

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1305 Session of 2010

INTRODUCED BY RAFFERTY, BRUBAKER, SCARNATI, GORDNER, ALLOWAY,  
VOGEL, ROBBINS, GREENLEAF, TARTAGLIONE, PIPPY, ORIE, BAKER,  
ARGALL, FOLMER, SMUCKER, PICCOLA, WARD, WOZNIAK, CORMAN, YAW,  
WAUGH, BOSCOLA AND MENSCH, APRIL 20, 2010

REFERRED TO TRANSPORTATION, APRIL 20, 2010

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, in powers of department and local authorities,  
3 further providing for promulgation of rules and regulations  
4 by department.

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

7 Section 1. Section 6103(c) of Title 75 of the Pennsylvania  
8 Consolidated Statutes is amended to read:

9 § 6103. Promulgation of rules and regulations by department.

10 \* \* \*

11 (c) Adoption of Federal statute, regulation, standard or  
12 criteria.--The department shall be authorized to adopt by  
13 reference any Federal statute, regulation, standard or criteria  
14 or provision thereof relating to vehicles or drivers, including,  
15 but not limited to, minimum driver qualifications, maximum hours  
16 of service, loading, unloading, hazardous materials, operation,  
17 equipment, records and inspection.

18 (1) The department shall be authorized to extend the

1 coverage of any Federal statute, regulation, standard or  
2 criteria adopted under this subsection to vehicles and  
3 drivers operating only in intrastate commerce, except as  
4 follows:

5 [(ii) No Federal statute, regulation, standard or  
6 criteria pertaining to drivers, including, but not  
7 limited to, minimum driver qualifications, maximum hours  
8 of service or driver records, shall be extended to cover  
9 farm trucks, except farm trucks carrying hazardous  
10 materials in an amount and type which require the vehicle  
11 to be placarded under Chapter 83 (relating to hazardous  
12 materials transportation).]

13 (iii) No Federal statute, regulation, standard or  
14 criteria shall be extended to cover implements of  
15 husbandry or drivers of implements of husbandry,  
16 regardless of whether the implement is operated as a  
17 combination.

18 (iv) No federal statute, regulation, standard or  
19 criteria shall be extended to cover farm vehicles or  
20 drivers of farm vehicles, regardless of whether the  
21 vehicle is operated as a combination, provided that:

22 (A) the vehicle's or combination's gross weight,  
23 gross vehicle weight rating and gross combination  
24 weight rating do not exceed 26,000 pounds; and

25 (B) the vehicle or combination is not carrying  
26 hazardous materials in an amount that requires the  
27 towing or towed vehicle to be placarded under Chapter  
28 83 (relating to hazardous materials transportation).

29 (2) The regulations promulgated by the department under  
30 paragraph (1) may be modified, but shall, to the maximum

1 extent possible, be consistent with safety and correspond to  
2 Federal regulations, standards or criteria.

3 \* \* \*

4 Section 2. The provisions of 67 Pa. Code Ch. 231 are  
5 abrogated with respect to vehicles for which and drivers for  
6 whom the department is prohibited under 75 Pa.C.S. § 6103(c)(1)  
7 from extending coverage of any Federal statute, regulation,  
8 standard or criteria.

9 Section 3. This act shall take effect immediately.