.1 (relating to definitions)
18 unless the context clearly indicates otherwise:

19 * * *

20 "Motor carrier." Every person who operates or causes to be
21 operated any qualified motor vehicle on any highway in this
22 Commonwealth.

23 * * *

24 ["Motor vehicle." A motor carrier vehicle.]

25 "Operations." Operations of all qualified motor vehicles,
26 whether loaded or empty, whether operated singly or in
27 combination with trailers or semitrailers, whether for
28 compensation or not for compensation, and whether owned by or
29 leased to the motor carrier who operates them or causes them to
30 be operated.

1 "Qualified motor vehicle." As defined in section 2101.1
2 (relating to definitions).

3 "Recreational vehicle." Vehicles such as motor homes, pickup
4 trucks with attached campers and buses when used exclusively for
5 personal pleasure by individuals. In order to qualify as a
6 recreational vehicle, the vehicle shall not be used in
7 connection with any business endeavor.

8 * * *

9 Section ~~14~~ 17. Sections 9604, 9609, 9610 and 9613 of Title <—
10 75 are amended to read:

11 § 9604. Credit for motor fuel tax payment.

12 (a) General rule.--Every motor carrier subject to the tax
13 imposed under this chapter shall be entitled to a credit on the
14 tax, equivalent to the rate per gallon of the Pennsylvania tax
15 which is currently in effect, on all gasoline or other motor
16 fuel purchased by the carrier within this Commonwealth for use
17 in its operation either within or without this Commonwealth and
18 upon which gasoline or other motor fuel the tax imposed by the
19 laws of this Commonwealth has been paid by such carrier.

20 Evidence of the payment of the tax in such form as may be
21 required by, or is satisfactory to, the department shall be
22 furnished by each carrier claiming the credit. When the amount
23 of the credit to which any motor carrier is entitled for any
24 quarter exceeds the amount of the tax for which the carrier is
25 liable for the same quarter, such excess shall, upon application
26 and under regulations of the department, be allowed as a credit
27 on the tax for which the carrier would be otherwise liable for
28 any of the [six] eight succeeding quarters; or, upon application
29 [with the Board of Finance and Revenue within one year] to the
30 department within the time that records are required to be

1 maintained from the end of any quarter, duly verified and
2 presented, in accordance with regulations promulgated by the
3 department and supported by such evidence as may be satisfactory
4 to the [board] department, such excess shall be refunded if it
5 shall appear that the applicant has paid to another state under
6 a lawful requirement of such state a tax, similar in effect to
7 the tax provided in this chapter, on the use or consumption in
8 that state of gasoline or other motor fuel purchased in this
9 Commonwealth[, to the extent of such payment to the other state,
10 but in no case to exceed the rate per gallon of the Pennsylvania
11 fuels tax which is currently in effect].

12 (b) Refund procedure.--[The Board of Finance and Revenue
13 shall not allow such refund except after an audit by the
14 department of the applicant's records, and the department shall
15 audit the records of an applicant at least once a year.] If the
16 [board] department shall refuse to allow a refund in the amount
17 claimed by the applicant, the applicant may within 30 days of
18 the mailing date of the notice of such refusal request a formal
19 hearing on the application for a refund. The hearing shall be
20 held [by the board] after written notice to the applicant of not
21 less than [ten] 20 days. Whenever any refund is ordered, it
22 shall be paid out of the Motor License Fund. As much of the
23 moneys received as payment of the tax, interest and penalties
24 under this chapter as shall be necessary for the payment of the
25 refunds provided for in this chapter is hereby appropriated for
26 the payment of such refunds. No tax, interest, penalty or fee
27 received or derived from any other tax imposed by the laws of
28 this Commonwealth shall be used to pay any refund or credit due
29 and payable under the provisions of this chapter.

30 § 9609. Average consumption.

1 In the absence of adequate records or other evidence
2 satisfactory to the department showing the number of miles
3 operated by a motor carrier's qualified motor vehicles per
4 gallon of motor fuel, any such qualified motor vehicle shall be
5 deemed to have consumed one gallon of motor fuel for each four
6 miles operated.

7 § 9610. Records.

8 [(a) General rule.--]Every motor carrier shall keep such
9 records, in such form as the department reasonably may
10 prescribe, as will enable the carrier to report and enable the
11 department to determine the total number of [over-the-road]
12 miles traveled by its entire fleet of qualified motor vehicles,
13 the total number of [over-the-road] miles traveled in this
14 Commonwealth by the entire fleet, the total number of gallons of
15 motor fuel used by the entire fleet and the total number of
16 gallons of motor fuel purchased in this Commonwealth for the
17 entire fleet. All such records shall be safely preserved for a
18 period of [five] four years in such manner as to insure their
19 security and availability for inspection by the secretary or any
20 authorized employee engaged in the administration of this
21 chapter. Upon application in writing, stating the reasons
22 therefor, the department may, in its discretion, consent to the
23 destruction of any such records at any time within that period
24 if the records pertain to a period which has been audited by the
25 department. Every taxpayer shall retain records required by this
26 chapter at a place within this Commonwealth, but a taxpayer who
27 elects to retain records outside of this Commonwealth shall
28 assume reasonable out-of-State audit expenses.

29 [(b) Definitions.--As used in this section and in section
30 9607 (relating to calculation of amount of fuel used in

1 Commonwealth), the terms "entire fleet" and "entire operations"
2 mean those motor vehicles which use the highways of this
3 Commonwealth at any time during the period covered by the
4 quarterly report and the operations of such vehicles
5 respectively.]

6 § 9613. Penalty and interest for failure to report or pay tax.

7 When any motor carrier fails to file a report and pay the tax
8 within the time prescribed by this chapter for the filing and
9 payment thereof, he shall pay as a penalty [\$25] for each
10 failure to file or to pay on or before the prescribed date a sum
11 equivalent to 10% of the tax or \$50, whichever is greater. In
12 addition to this penalty, any unpaid tax shall bear interest at
13 the rate of 1% per month or fraction thereof until the tax is
14 paid. The penalties and interest charges imposed shall be paid
15 to the department in addition to the tax due.

16 Section ~~15~~ 18. Title 75 is amended by adding a section to <—
17 read:

18 § 9615.1. Examination of records.

19 The department or any agent appointed by it, including the
20 auditors of any member jurisdiction as provided in the IFTA, may
21 examine books and records and make determinations of any tax due
22 in accordance with the provisions of section 2915-A of the act
23 of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of
24 1971.

25 Section ~~16~~ 19. Section 9622 of Title 75 is amended to read: <—

26 § 9622. Reciprocal agreements.

27 (a) General rule.--The Secretary of Revenue [and Secretary
28 of Transportation] may [jointly] enter into, modify or terminate
29 agreements with other states relating to the collection of motor
30 carriers road taxes, such as the International Fuel Tax

1 Agreement, Regional Fuel Tax Agreement or similar agreements.

2 (b) Provisions.--Such agreements may provide for the
3 cooperation and assistance among member states in the
4 administration, collection and enforcement of the motor carriers
5 road tax and similar taxes of other states and may include, but
6 not be limited to:

7 (1) Base-state jurisdiction over tax reporting,
8 licensing and collections.

9 (2) Auditing of motor carriers on a joint or cooperative
10 basis.

11 (3) Provisions for the transfer of funds collected to
12 other jurisdictions as required by the agreement.

13 (4) Assessment and collection by the base state of tax,
14 penalties and interest owed to other member jurisdictions.

15 (5) The exchange of information among member
16 jurisdictions and with any repository of the agreement.

17 (6) Enforcement of sanctions against any carrier whose
18 license has been revoked by any member jurisdiction.

19 (7) Filing of bonds to protect the interests of member
20 jurisdictions.

21 (8) Suspension or revocation of the license of a motor
22 carrier for failure to comply with all applicable provisions
23 of the agreement.

24 (9) Issuance of refunds or credits.

25 (10) Such other provisions as will facilitate the
26 administration of the agreement.

27 (c) Exchange of information.--Notwithstanding section 731 of
28 the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal
29 Code, any information relating to taxes collected pursuant to
30 any agreement authorized by this section, including any

information concerning motor fuel taxes relating to such taxes collected, may be exchanged or shared with any agency, department or instrumentality of any member jurisdiction with authority under the laws of that jurisdiction to administer or enforce motor vehicle or taxation laws or with any instrumentality or repository of any agreement.

(d) Uniform penalties and interest.--Such agreement may specify uniform provisions relating to penalties and interest for late reporting or payment, appeal periods and other matters relating to administration and procedure under the agreement, and the uniform provisions may be adopted notwithstanding any law to the contrary upon a finding by the secretary that adoption of these uniform provisions is necessary for compliance with any Federal mandates pertaining to the collection of road use taxes or reasonably necessary to facilitate uniformity, however, the rate of motor carriers road tax and the definition of a "qualified motor vehicle" subject to tax may not be affected by any such agreement or amendment thereto.

(e) Appropriation.--So much of the funds collected pursuant to any such agreement, including, but not limited to, any taxes, fees, penalties or interest imposed by this chapter, as shall be necessary for the payment of refunds under this chapter or any such agreement, including, but not limited to, any amounts required to be paid to other states pursuant to such agreement, are hereby appropriated to the Department of Revenue for such purposes.

(f) Foreign countries.--For purposes of this section, the words "state" and "jurisdiction" shall include a foreign country and any state, province or other similar subdivision thereof.

~~Section 17. Chapter 98 of Title 75 is repealed.~~

<—

~~Section 18. The sum of \$300,000, or as much thereof as may
be necessary, is hereby appropriated from the General Fund to
the Department of Transportation for the fiscal year July 1,
1995, to June 30, 1996, to administer the Organ Donation
Awareness Trust Fund established under 20 Pa.C.S. § 8621.~~

SECTION 20. THE HEADING OF CHAPTER 98 OF TITLE 75 IS AMENDED <—
TO READ:

CHAPTER 98

MOTORBUS ROAD TAX CREDIT OR REFUND

SECTION 21. SECTION 9801 OF TITLE 75 IS REPEALED.

SECTION 22. THE DEFINITION OF "MOTORBUS" IN SECTION 9802 OF
TITLE 75 IS AMENDED AND THE SECTION IS AMENDED BY ADDING A
DEFINITION TO READ:

§ 9802. DEFINITIONS.

THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS CHAPTER
SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
CONTEXT CLEARLY INDICATES OTHERWISE:

* * *

"MOTORBUS." A [BUS] QUALIFIED MOTOR VEHICLE UNDER SECTION
9602 (RELATING TO DEFINITIONS) WITH A SEATING CAPACITY OF 20 OR
MORE PASSENGERS, EXCLUDING THE DRIVER, EXCEPT A SCHOOL BUS.

* * *

"QUALIFIED MOTOR VEHICLE." A QUALIFIED MOTOR VEHICLE AS
DEFINED IN SECTION 9602 (RELATING TO DEFINITIONS).

* * *

SECTION 23. SECTIONS 9803 AND 9804 OF TITLE 75 ARE REPEALED.

SECTION 24. SECTION 9805 OF TITLE 75 IS AMENDED TO READ:

§ 9805. CREDIT OR REFUND FOR ADDITIONAL MOTOR FUEL TAX PAYMENT.

[(A) GENERAL RULE.--EVERY BUS COMPANY SUBJECT TO THE TAX
IMPOSED UNDER THIS CHAPTER SHALL BE ENTITLED TO A CREDIT ON THE

1 TAX FOR OTHER FUEL TAXES PAID ON ALL MOTOR FUEL PURCHASED BY THE
2 BUS COMPANY WITHIN THIS COMMONWEALTH FOR USE IN ITS OPERATION
3 EITHER WITHIN OR WITHOUT THIS COMMONWEALTH. FOR PURPOSES OF THIS
4 SECTION, OTHER FUEL TAXES SHALL INCLUDE THE TAX IMPOSED PURSUANT
5 TO THE ACT OF MAY 21, 1931 (P.L.149, NO.105), KNOWN AS THE
6 LIQUID FUELS TAX ACT, THE TAX IMPOSED PURSUANT TO THE ACT OF
7 JANUARY 14, 1952 (1951 P.L.1965, NO.550), KNOWN AS THE FUEL USE
8 TAX ACT, THE TAX IMPOSED PURSUANT TO CHAPTER 95 (RELATING TO
9 TAXES FOR HIGHWAY MAINTENANCE AND CONSTRUCTION) AND ALL SIMILAR
10 TAXES NOW OR HEREAFTER IMPOSED ON MOTOR FUEL. EVIDENCE OF THE
11 PAYMENT OF THE TAX IN SUCH FORM AS MAY BE REQUIRED BY OR IS
12 SATISFACTORY TO THE DEPARTMENT SHALL BE FURNISHED BY EACH BUS
13 COMPANY CLAIMING THE CREDIT.

14 (B) EXCESS CREDIT.--WHEN THE AMOUNT OF THE CREDIT TO WHICH
15 ANY BUS COMPANY IS ENTITLED FOR ANY REPORTING PERIOD EXCEEDS THE
16 AMOUNT OF THE TAX FOR WHICH THE BUS COMPANY IS LIABLE FOR THE
17 SAME PERIOD, THE DEPARTMENT MAY APPLY ALL OR PART OF THE AMOUNT
18 OF SUCH EXCESS CREDIT AGAINST ANY LIABILITY IN RESPECT OF THE
19 TAX IMPOSED BY THIS CHAPTER ON THE BUS COMPANY WHICH INCURRED
20 THE EXCESS CREDIT AND UPON REQUEST SHALL ISSUE A REFUND IN THE
21 REMAINING AMOUNT OF THE CREDIT TO THE BUS COMPANY. FOR PURPOSES
22 OF PAYMENT OF INTEREST ON REFUNDS PURSUANT TO SECTION 806.1 OF
23 THE ACT OF APRIL 9, 1929 (P.L.343, NO.176), KNOWN AS THE FISCAL
24 CODE, THE AMOUNT OF THE REFUND SHALL BE CONSIDERED AN
25 OVERPAYMENT OF TAX MADE WITH THE REPORT ON WHICH CREDIT IS
26 CLAIMED. REFUNDS SHALL BE PAID OUT OF THE MOTOR LICENSE FUND. AS
27 MUCH OF THE MONEYS RECEIVED AS PAYMENT OF THE TAX, INTEREST AND
28 PENALTIES UNDER THIS CHAPTER AS SHALL BE NECESSARY FOR THE
29 PAYMENT OF THE REFUNDS PROVIDED FOR IN THIS CHAPTER IS HEREBY
30 APPROPRIATED FOR THE PAYMENT OF SUCH REFUNDS. NO TAX, INTEREST,

1 PENALTY OR FEE RECEIVED OR DERIVED FROM ANY OTHER TAX IMPOSED BY
2 THE LAWS OF THIS COMMONWEALTH SHALL BE USED TO PAY ANY REFUND
3 DUE AND PAYABLE UNDER THE PROVISIONS OF THIS CHAPTER.] EVERY BUS
4 COMPANY SHALL BE ENTITLED TO A CREDIT OR REFUND EQUIVALENT TO
5 THE ADDITIONAL TAX OF 6¢ PER GALLON IMPOSED BY SECTION 9603(A)
6 (RELATING TO IMPOSITION OF TAX) ON ALL GASOLINE OR OTHER MOTOR
7 FUEL CONSUMED BY THE BUS COMPANY IN ITS OPERATIONS WITHIN THIS
8 COMMONWEALTH. THE BUS COMPANY SHALL, UNDER REGULATIONS OF THE
9 DEPARTMENT, SUBMIT AN APPLICATION FOR CREDIT OR REFUND OF
10 ADDITIONAL TAX TO THE DEPARTMENT ON OR BEFORE THE LAST DAY OF
11 THE MONTH IMMEDIATELY FOLLOWING THE CLOSE OF EACH QUARTER. FOR
12 PURPOSES OF PAYMENT OF INTEREST ON REFUNDS UNDER SECTION 806.1
13 OF THE ACT OF APRIL 9, 1929 (P.L.343, NO.176), KNOWN AS THE
14 FISCAL CODE, THE AMOUNT OF THE REFUND SHALL BE CONSIDERED AN
15 OVERPAYMENT OF TAX MADE WITH THE REPORT ON WHICH CREDIT IS
16 CLAIMED.

17 SECTION 25. SECTIONS 9806, 9807, 9808, 9809, 9810, 9811,
18 9812, 9813, 9814, 9815, 9816, 9817, 9818, 9819, 9820 AND 9821 OF
19 TITLE 75 ARE REPEALED.

20 Section ~~19~~ 26. Section 7 of the act of December 16, 1992 <—
21 (P.L.1250, No.166), entitled "An act amending Title 75
22 (Vehicles) of the Pennsylvania Consolidated Statutes, providing
23 for the implementation and administration of an enhanced vehicle
24 emission inspection program; further providing for
25 administrative duties of the Department of Transportation for
26 certain services and the Department of Environmental Resources;
27 providing for an alternative fuels grant program; establishing
28 the Alternative Fuels Incentive Grant Fund; and making an
29 appropriation," is repealed.

30 Section ~~20~~ 27. This act shall take effect as follows: <—

1 (1) The amendment or addition of 75 Pa.C.S. ~~Ch. 11~~ <—
2 ~~Subch. C and §§ 1358, 1905(d)~~ §§ 1358 and 9622 shall take <—
3 effect immediately.

4 (2) The amendment or addition of 75 Pa.C.S. §§ 102,
5 1307(e), 1340, 1358, 1603, 1923 and 4702 shall take effect in
6 120 days.

7 ~~(3) The amendment of 75 Pa.C.S. § 1111 shall take effect~~ <—
8 ~~upon publication of a notice to that effect in the~~
9 ~~Pennsylvania Bulletin.~~

10 ~~(4)~~ (3) The AMENDMENT OR repeal of THE PROVISIONS OF 75 <—
11 Pa.C.S. Ch. 98 shall take effect January 1, 1996.

12 ~~(5) Section 19~~ (4) SECTION 26 of this act shall take <—
13 effect in 120 days.

14 ~~(6)~~ (5) The amendment or addition of 75 Pa.C.S. §§ <—
15 1905(c), 2101, 2101.1, 2102, 2104, 2105, 6117, 9602, 9604,
16 9609, 9610, 9613 and 9615.1 shall take effect January 1,
17 1996.

18 (6) THE AMENDMENT OR ADDITION OF 75 PA.C.S. §§ <—
19 1943(E.1), 4962(F) AND 4975 SHALL TAKE EFFECT IN 60 DAYS.

20 (7) This section shall take effect immediately.

21 (8) The remainder of this act shall take effect in 120
22 days.