

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## SENATE BILL

No. 800 Session of  
1995INTRODUCED BY STOUT, CORMAN, HART, O'PAKE AND BELAN,  
MARCH 21, 1995

SENATOR CORMAN, TRANSPORTATION, AS AMENDED, APRIL 26, 1995

## AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, further providing for prohibiting use of hearing  
3 impairment devices, FOR FINES FOR RECKLESS DRIVING AND FOR  
4 PERMIT FOR MOVEMENT DURING COURSE OF MANUFACTURE. <—

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

7 ~~Section 1. Section 3314 of Title 75 of the Pennsylvania~~ <—  
8 ~~Consolidated Statutes is amended to read:~~

9 SECTION 1. SECTION 102 OF TITLE 75 OF THE PENNSYLVANIA <—  
10 CONSOLIDATED STATUTES IS AMENDED BY ADDING A DEFINITION TO READ:  
11 § 102. DEFINITIONS.

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

17 \* \* \*

18 "INTERSTATE HIGHWAY." A FREEWAY ON THE DWIGHT D. EISENHOWER

1 SYSTEM OF INTERSTATE AND DEFENSE HIGHWAYS.

2 \* \* \*

3 SECTION 2. SECTIONS 3314, 3326(C) AND 4962(F) OF TITLE 75  
4 ARE AMENDED TO READ:

5 § 3314. Prohibiting use of hearing impairment devices.

6 (a) General rule.--No driver shall operate a vehicle while  
7 wearing or using one or more headphones[, ] OR earphones [or any <—  
8 similar device which the department by regulation determines  
9 would impair the ability of the driver to hear traffic sounds]. <—

10 (b) Exception.--This section does not prohibit the use of  
11 hearing aids or other devices for improving the hearing of the  
12 driver, nor does it prohibit the use of a headset in conjunction  
13 with a cellular telephone that only provides sound through one  
14 ear and allows surrounding sounds to be heard with the other  
15 ear, nor does it prohibit the use of communication equipment by  
16 the driver of [a fire] AN EMERGENCY vehicle or by motorcycle <—  
17 operators complying with section 3525 (relating to protective  
18 equipment for motorcycle riders).

19 § 3326. DUTY OF DRIVER IN CONSTRUCTION AND MAINTENANCE AREAS. <—

20 \* \* \*

21 (C) FINES TO BE DOUBLED.--THE FINE FOR ANY OF THE FOLLOWING  
22 VIOLATIONS, WHEN COMMITTED IN A CONSTRUCTION OR MAINTENANCE AREA  
23 MANNED BY WORKERS ACTING IN THEIR OFFICIAL CAPACITY, SHALL BE  
24 DOUBLE THE USUAL AMOUNT:

25 SECTION 3102 (RELATING TO OBEDIENCE TO AUTHORIZED  
26 PERSONS DIRECTING TRAFFIC).

27 SECTION 3111 (RELATING TO OBEDIENCE TO TRAFFIC-  
28 CONTROL DEVICES).

29 SECTION 3112 (RELATING TO TRAFFIC-CONTROL SIGNALS).

30 SECTION 3114 (RELATING TO FLASHING SIGNALS).

1           SECTION 3302 (RELATING TO MEETING VEHICLE PROCEEDING  
2           IN OPPOSITE DIRECTION).

3           SECTION 3303 (RELATING TO OVERTAKING VEHICLE ON THE  
4           LEFT).

5           SECTION 3304 (RELATING TO OVERTAKING VEHICLE ON THE  
6           RIGHT).

7           SECTION 3305 (RELATING TO LIMITATIONS ON OVERTAKING  
8           ON THE LEFT).

9           SECTION 3306 (RELATING TO LIMITATIONS ON DRIVING ON  
10          LEFT SIDE OF ROADWAY).

11          SECTION 3307 (RELATING TO NO-PASSING ZONES).

12          SECTION 3309 (RELATING TO DRIVING ON ROADWAYS LANED  
13          FOR TRAFFIC).

14          SECTION 3310 (RELATING TO FOLLOWING TOO CLOSELY).

15          SECTION 3323 (RELATING TO STOP SIGNS AND YIELD  
16          SIGNS).

17          SECTION 3326 (RELATING TO DUTY OF DRIVER IN  
18          CONSTRUCTION AND MAINTENANCE AREAS).

19          SECTION 3361 (RELATING TO DRIVING VEHICLE AT SAFE  
20          SPEED).

21          SECTION 3362 (RELATING TO MAXIMUM SPEED LIMITS).

22          SECTION 3702 (RELATING TO LIMITATIONS ON BACKING).

23          SECTION 3714 (RELATING TO [RECKLESS] CARELESS  
24          DRIVING).

25          SECTION 3715 (RELATING TO RESTRICTION ON ALCOHOLIC  
26          BEVERAGES).

27          SECTION 3731 (RELATING TO DRIVING UNDER INFLUENCE OF  
28          ALCOHOL OR CONTROLLED SUBSTANCE).

29          SECTION 3736 (RELATING TO RECKLESS DRIVING).

30          \* \* \*

§ 4962. CONDITIONS OF PERMITS AND SECURITY FOR DAMAGES.

\* \* \*

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

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

SECTION [4965(2)] 4965 (RELATING TO SINGLE PERMITS FOR MULTIPLE HIGHWAY CROSSINGS).

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

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

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

\* \* \*

SECTION 3. SECTION 4968 OF TITLE 75, AMENDED DECEMBER 28, 1994 (P.L.1450, NO.172), IS AMENDED TO READ:

§ 4968. PERMIT FOR MOVEMENT DURING COURSE OF MANUFACTURE.

AN ANNUAL PERMIT MAY BE ISSUED AUTHORIZING MOVEMENT ON HIGHWAYS OF BOATS, TRAILERS, MOBILE HOMES, MODULAR HOUSING UNITS AND UNDERCARRIAGES, HELICOPTERS, RAILWAY EQUIPMENT AND RAILS OR OTHER ARTICLES, VEHICLES OR COMBINATIONS WHICH EXCEED THE MAXIMUM HEIGHT, WIDTH OR LENGTH SPECIFIED IN SUBCHAPTER B (RELATING TO WIDTH, HEIGHT AND LENGTH) OR COMBINATIONS CARRYING STEEL COILS WHICH EXCEED THE MAXIMUM WEIGHT SPECIFIED IN SUBCHAPTER C (RELATING TO MAXIMUM WEIGHTS OF VEHICLES) WHILE THEY ARE IN THE COURSE OF MANUFACTURE AND ENTIRELY WITHIN THE CONTROL OF THE MANUFACTURER, SUBJECT TO THE FOLLOWING PROVISIONS:

1           (1) EXCEPT FOR ARTICLES AND VEHICLES NOT EXCEEDING 102  
2 INCHES IN WIDTH, NO PERMIT SHALL BE ISSUED UNDER THIS SECTION  
3 FOR MOVEMENT OF ARTICLES OR VEHICLES WHILE THEY ARE IN  
4 TRANSIT FROM THE MANUFACTURER TO A PURCHASER OR DEALER OR FOR  
5 THE MOVEMENT OF ARTICLES OR VEHICLES UPON A FREEWAY.

6           (2) ARTICLES AND VEHICLES NOT WIDER THAN 102 INCHES MAY  
7 BE MOVED ANY DISTANCE ON A PERMIT. ARTICLES AND VEHICLES  
8 WIDER THAN 102 INCHES BUT NOT IN EXCESS OF TEN FEET IN WIDTH  
9 MAY BE MOVED UP TO 50 MILES ON A PERMIT. WIDER ARTICLES AND  
10 VEHICLES MAY BE MOVED NO FARTHER THAN TEN MILES ON A PERMIT.

11           (3) A COMBINATION OF VEHICLES WHICH IS HAULING FLAT-  
12 ROLLED STEEL COILS MAY BE PERMITTED [BY THE DEPARTMENT] TO  
13 MOVE UPON SPECIFIED [STATE] HIGHWAYS A DISTANCE NOT EXCEEDING  
14 [TEN] 25 MILES, PROVIDED, HOWEVER, THAT THE GROSS WEIGHT  
15 SHALL NOT EXCEED 100,000 POUNDS NOR SHALL THE WEIGHT OF ANY  
16 NONSTEERING AXLE EXCEED 21,000 POUNDS. NO PERMIT MAY BE  
17 ISSUED FOR THIS TYPE OF MOVEMENT UPON [A FREEWAY] AN  
18 INTERSTATE HIGHWAY.

19           (4) A PERMIT MAY BE DENIED IN ORDER TO PRESERVE THE  
20 SAFETY OF HIGHWAY USERS OR TO PROTECT THE STRUCTURAL  
21 INTEGRITY OF HIGHWAYS OR BRIDGES OR AS OTHERWISE AUTHORIZED  
22 BY DEPARTMENT REGULATIONS.

23 Section ~~2~~ 4. This act shall take effect in 60 days.

<—