

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2246 Session of
2010

INTRODUCED BY TALLMAN, READSHAW, BARRAR, BELFANTI, D. COSTA,
EVERETT, FABRIZIO, FARRY, GEORGE, GILLESPIE, HESS,
HICKERNELL, HORNAMAN, KORTZ, MARSHALL, MATZIE, MILLARD,
MILLER, MOUL, MURT, OBERLANDER, PASHINSKI, SAYLOR, SIPTROTH,
SOLOBAY, SWANGER, J. TAYLOR, VULAKOVICH, BEYER AND HENNESSEY,
FEBRUARY 8, 2010

AS AMENDED ON THIRD CONSIDERATION, IN SENATE, SEPTEMBER 28, 2010

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for definitions; ~~providing for~~ ←
3 ~~permissible argument as to amount of damages; further~~ ←
4 ~~providing~~, FOR VEHICLES EXEMPT FROM REGISTRATION, for ANNUAL ←
5 HAULING PERMITS, FOR PERMIT FOR MOVEMENT DURING COURSE OF ←
6 MANUFACTURE, FOR GENERAL REQUIREMENT FOR OTHER VEHICLES ←
7 TRANSPORTING SCHOOL CHILDREN, FOR CONDITIONS OF PERMITS AND
8 SECURITY FOR DAMAGES AND FOR PERMIT FOR MOVEMENT OF BULK
9 REFINED OIL; PROVIDING FOR PERMIT FOR MOVEMENT OF
10 NONHAZARDOUS LIQUID GLUE AND FOR PERMIT FOR MOVEMENT OF WASTE
11 TIRES; FURTHER PROVIDING ~~FOR PROMULGATION OF RULES AND~~ ←
12 ~~REGULATIONS BY DEPARTMENT~~, for duty of driver in emergency
13 response areas, for careless driving, for snow and ice
14 dislodged or falling from moving vehicle and for sentencing
15 for homicide by vehicle; providing for the offense of
16 aggravated assault by vehicle; further providing for
17 aggravated assault by vehicle while driving under the
18 influence, for accident involving death or personal injury
19 while not properly licensed ~~and~~, for accident scene ←
20 clearance, FOR WEIGHING AND MEASUREMENT OF VEHICLES AND FOR ←
21 PROMULGATION OF RULES AND REGULATIONS BY DEPARTMENT; and
22 imposing penalties.

23 RESOLVED, That this act may be referred to as the Sgt.

24 Michael C. Weigand Law.

25 The General Assembly of the Commonwealth of Pennsylvania

1 hereby enacts as follows:

2 Section 1. Section 102 of Title 75 of the Pennsylvania
3 Consolidated Statutes is amended by adding definitions to read:

4 § 102. Definitions.

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

10 * * *

11 "Emergency service responder." An individual acting in an
12 official capacity as any of the following:

13 (1) A police officer.

14 (2) A sheriff or deputy sheriff.

15 (3) A coroner or deputy coroner.

16 (4) A firefighter.

17 (5) Fire police.

18 (6) A fire marshal.

19 (7) A medical examiner or deputy medical examiner.

20 (8) Rescue personnel.

21 (9) Ambulance personnel.

22 (10) Towing and recovery personnel.

23 (11) Highway maintenance and construction personnel.

24 (12) Hazardous material response team member.

25 (13) Emergency medical services personnel.

26 * * *

27 "Serious bodily injury." Any bodily injury which creates a
28 substantial risk of death or which causes serious, permanent
29 disfigurement or protracted loss or impairment of the function
30 of any bodily member or organ.

1 * * *

2 ~~Section 1.1. Title 75 is amended by adding a section to~~
3 ~~read:~~

4 ~~§ 1794.1. Permissible argument as to amount of damages.~~

5 ~~(a) General rule. In any action for damages against a~~
6 ~~tortfeasor, or in any uninsured or underinsured motorist~~
7 ~~proceeding, arising out of the maintenance or use of a motor~~
8 ~~vehicle and tried before a judge, jury or other tribunal, a~~
9 ~~party may make any of the following arguments during closing~~
10 ~~argument if the party complied with subsection (b) or if the~~
11 ~~judge, jury or other tribunal has requested that the argument be~~
12 ~~made:~~

13 ~~(1) Specifically argue in lump sums or by mathematical~~
14 ~~formula the amount the party deems to be the appropriate~~
15 ~~award for all past and future economic damages, noneconomic~~
16 ~~damages, or both, claimed to be recoverable.~~

17 ~~(2) Argue that an award of zero damages is appropriate,~~
18 ~~even if there is a finding of liability against the~~
19 ~~defendant.~~

20 ~~(b) Disclosure. The following shall apply:~~

21 ~~(1) Except as provided under paragraph (2), a party may~~
22 ~~not argue specific award amounts by lump sum or mathematical~~
23 ~~formula as provided under subsection (a), unless the party~~
24 ~~first discloses to the court and opposing counsel, prior to~~
25 ~~the presentation of closing arguments, that the party intends~~
26 ~~to argue specific award amounts under subsection (a).~~

27 ~~(2) Notwithstanding paragraph (1), arguments as to an~~
28 ~~appropriate award amount for economic damages may be made~~
29 ~~without notice to opposing counsel or the court if evidence~~
30 ~~supporting an award for economic damages has been admitted~~

1 ~~into evidence at trial.~~

2 ~~(c) Facts and evidence. Nothing in this section shall be~~
3 ~~construed to prevent a defendant from arguing that the facts and~~
4 ~~evidence admitted at trial support a finding of no liability.~~

5 ~~(d) Jury instruction. In a civil action tried before a~~
6 ~~jury, if an appropriate award amount is specifically argued~~
7 ~~during closing arguments as provided for under subsection (a),~~
8 ~~the trial court shall instruct the jury that specific award~~
9 ~~amounts argued are not evidence but only the argument of a party~~
10 ~~and that the determination of the amount of damages to be~~
11 ~~awarded, if any, is solely for the jury's determination.~~

12 SECTION 2. SECTION 1302(11) OF TITLE 75 IS AMENDED TO READ: ←

13 § 1302. VEHICLES EXEMPT FROM REGISTRATION.

14 THE FOLLOWING TYPES OF VEHICLES ARE EXEMPT FROM REGISTRATION:

15 * * *

16 (11) ANY TRAILER OR SEMITRAILER, INCLUDING BUT NOT
17 LIMITED TO NON-SELF-PROPELLED SPECIAL MOBILE EQUIPMENT AND
18 AMUSEMENT RIDES CONSTRUCTED AS AN INTEGRAL PART OF THE
19 TRAILER CHASSIS TO CREATE A SINGLE UNIT, TO BE USED PRIMARILY
20 FOR OFF HIGHWAY USE AND ONLY OPERATED INCIDENTALLY UPON THE
21 HIGHWAY.

22 * * *

23 SECTION ~~1-2~~ 3. SECTION 1943(M) OF TITLE 75 IS AMENDED AND ←

24 THE SECTION IS AMENDED BY ADDING SUBSECTIONS TO READ:

25 § 1943. ANNUAL HAULING PERMITS.

26 * * *

27 (M) BULK REFINED OIL.--THE ANNUAL FEE FOR MOVEMENT OF BULK
28 REFINED OIL, AS PROVIDED FOR IN SECTION 4979.1 (RELATING TO
29 PERMIT FOR MOVEMENT OF BULK REFINED OIL), SHALL BE [\$800.]:

30 (1) \$800 FOR A DISTANCE UP TO 50 MILES.

1 (2) \$1,600 FOR A DISTANCE OF MORE THAN 50 MILES UP TO
2 125 MILES.

3 * * *

4 (Q.1) NONHAZARDOUS LIQUID GLUE.--THE ANNUAL FEE FOR THE
5 MOVEMENT OF NONHAZARDOUS LIQUID GLUE, AS PROVIDED FOR IN SECTION
6 4979.5 (RELATING TO PERMIT FOR MOVEMENT OF NONHAZARDOUS LIQUID
7 GLUE), SHALL BE \$800.

8 (Q.2) WASTE TIRES.--THE ANNUAL FEE FOR THE MOVEMENT OF WASTE
9 TIRES UNDER SECTION 4979.6 (RELATING TO PERMIT FOR MOVEMENT OF
10 WASTE TIRES) SHALL BE \$800.

11 * * *

12 Section ~~2~~ 4. Sections 3327(b.1) and (f), 3714(d), 3720 and ←
13 3732(b) of Title 75 are amended to read:

14 § 3327. Duty of driver in emergency response areas.

15 * * *

16 (b.1) Suspension of operating privilege.--The department
17 shall suspend the operating privilege of any person for 90 days
18 upon receiving a certified record of the driver's conviction,
19 adjudication of delinquency or admission into a preadjudication
20 program for a violation of subsection (a), if the certified
21 conviction indicates the violation resulted in serious bodily
22 injury to another person. The license shall be surrendered in
23 accordance with section 1540 (relating to surrender of license).

24 * * *

25 (f) [Definitions] Definition.--As used in this section, [the
26 following words and phrases shall have the meanings given to
27 them in this subsection:

28 "Emergency response area." The] the term "emergency response
29 area" means the area in which emergency service responders
30 render emergency assistance to individuals on or near a roadway

1 or a police officer is conducting a traffic stop or systematic
2 check of vehicles or controlling or directing traffic as long as
3 the emergency vehicle is making use of visual signals meeting
4 the requirements of Subchapter D of Chapter 45.

5 ["Emergency service responder." An individual acting in an
6 official capacity as police officer, sheriff, deputy sheriff,
7 coroner, deputy coroner, firefighter, fire police, fire marshal,
8 medical examiner, deputy medical examiner, rescue personnel,
9 ambulance personnel, towing and recovery personnel, highway
10 maintenance and construction personnel, hazardous material
11 response team member or emergency medical service personnel.

12 "Serious injury." A personal injury resulting in death,
13 serious impairment of body function or permanent serious
14 disfigurement.]

15 § 3714. Careless driving.

16 * * *

17 [(d) Definition.--As used in this section, "serious bodily
18 injury" means any bodily injury which creates a substantial risk
19 of death or which causes serious, permanent disfigurement or
20 protracted loss or impairment of the function of any bodily
21 member or organ.]

22 § 3720. Snow and ice dislodged or falling from moving vehicle.

23 When snow or ice is dislodged or falls from a moving vehicle
24 and strikes another vehicle or pedestrian causing death or
25 serious bodily injury [as defined in section 3742 (relating to
26 accidents involving death or personal injury)], the operator of
27 the vehicle from which the snow or ice is dislodged or falls
28 shall be subject to a fine of not less than \$200 nor more than
29 \$1,000 for each offense.

30 § 3732. Homicide by vehicle.

1 * * *

2 (b) Sentencing.--

3 (1) In addition to any other penalty provided by law, a
4 person convicted of a violation of subsection (a) may be
5 sentenced to an additional term not to exceed five years'
6 confinement if at trial the prosecution proves beyond a
7 reasonable doubt that the offense occurred in an active work
8 zone [as defined in section 102 (relating to definitions)].

9 (1.1) In addition to any other penalty provided by law,
10 a person convicted of a violation of subsection (a) as the
11 result of a violation of section 3325 (relating to duty of
12 driver on approach of emergency vehicle) or 3327 (relating to
13 duty of driver in emergency response areas) and who is
14 convicted of violating section 3325 or 3327 may be sentenced
15 to an additional term not to exceed five years' confinement
16 when the violation resulted in death.

17 (2) The prosecution must indicate intent to proceed
18 under this section in the indictment or information which
19 commences the prosecution.

20 (3) The Pennsylvania Commission on Sentencing, pursuant
21 to 42 Pa.C.S. § 2154 (relating to adoption of guidelines for
22 sentencing), shall provide for a sentencing enhancement for
23 an offense under this section when the violation occurred in
24 an active work zone [as defined in section 102] or was the
25 result of a violation of section 3325 or 3327.

26 Section 5. Title 75 is amended by adding a section to
27 read:

28 § 3732.1. Aggravated assault by vehicle.

29 (a) Offense.--Any person who recklessly or with gross
30 negligence causes serious bodily injury to another person while



1 engaged in the violation of any law of this Commonwealth or
2 municipal ordinance applying to the operation or use of a
3 vehicle or to the regulation of traffic, except section 3802
4 (relating to driving under influence of alcohol or controlled
5 substance), is guilty of aggravated assault by vehicle, a felony
6 of the third degree when the violation is the cause of the
7 injury.

8 (b) Sentencing.--

9 (1) In addition to any other penalty provided by law, a
10 person convicted of a violation of subsection (a) may be
11 sentenced to an additional term not to exceed two years'
12 confinement if at trial the prosecution proves beyond a
13 reasonable doubt that the offense occurred in an active work
14 zone.

15 (2) In addition to any other penalty provided by law, a
16 person convicted of a violation of subsection (a) as the
17 result of a violation of section 3325 (relating to duty of
18 driver on approach of emergency vehicle) or 3327 (relating to
19 duty of driver in emergency response areas) and who is
20 convicted of violating section 3325 or 3327 may be sentenced
21 to an additional term not to exceed two years' confinement
22 when the violation resulted in serious bodily injury.

23 (3) The prosecution must indicate intent to proceed
24 under this section in the indictment or information which
25 commences the prosecution.

26 (4) The Pennsylvania Commission on Sentencing, under 42
27 Pa.C.S. § 2154 (relating to adoption of guidelines for
28 sentencing), shall provide for a sentencing enhancement for
29 an offense under this section when the violation occurred in
30 an active work zone or was the result of a violation of

1 section 3325 or 3327.

2 Section ~~4~~ 6. Sections 3735.1(b), 3742(d), 3742.1(c) ~~and~~, ←
3 3745.1(a), 4553(B) AND 4962(F) of Title 75 are amended to read: ←
4 § 3735.1. Aggravated assault by vehicle while driving under the
5 influence.

6 * * *

7 [(b) Definition.--As used in this section, the term "serious
8 bodily injury" means any bodily injury which creates a
9 substantial risk of death or which causes serious, permanent
10 disfigurement or protracted loss or impairment of the function
11 of any bodily member or organ.]

12 § 3742. Accidents involving death or personal injury.

13 * * *

14 [(d) Definitions.--As used in this section, the term
15 "serious bodily injury" means any bodily injury which creates a
16 substantial risk of death or which causes serious, permanent
17 disfigurement or protracted loss or impairment of the function
18 of any bodily member or organ.]

19 § 3742.1. Accidents involving death or personal injury while
20 not properly licensed.

21 * * *

22 [(c) Definitions.--As used in this section, the term
23 "serious bodily injury" means any bodily injury which creates a
24 substantial risk of death or which causes serious, permanent
25 disfigurement or protracted loss or impairment of the function
26 of any bodily member or organ.]

27 § 3745.1. Accident scene clearance.

28 (a) General rule.--Notwithstanding any other provision of
29 law to the contrary, the driver of any vehicle in an accident
30 that does not result in apparent serious bodily injury or death

1 shall immediately remove the vehicle from the roadway to a safe
2 refuge on the shoulder, emergency lane or median or to a place
3 otherwise removed from the roadway whenever, in the judgment of
4 the driver:

5 (1) The motor vehicle does not require towing and can be
6 normally and safely driven under its own power in its
7 customary manner without further damage or hazard to the
8 motor vehicle, traffic elements or the roadway.

9 (2) The motor vehicle can be moved safely.

10 * * *

11 ~~SECTION 4.1. SECTION 4962(F) OF TITLE 75 IS AMENDED TO READ:~~ ←

12 § 4553. GENERAL REQUIREMENTS FOR OTHER VEHICLES TRANSPORTING ←
13 SCHOOL CHILDREN.

14 * * *

15 (B) SCHOOL-CHARTERED BUS.--IN ADDITION TO SCHOOL BUSES,
16 SCHOOL-CHARTERED BUSES, WHICH ARE DESIGNED TO TRANSPORT 16 OR
17 MORE PASSENGERS, INCLUDING THE DRIVER, AND WHICH ARE OPERATED BY
18 A PERSON HOLDING A CERTIFICATE OF THE PENNSYLVANIA PUBLIC
19 UTILITY COMMISSION OR THE INTERSTATE COMMERCE COMMISSION, MAY BE
20 USED UNDER A SHORT-TERM CONTRACT WITH A SCHOOL WHICH HAS
21 ACQUIRED THE EXCLUSIVE USE OF THE VEHICLE AT A FIXED CHARGE TO
22 [PROVIDE TRANSPORTATION OF] TRANSPORT SCHOOL CHILDREN TO A
23 [SPECIAL] SCHOOL-RELATED EVENT, PROVIDED THAT THE VEHICLE IS NOT
24 USED TO TRANSPORT SCHOOL CHILDREN TO OR FROM THEIR RESIDENCES OR
25 DESIGNATED BUS STOPS. A SCHOOL-CHARTERED VEHICLE MAY BE USED
26 WITHOUT RESTRICTION FOR THE TRANSPORTATION OF SCHOOL CHILDREN
27 WITH SPECIAL NEEDS AS MAY BE NECESSARY TO MAKE REASONABLE
28 ACCOMMODATIONS PURSUANT TO THE AMERICANS WITH DISABILITIES ACT
29 OF 1990 (PUBLIC LAW 101-336, 104 STAT. 327).

30 * * *

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

14 SECTION 4975 (RELATING TO PERMIT FOR MOVEMENT OF SPECIAL
15 MOBILE EQUIPMENT).

16 SECTION 4976 (RELATING TO PERMIT FOR MOVEMENT OF DOMESTIC
17 ANIMAL FEED).

18 SECTION 4976.1 (RELATING TO PERMIT FOR MOVEMENT OF LIVE
19 DOMESTIC ANIMALS).

20 SECTION 4977 (RELATING TO PERMIT FOR MOVEMENT OF WOODEN
21 STRUCTURES).

22 SECTION 4978 (RELATING TO PERMIT FOR MOVEMENT OF BUILDING
23 STRUCTURAL COMPONENTS).

24 SECTION 4979 (RELATING TO PERMIT FOR MOVEMENT OF
25 PARTICLEBOARD OR FIBERBOARD USED IN THE MANUFACTURE OF READY-
26 TO-ASSEMBLE FURNITURE).

27 SECTION 4979.1 (RELATING TO PERMIT FOR MOVEMENT OF BULK
28 REFINED OIL).

29 SECTION 4979.2 (RELATING TO PERMIT FOR MOVEMENT OF WASTE
30 COAL AND BENEFICIAL COMBUSTION ASH).

1 SECTION 4979.3 (RELATING TO PERMIT FOR MOVEMENT OF FLOAT
2 GLASS OR FLAT GLASS FOR USE IN CONSTRUCTION AND OTHER END
3 USES) .

4 SECTION 4979.4 (RELATING TO PERMIT FOR MOVEMENT OF SELF-
5 PROPELLED CRANES) .

6 SECTION 4979.5 (RELATING TO PERMIT FOR MOVEMENT OF
7 NONHAZARDOUS LIQUID GLUE) .

8 SECTION 4979.6 (RELATING TO PERMIT FOR MOVEMENT OF WASTE ←
9 TIRES) .

10 * * *

11 SECTION ~~4.2~~ 7. SECTION 4968(A) OF TITLE 75 IS AMENDED AND ←
12 THE SECTION IS AMENDED BY ADDING SUBSECTIONS TO READ:

13 § 4968. PERMIT FOR MOVEMENT DURING COURSE OF MANUFACTURE.

14 [(A) ANNUAL PERMIT.--AN ANNUAL PERMIT MAY BE ISSUED
15 AUTHORIZING MOVEMENT ON SPECIFIED HIGHWAYS OF BOATS, TRAILERS,
16 MOBILE HOMES, MODULAR HOUSING UNITS AND UNDERCARRIAGES,
17 HELICOPTERS, HOT INGOTS, A HOT BOX, BASIC OXYGEN FURNACE LANCES,
18 RAILWAY EQUIPMENT AND RAILS OR OTHER ARTICLES, VEHICLES OR
19 COMBINATIONS WHICH EXCEED THE MAXIMUM HEIGHT, WIDTH OR LENGTH
20 SPECIFIED IN SUBCHAPTER B (RELATING TO WIDTH, HEIGHT AND LENGTH)
21 OR SELF-PROPELLED CRANES OR COMBINATIONS CARRYING RAW MILK, RAW
22 COAL, FLAT-ROLLED STEEL COILS, STEEL SLABS, HOT INGOTS, A HOT
23 BOX, PULPWOOD AND WOOD CHIPS OR RAW WATER WHICH EXCEED THE
24 MAXIMUM WEIGHT SPECIFIED IN SUBCHAPTER C (RELATING TO MAXIMUM
25 WEIGHTS OF VEHICLES) WHILE THEY ARE IN THE COURSE OF MANUFACTURE
26 AND UNDER CONTRACT WITH OR UNDER THE DIRECT CONTROL OF THE
27 MANUFACTURER, SUBJECT TO THE FOLLOWING PROVISIONS:

28 (1) EXCEPT FOR ARTICLES AND VEHICLES NOT EXCEEDING 102
29 INCHES IN WIDTH, NO PERMIT SHALL BE ISSUED UNDER THIS SECTION
30 FOR MOVEMENT OF ARTICLES OR VEHICLES WHILE THEY ARE IN

1 TRANSIT FROM THE MANUFACTURER TO A PURCHASER OR DEALER OR FOR
2 THE MOVEMENT OF ARTICLES OR VEHICLES UPON A FREEWAY.

3 (2) OVERWIDTH ARTICLES AND VEHICLES:

4 (I) ARTICLES AND VEHICLES NOT WIDER THAN 102 INCHES
5 MAY BE MOVED ANY DISTANCE ON A PERMIT.

6 (II) ARTICLES AND VEHICLES WIDER THAN 102 INCHES BUT
7 NOT WIDER THAN 108 INCHES MAY BE MOVED UP TO SEVEN MILES
8 ON A PERMIT 24 HOURS PER DAY, SEVEN DAYS A WEEK.

9 (III) ARTICLES AND VEHICLES WIDER THAN 102 INCHES
10 BUT NOT IN EXCESS OF 12 FEET IN WIDTH MAY BE MOVED UP TO
11 50 MILES ON A PERMIT.

12 (IV) WIDER ARTICLES AND VEHICLES MAY BE MOVED NO
13 FARTHER THAN TEN MILES ON A PERMIT.

14 (3) A COMBINATION OF VEHICLES WHICH IS HAULING FLAT-
15 ROLLED STEEL COILS OR STEEL SLABS MAY BE PERMITTED BY THE
16 DEPARTMENT AND LOCAL AUTHORITIES TO MOVE UPON HIGHWAYS WITHIN
17 THEIR RESPECTIVE JURISDICTION A DISTANCE NOT EXCEEDING 50
18 MILES IF THE GROSS WEIGHT DOES NOT EXCEED 100,000 POUNDS AND
19 THE WEIGHT OF ANY NONSTEERING AXLE DOES NOT EXCEED 21,000
20 POUNDS. NO PERMIT MAY BE ISSUED FOR THIS TYPE OF MOVEMENT
21 UPON AN INTERSTATE HIGHWAY.

22 (3.1) A COMBINATION OF VEHICLES WHICH IS HAULING RAW
23 MILK TO OR FROM A MANUFACTURER MAY BE PERMITTED BY THE
24 DEPARTMENT AND LOCAL AUTHORITIES TO MOVE UPON HIGHWAYS WITHIN
25 THEIR RESPECTIVE JURISDICTION 24 HOURS A DAY, SEVEN DAYS A
26 WEEK, EXCEPT DURING INCLEMENT WEATHER AS DEFINED IN
27 DEPARTMENT REGULATIONS, IF THE GROSS WEIGHT DOES NOT EXCEED
28 95,000 POUNDS AND IF THE WEIGHT OF ANY NONSTEERING AXLE DOES
29 NOT EXCEED 21,000 POUNDS. NO PERMIT MAY BE ISSUED FOR THIS
30 TYPE OF MOVEMENT UPON AN INTERSTATE HIGHWAY.

1 (3.2) A COMBINATION OF VEHICLES WHICH IS HAULING A HOT
2 INGOT OR A HOT BOX MAY BE PERMITTED BY THE DEPARTMENT AND
3 LOCAL AUTHORITIES TO MOVE UPON HIGHWAYS WITHIN THEIR
4 RESPECTIVE JURISDICTION A DISTANCE NOT EXCEEDING 25 MILES IF
5 THE GROSS WEIGHT DOES NOT EXCEED 150,000 POUNDS AND THE
6 WEIGHT OF ANY NONSTEERING AXLE DOES NOT EXCEED 21,000 POUNDS.
7 NO PERMIT MAY BE ISSUED FOR THIS TYPE OF MOVEMENT UPON AN
8 INTERSTATE HIGHWAY.

9 (3.3) A COMBINATION OF VEHICLES WHICH IS HAULING BASIC
10 OXYGEN FURNACE LANCES MAY BE PERMITTED BY THE DEPARTMENT AND
11 LOCAL AUTHORITIES TO MOVE UPON HIGHWAYS WITHIN THEIR
12 RESPECTIVE JURISDICTIONS IF THE OVERALL LENGTH DOES NOT
13 EXCEED 90 FEET. A VEHICLE OPERATING UNDER A PERMIT AUTHORIZED
14 UNDER THIS SECTION MAY BE DRIVEN 24 HOURS A DAY, SEVEN DAYS A
15 WEEK, IF THE VEHICLE OR COMBINATION IS OPERATED AT PREVAILING
16 SPEEDS. MOVEMENT UNDER THIS PARAGRAPH IS NOT AUTHORIZED
17 DURING ANY OF THE FOLLOWING:

18 (I) A HOLIDAY PERIOD SPECIFIED IN DEPARTMENT
19 REGULATIONS OR IN THE PERMIT.

20 (II) INCLEMENT WEATHER, AS DEFINED IN DEPARTMENT
21 REGULATIONS.

22 (3.4) A SELF-PROPELLED CRANE WHICH IS BEING ROAD TESTED
23 MAY BE PERMITTED BY THE DEPARTMENT AND LOCAL AUTHORITIES TO
24 MOVE UPON HIGHWAYS WITHIN THEIR RESPECTIVE JURISDICTIONS A
25 DISTANCE NOT EXCEEDING 15 MILES IF THE GROSS WEIGHT DOES NOT
26 EXCEED 150,000 POUNDS AND THE WEIGHT ON ANY AXLE DOES NOT
27 EXCEED 27,000 POUNDS.

28 (3.5) A COMBINATION OF VEHICLES WHICH IS HAULING RAW
29 COAL FROM A MINE TO A PROCESSING OR PREPARATION FACILITY MAY
30 BE PERMITTED BY THE DEPARTMENT AND LOCAL AUTHORITIES TO MOVE

1 UPON HIGHWAYS WITHIN THEIR RESPECTIVE JURISDICTIONS A
2 DISTANCE NOT EXCEEDING 30 MILES IF THE GROSS WEIGHT DOES NOT
3 EXCEED 95,000 POUNDS AND IF THE WEIGHT OF ANY NONSTEERING
4 AXLE DOES NOT EXCEED 21,000 POUNDS. NO PERMIT MAY BE ISSUED
5 FOR THIS TYPE OF MOVEMENT UPON AN INTERSTATE HIGHWAY.

6 (3.6) A COMBINATION OF VEHICLES WHICH IS HAULING RAW
7 WATER FROM A SPRING TO A BOTTLING FACILITY MAY BE PERMITTED
8 BY THE DEPARTMENT AND LOCAL AUTHORITIES TO MOVE UPON
9 SPECIFIED HIGHWAYS WITHIN THEIR RESPECTIVE JURISDICTIONS
10 SUBJECT TO THE FOLLOWING CONDITIONS:

11 (I) THE VEHICLE MUST BE A SIX AXLE COMBINATION -
12 THREE AXLE TRUCK TRACTOR.

13 (II) GROSS VEHICULAR WEIGHT MUST NOT EXCEED 96,900
14 POUNDS.

15 (III) MAXIMUM WEIGHT ON STEERING AXLES SHALL BE
16 11,000 POUNDS.

17 (IV) MAXIMUM WEIGHT ON THE TRUCK-TRACTOR TANDEM
18 (AXLES TWO AND THREE) SHALL BE 38,000 POUNDS, WITH A
19 MAXIMUM OF 19,500 POUNDS ON EITHER AXLE IN THE GROUP.

20 (V) MAXIMUM WEIGHT ON THE SEMITRAILER TRIDEM (AXLES
21 FOUR, FIVE AND SIX) SHALL BE 47,700 POUNDS, WITH A
22 MAXIMUM OF 16,400 POUNDS ON ANY AXLE IN THE GROUP.

23 (VI) MINIMUM SPACING BETWEEN AXLE ONE AND AXLE TWO
24 SHALL BE 12 FEET 11 INCHES.

25 (VII) THE CENTER-TO-CENTER DISTANCE BETWEEN THE LAST
26 DRIVE AXLE OF THE TRUCK TRACTOR (AXLE THREE) AND THE
27 FIRST AXLE OF SEMITRAILER (AXLE 4) MUST BE A MINIMUM OF
28 26 FEET 7 INCHES.

29 (VIII) MINIMUM SPACING BETWEEN TANDEM AND TRIDEM
30 AXLES SHALL BE 4 FEET 1 INCH.

1 NO PERMIT MAY BE ISSUED FOR THIS TYPE OF MOVEMENT UPON AN
2 INTERSTATE HIGHWAY.

3 (3.7) A COMBINATION OF VEHICLES WHICH IS HAULING
4 PULPWOOD OR WOOD CHIPS FROM A SPECIFIED SOURCE TO A PULP MILL
5 MAY BE PERMITTED BY THE DEPARTMENT AND LOCAL AUTHORITIES TO
6 MOVE UPON SPECIFIED HIGHWAYS WITHIN THEIR RESPECTIVE
7 JURISDICTIONS SUBJECT TO THE FOLLOWING CONDITIONS:

8 (I) THE VEHICLE MUST BE A FIVE AXLE COMBINATION -
9 THREE AXLE TRUCK TRACTOR MEETING THE FOLLOWING
10 CHARACTERISTICS:

11 (A) GROSS VEHICULAR WEIGHT MUST NOT EXCEED
12 95,000 POUNDS.

13 (B) MAXIMUM WEIGHT ON STEERING AXLES SHALL BE
14 11,000 POUNDS.

15 (C) MAXIMUM WEIGHT ON THE TRUCK-TRAILER TANDEM
16 (AXLES TWO AND THREE) SHALL BE 42,000 POUNDS, WITH A
17 MAXIMUM OF 21,000 POUNDS ON EITHER AXLE IN THE GROUP.

18 (D) MAXIMUM WEIGHT ON THE SEMITRAILER TRIDEM
19 (AXLES FOUR AND FIVE) SHALL BE 42,000 POUNDS, WITH A
20 MAXIMUM OF 21,000 POUNDS ON ANY AXLE IN THE GROUP.

21 (E) MINIMUM SPACING BETWEEN AXLE ONE AND AXLE
22 TWO SHALL BE 12 FEET 6 INCHES.

23 (F) THE CENTER-TO-CENTER DISTANCE BETWEEN THE
24 LAST DRIVE AXLE OF THE TRUCK TRACTOR (AXLE THREE) AND
25 THE FIRST AXLE OF THE SEMITRAILER (AXLE FOUR) MUST BE
26 A MINIMUM OF 28 FEET 0 INCH.

27 (G) MINIMUM SPACING BETWEEN TANDEM AND TRIDEM
28 AXLES SHALL BE 4 FEET 0 INCH.

29 (II) THE VEHICLE MUST BE A SIX AXLE COMBINATION -
30 THREE AXLE TRUCK TRACTOR MEETING THE FOLLOWING

1 CHARACTERISTICS:

2 (A) GROSS VEHICULAR WEIGHT MUST NOT EXCEED
3 107,000 POUNDS.

4 (B) MAXIMUM WEIGHT ON STEERING AXLES SHALL BE
5 12,000 POUNDS.

6 (C) MAXIMUM WEIGHT ON THE TRUCK-TRACTOR TANDEM
7 (AXLES TWO AND THREE) SHALL BE 42,000 POUNDS, WITH A
8 MAXIMUM OF 21,000 POUNDS ON EITHER AXLE IN THE GROUP.

9 (D) MAXIMUM WEIGHT ON THE SEMITRAILER TRIDEM
10 (AXLES FOUR, FIVE AND SIX) SHALL BE 53,000 POUNDS,
11 WITH A MAXIMUM OF 17,670 POUNDS ON ANY AXLE IN THE
12 GROUP.

13 (E) MINIMUM SPACING BETWEEN AXLE ONE AND AXLE
14 TWO SHALL BE 12 FEET 6 INCHES.

15 (F) THE CENTER-TO-CENTER DISTANCE BETWEEN THE
16 LAST DRIVE AXLE OF THE TRUCK TRACTOR (AXLE THREE) AND
17 THE FIRST AXLE OF THE SEMITRAILER (AXLE FOUR) MUST BE
18 A MINIMUM OF 45 FEET 0 INCH.

19 (G) MINIMUM SPACING BETWEEN TANDEM AND TRIDEM
20 AXLES SHALL BE 4 FEET 0 INCH.

21 NO PERMIT MAY BE ISSUED FOR THIS TYPE OF MOVEMENT UPON AN
22 INTERSTATE HIGHWAY.

23 (4) A PERMIT MAY BE DENIED OR REVOKED IN ORDER TO
24 PRESERVE THE SAFETY OF HIGHWAY USERS OR TO PROTECT THE
25 STRUCTURAL INTEGRITY OF HIGHWAYS OR BRIDGES OR AS OTHERWISE
26 AUTHORIZED BY DEPARTMENT REGULATIONS.]

27 (A.1) GENERAL RULE.--AN ANNUAL PERMIT MAY BE ISSUED

28 AUTHORIZING MOVEMENT ON SPECIFIED HIGHWAYS OF:

29 (1) BOATS, TRAILERS, MOBILE HOMES, MODULAR HOUSING UNITS
30 AND UNDERCARRIAGES, HELICOPTERS, HOT INGOTS, A HOT BOX, BASIC

1 OXYGEN FURNACE LANCES, RAILWAY EQUIPMENT AND RAILS OR OTHER
2 ARTICLES, VEHICLES OR COMBINATIONS WHICH EXCEED THE MAXIMUM
3 HEIGHT, WIDTH OR LENGTH SPECIFIED IN SUBCHAPTER B (RELATING
4 TO WIDTH, HEIGHT AND LENGTH) WHILE THEY ARE IN THE COURSE OF
5 MANUFACTURE AND UNDER CONTRACT WITH OR UNDER THE DIRECT
6 CONTROL OF THE MANUFACTURER, PROVIDED THAT THEY DO NOT EXCEED
7 THE MAXIMUM WEIGHT SPECIFIED IN SUBCHAPTER C (RELATING TO
8 MAXIMUM WEIGHTS OF VEHICLES) UNLESS THEY ALSO QUALIFY UNDER
9 PARAGRAPH (3);

10 (2) SELF-PROPELLED CRANES WHILE THEY ARE IN THE COURSE
11 OF MANUFACTURE AND UNDER CONTRACT WITH OR UNDER THE DIRECT
12 CONTROL OF THE MANUFACTURER; OR

13 (3) AIRCRAFT REFUELING VEHICLES OR VEHICLES AND
14 COMBINATIONS CARRYING RAW MILK, RAW COAL, FLAT-ROLLED STEEL
15 COILS, STEEL SLABS, HOT INGOTS, A HOT BOX, PULPWOOD AND WOOD
16 CHIPS OR RAW WATER WHICH EXCEED THE MAXIMUM WEIGHT SPECIFIED
17 IN SUBCHAPTER C WHILE THEY ARE IN THE COURSE OF MANUFACTURE
18 AND UNDER CONTRACT WITH OR UNDER THE DIRECT CONTROL OF THE
19 MANUFACTURER, PROVIDED THAT THEY DO NOT EXCEED THE MAXIMUM
20 HEIGHT, WIDTH OR LENGTH SPECIFIED IN SUBCHAPTER B UNLESS THEY
21 ALSO QUALIFY UNDER PARAGRAPH (1), SUBJECT TO THE PROVISIONS
22 IN SUBSECTION (A.2).

23 (A.2) SPECIFICATIONS.--

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

29 (2) OVERWIDTH ARTICLES AND VEHICLES:

30 (I) ARTICLES AND VEHICLES NOT WIDER THAN 102 INCHES

1 MAY BE MOVED ANY DISTANCE ON A PERMIT.

2 (II) ARTICLES AND VEHICLES WIDER THAN 102 INCHES BUT
3 NOT WIDER THAN 108 INCHES MAY BE MOVED UP TO SEVEN MILES
4 ON A PERMIT 24 HOURS PER DAY, SEVEN DAYS A WEEK.

5 (III) ARTICLES AND VEHICLES WIDER THAN 102 INCHES
6 BUT NOT IN EXCESS OF 12 FEET IN WIDTH MAY BE MOVED UP TO
7 50 MILES ON A PERMIT.

8 (IV) WIDER ARTICLES AND VEHICLES MAY BE MOVED NO
9 FARTHER THAN TEN MILES ON A PERMIT.

10 (3) A COMBINATION OF VEHICLES WHICH IS HAULING FLAT-
11 ROLLED STEEL COILS OR STEEL SLABS MAY BE PERMITTED BY THE
12 DEPARTMENT AND LOCAL AUTHORITIES TO MOVE UPON HIGHWAYS WITHIN
13 THEIR RESPECTIVE JURISDICTIONS A DISTANCE NOT EXCEEDING 50
14 MILES IF THE GROSS WEIGHT DOES NOT EXCEED 100,000 POUNDS AND
15 THE WEIGHT OF ANY NONSTEERING AXLE DOES NOT EXCEED 21,000
16 POUNDS. NO PERMIT MAY BE ISSUED FOR THIS TYPE OF MOVEMENT
17 UPON AN INTERSTATE HIGHWAY.

18 (4) A COMBINATION OF VEHICLES WHICH IS HAULING RAW MILK
19 TO OR FROM A MANUFACTURER MAY BE PERMITTED BY THE DEPARTMENT
20 AND LOCAL AUTHORITIES TO MOVE UPON HIGHWAYS WITHIN THEIR
21 RESPECTIVE JURISDICTIONS 24 HOURS A DAY, SEVEN DAYS A WEEK,
22 EXCEPT DURING INCLEMENT WEATHER AS DEFINED IN DEPARTMENT
23 REGULATIONS, IF THE GROSS WEIGHT DOES NOT EXCEED 95,000
24 POUNDS AND IF THE WEIGHT OF ANY NONSTEERING AXLE DOES NOT
25 EXCEED 21,000 POUNDS. NO PERMIT MAY BE ISSUED FOR THIS TYPE
26 OF MOVEMENT UPON AN INTERSTATE HIGHWAY.

27 (5) A COMBINATION OF VEHICLES WHICH IS HAULING A HOT
28 INGOT OR A HOT BOX MAY BE PERMITTED BY THE DEPARTMENT AND
29 LOCAL AUTHORITIES TO MOVE UPON HIGHWAYS WITHIN THEIR
30 RESPECTIVE JURISDICTIONS A DISTANCE NOT EXCEEDING 25 MILES IF

1 THE GROSS WEIGHT DOES NOT EXCEED 150,000 POUNDS AND THE
2 WEIGHT OF ANY NONSTEERING AXLE DOES NOT EXCEED 21,000 POUNDS.
3 NO PERMIT MAY BE ISSUED FOR THIS TYPE OF MOVEMENT UPON AN
4 INTERSTATE HIGHWAY.

5 (6) A COMBINATION OF VEHICLES WHICH IS HAULING BASIC
6 OXYGEN FURNACE LANCES MAY BE PERMITTED BY THE DEPARTMENT AND
7 LOCAL AUTHORITIES TO MOVE UPON HIGHWAYS WITHIN THEIR
8 RESPECTIVE JURISDICTIONS IF THE OVERALL LENGTH DOES NOT
9 EXCEED 90 FEET. A VEHICLE OPERATING UNDER A PERMIT AUTHORIZED
10 UNDER THIS SECTION MAY BE DRIVEN 24 HOURS A DAY, SEVEN DAYS A
11 WEEK, IF THE VEHICLE OR COMBINATION IS OPERATED AT PREVAILING
12 SPEEDS. MOVEMENT UNDER THIS PARAGRAPH IS NOT AUTHORIZED
13 DURING ANY OF THE FOLLOWING:

14 (I) A HOLIDAY PERIOD SPECIFIED IN DEPARTMENT
15 REGULATIONS OR IN THE PERMIT.

16 (II) INCLEMENT WEATHER, AS DEFINED IN DEPARTMENT
17 REGULATIONS.

18 (7) A SELF-PROPELLED CRANE WHICH IS BEING ROAD TESTED
19 MAY BE PERMITTED BY THE DEPARTMENT AND LOCAL AUTHORITIES TO
20 MOVE UPON HIGHWAYS WITHIN THEIR RESPECTIVE JURISDICTIONS A
21 DISTANCE NOT EXCEEDING 15 MILES IF THE GROSS WEIGHT DOES NOT
22 EXCEED 150,000 POUNDS AND THE WEIGHT ON ANY AXLE DOES NOT
23 EXCEED 27,000 POUNDS.

24 (8) A COMBINATION OF VEHICLES WHICH IS HAULING RAW COAL
25 FROM A MINE TO A PROCESSING OR PREPARATION FACILITY MAY BE
26 PERMITTED BY THE DEPARTMENT AND LOCAL AUTHORITIES TO MOVE
27 UPON HIGHWAYS WITHIN THEIR RESPECTIVE JURISDICTIONS A
28 DISTANCE NOT EXCEEDING 30 MILES IF THE GROSS WEIGHT DOES NOT
29 EXCEED 95,000 POUNDS AND IF THE WEIGHT OF ANY NONSTEERING
30 AXLE DOES NOT EXCEED 21,000 POUNDS. NO PERMIT MAY BE ISSUED

1 FOR THIS TYPE OF MOVEMENT UPON AN INTERSTATE HIGHWAY.

2 (9) A COMBINATION OF VEHICLES WHICH IS HAULING RAW WATER
3 FROM A SPRING TO A BOTTLING FACILITY MAY BE PERMITTED BY THE
4 DEPARTMENT AND LOCAL AUTHORITIES TO MOVE UPON SPECIFIED
5 HIGHWAYS WITHIN THEIR RESPECTIVE JURISDICTIONS SUBJECT TO THE
6 FOLLOWING CONDITIONS:

7 (I) THE VEHICLE MUST BE A SIX AXLE COMBINATION -
8 THREE AXLE TRUCK TRACTOR.

9 (II) GROSS VEHICULAR WEIGHT MUST NOT EXCEED 96,900
10 POUNDS.

11 (III) MAXIMUM WEIGHT ON STEERING AXLES SHALL BE
12 11,000 POUNDS.

13 (IV) MAXIMUM WEIGHT ON THE TRUCK-TRACTOR TANDEM
14 (AXLES TWO AND THREE) SHALL BE 38,000 POUNDS, WITH A
15 MAXIMUM OF 19,500 POUNDS ON EITHER AXLE IN THE GROUP.

16 (V) MAXIMUM WEIGHT ON THE SEMITRAILER TRIDEM (AXLES
17 FOUR, FIVE AND SIX) SHALL BE 47,700 POUNDS, WITH A
18 MAXIMUM OF 16,400 POUNDS ON ANY AXLE IN THE GROUP.

19 (VI) MINIMUM SPACING BETWEEN AXLE ONE AND AXLE TWO
20 SHALL BE 12 FEET 11 INCHES.

21 (VII) THE CENTER-TO-CENTER DISTANCE BETWEEN THE LAST
22 DRIVE AXLE OF THE TRUCK TRACTOR (AXLE THREE) AND THE
23 FIRST AXLE OF SEMITRAILER (AXLE FOUR) MUST BE A MINIMUM
24 OF 26 FEET 7 INCHES.

25 (VIII) MINIMUM SPACING BETWEEN TANDEM AND TRIDEM
26 AXLES SHALL BE 4 FEET 1 INCH.

27 NO PERMIT MAY BE ISSUED FOR THIS TYPE OF MOVEMENT UPON AN
28 INTERSTATE HIGHWAY.

29 (10) A COMBINATION OF VEHICLES WHICH IS HAULING PULPWOOD
30 OR WOOD CHIPS FROM A SPECIFIED SOURCE TO A PULP MILL MAY BE

1 PERMITTED BY THE DEPARTMENT AND LOCAL AUTHORITIES TO MOVE
2 UPON SPECIFIED HIGHWAYS WITHIN THEIR RESPECTIVE JURISDICTIONS
3 SUBJECT TO THE FOLLOWING CONDITIONS:

4 (I) THE VEHICLE MUST BE A FIVE AXLE COMBINATION -
5 THREE AXLE TRUCK TRACTOR MEETING THE FOLLOWING
6 CHARACTERISTICS:

7 (A) GROSS VEHICULAR WEIGHT MUST NOT EXCEED
8 95,000 POUNDS.

9 (B) MAXIMUM WEIGHT ON STEERING AXLES SHALL BE
10 11,000 POUNDS.

11 (C) MAXIMUM WEIGHT ON THE TRUCK-TRAILER TANDEM
12 (AXLES TWO AND THREE) SHALL BE 42,000 POUNDS, WITH A
13 MAXIMUM OF 21,000 POUNDS ON EITHER AXLE IN THE GROUP.

14 (D) MAXIMUM WEIGHT ON THE SEMITRAILER TRIDEM
15 (AXLES FOUR AND FIVE) SHALL BE 42,000 POUNDS, WITH A
16 MAXIMUM OF 21,000 POUNDS ON ANY AXLE IN THE GROUP.

17 (E) MINIMUM SPACING BETWEEN AXLE ONE AND AXLE
18 TWO SHALL BE 12 FEET 6 INCHES.

19 (F) THE CENTER-TO-CENTER DISTANCE BETWEEN THE
20 LAST DRIVE AXLE OF THE TRUCK TRACTOR (AXLE THREE) AND
21 THE FIRST AXLE OF THE SEMITRAILER (AXLE FOUR) MUST BE
22 A MINIMUM OF 28 FEET 0 INCH.

23 (G) MINIMUM SPACING BETWEEN TANDEM AND TRIDEM
24 AXLES SHALL BE 4 FEET 0 INCH.

25 (II) THE VEHICLE MUST BE A SIX AXLE COMBINATION -
26 THREE AXLE TRUCK TRACTOR MEETING THE FOLLOWING
27 CHARACTERISTICS:

28 (A) GROSS VEHICULAR WEIGHT MUST NOT EXCEED
29 107,000 POUNDS.

30 (B) MAXIMUM WEIGHT ON STEERING AXLES SHALL BE

1 12,000 POUNDS.

2 (C) MAXIMUM WEIGHT ON THE TRUCK-TRACTOR TANDEM
3 (AXLES TWO AND THREE) SHALL BE 42,000 POUNDS, WITH A
4 MAXIMUM OF 21,000 POUNDS ON EITHER AXLE IN THE GROUP.

5 (D) MAXIMUM WEIGHT ON THE SEMITRAILER TRIDEM
6 (AXLES FOUR, FIVE AND SIX) SHALL BE 53,000 POUNDS,
7 WITH A MAXIMUM OF 17,670 POUNDS ON ANY AXLE IN THE
8 GROUP.

9 (E) MINIMUM SPACING BETWEEN AXLE ONE AND AXLE
10 TWO SHALL BE 12 FEET 6 INCHES.

11 (F) THE CENTER-TO-CENTER DISTANCE BETWEEN THE
12 LAST DRIVE AXLE OF THE TRUCK TRACTOR (AXLE THREE) AND
13 THE FIRST AXLE OF THE SEMITRAILER (AXLE FOUR) MUST BE
14 A MINIMUM OF 45 FEET 0 INCH.

15 (G) MINIMUM SPACING BETWEEN TANDEM AND TRIDEM
16 AXLES SHALL BE 4 FEET 0 INCH.

17 NO PERMIT MAY BE ISSUED FOR THIS TYPE OF MOVEMENT UPON AN
18 INTERSTATE HIGHWAY.

19 (11) AN AIRCRAFT REFUELING VEHICLE MANUFACTURED FOR THE
20 UNITED STATES DEPARTMENT OF DEFENSE WHICH IS BEING ROAD
21 TESTED AND CARRYING A LOAD REQUIRED UNDER CONTRACT WITH THE
22 DEPARTMENT OF DEFENSE AS PART OF THE ROAD TEST PROCEDURE MAY
23 BE PERMITTED BY THE DEPARTMENT AND LOCAL AUTHORITIES TO MOVE
24 UPON HIGHWAYS WITHIN THEIR RESPECTIVE JURISDICTIONS A
25 DISTANCE NOT EXCEEDING 35 MILES IF, FOR A THREE AXLE VEHICLE,
26 THE GROSS WEIGHT DOES NOT EXCEED 70,000 POUNDS AND THE WEIGHT
27 ON ANY AXLE DOES NOT EXCEED 26,000 POUNDS. NO PERMIT MAY BE
28 ISSUED FOR THIS TYPE OF MOVEMENT UPON AN INTERSTATE HIGHWAY.

29 (12) A PERMIT MAY BE DENIED OR REVOKED IN ORDER TO
30 PRESERVE THE SAFETY OF HIGHWAY USERS OR TO PROTECT THE

1 STRUCTURAL INTEGRITY OF HIGHWAYS OR BRIDGES OR AS OTHERWISE
2 AUTHORIZED BY DEPARTMENT REGULATIONS.

3 * * *

4 SECTION ~~4.3~~ 8. SECTION 4979.1 OF TITLE 75 IS AMENDED TO ←
5 READ:

6 § 4979.1. PERMIT FOR MOVEMENT OF BULK REFINED OIL.

7 AN ANNUAL PERMIT MAY BE ISSUED AUTHORIZING THE MOVEMENT ON
8 SPECIFIED HIGHWAYS OF REFINED OIL IN BULK BETWEEN A REFINERY AND
9 A DISTRIBUTION FACILITY WHICH EXCEEDS THE MAXIMUM VEHICLE GROSS
10 WEIGHT SPECIFIED IN SUBCHAPTER C (RELATING TO MAXIMUM WEIGHTS OF
11 VEHICLES). PERMITS ISSUED UNDER THIS SECTION SHALL NOT EXCEED A
12 DISTANCE OF [50] 125 MILES. THE WEIGHT OF ANY VEHICLE PERMITTED
13 UNDER THIS SECTION MAY NOT EXCEED 107,000 POUNDS OVERALL GROSS
14 WEIGHT AND SHALL HAVE THE FOLLOWING MAXIMUM AXLE WEIGHT LIMITS
15 FOR ALL NONSTEERING AXLES:

16 SINGLE AXLE	21,000 POUNDS
17 TANDEM AXLES	42,000 POUNDS
18 TRIDEM AXLES	53,000 POUNDS
19 QUAD AXLES	63,000 POUNDS

20 NO PERMIT MAY BE ISSUED FOR THIS TYPE OF MOVEMENT UPON AN
21 INTERSTATE HIGHWAY.

22 SECTION ~~4.4~~ 9. TITLE 75 IS AMENDED BY ADDING SECTIONS TO ←
23 READ:

24 § 4979.5. PERMIT FOR MOVEMENT OF NONHAZARDOUS LIQUID GLUE.

25 AN ANNUAL PERMIT MAY BE ISSUED AUTHORIZING THE MOVEMENT ON
26 SPECIFIED HIGHWAYS OF NONHAZARDOUS LIQUID GLUE IN BULK BETWEEN A
27 CHEMICAL PLANT AND A PARTICLEBOARD OR FIBERBOARD MANUFACTURING
28 FACILITY WHICH EXCEEDS THE MAXIMUM VEHICLE GROSS WEIGHT
29 SPECIFIED IN SUBCHAPTER C (RELATING TO MAXIMUM WEIGHTS OF
30 VEHICLES). PERMITS ISSUED UNDER THIS SECTION SHALL NOT EXCEED A

1 DISTANCE OF 75 MILES. THE WEIGHT OF ANY VEHICLE PERMITTED UNDER
2 THIS SECTION MAY NOT EXCEED 105,000 POUNDS OVERALL GROSS WEIGHT
3 AND SHALL HAVE THE FOLLOWING MAXIMUM AXLE WEIGHT LIMITS FOR ALL
4 NONSTEERING AXLES:

5	<u>SINGLE AXLE</u>	<u>21,000 POUNDS</u>
6	<u>TANDEM AXLES</u>	<u>42,000 POUNDS</u>
7	<u>TRIDEM AXLES</u>	<u>53,000 POUNDS</u>
8	<u>QUAD AXLES</u>	<u>63,000 POUNDS</u>

9 NO PERMIT MAY BE ISSUED FOR THIS TYPE OF MOVEMENT UPON AN
10 INTERSTATE HIGHWAY.

11 § 4979.6. PERMIT FOR MOVEMENT OF WASTE TIRES.

12 AN ANNUAL PERMIT MAY BE ISSUED FOR THE MOVEMENT ON SPECIFIED
13 HIGHWAYS OF WASTE TIRES AND TIRE DERIVED-FUEL, CHIPPED TIRES,
14 FROM A REFUSE PILE TO A PREPARATION OR POWER PRODUCTION FACILITY
15 WHICH EXCEEDS THE MAXIMUM VEHICLE GROSS WEIGHT SPECIFIED IN
16 SUBCHAPTER C (RELATING TO MAXIMUM WEIGHTS OF VEHICLES). THE
17 WEIGHT OF ANY VEHICLE PERMITTED UNDER THIS SECTION MAY NOT
18 EXCEED 95,000 POUNDS OVERALL GROSS WEIGHT, AND THE WEIGHT ON ANY
19 NONSTEERING AXLE MAY NOT EXCEED 21,000 POUNDS. NO PERMIT MAY BE
20 ISSUED FOR THIS TYPE OF MOVEMENT UPON AN INTERSTATE HIGHWAY.

21 ~~SECTION 4.5. SECTION 6103(C) OF TITLE 75 IS AMENDED TO READ:~~ ←

22 ~~§ 6103. PROMULGATION OF RULES AND REGULATIONS BY DEPARTMENT.~~

23 ~~* * *~~

24 ~~(C) ADOPTION OF FEDERAL STATUTE, REGULATION, STANDARD OR~~
25 ~~CRITERIA. THE DEPARTMENT SHALL BE AUTHORIZED TO ADOPT BY~~
26 ~~REFERENCE ANY FEDERAL STATUTE, REGULATION, STANDARD OR CRITERIA~~
27 ~~OR PROVISION THEREOF RELATING TO VEHICLES OR DRIVERS, INCLUDING,~~
28 ~~BUT NOT LIMITED TO, MINIMUM DRIVER QUALIFICATIONS, MAXIMUM HOURS~~
29 ~~OF SERVICE, LOADING, UNLOADING, HAZARDOUS MATERIALS, OPERATION,~~
30 ~~EQUIPMENT, RECORDS AND INSPECTION.~~

1 ~~(1) THE DEPARTMENT SHALL BE AUTHORIZED TO EXTEND THE~~
2 ~~COVERAGE OF ANY FEDERAL STATUTE, REGULATION, STANDARD OR~~
3 ~~CRITERIA ADOPTED UNDER THIS SUBSECTION TO VEHICLES AND~~
4 ~~DRIVERS OPERATING ONLY IN INTRASTATE COMMERCE, EXCEPT AS~~
5 ~~FOLLOWS:~~

6 ~~(II) NO FEDERAL STATUTE, REGULATION, STANDARD OR~~
7 ~~CRITERIA PERTAINING TO DRIVERS, INCLUDING, BUT NOT~~
8 ~~LIMITED TO, MINIMUM DRIVER QUALIFICATIONS, MAXIMUM HOURS~~
9 ~~OF SERVICE OR DRIVER RECORDS, SHALL BE EXTENDED TO COVER~~
10 ~~FARM TRUCKS, EXCEPT FARM TRUCKS CARRYING HAZARDOUS~~
11 ~~MATERIALS IN AN AMOUNT AND TYPE WHICH REQUIRE THE VEHICLE~~
12 ~~TO BE PLACARDED UNDER CHAPTER 83 (RELATING TO HAZARDOUS~~
13 ~~MATERIALS TRANSPORTATION).~~

14 ~~(2) THE REGULATIONS PROMULGATED BY THE DEPARTMENT UNDER~~
15 ~~PARAGRAPH (1) MAY BE MODIFIED, BUT SHALL, TO THE MAXIMUM~~
16 ~~EXTENT POSSIBLE, BE CONSISTENT WITH SAFETY AND CORRESPOND TO~~
17 ~~FEDERAL REGULATIONS, STANDARDS OR CRITERIA.~~

18 ~~(3) THE DEPARTMENT SHALL PROMULGATE REGULATIONS ADOPTING~~
19 ~~BY REFERENCE ALL EXEMPTIONS PERMITTED FOR FARM VEHICLES,~~
20 ~~TRACTORS AND OTHER IMPLEMENTS OF HUSBANDRY, AND FOR DRIVERS~~
21 ~~OF FARM VEHICLES, TRACTORS AND OTHER IMPLEMENTS OF HUSBANDRY~~
22 ~~UNDER ANY FEDERAL STATUTE, REGULATION, STANDARD OR CRITERIA~~
23 ~~OR PROVISION THEREOF.~~

24 ~~* * *~~

25 ~~SECTION 4.6. THE PROVISIONS OF 67 PA. CODE CH. 231 ARE~~
26 ~~ABROGATED WITH RESPECT TO VEHICLES FOR WHICH DRIVERS FOR WHOM~~
27 ~~THE DEPARTMENT IS REQUIRED TO EXEMPT UNDER 75 PA.C.S. § 6103(C)~~
28 ~~(3).~~

29 SECTION 10. SECTIONS 4981(E) AND 6103(C) OF TITLE 75 ARE
30 AMENDED TO READ:



1 § 4981. WEIGHING AND MEASUREMENT OF VEHICLES.

2 * * *

3 (E) CERTIFICATION OF ACCURACY OF PORTABLE SCALES.--

4 (1) PORTABLE SCALES SHALL BE CALIBRATED [EVERY 90 DAYS]
5 FOR THE PURPOSE OF CERTIFICATION OF ACCURACY BY THE
6 DEPARTMENT OF GENERAL SERVICES. A CERTIFICATE FROM THE
7 DEPARTMENT OF GENERAL SERVICES SHOWING THAT PORTABLE SCALES
8 WERE CALIBRATED AND FOUND TO BE ACCURATE SHALL BE COMPETENT
9 AND PRIMA FACIE EVIDENCE OF THOSE FACTS IN EVERY PROCEEDING
10 IN WHICH A VIOLATION OF THIS CHAPTER IS CHARGED.

11 (2) PORTABLE SCALES SHALL BE CALIBRATED AS FOLLOWS:

12 (I) ANNUALLY.

13 (II) FOLLOWING ANY EVENT THAT COULD AFFECT THE
14 ACCURACY OF THE PORTABLE SCALE OR FOLLOWING REPAIRS OR
15 FAILURES. IF A PORTABLE SCALE IS CALIBRATED UNDER THIS
16 SUBPARAGRAPH, THE PORTABLE SCALE SHALL NOT NEED TO BE
17 CALIBRATED FOR A PERIOD OF ONE YEAR.

18 * * *

19 § 6103. PROMULGATION OF RULES AND REGULATIONS BY DEPARTMENT.

20 * * *

21 (C) ADOPTION OF FEDERAL STATUTE, REGULATION, STANDARD OR
22 CRITERIA.--THE DEPARTMENT SHALL BE AUTHORIZED TO ADOPT BY
23 REFERENCE ANY FEDERAL STATUTE, REGULATION, STANDARD OR CRITERIA
24 OR PROVISION THEREOF RELATING TO VEHICLES OR DRIVERS, INCLUDING,
25 BUT NOT LIMITED TO, MINIMUM DRIVER QUALIFICATIONS, MAXIMUM HOURS
26 OF SERVICE, LOADING, UNLOADING, HAZARDOUS MATERIALS, OPERATION,
27 EQUIPMENT, RECORDS AND INSPECTION.

28 (1) THE DEPARTMENT SHALL BE AUTHORIZED TO EXTEND THE
29 COVERAGE OF ANY FEDERAL STATUTE, REGULATION, STANDARD OR
30 CRITERIA ADOPTED UNDER THIS SUBSECTION TO VEHICLES AND

1 DRIVERS OPERATING ONLY IN INTRASTATE COMMERCE, EXCEPT AS
2 FOLLOWS:

3 [(II) NO FEDERAL STATUTE, REGULATION, STANDARD OR
4 CRITERIA PERTAINING TO DRIVERS, INCLUDING, BUT NOT
5 LIMITED TO, MINIMUM DRIVER QUALIFICATIONS, MAXIMUM HOURS
6 OF SERVICE OR DRIVER RECORDS, SHALL BE EXTENDED TO COVER
7 FARM TRUCKS, EXCEPT FARM TRUCKS CARRYING HAZARDOUS
8 MATERIALS IN AN AMOUNT AND TYPE WHICH REQUIRE THE VEHICLE
9 TO BE PLACARDED UNDER CHAPTER 83 (RELATING TO HAZARDOUS
10 MATERIALS TRANSPORTATION).]

11 (III) NO FEDERAL STATUTE, REGULATION, STANDARD OR
12 CRITERIA SHALL BE EXTENDED TO COVER FARM TRACTORS OR
13 DRIVERS OF FARM TRACTORS, REGARDLESS OF WHETHER THE FARM
14 TRACTOR IS OPERATED AS A COMBINATION.

15 (IV) NO FEDERAL STATUTE, REGULATION, STANDARD OR
16 CRITERIA SHALL BE EXTENDED TO COVER IMPLEMENTS OF
17 HUSBANDRY OTHER THAN FARM TRACTORS, FARM VEHICLES OR
18 DRIVERS OF THESE VEHICLES, REGARDLESS OF WHETHER THE
19 VEHICLE IS OPERATED AS A COMBINATION, PROVIDED THAT:

20 (A) THE VEHICLE'S OR COMBINATION'S GROSS WEIGHT,
21 GROSS VEHICLE WEIGHT RATING OR GROSS COMBINATION
22 WEIGHT RATING DO NOT EQUAL OR EXCEED 26,001 POUNDS;

23 (B) THE VEHICLE OR COMBINATION IS NOT CARRYING
24 HAZARDOUS MATERIALS IN AN AMOUNT THAT REQUIRES THE
25 TOWING OR TOWED VEHICLE TO BE PLACARDED UNDER CHAPTER
26 83 (RELATING TO HAZARDOUS MATERIALS TRANSPORTATION);
27 AND

28 (C) THE VEHICLE OR COMBINATION IS NOT DESIGNATED
29 OR USED TO TRANSPORT 16 OR MORE PEOPLE, INCLUDING THE
30 DRIVER.

1 (V) FOR PURPOSES OF THIS PARAGRAPH, THE TERM "FARM
2 TRACTORS" INCLUDES TRACTORS DESIGNED FOR OFF-ROAD
3 AGRICULTURAL USE, COMBINES, CROP PICKERS, CROP AND FORAGE
4 HARVESTERS, THRESHERS, PLOWS, TILLERS, PLANTERS, SEEDERS,
5 FIELD SPRAYERS, FORAGE CUTTERS, BALERS AND SIMILAR
6 VEHICLES THAT ARE INFREQUENTLY OPERATED OR MOVED UPON
7 HIGHWAYS AND THAT ARE USED BY A FARMER IN AGRICULTURAL
8 PRODUCTION.

9 (2) THE REGULATIONS PROMULGATED BY THE DEPARTMENT UNDER
10 PARAGRAPH (1) MAY BE MODIFIED, BUT SHALL, TO THE MAXIMUM
11 EXTENT POSSIBLE, BE CONSISTENT WITH SAFETY AND CORRESPOND TO
12 FEDERAL REGULATIONS, STANDARDS OR CRITERIA.

13 (3) THE REGULATIONS PROMULGATED BY THE DEPARTMENT UNDER
14 PARAGRAPH (1) SHALL NOT CAUSE THE FORFEITURE OR WITHHOLDING
15 OF FEDERAL FUNDING. IF A REGULATION PROMULGATED UNDER
16 PARAGRAPH (1) RESULTS IN A FORFEITURE OR WITHHOLDING OF
17 FEDERAL FUNDING THE REGULATION SHALL BE VOID AND THE
18 DEPARTMENT SHALL PUBLISH NOTICE OF THE VOIDED REGULATION IN
19 THE PENNSYLVANIA BULLETIN.

20 * * *

21 Section 5 11. This act shall take effect as follows: ←

22 (1) This section shall take effect immediately.

23 ~~(2) The addition of 75 Pa.C.S. § 1794.1 shall take~~ ←
24 ~~effect in 30 days.~~

25 ~~(3)~~ (2) THE AMENDMENT OF 75 PA.C.S. ~~§ 6103(C)~~ § 4981(E) ←
26 SHALL TAKE EFFECT ~~IMMEDIATELY~~ IN 90 DAYS. ←

27 ~~(3)~~ ~~(4)~~ (3) The remainder of this act shall take effect ←
28 in 60 days.