

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2121 Session of
2003

INTRODUCED BY COY, BEBKO-JONES, BELARDI, CORRIGAN, COSTA, CRUZ,
CURRY, DALEY, DeLUCA, FABRIZIO, FICHTER, GRUCELA, HARHAI,
HESS, HORSEY, JAMES, KELLER, KIRKLAND, MANN, McGEEHAN, MYERS,
PALLONE, PAYNE, REICHLEY, ROEBUCK, ROONEY, SCAVELLO,
B. SMITH, SOLOBAY, TANGRETTI, E. Z. TAYLOR, THOMAS, WALKO,
WATSON, WEBER, WILLIAMS, WILT, WOJNAROSKI AND YOUNGBLOOD,
OCTOBER 21, 2003

REFERRED TO COMMITTEE ON TRANSPORTATION, OCTOBER 21, 2003

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for special speed limitations in
3 school zones.

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

6 Section 1. Section 3365 of Title 75 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 3365. Special speed limitations.

9 (a) Bridges and elevated structures.--

10 (1) No person shall drive a vehicle over any bridge or
11 other elevated structure constituting a part of a highway at
12 a speed which is greater than the maximum speed which can be
13 maintained with safety to the bridge or structure when the
14 structure is posted with signs as provided in this
15 subsection.

16 (2) The department and local authorities on highways

1 under their respective jurisdictions may conduct a traffic
2 and engineering investigation of any bridge or other elevated
3 structure constituting a part of a highway, and if it shall
4 thereupon find that the structure cannot safely withstand
5 vehicles traveling at the speed otherwise permissible under
6 this title, the department or local authority shall determine
7 and declare the maximum speed of vehicles which the structure
8 can safely withstand, and shall cause or permit official
9 traffic-control devices stating the maximum speed to be
10 erected and maintained before each end of the structure.

11 (3) Upon the trial of any person charged with a
12 violation of this subsection, proof of the determination of
13 the maximum speed by the department and the existence of the
14 signs shall constitute conclusive evidence of the maximum
15 speed which can be maintained with safety to the bridge or
16 structure.

17 (b) School zones.--When passing through a school zone as
18 defined and established under regulations of the department, no
19 person shall drive a vehicle at a speed greater than 15 miles
20 per hour. An official traffic-control device shall indicate the
21 beginning and end of each school zone to traffic approaching in
22 each direction. Establishment of a school zone, including its
23 location and hours of operation, shall be approved by the
24 department.

25 (c) Hazardous grades.--The department and local authorities
26 on highways under their respective jurisdictions may conduct
27 traffic and engineering investigations on grades which are
28 considered hazardous. If the grade is determined to be
29 hazardous, vehicles having a gross weight in excess of a
30 determined safe weight may be further limited as to maximum

1 speed and may be required to stop before proceeding downhill.
2 The restrictions shall be indicated by official traffic-control
3 devices erected and maintained according to regulations
4 established by the department.

5 (c.1) Active work zones.--When passing through an active
6 work zone, no person shall drive a vehicle at a speed greater
7 than the posted limit. An official traffic-control device shall
8 indicate the beginning and end of each active work zone to
9 traffic approaching in each direction.

10 (d) Penalty.--[Any]

11 (1) Except as provided in paragraph (2), any person
12 violating any provision of this section is guilty of a
13 summary offense and shall, upon conviction, be sentenced to
14 pay a fine of \$35. Any person exceeding a maximum speed limit
15 established under this section by more than five miles per
16 hour shall pay an additional fine of \$2 per mile for each
17 mile in excess of five miles per hour in excess of the
18 maximum speed limit.

19 (2) For a person violating any provision of subsection
20 (b) the fine shall be double the penalty of paragraph (1).

21 Section 2. The amendment of 75 Pa.C.S. § 3365 shall apply to
22 persons convicted on or after the effective date of this act.

23 Section 3. This act shall take effect in 60 days.