

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 17 Session of  
2007

INTRODUCED BY MARKOSEK AND GEIST, JANUARY 30, 2007

AS AMENDED ON THIRD CONSIDERATION, IN SENATE, DECEMBER 10, 2007

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, further defining "AUTOMATED RED LIGHT ENFORCEMENT <—  
3 SYSTEM" AND "serious traffic violation"; and further  
4 providing FOR PERIOD OF REGISTRATION, FOR PERSON WITH <—  
5 DISABILITY PLATE AND PLACARD, FOR WEIGHT RESTRICTION RELATING  
6 TO SPECIAL REGISTRATION PLATES, FOR USE AND DISPLAY OF  
7 ILLUMINATED SIGNS, FOR AUTOMATED RED LIGHT ENFORCEMENT  
8 SYSTEMS IN FIRST CLASS CITIES, for employer responsibilities  
9 and for unlawful activities related to equipment standards.

10 The General Assembly of the Commonwealth of Pennsylvania  
11 hereby enacts as follows:

12 ~~Section 1. The definition of "serious traffic violation" in <—~~  
13 ~~section 1603 of Title 75 of the Pennsylvania Consolidated~~  
14 ~~Statutes is amended to read:~~

15 SECTION 1. THE DEFINITIONS OF "AUTOMATED RED LIGHT <—  
16 ENFORCEMENT SYSTEM" AND "RECORDED IMAGES" IN SECTION 102 OF  
17 TITLE 75 OF THE PENNSYLVANIA CONSOLIDATED STATUTES ARE AMENDED  
18 TO READ:

19 § 102. DEFINITIONS.

20 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 "AUTOMATED RED LIGHT ENFORCEMENT SYSTEM." A VEHICLE SENSOR  
7 INSTALLED TO WORK IN CONJUNCTION WITH A TRAFFIC-CONTROL SIGNAL  
8 WHICH AUTOMATICALLY PRODUCES ONE OR MORE [PHOTOGRAPHS] RECORDED  
9 IMAGES OF A VEHICLE AT THE TIME THE VEHICLE IS USED OR OPERATED  
10 IN A MANNER WHICH IS A VIOLATION UNDER THIS TITLE.

11 \* \* \*

12 "RECORDED [IMAGES] IMAGE." [IMAGES] AN IMAGE RECORDED BY AN  
13 AUTOMATED RED LIGHT ENFORCEMENT SYSTEM ON [TOW OR MORE  
14 PHOTOGRAPHS] A PHOTOGRAPH, A DIGITAL IMAGE OR ANY OTHER IMAGE-  
15 CAPTURE TECHNOLOGY.

16 \* \* \*

17 SECTION 2. SECTIONS 1307(A.1), 1338(A)(9), 1341, 1342(A),  
18 (C) AND (D), 1346, 1348, 1350, 1351, 1352, 1353, 1354(A), 1355,  
19 1356, 1357, 1358, 1359(A), 1360, 1362, 1363 AND 1364 OF TITLE 75  
20 ARE AMENDED TO READ:

21 § 1307. PERIOD OF REGISTRATION.

22 \* \* \*

23 (A.1) SEASONAL REGISTRATION.--UPON APPLICATION ON A FORM  
24 PRESCRIBED BY THE DEPARTMENT, THE OWNER OR LESSEE OF A PASSENGER  
25 CAR, RECREATIONAL MOTOR VEHICLE, MOTORCYCLE, TRUCK OR FARM  
26 VEHICLE WHICH DOES NOT HAVE A GROSS VEHICLE WEIGHT RATING OF  
27 MORE THAN [9,000] 10,000 POUNDS MAY REGISTER THE VEHICLE WITH  
28 THE DEPARTMENT FOR A PERIOD OF SUCCESSIVE MONTHS OF LESS THAN  
29 ONE YEAR. THE APPLICANT SHALL SPECIFY THE PERIOD OF MONTHS  
30 DURING WHICH THE VEHICLE SHALL BE REGISTERED. EXCEPT WHEN THE

1 DEPARTMENT INITIALLY CONVERTS A CURRENTLY VALID ANNUAL  
2 REGISTRATION TO A SEASONAL REGISTRATION, THE ANNUAL FEE  
3 PRESCRIBED FOR THE VEHICLE BY CHAPTER 19 (RELATING TO FEES)  
4 SHALL BE PAID IN FULL BY THE APPLICANT REGARDLESS OF THE NUMBER  
5 OF MONTHS CHOSEN FOR REGISTRATION BY THE APPLICANT. UPON RECEIPT  
6 OF THE APPROPRIATE FEE AND THE PROPERLY COMPLETED FORM,  
7 INCLUDING ALL INFORMATION REQUIRED BY THIS CHAPTER, THE  
8 DEPARTMENT SHALL ISSUE A SEASONAL REGISTRATION THAT SHALL EXPIRE  
9 ON THE LAST DAY OF THE EXPIRATION MONTH CHOSEN BY THE  
10 REGISTRANT. NO INSURER OF A VEHICLE BELONGING TO ANY OWNER OR  
11 LESSEE WHO OBTAINS A SEASONAL REGISTRATION AND WHO APPLIES FOR  
12 OR RECEIVES A REDUCED AUTOMOBILE INSURANCE PREMIUM ON ACCOUNT  
13 THEREOF SHALL BE REQUIRED TO PROVIDE ANY CONTRACTUAL COVERAGE,  
14 WHETHER IN THE FORM OF THE PROVISION OF A DEFENSE OR THE PAYMENT  
15 OF FIRST-PARTY OR THIRD-PARTY BENEFITS OR OTHERWISE, TO THE  
16 OWNER OR LESSEE IN CONNECTION WITH ANY EVENT OCCURRING DURING  
17 THAT PART OF THE YEAR IN WHICH THE VEHICLE IS NOT REGISTERED;  
18 AND SUCH OWNER OR LESSEE SHALL BE TREATED FOR ALL PURPOSES,  
19 INCLUDING, WITHOUT LIMITATION, ASCERTAINING RIGHTS TO STACK  
20 COVERAGES AND TO UNINSURED AND UNDERINSURED MOTORIST COVERAGE,  
21 AS A PERSON WHO DOES NOT OWN THAT VEHICLE AND HAS NO DUTY TO  
22 CARRY FINANCIAL RESPONSIBILITY ON IT FOR THAT PART OF THE YEAR.

23 \* \* \*

24 § 1338. PERSON WITH DISABILITY PLATE AND PLACARD.

25 (A) PERSON WITH DISABILITY PLATE.--ON THE APPLICATION OF ANY  
26 PERSON WHO:

27 \* \* \*

28 (9) IS A PERSON IN LOCO PARENTIS OF A PERSON SPECIFIED  
29 IN PARAGRAPH (1), (2), (3), (4), (5), (6), (7) OR (8);

30 THE DEPARTMENT SHALL ISSUE A SPECIAL REGISTRATION PLATE FOR ONE

1 PASSENGER CAR OR TRUCK WITH A REGISTERED GROSS WEIGHT OF NOT  
2 MORE THAN [9,000] 10,000 POUNDS, DESIGNATING THE VEHICLE SO  
3 LICENSED AS BEING USED BY A PERSON WITH A DISABILITY. SPECIAL  
4 PLATES FOR PERSONS WITH DISABILITIES MAY ALSO BE ISSUED FOR  
5 VEHICLES OPERATED EXCLUSIVELY FOR THE USE AND BENEFIT OF PERSONS  
6 WITH DISABILITIES. IN THE CASE OF A MOTORCYCLE, THE DEPARTMENT  
7 SHALL ISSUE A DECAL CONTAINING THE INTERNATIONAL SYMBOL FOR  
8 ACCESS FOR PERSONS WITH DISABILITIES FOR DISPLAY ON THE  
9 REGISTRATION PLATE.

10 \* \* \*

11 § 1341. SPECIAL REGISTRATION PLATES GENERALLY.

12 UPON REQUEST BY THE APPLICANT, THE DEPARTMENT MAY ISSUE  
13 REGISTRATION PLATES CONSISTING OF ANY COMBINATION OF NUMBERS,  
14 LETTERS OR NUMBERS AND LETTERS. THESE SPECIAL PLATES MAY BE  
15 ISSUED FOR SPECIAL GROUPS OR FOR SPECIAL PURPOSES AND BEAR AN  
16 APPROPRIATE DESIGNATION. SPECIAL GROUPS MAY CHARGE A FEE FOR  
17 AUTHORIZATION TO REQUEST A REGISTRATION PLATE BEARING THE NAME  
18 OF THE GROUP. THEY SHALL HAVE THE SAME FORCE AND EFFECT AS  
19 REGULAR REGISTRATION PLATES. THE DEPARTMENT MAY REFUSE ANY  
20 COMBINATION OF LETTERS AND NUMBERS FOR CAUSE AND SHALL ADOPT  
21 REASONABLE RULES AND REGULATIONS FOR THE ISSUANCE OF THE PLATES  
22 AND FOR CARRYING OUT THE PROVISIONS OF THIS SECTION. THE  
23 APPLICANT SHALL COMPLY WITH ALL LAWS AND REGULATIONS PERTAINING  
24 TO REGISTRATION INCLUDING THE PAYMENT OF ANY ADDITIONAL FEES.  
25 THE DEPARTMENT IS AUTHORIZED TO REISSUE A COMBINATION OF NUMBERS  
26 OR LETTERS FOR A PERSONAL PLATE IF THE DEPARTMENT RECORDS REVEAL  
27 THAT NO ACTIVITY, SUCH AS RENEWAL OR TRANSFER OF THE PERSONAL  
28 REGISTRATION PLATE, HAS OCCURRED FOR A PERIOD OF FIVE OR MORE  
29 CONSECUTIVE YEARS AND PROVIDED THAT THE PERSONAL REGISTRATION  
30 PLATE WAS NEVER REPORTED AS LOST OR STOLEN. WHENEVER THE

1 DEPARTMENT REISSUES AN INACTIVE PERSONAL PLATE, THE DEPARTMENT  
2 MAY PURGE ITS RECORDS OF ALL REFERENCES TO THE PREVIOUS OWNERS  
3 OF THAT PERSONAL PLATE. THE DEPARTMENT SHALL, HOWEVER, NOTE UPON  
4 ITS RECORDS THE REISSUANCE OF THE PERSONAL PLATE AND TO WHOM THE  
5 PLATE WAS ISSUED. THE SPECIAL REGISTRATION PLATE MAY BE USED  
6 ONLY ON A PASSENGER CAR OR TRUCK WITH A REGISTERED GROSS WEIGHT  
7 OF NOT MORE THAN 10,000 POUNDS. IF THE VEHICLE IS LICENSED TO A  
8 BUSINESS THAT IS NOT A MEMBER OF THE SPECIAL GROUP, THE  
9 DEPARTMENT SHALL ISSUE THE PLATE AS LONG AS THE BUSINESS OWNER  
10 OR OFFICER MAKING APPLICATION IS A MEMBER OF THAT GROUP.

11 § 1342. VETERAN PLATES AND PLACARD.

12 (A) SEVERELY DISABLED VETERAN PLATE.--ON THE APPLICATION OF  
13 A VETERAN WHOSE SERVICE-CONNECTED DISABILITY IS CERTIFIED AT  
14 100% BY THE SERVICE UNIT OF THE ARMED FORCES IN WHICH THE  
15 VETERAN SERVED OR BY THE UNITED STATES VETERANS' ADMINISTRATION  
16 OR WHO HAS A SERVICE-CONNECTED DISABILITY OF THE TYPE ENUMERATED  
17 IN SECTION 1338 (RELATING TO PERSON WITH DISABILITY PLATE AND  
18 PLACARD), THE DEPARTMENT SHALL ISSUE A SPECIAL REGISTRATION  
19 PLATE DESIGNATING THE VEHICLE AS BELONGING TO A SEVERELY  
20 DISABLED VETERAN. THE REGISTRATION PLATE SHALL HAVE A WHITE  
21 BACKGROUND, SHALL HAVE BLUE NUMBERS OR LETTERS AS THE DEPARTMENT  
22 MAY DETERMINE, SHALL HAVE THE WORDS, "DISABLED VETERAN," IN AT  
23 LEAST TEN-POINT BOLD TYPE, INSCRIBED IN RED AT THE BOTTOM OF THE  
24 PLATE, AND SHALL INCLUDE THE INTERNATIONAL SYMBOL FOR ACCESS FOR  
25 PERSONS WITH DISABILITIES. ONLY ONE SPECIAL REGISTRATION PLATE  
26 SHALL BE ISSUED TO A VETERAN UNDER THIS SECTION. IT MAY BE USED  
27 ONLY ON A PASSENGER CAR OR TRUCK WITH A REGISTERED GROSS WEIGHT  
28 OF NOT MORE THAN [9,000] 10,000 POUNDS. IN THE CASE OF A  
29 MOTORCYCLE, THE DEPARTMENT SHALL ISSUE A DECAL CONTAINING THE  
30 INTERNATIONAL SYMBOL FOR ACCESS FOR PERSONS WITH DISABILITIES

1 AND THE WORDS "DISABLED VETERAN" FOR DISPLAY ON THE REGISTRATION  
2 PLATE.

3 \* \* \*

4 (C) DISABLED VETERAN PLATES.--ON THE APPLICATION OF ANY  
5 VETERAN HAVING A DISABILITY CERTIFIED BY THE SERVICE UNIT OF THE  
6 ARMED FORCES IN WHICH THE VETERAN SERVED OR BY THE UNITED STATES  
7 VETERANS' ADMINISTRATION AS SERVICE-CONNECTED, THE DEPARTMENT  
8 SHALL ISSUE A SPECIAL REGISTRATION PLATE DESIGNATING THE VEHICLE  
9 AS BELONGING TO A DISABLED VETERAN. THE REGISTRATION PLATE SHALL  
10 HAVE A WHITE BACKGROUND, SHALL HAVE NUMBERS OR LETTERS AS THE  
11 DEPARTMENT MAY DETERMINE AND SHALL HAVE THE WORDS "DISABLED  
12 VETERAN" IN AT LEAST TEN-POINT BOLD TYPE INSCRIBED AT THE BOTTOM  
13 OF THE PLATE. ONLY ONE SPECIAL REGISTRATION PLATE SHALL BE  
14 ISSUED TO A VETERAN UNDER THIS SECTION. IT MAY BE USED ONLY ON A  
15 PASSENGER CAR OR TRUCK WITH A REGISTERED GROSS WEIGHT OF NOT  
16 MORE THAN [9,000] 10,000 POUNDS.

17 (D) PRISONER OF WAR PLATE.--ON THE APPLICATION OF AN EX-  
18 PRISONER OF WAR WHOSE IMPRISONMENT WHILE IN THE SERVICE OF THE  
19 ARMED FORCES OF THE UNITED STATES IS CERTIFIED BY THE  
20 APPROPRIATE BRANCH OF THE ARMED FORCES, THE DEPARTMENT SHALL  
21 ISSUE A SPECIAL REGISTRATION PLATE DESIGNATING THE VEHICLE AS  
22 BELONGING TO AN EX-PRISONER OF WAR. THE REGISTRATION PLATE SHALL  
23 CONTAIN THE LETTERS "POW" AND SUCH OTHER NUMBERS OR LETTERS AS  
24 THE DEPARTMENT MAY DETERMINE AND SHALL HAVE THE WORDS "PRISONER  
25 OF WAR" IN AT LEAST TEN-POINT BOLD TYPE INSCRIBED AT THE BOTTOM  
26 OF THE PLATE. ONLY ONE SPECIAL REGISTRATION PLATE SHALL BE  
27 ISSUED TO AN EX-PRISONER OF WAR UNDER THIS SUBSECTION. THE  
28 SPECIAL REGISTRATION PLATE MAY BE USED ONLY ON A PASSENGER CAR  
29 OR TRUCK WITH A REGISTERED GROSS WEIGHT OF NOT MORE THAN [9,000]  
30 10,000 POUNDS.

\* \* \*

§ 1346. SPECIAL PLATES FOR RECIPIENTS OF PURPLE HEART.

UPON APPLICATION OF ANY PERSON WHO IS A RECIPIENT OF THE PURPLE HEART, THE DEPARTMENT SHALL ISSUE TO SUCH PERSON A SPECIAL REGISTRATION PLATE DESIGNATING THE VEHICLE SO LICENSED AS BELONGING TO A PERSON WHO IS A RECIPIENT OF THE PURPLE HEART. A SEVERELY DISABLED VETERAN, AS DESCRIBED IN SECTION 1342(A) (RELATING TO VETERAN PLATES AND PLACARD), WHO IS QUALIFIED TO RECEIVE A PLATE UNDER THIS SECTION MAY ALSO ELECT TO RECEIVE A PLACARD UNDER SECTION 1342(B). THE SPECIAL REGISTRATION PLATE MAY BE USED ONLY ON A PASSENGER CAR OR TRUCK WITH A REGISTERED GROSS WEIGHT OF NOT MORE THAN [9,000] 10,000 POUNDS.

§ 1348. SPECIAL PLATES FOR PEARL HARBOR SURVIVORS.

UPON APPLICATION OF ANY PERSON WHO IS A SURVIVOR OF PEARL HARBOR, ACCOMPANIED BY A FEE OF \$20 WHICH SHALL BE IN ADDITION TO THE ANNUAL REGISTRATION FEE AND BY SUCH DOCUMENTATION AS THE DEPARTMENT SHALL REQUIRE, THE DEPARTMENT SHALL ISSUE TO SUCH PERSON A SPECIAL REGISTRATION PLATE DESIGNATING THE VEHICLE SO LICENSED AS BELONGING TO A PERSON WHO IS A SURVIVOR OF PEARL HARBOR. THE SPECIAL REGISTRATION PLATE MAY BE USED ONLY ON A PASSENGER CAR OR TRUCK WITH A REGISTERED GROSS WEIGHT OF NOT MORE THAN [9,000] 10,000 POUNDS.

§ 1350. SPECIAL PLATES FOR VETERANS OF KOREAN WAR.

UPON APPLICATION OF ANY PERSON WHO IS A VETERAN OF THE KOREAN WAR, ACCOMPANIED BY A FEE OF \$20, WHICH SHALL BE IN ADDITION TO THE ANNUAL REGISTRATION FEE, AND BY SUCH DOCUMENTATION AS THE DEPARTMENT SHALL REQUIRE, THE DEPARTMENT SHALL ISSUE TO THE PERSON A SPECIAL REGISTRATION PLATE DESIGNATING THE VEHICLE SO LICENSED AS BELONGING TO A PERSON WHO IS A VETERAN OF THE KOREAN WAR. THE SPECIAL REGISTRATION PLATE MAY BE USED ONLY ON A

1 PASSENGER CAR OR TRUCK WITH A REGISTERED GROSS WEIGHT OF NOT  
2 MORE THAN [9,000] 10,000 POUNDS.

3 § 1351. SPECIAL PLATES FOR VETERANS OF PERSIAN GULF WAR.

4 UPON APPLICATION OF ANY PERSON WHO IS A VETERAN OF THE  
5 PERSIAN GULF WAR, ACCOMPANIED BY A FEE OF \$20, WHICH SHALL BE IN  
6 ADDITION TO THE ANNUAL REGISTRATION FEE, AND BY SUCH  
7 DOCUMENTATION AS THE DEPARTMENT SHALL REQUIRE, THE DEPARTMENT  
8 SHALL ISSUE TO THE PERSON A SPECIAL REGISTRATION PLATE  
9 DESIGNATING THE VEHICLE SO LICENSED AS BELONGING TO A PERSON WHO  
10 IS A VETERAN OF THE PERSIAN GULF WAR. THE SPECIAL REGISTRATION  
11 PLATE MAY BE USED ONLY ON A PASSENGER CAR OR TRUCK WITH A  
12 REGISTERED GROSS WEIGHT OF NOT MORE THAN [9,000] 10,000 POUNDS.

13 § 1352. WILD RESOURCE CONSERVATION PLATE.

14 THE DEPARTMENT, IN CONSULTATION WITH THE WILD RESOURCE  
15 CONSERVATION BOARD, SHALL DESIGN A SPECIAL WILD RESOURCE  
16 CONSERVATION REGISTRATION PLATE. UPON APPLICATION OF ANY PERSON,  
17 ACCOMPANIED BY A FEE OF \$35 WHICH SHALL BE IN ADDITION TO THE  
18 ANNUAL REGISTRATION FEE, THE DEPARTMENT SHALL ISSUE THE PLATE  
19 FOR A PASSENGER CAR, MOTOR HOME, TRAILER OR TRUCK WITH A  
20 REGISTERED GROSS WEIGHT OF NOT MORE THAN [9,000] 10,000 POUNDS.  
21 THE WILD RESOURCE CONSERVATION FUND SHALL RECEIVE \$15 OF EACH  
22 ADDITIONAL FEE FOR THIS PLATE.

23 § 1353. PRESERVE OUR HERITAGE REGISTRATION PLATE.

24 THE DEPARTMENT, IN CONSULTATION WITH THE PENNSYLVANIA  
25 HISTORICAL AND MUSEUM COMMISSION, SHALL DESIGN A SPECIAL  
26 PRESERVE OUR HERITAGE REGISTRATION PLATE. UPON RECEIPT OF AN  
27 APPLICATION, ACCOMPANIED BY A FEE OF \$35 WHICH SHALL BE IN  
28 ADDITION TO THE ANNUAL REGISTRATION FEE, THE DEPARTMENT SHALL  
29 ISSUE THE PLATE FOR A PASSENGER CAR, MOTOR HOME, TRAILER OR  
30 TRUCK WITH A REGISTERED GROSS WEIGHT OF NOT MORE THAN [9,000]



1 10,000 POUNDS. THE HISTORICAL PRESERVATION FUND SHALL RECEIVE  
2 \$15 OF EACH ADDITIONAL FEE FOR THIS PLATE.

3 § 1354. FLAGSHIP NIAGARA COMMEMORATIVE REGISTRATION PLATE.

4 (A) PLATE.--THE DEPARTMENT, IN CONSULTATION WITH THE  
5 PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION, SHALL DESIGN A  
6 FLAGSHIP NIAGARA COMMEMORATIVE REGISTRATION PLATE. UPON  
7 APPLICATION OF ANY PERSON, ACCOMPANIED BY A FEE OF \$35 WHICH  
8 SHALL BE IN ADDITION TO THE ANNUAL REGISTRATION FEE, THE  
9 DEPARTMENT SHALL ISSUE THE PLATE FOR A PASSENGER CAR, MOTOR  
10 HOME, TRAILER OR TRUCK WITH A REGISTERED GROSS WEIGHT OF NOT  
11 MORE THAN [9,000] 10,000 POUNDS.

12 \* \* \*

13 § 1355. ZOOLOGICAL PLATE.

14 THE DEPARTMENT, IN CONSULTATION WITH THE PENNSYLVANIA  
15 ZOOLOGICAL COUNCIL, SHALL DESIGN A SPECIAL ZOOLOGICAL  
16 REGISTRATION PLATE. UPON APPLICATION OF ANY PERSON, ACCOMPANIED  
17 BY A FEE OF \$35 WHICH SHALL BE IN ADDITION TO THE ANNUAL  
18 REGISTRATION FEE, THE DEPARTMENT SHALL ISSUE THE PLATE FOR A  
19 PASSENGER CAR, MOTOR HOME, TRAILER OR TRUCK WITH A REGISTERED  
20 GROSS WEIGHT OF NOT MORE THAN [9,000] 10,000 POUNDS. THE  
21 ZOOLOGICAL ENHANCEMENT FUND SHALL RECEIVE \$15 OF THE FEE PAID BY  
22 THE APPLICANT FOR THE PLATE.

23 § 1356. SPECIAL PLATES FOR RECIPIENTS OF EXPEDITIONARY FORCES  
24 MEDAL.

25 UPON APPLICATION OF ANY PERSON WHO IS A RECIPIENT OF THE  
26 EXPEDITIONARY FORCES MEDAL, ACCOMPANIED BY A FEE OF \$20 WHICH  
27 SHALL BE IN ADDITION TO THE ANNUAL REGISTRATION FEE AND BY SUCH  
28 DOCUMENTATION AS THE DEPARTMENT SHALL REQUIRE, THE DEPARTMENT  
29 SHALL ISSUE TO SUCH PERSON A SPECIAL REGISTRATION PLATE  
30 DESIGNATING THE VEHICLE SO REGISTERED AS BELONGING TO A PERSON

1 WHO IS A RECIPIENT OF THE EXPEDITIONARY FORCES MEDAL. THE  
2 SPECIAL REGISTRATION PLATE MAY BE USED ONLY ON A PASSENGER CAR  
3 OR TRUCK WITH A REGISTERED GROSS WEIGHT OF NOT MORE THAN [9,000]  
4 10,000 POUNDS.

5 § 1357. SPECIAL PLATES FOR WORLD WAR II VETERANS.

6 UPON APPLICATION OF ANY PERSON WHO IS A VETERAN OF WORLD WAR  
7 II, ACCOMPANIED BY A FEE OF \$20 WHICH SHALL BE IN ADDITION TO  
8 THE ANNUAL REGISTRATION FEE AND BY SUCH DOCUMENTATION AS THE  
9 DEPARTMENT SHALL REQUIRE, THE DEPARTMENT SHALL ISSUE TO SUCH  
10 PERSON A SPECIAL REGISTRATION PLATE CARRYING THE SYMBOL OF A  
11 RUPTURED DUCK DESIGNATING THE VEHICLE SO REGISTERED AS BELONGING  
12 TO A PERSON WHO IS A VETERAN OF WORLD WAR II. THE SPECIAL  
13 REGISTRATION PLATE MAY BE USED ONLY ON A PASSENGER CAR OR TRUCK  
14 WITH A REGISTERED GROSS WEIGHT OF NOT MORE THAN [9,000] 10,000  
15 POUNDS.

16 § 1358. DARE PLATE.

17 THE DEPARTMENT, IN CONSULTATION WITH THE PENNSYLVANIA  
18 COMMISSION ON CRIME AND DELINQUENCY, SHALL DESIGN A SPECIAL DRUG  
19 ABUSE RESISTANCE EDUCATION (DARE) REGISTRATION PLATE WHICH  
20 UTILIZES THE DARE LOGO OR SLOGAN IN THE DESIGN. UPON APPLICATION  
21 OF ANY PERSON, ACCOMPANIED BY A FEE OF \$35 WHICH SHALL BE IN  
22 ADDITION TO THE ANNUAL REGISTRATION FEE, THE DEPARTMENT SHALL  
23 ISSUE THE PLATE FOR A PASSENGER CAR, MOTOR HOME, TRAILER OR  
24 TRUCK WITH A REGISTERED GROSS WEIGHT OF NOT MORE THAN [9,000]  
25 10,000 POUNDS. THE DRUG ABUSE RESISTANCE EDUCATION PROGRAM SHALL  
26 RECEIVE \$15 OF EACH ADDITIONAL FEE FOR THIS PLATE.

27 § 1359. SPECIAL PLATES FOR STEELWORKERS.

28 (A) GENERAL RULE.--UPON APPLICATION OF ANY PERSON WHO IS A  
29 STEELWORKER, ACCOMPANIED BY A FEE OF \$20 WHICH SHALL BE IN  
30 ADDITION TO THE ANNUAL REGISTRATION FEE AND BY SUCH

1 DOCUMENTATION AS THE DEPARTMENT SHALL REQUIRE, THE DEPARTMENT  
2 SHALL ISSUE TO SUCH PERSON A SPECIAL REGISTRATION PLATE  
3 DESIGNATING THE VEHICLE SO LICENSED AS BELONGING TO A PERSON WHO  
4 IS A STEELWORKER. THE SPECIAL REGISTRATION PLATE MAY BE USED  
5 ONLY ON A PASSENGER CAR OR A TRUCK WITH A REGISTERED GROSS  
6 WEIGHT OF NOT MORE THAN [9,000] 10,000 POUNDS. THE PLATE SHALL  
7 BEAR THE LIKENESS OF THE OFFICIAL EMBLEM OF THE AMERICAN IRON  
8 AND STEEL INSTITUTE.

9 \* \* \*

10 § 1360. SPECIAL PLATES FOR VETERANS OF VIETNAM CONFLICT.

11 UPON APPLICATION OF ANY PERSON WHO IS A VETERAN OF THE  
12 VIETNAM CONFLICT AS THAT TERM IS DEFINED FOR THE AWARDING OF THE  
13 VIETNAM SERVICE MEDAL, ACCOMPANIED BY A FEE OF \$20 IN ADDITION  
14 TO THE ANNUAL REGISTRATION FEE AND BY SUCH DOCUMENTATION AS THE  
15 DEPARTMENT SHALL REQUIRE, THE DEPARTMENT SHALL ISSUE TO THE  
16 PERSON A SPECIAL REGISTRATION PLATE DESIGNATING THE VEHICLE SO  
17 LICENSED AS BELONGING TO A PERSON WHO IS A VETERAN OF THE  
18 VIETNAM CONFLICT. THE SPECIAL REGISTRATION PLATE MAY BE USED  
19 ONLY ON A PASSENGER CAR OR TRUCK WITH A REGISTERED GROSS WEIGHT  
20 OF NOT MORE THAN [9,000] 10,000 POUNDS.

21 § 1362. OPERATION IRAQI FREEDOM VETERANS PLATE.

22 UPON APPLICATION OF ANY PERSON WHO IS A VETERAN OF THE  
23 LIBERATION OR OCCUPATION OF IRAQ, ACCOMPANIED BY A FEE OF \$20  
24 WHICH SHALL BE IN ADDITION TO THE ANNUAL REGISTRATION FEE AND BY  
25 DOCUMENTATION AS THE DEPARTMENT SHALL REQUIRE, THE DEPARTMENT  
26 SHALL ISSUE TO THE PERSON A SPECIAL REGISTRATION PLATE  
27 DESIGNATING THE VEHICLE SO LICENSED AS BELONGING TO A PERSON WHO  
28 IS A VETERAN OF OPERATION IRAQI FREEDOM. THE SPECIAL  
29 REGISTRATION PLATE MAY BE USED ONLY ON A PASSENGER CAR OR TRUCK  
30 WITH A REGISTERED GROSS WEIGHT OF NOT MORE THAN 10,000 POUNDS.

1 § 1363. OPERATION ENDURING FREEDOM VETERANS PLATE.

2 UPON APPLICATION OF ANY PERSON WHO IS A VETERAN OF THE  
3 LIBERATION OR OCCUPATION OF AFGHANISTAN, ACCOMPANIED BY A FEE OF  
4 \$20 WHICH SHALL BE IN ADDITION TO THE ANNUAL REGISTRATION FEE  
5 AND BY DOCUMENTATION AS THE DEPARTMENT SHALL REQUIRE, THE  
6 DEPARTMENT SHALL ISSUE TO THE PERSON A SPECIAL REGISTRATION  
7 PLATE DESIGNATING THE VEHICLE SO LICENSED AS BELONGING TO A  
8 PERSON WHO IS A VETERAN OF OPERATION ENDURING FREEDOM. THE  
9 SPECIAL REGISTRATION PLATE MAY BE USED ONLY ON A PASSENGER CAR  
10 OR TRUCK WITH A REGISTERED GROSS WEIGHT OF NOT MORE THAN 10,000  
11 POUNDS.

12 § 1364. SPECIAL PLATES FOR VETERANS.

13 UPON APPLICATION OF ANY PERSON WHO IS AN HONORABLY DISCHARGED  
14 VETERAN OF THE ARMED FORCES OF THE UNITED STATES OR A RESERVE  
15 COMPONENT OF THE ARMED FORCES AS DEFINED IN 51 PA.C.S. § 7301  
16 (RELATING TO DEFINITIONS), ACCOMPANIED BY A FEE OF \$20 WHICH  
17 SHALL BE IN ADDITION TO THE ANNUAL REGISTRATION FEE AND BY SUCH  
18 DOCUMENTATION AS THE DEPARTMENT SHALL REQUIRE, THE DEPARTMENT  
19 SHALL ISSUE TO THE PERSON A SPECIAL REGISTRATION PLATE  
20 DESIGNATING THE VEHICLE AS BELONGING TO A PERSON WHO IS A  
21 VETERAN OF THE ARMED FORCES OF THE UNITED STATES. THE SPECIAL  
22 REGISTRATION PLATE MAY BE USED ONLY ON A PASSENGER CAR OR TRUCK  
23 WITH A REGISTERED GROSS WEIGHT OF NOT MORE THAN 10,000 POUNDS.

24 SECTION 3. THE DEFINITION OF "SERIOUS TRAFFIC VIOLATION" IN  
25 SECTION 1603 OF TITLE 75 IS AMENDED TO READ:

26 § 1603. Definitions.

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

30 \* \* \*

1 "Serious traffic violation."

2 (1) Excessive speeding as defined by the United States  
3 Secretary of Transportation by regulation and published by  
4 the department as a notice in the Pennsylvania Bulletin.

5 (2) Reckless driving.

6 (3) Any offense under this title relating to motor  
7 vehicle traffic control arising in connection with an  
8 accident resulting in death to any person.

9 (4) Any violation of section 1606(a) (relating to  
10 requirement for commercial driver's license), 3305 (relating  
11 to limitations on overtaking on left), 3306 (relating to  
12 limitations on driving on left side of roadway), 3307  
13 (relating to no-passing zones), 3309(1), (2) or (4) (relating  
14 to driving on roadways laned for traffic), 3310 (relating to  
15 following too closely), 3326 (relating to duty of driver in  
16 construction and maintenance areas or on highway safety  
17 corridors) or 3365(c) (relating to special speed  
18 limitations).

19 (5) Any other offenses defined by the United States  
20 Secretary of Transportation as serious traffic violations and  
21 published by the department as a notice in the Pennsylvania  
22 Bulletin.

23 \* \* \*

24 ~~Section 2. Sections 1605 and 4107(d)(3) of Title 75 are~~ <—  
25 ~~amended to read:~~

26 SECTION 4. SECTIONS 1605, 3116 AND 4107(D) OF TITLE 75 ARE <—  
27 AMENDED TO READ:

28 § 1605. Employer responsibilities.

29 (a) Requirements.--Each employer shall require the applicant  
30 to provide the information specified in section 1604(c)

1 (relating to notification requirements for drivers). Each  
2 employer shall inform the applicant that the information he  
3 provides in accordance with section 1604(c) may be used and the  
4 applicant's previous employers may be contacted for the purpose  
5 of investigating the applicant's work history.

6 (b) Prohibitions.--No employer shall knowingly allow,  
7 require, permit or authorize a driver to drive a commercial  
8 motor vehicle during any period:

9 (1) in which:

10 (i) the driver's license was suspended, revoked or  
11 canceled by a state;

12 (ii) the driver has lost the privilege to drive a  
13 commercial motor vehicle in a state;

14 (iii) the driver has been disqualified from driving  
15 a commercial motor vehicle;

16 (iv) the driver is not licensed to drive a  
17 commercial vehicle; or

18 (v) the driver is not qualified by required class or  
19 endorsement to operate the commercial vehicle being  
20 driven; [or]

21 (vi) the driver, or the commercial motor vehicle the  
22 driver is driving, or the motor carrier operation is  
23 subject to an out-of-service order; or

24 (2) in which the driver has more than one driver's  
25 license.

26 (c) Test vehicles.--Each employer shall provide a  
27 representative vehicle to any employee who as a result of the  
28 Commercial Motor Vehicle Safety Act of 1986 (Public Law 99-570,  
29 49 U.S.C. app. § 2701 et seq.) must obtain a commercial driver's  
30 license to continue his present occupation. This section

1 includes, but is not limited to, current commercial motor  
2 vehicle drivers, construction equipment operators, utility truck  
3 operators, mechanics and vehicle inspectors employed prior to  
4 March 31, 1992. It is the employer's discretion to provide a  
5 representative vehicle to any employee who wishes to obtain a  
6 commercial driver's license if the Commercial Motor Vehicle  
7 Safety Act of 1986 does not require the employee to obtain a  
8 commercial driver's license for his current position.

9 (d) Test dates.--An employer shall provide a commercial  
10 driver the necessary time off for a driver to take the required  
11 knowledge exam and skills test when the tests have been  
12 scheduled.

13 (e) Penalties.--Any person who violates any provision of  
14 this section commits a summary offense and shall, upon  
15 conviction, be sentenced to pay a fine of \$1,000[.], except that  
16 if the violation relates to an out-of-service order then the  
17 person shall, upon conviction, be sentenced to pay a fine of  
18 \$2,750.

19 § 3116. AUTOMATED RED LIGHT ENFORCEMENT SYSTEMS IN FIRST CLASS <—  
20 CITIES.

21 (A) GENERAL RULE.--

22 (1) A CITY OF THE FIRST CLASS, UPON PASSAGE OF AN  
23 ORDINANCE, IS AUTHORIZED TO ENFORCE SECTION 3112(A)(3)  
24 (RELATING TO TRAFFIC-CONTROL SIGNALS) BY RECORDING VIOLATIONS  
25 USING AN AUTOMATED RED LIGHT ENFORCEMENT SYSTEM APPROVED BY  
26 THE DEPARTMENT.

27 (2) THIS SECTION SHALL ONLY BE APPLICABLE AT  
28 INTERSECTIONS IN THE CITY OF THE FIRST CLASS AGREED UPON BY  
29 THE SYSTEM ADMINISTRATOR AND THE SECRETARY OF TRANSPORTATION  
30 WHO SHALL CONSIDER USING THE AUTOMATED RED LIGHT ENFORCEMENT

1 SYSTEM AT THE FOLLOWING INTERSECTIONS:

2 (I) U.S. ROUTE 1 (ROOSEVELT BOULEVARD) AT GRANT  
3 AVENUE, AT RED LION ROAD AND AT COTTMAN STREET.

4 (II) KENSINGTON AVENUE AT CLEARFIELD STREET.

5 (III) RICHMOND STREET AT ALLEGHENY AVENUE AND AT  
6 CASTOR AVENUE.

7 (IV) ARAMINGO AVENUE AT YORK STREET.

8 (V) THOMPSON STREET AT LEHIGH AVENUE.

9 (VI) BROAD STREET AT WASHINGTON AVENUE.

10 (B) OWNER LIABILITY.--FOR EACH VIOLATION PURSUANT TO THIS  
11 SECTION, THE OWNER OF THE VEHICLE SHALL BE LIABLE FOR THE  
12 PENALTY IMPOSED UNLESS THE OWNER IS CONVICTED OF THE SAME  
13 VIOLATION UNDER ANOTHER SECTION OF THIS TITLE OR HAS A DEFENSE  
14 UNDER SUBSECTION (F).

15 (C) CERTIFICATE AS EVIDENCE.--A CERTIFICATE, OR A FACSIMILE  
16 OF A CERTIFICATE, BASED UPON INSPECTION OF [PHOTOGRAPHS]  
17 RECORDED IMAGES PRODUCED BY AN AUTOMATED RED LIGHT ENFORCEMENT  
18 SYSTEM AND SWORN TO OR AFFIRMED BY A POLICE OFFICER EMPLOYED BY  
19 THE CITY OF THE FIRST CLASS SHALL BE PRIMA FACIE EVIDENCE OF THE  
20 FACTS CONTAINED IN IT. THE CITY MUST INCLUDE WRITTEN  
21 DOCUMENTATION THAT THE AUTOMATED RED LIGHT ENFORCEMENT SYSTEM  
22 WAS OPERATING CORRECTLY AT THE TIME OF THE ALLEGED VIOLATION. A  
23 [PHOTOGRAPH] RECORDED IMAGE EVIDENCING A VIOLATION OF SECTION  
24 3112(A)(3) SHALL BE ADMISSIBLE IN ANY JUDICIAL OR ADMINISTRATIVE  
25 PROCEEDING TO ADJUDICATE THE LIABILITY FOR THE VIOLATION.

26 (D) PENALTY.--

27 (1) THE PENALTY FOR A VIOLATION UNDER SUBSECTION (A)  
28 SHALL BE A FINE OF \$100 UNLESS A LESSER AMOUNT IS SET BY  
29 ORDINANCE.

30 (2) A FINE IS NOT AUTHORIZED FOR A VIOLATION OF THIS



SECTION IF ANY OF THE FOLLOWING APPLY:

(I) THE INTERSECTION IS BEING MANUALLY CONTROLLED.

(II) THE SIGNAL IS IN THE MODE DESCRIBED IN SECTION 3114 (RELATING TO FLASHING SIGNALS).

(3) A FINE IS NOT AUTHORIZED DURING:

(I) THE FIRST 120 DAYS OF OPERATION OF THE AUTOMATED SYSTEM AT THE INITIAL INTERSECTION.

(II) THE FIRST 60 DAYS FOR EACH ADDITIONAL INTERSECTION SELECTED FOR THE AUTOMATED SYSTEM.

(3.1) A WARNING MAY BE SENT TO THE VIOLATOR UNDER PARAGRAPH (3).

(4) A PENALTY IMPOSED UNDER THIS SECTION SHALL NOT BE DEEMED A CRIMINAL CONVICTION AND SHALL NOT BE MADE PART OF THE OPERATING RECORD UNDER SECTION 1535 (RELATING TO SCHEDULE OF CONVICTIONS AND POINTS) OF THE INDIVIDUAL UPON WHOM THE PENALTY IS IMPOSED, NOR MAY THE IMPOSITION OF THE PENALTY BE SUBJECT TO MERIT RATING FOR INSURANCE PURPOSES.

(5) NO SURCHARGE POINTS MAY BE IMPOSED IN THE PROVISION OF MOTOR VEHICLE INSURANCE COVERAGE. FINES COLLECTED UNDER THIS SECTION SHALL NOT BE SUBJECT TO 42 PA.C.S. § 3571 (RELATING TO COMMONWEALTH PORTION OF FINES, ETC.) OR 3573 (RELATING TO MUNICIPAL CORPORATION PORTION OF FINES, ETC.).

(E) LIMITATIONS.--

(1) NO AUTOMATED RED LIGHT ENFORCEMENT SYSTEM SHALL BE UTILIZED IN SUCH A MANNER AS TO TAKE A FRONTAL VIEW [PHOTOGRAPH] RECORDED IMAGE OF THE VEHICLE AS EVIDENCE OF HAVING COMMITTED A VIOLATION.

(2) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, CAMERA EQUIPMENT DEPLOYED AS PART OF AN AUTOMATED RED LIGHT ENFORCEMENT SYSTEM AS PROVIDED IN THIS SECTION MUST BE

1 INCAPABLE OF AUTOMATED OR USER-CONTROLLED REMOTE INTERSECTION  
2 SURVEILLANCE BY MEANS OF RECORDED VIDEO IMAGES. [PHOTOGRAPHS]  
3 RECORDED IMAGES COLLECTED AS PART OF THE AUTOMATED RED LIGHT  
4 ENFORCEMENT SYSTEM [MUST BE 35-MILLIMETER FILM ONLY,] MUST  
5 ONLY RECORD TRAFFIC VIOLATIONS AND MAY NOT BE USED FOR ANY  
6 OTHER SURVEILLANCE PURPOSES. THE RESTRICTIONS SET FORTH IN  
7 THIS PARAGRAPH SHALL NOT BE DEEMED TO PRECLUDE A COURT OF  
8 COMPETENT JURISDICTION FROM ISSUING AN ORDER DIRECTING THAT  
9 THE INFORMATION BE PROVIDED TO LAW ENFORCEMENT OFFICIALS IF  
10 THE INFORMATION IS REASONABLY DESCRIBED AND IS REQUESTED  
11 SOLELY IN CONNECTION WITH A CRIMINAL LAW ENFORCEMENT ACTION.

12 (3) NOTWITHSTANDING ANY OTHER PROVISION OF LAW,  
13 INFORMATION PREPARED UNDER THIS SECTION AND INFORMATION  
14 RELATING TO VIOLATIONS UNDER THIS SECTION WHICH IS KEPT BY  
15 THE CITY OF THE FIRST CLASS, ITS AUTHORIZED AGENTS OR ITS  
16 EMPLOYEES, INCLUDING [PHOTOGRAPHS] RECORDED IMAGES, WRITTEN  
17 RECORDS, REPORTS OR FACSIMILES, NAMES, ADDRESSES AND THE  
18 NUMBER OF VIOLATIONS UNDER THIS SECTION, SHALL BE FOR THE  
19 EXCLUSIVE USE OF THE CITY, ITS AUTHORIZED AGENTS, ITS  
20 EMPLOYEES AND LAW ENFORCEMENT OFFICIALS FOR THE PURPOSE OF  
21 DISCHARGING THEIR DUTIES UNDER THIS SECTION AND UNDER ANY  
22 ORDINANCES AND RESOLUTIONS OF THE CITY. THE INFORMATION SHALL  
23 NOT BE DEEMED A PUBLIC RECORD UNDER THE ACT OF JUNE 21, 1957  
24 (P.L.390, NO.212), REFERRED TO AS THE RIGHT-TO-KNOW LAW. THE  
25 INFORMATION SHALL NOT BE DISCOVERABLE BY COURT ORDER OR  
26 OTHERWISE, NOR SHALL IT BE OFFERED IN EVIDENCE IN ANY ACTION  
27 OR PROCEEDING WHICH IS NOT DIRECTLY RELATED TO A VIOLATION OF  
28 THIS SECTION OR ANY ORDINANCE OR RESOLUTION OF THE CITY. THE  
29 RESTRICTIONS SET FORTH IN THIS PARAGRAPH SHALL NOT BE DEEMED  
30 TO PRECLUDE A COURT OF COMPETENT JURISDICTION FROM ISSUING AN

1 ORDER DIRECTING THAT THE INFORMATION BE PROVIDED TO LAW  
2 ENFORCEMENT OFFICIALS IF THE INFORMATION IS REASONABLY  
3 DESCRIBED AND IS REQUESTED SOLELY IN CONNECTION WITH A  
4 CRIMINAL LAW ENFORCEMENT ACTION.

5 (4) [PHOTOGRAPHIC EVIDENCE] RECORDED IMAGES OBTAINED  
6 THROUGH THE USE OF AUTOMATED RED LIGHT ENFORCEMENT SYSTEMS  
7 DEPLOYED AS A MEANS OF PROMOTING TRAFFIC SAFETY IN A CITY OF  
8 THE FIRST CLASS SHALL BE DESTROYED WITHIN ONE YEAR OF FINAL  
9 DISPOSITION OF ANY RECORDED EVENT. THE CITY SHALL FILE NOTICE  
10 WITH THE DEPARTMENT OF STATE THAT THE RECORDS HAVE BEEN  
11 DESTROYED IN ACCORDANCE WITH THIS SECTION.

12 (5) NOTWITHSTANDING ANY OTHER PROVISION OF LAW,  
13 REGISTERED VEHICLE OWNER INFORMATION OBTAINED AS A RESULT OF  
14 THE OPERATION OF AN AUTOMATED RED LIGHT ENFORCEMENT SYSTEM  
15 UNDER THIS SECTION SHALL NOT BE THE PROPERTY OF THE  
16 MANUFACTURER OR VENDOR OF THE AUTOMATED RED LIGHT ENFORCEMENT  
17 SYSTEM AND MAY NOT BE USED FOR ANY PURPOSE OTHER THAN  
18 PRESCRIBED IN THIS SECTION.

19 (F) DEFENSES.--

20 (1) IT SHALL BE A DEFENSE TO A VIOLATION UNDER THIS  
21 SECTION THAT THE PERSON NAMED IN THE NOTICE OF THE VIOLATION  
22 WAS NOT OPERATING THE VEHICLE AT THE TIME OF THE VIOLATION.  
23 THE OWNER MAY BE REQUIRED TO SUBMIT EVIDENCE THAT THE OWNER  
24 WAS NOT THE DRIVER AT THE TIME OF THE ALLEGED VIOLATION. THE  
25 CITY OF THE FIRST CLASS MAY NOT REQUIRE THE OWNER OF THE  
26 VEHICLE TO DISCLOSE THE IDENTITY OF THE OPERATOR OF THE  
27 VEHICLE AT THE TIME OF THE VIOLATION.

28 (2) IF AN OWNER RECEIVES A NOTICE OF VIOLATION PURSUANT  
29 TO THIS SECTION OF A TIME PERIOD DURING WHICH THE VEHICLE WAS  
30 REPORTED TO A POLICE DEPARTMENT OF ANY STATE OR MUNICIPALITY

1 AS HAVING BEEN STOLEN, IT SHALL BE A DEFENSE TO A VIOLATION  
2 PURSUANT TO THIS SECTION THAT THE VEHICLE HAS BEEN REPORTED  
3 TO A POLICE DEPARTMENT AS STOLEN PRIOR TO THE TIME THE  
4 VIOLATION OCCURRED AND HAD NOT BEEN RECOVERED PRIOR TO THAT  
5 TIME.

6 (3) IT SHALL BE A DEFENSE TO A VIOLATION UNDER THIS  
7 SECTION THAT THE PERSON RECEIVING THE NOTICE OF VIOLATION WAS  
8 NOT THE OWNER OF THE VEHICLE AT THE TIME OF THE OFFENSE.

9 (G) DEPARTMENT APPROVAL.--NO AUTOMATED RED LIGHT ENFORCEMENT  
10 SYSTEM MAY BE USED WITHOUT THE APPROVAL OF THE DEPARTMENT, WHICH  
11 SHALL HAVE THE AUTHORITY TO PROMULGATE REGULATIONS FOR THE  
12 CERTIFICATION AND USE OF SUCH SYSTEMS.

13 (H) DUTY OF CITY.--IF A CITY OF THE FIRST CLASS ELECTS TO  
14 IMPLEMENT THIS SECTION, THE FOLLOWING PROVISIONS SHALL APPLY:

15 (1) THE CITY MAY NOT USE AN AUTOMATED RED LIGHT  
16 ENFORCEMENT SYSTEM UNLESS THERE IS POSTED AN APPROPRIATE SIGN  
17 IN A CONSPICUOUS PLACE BEFORE THE AREA IN WHICH THE AUTOMATED  
18 RED LIGHT ENFORCEMENT DEVICE IS TO BE USED NOTIFYING THE  
19 PUBLIC THAT AN AUTOMATED RED LIGHT ENFORCEMENT DEVICE IS IN  
20 USE IMMEDIATELY AHEAD.

21 (2) THE CITY SHALL DESIGNATE OR APPOINT THE PHILADELPHIA  
22 PARKING AUTHORITY AS THE SYSTEM ADMINISTRATOR TO SUPERVISE  
23 AND COORDINATE THE ADMINISTRATION OF NOTICES OF VIOLATION  
24 ISSUED UNDER THIS SECTION.

25 (3) THE SYSTEM ADMINISTRATOR SHALL PREPARE A NOTICE OF  
26 VIOLATION TO THE REGISTERED OWNER OF A VEHICLE IDENTIFIED IN  
27 A [PHOTOGRAPH] RECORDED IMAGE PRODUCED BY AN AUTOMATED RED  
28 LIGHT ENFORCEMENT SYSTEM AS EVIDENCE OF A VIOLATION OF  
29 SECTION 3112(A)(3). THE ISSUANCE OF THE NOTICE OF VIOLATION  
30 MUST BE DONE BY A POLICE OFFICER EMPLOYED BY THE POLICE

1 DEPARTMENT WITH PRIMARY JURISDICTION OVER THE AREA WHERE THE  
2 VIOLATION OCCURRED. THE NOTICE OF VIOLATION SHALL HAVE  
3 ATTACHED TO IT A COPY OF THE RECORDED IMAGE SHOWING THE  
4 VEHICLE; THE REGISTRATION NUMBER AND STATE OF ISSUANCE OF THE  
5 VEHICLE REGISTRATION; THE DATE, TIME AND PLACE OF THE ALLEGED  
6 VIOLATION; THAT THE VIOLATION CHARGED IS UNDER SECTION  
7 3112(A)(3); AND INSTRUCTIONS FOR RETURN OF THE NOTICE OF  
8 VIOLATION. THE TEXT OF THE NOTICE MUST BE AS FOLLOWS:

9 THIS NOTICE SHALL BE RETURNED PERSONALLY, BY MAIL OR BY  
10 AN AGENT DULY AUTHORIZED IN WRITING, WITHIN 30 DAYS OF  
11 ISSUANCE. A HEARING MAY BE OBTAINED UPON THE WRITTEN  
12 REQUEST OF THE REGISTERED OWNER.

13 (I) SYSTEM ADMINISTRATOR.--

14 (1) THE SYSTEM ADMINISTRATOR MAY HIRE AND DESIGNATE  
15 PERSONNEL AS NECESSARY OR CONTRACT FOR SERVICES TO IMPLEMENT  
16 THIS SECTION.

17 (2) THE SYSTEM ADMINISTRATOR SHALL PROCESS FINES [UNDER  
18 SUBSECTION (1)] ISSUED PURSUANT TO THIS SECTION.

19 (3) THE SYSTEM ADMINISTRATOR SHALL [FILE] SUBMIT AN  
20 ANNUAL REPORT TO THE CHAIRMAN AND THE MINORITY CHAIRMAN OF  
21 THE TRANSPORTATION COMMITTEE OF THE SENATE AND THE CHAIRMAN  
22 AND MINORITY CHAIRMAN OF THE TRANSPORTATION COMMITTEE OF THE  
23 HOUSE OF REPRESENTATIVES. THE REPORT SHALL INCLUDE FOR THE  
24 PRIOR YEAR:

25 (I) THE NUMBER OF VIOLATIONS AND FINES ISSUED.

26 (II) A COMPILATION OF FINES PAID AND OUTSTANDING.

27 (III) THE AMOUNT OF MONEY PAID TO A VENDOR OR  
28 MANUFACTURER UNDER THIS SECTION.

29 (J) NOTICE TO OWNER.--IN THE CASE OF A VIOLATION INVOLVING A  
30 MOTOR VEHICLE REGISTERED UNDER THE LAWS OF THIS COMMONWEALTH,

1 THE NOTICE OF VIOLATION MUST BE MAILED WITHIN 30 DAYS AFTER THE  
2 COMMISSION OF THE VIOLATION OR WITHIN 30 DAYS AFTER THE  
3 DISCOVERY OF THE IDENTITY OF THE REGISTERED OWNER, WHICHEVER IS  
4 LATER, AND NOT THEREAFTER TO THE ADDRESS OF THE REGISTERED OWNER  
5 AS LISTED IN THE RECORDS OF THE DEPARTMENT. IN THE CASE OF MOTOR  
6 VEHICLES REGISTERED IN JURISDICTIONS OTHER THAN THIS  
7 COMMONWEALTH, THE NOTICE OF VIOLATION MUST BE MAILED WITHIN 30  
8 DAYS AFTER THE DISCOVERY OF THE IDENTITY OF THE REGISTERED  
9 OWNER, [WHICHEVER IS LATER,] AND NOT THEREAFTER TO THE ADDRESS  
10 OF THE REGISTERED OWNER AS LISTED IN THE RECORDS OF THE OFFICIAL  
11 IN THE JURISDICTION HAVING CHARGE OF THE REGISTRATION OF THE  
12 VEHICLE. A NOTICE OF VIOLATION UNDER THIS SECTION MUST BE  
13 PROVIDED TO AN OWNER WITHIN 90 DAYS OF THE COMMISSION OF THE  
14 OFFENSE.

15 (K) MAILING OF NOTICE AND RECORDS.--NOTICE OF VIOLATION MUST  
16 BE SENT BY FIRST CLASS MAIL. A MANUAL OR AUTOMATIC RECORD OF  
17 MAILING PREPARED BY THE SYSTEM ADMINISTRATOR IN THE ORDINARY  
18 COURSE OF BUSINESS SHALL BE PRIMA FACIE EVIDENCE OF MAILING AND  
19 SHALL BE ADMISSIBLE IN ANY JUDICIAL OR ADMINISTRATIVE PROCEEDING  
20 AS TO THE FACTS CONTAINED IN IT.

21 (L) PAYMENT OF FINE.--

22 (1) AN OWNER TO WHOM A NOTICE OF VIOLATION HAS BEEN  
23 ISSUED MAY ADMIT RESPONSIBILITY FOR THE VIOLATION AND PAY THE  
24 FINE PROVIDED IN THE NOTICE.

25 (2) PAYMENT MUST BE MADE PERSONALLY, THROUGH AN  
26 AUTHORIZED AGENT OR BY MAILING BOTH PAYMENT AND THE NOTICE OF  
27 VIOLATION TO THE SYSTEM ADMINISTRATOR. PAYMENT BY MAIL MUST  
28 BE MADE ONLY BY MONEY ORDER, CREDIT CARD OR CHECK MADE  
29 PAYABLE TO THE SYSTEM ADMINISTRATOR. THE SYSTEM ADMINISTRATOR  
30 SHALL REMIT THE FINE, LESS THE SYSTEM ADMINISTRATOR'S

1 OPERATION AND MAINTENANCE COSTS NECESSITATED BY THIS SECTION,  
2 TO THE DEPARTMENT FOR DEPOSIT INTO THE MOTOR LICENSE FUND.  
3 FINES DEPOSITED IN THE FUND UNDER THIS PARAGRAPH SHALL BE  
4 USED BY THE DEPARTMENT TO DEVELOP, BY REGULATION, A  
5 TRANSPORTATION ENHANCEMENTS GRANT PROGRAM.

6 (3) PAYMENT OF THE ESTABLISHED FINE AND APPLICABLE  
7 PENALTIES SHALL OPERATE AS A FINAL DISPOSITION OF THE CASE.

8 (M) HEARING.--

9 (1) AN OWNER TO WHOM A NOTICE OF VIOLATION HAS BEEN  
10 ISSUED MAY, WITHIN 30 DAYS OF THE MAILING OF THE NOTICE,  
11 REQUEST A HEARING TO CONTEST THE LIABILITY ALLEGED IN THE  
12 NOTICE. A HEARING REQUEST MUST BE MADE BY APPEARING BEFORE  
13 THE SYSTEM ADMINISTRATOR DURING REGULAR OFFICE HOURS EITHER  
14 PERSONALLY OR BY AN AUTHORIZED AGENT OR BY MAILING A REQUEST  
15 IN WRITING.

16 (2) UPON RECEIPT OF A HEARING REQUEST, THE SYSTEM  
17 ADMINISTRATOR SHALL IN A TIMELY MANNER SCHEDULE THE MATTER  
18 BEFORE A HEARING OFFICER. THE HEARING OFFICER SHALL BE  
19 DESIGNATED BY THE CITY OF THE FIRST CLASS. WRITTEN NOTICE OF  
20 THE DATE, TIME AND PLACE OF HEARING MUST BE SENT BY FIRST  
21 CLASS MAIL TO THE OWNER.

22 (3) THE HEARING SHALL BE INFORMAL; THE RULES OF EVIDENCE  
23 SHALL NOT APPLY; AND THE DECISION OF THE HEARING OFFICER  
24 SHALL BE FINAL, SUBJECT TO THE RIGHT OF THE OWNER TO APPEAL  
25 THE DECISION TO THE TRAFFIC COURT.

26 (4) IF THE OWNER REQUESTS IN WRITING THAT THE DECISION  
27 OF THE HEARING OFFICER BE APPEALED TO THE TRAFFIC COURT, THE  
28 SYSTEM ADMINISTRATOR SHALL FILE THE NOTICE OF VIOLATION AND  
29 SUPPORTING DOCUMENTS WITH THE TRAFFIC COURT, WHICH SHALL HEAR  
30 AND DECIDE THE MATTER DE NOVO.

1 (N) COMPENSATION TO MANUFACTURER OR VENDOR.--IF A CITY OF  
2 THE FIRST CLASS HAS ESTABLISHED AN AUTOMATED RED LIGHT  
3 ENFORCEMENT SYSTEM DEPLOYED AS A MEANS OF PROMOTING TRAFFIC  
4 SAFETY AND THE ENFORCEMENT OF THE TRAFFIC LAWS OF THIS  
5 COMMONWEALTH OR THE CITY, THE COMPENSATION PAID TO THE  
6 MANUFACTURER OR VENDOR OF THE AUTOMATED RED LIGHT ENFORCEMENT  
7 SYSTEM MAY NOT BE BASED UPON THE NUMBER OF TRAFFIC CITATIONS  
8 ISSUED OR A PORTION OR PERCENTAGE OF THE FINE GENERATED BY THE  
9 CITATIONS. THE COMPENSATION PAID TO THE MANUFACTURER OR VENDOR  
10 OF THE EQUIPMENT SHALL BE BASED UPON THE VALUE OF THE EQUIPMENT  
11 AND THE SERVICES PROVIDED OR RENDERED IN SUPPORT OF THE  
12 AUTOMATED RED LIGHT ENFORCEMENT SYSTEM.

13 (O) DURATION OF YELLOW LIGHT CHANGE INTERVAL.--THE DURATION  
14 OF THE YELLOW LIGHT CHANGE INTERVAL AT INTERSECTIONS WHERE  
15 AUTOMATED RED LIGHT ENFORCEMENT SYSTEMS ARE IN USE SHALL CONFORM  
16 TO THE YELLOW LIGHT CHANGE INTERVAL DURATION SPECIFIED ON THE  
17 TRAFFIC SIGNAL PERMIT ISSUED BY THE DEPARTMENT OR THE FIRST  
18 CLASS CITY.

19 (P) REVENUE LIMITATION.--A CITY OF THE FIRST CLASS MAY NOT  
20 COLLECT AN AMOUNT EQUAL TO OR GREATER THAN 5% OF ITS ANNUAL  
21 BUDGET FROM THE COLLECTION OF REVENUE FROM THE ISSUANCE AND  
22 PAYMENT OF VIOLATIONS UNDER THIS SECTION.

23 (Q) EXPIRATION.--THIS SECTION SHALL EXPIRE DECEMBER 31,  
24 [2007] 2011.

25 § 4107. Unlawful activities.

26 \* \* \*

27 (d) Penalty.--

28 \* \* \*

29 (3) Any person who violates subsection (b.1) as it  
30 relates to driver's hours of service commits a summary



offense and shall, upon conviction, be sentenced to pay a  
fine of [\$2,750] \$500 per violation.

\* \* \*

~~Section 3. This act shall take effect in 60 days.~~ <—

SECTION 5. SECTION 4307 OF TITLE 75 IS AMENDED BY ADDING  
SUBSECTIONS TO READ: <—

§ 4307. USE AND DISPLAY OF ILLUMINATED SIGNS.

\* \* \*

(F) FOOD DELIVERY VEHICLE.--A FOOD DELIVERY VEHICLE MAY  
DISPLAY AN ILLUMINATED SIGN WHICH SHALL BE OF A DEPARTMENT-  
APPROVED SIZE AND TYPE DESIGNED NOT TO INTERFERE WITH OR UNDULY  
DISTRACT THE DRIVERS OF OTHER VEHICLES ON THE HIGHWAY. THE  
DEPARTMENT SHALL PROMULGATE REGULATIONS SETTING FORTH THE SIZE,  
TYPE AND PLACEMENT OF SIGNS APPROVED FOR USE UNDER THIS  
SUBSECTION.

(G) DEFINITION.--AS USED IN THIS SECTION, THE TERM "FOOD  
DELIVERY VEHICLE" MEANS A VEHICLE ENGAGED IN THE TRANSPORTATION  
OR CONVEYANCE OF FOOD PRODUCTS OR ITEMS FROM THEIR PLACE OF  
ORIGIN OR PRODUCTION TO A PLACE OF DELIVERY, WHICH VEHICLE MAY  
MAKE INTERMITTENT STOPS THAT ARE CUSTOMARY IN THE ROUTINE  
CONDUCT OF THE BUSINESS FOR WHICH THE TRANSPORTATION OCCURS.

SECTION 6. THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

(1) THE FOLLOWING PROVISIONS SHALL TAKE EFFECT  
IMMEDIATELY:

(I) THE AMENDMENT OF 75 PA.C.S. § 3116.

(II) THIS SECTION.

(2) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT IN 60  
DAYS.