

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2371 Session of
2012

INTRODUCED BY MAHER, GEIST, BAKER, BEAR, BOBACK, BROOKS, COX,
CUTLER, EVANKOVICH, J. EVANS, EVERETT, FLECK, GIBBONS,
GILLEN, GINGRICH, GODSHALL, GRELL, HARRIS, HESS, HICKERNELL,
HUTCHINSON, KAUFFMAN, F. KELLER, LAWRENCE, LONGIETTI,
MICOZZIE, MILLARD, MILLER, MOUL, OBERLANDER, PYLE, QUINN,
REED, SAYLOR, SIMMONS, STEVENSON, SWANGER, TOOHL,
VULAKOVICH, WATSON, STERN, KNOWLES, PICKETT AND DENLINGER,
MAY 16, 2012

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES,
JUNE 5, 2012

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for ~~definitions and for~~ width of ←
3 vehicles.

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

6 ~~Section 1. The definition of "implement of husbandry" in~~ ←
7 ~~section 102 of Title 75 of the Pennsylvania Consolidated~~
8 ~~Statutes is amended and the section is amended by adding~~
9 ~~definitions to read:~~

10 ~~§ 102. Definitions.~~

11 ~~Subject to additional definitions contained in subsequent~~
12 ~~provisions of this title which are applicable to specific~~
13 ~~provisions of this title, the following words and phrases when~~
14 ~~used in this title shall have, unless the context clearly~~
15 ~~indicates otherwise, the meanings given to them in this section:~~

~~* * *~~

~~"Agricultural commodity." Any of the following:~~

~~(1) Agricultural, apicultural, aquacultural, horticultural, floricultural, viticultural and dairy products.~~

~~(2) Livestock, poultry and the products of livestock and poultry.~~

~~(3) Crops and crop by products.~~

~~(4) Nutrients.~~

~~* * *~~

~~"Crop." The term includes, but is not limited to:~~

~~(1) Field crops, including corn, wheat, oats, rye, barley, hay, potatoes and dry beans.~~

~~(2) Fruits, including apples, peaches, grapes, cherries and berries.~~

~~(3) Vegetables, including tomatoes, snap beans, cabbage, carrots, beets, onions and mushrooms.~~

~~(4) Horticultural specialties, including nursery stock, ornamental shrubs, ornamental trees and flowers.~~

~~* * *~~

~~"Implement of husbandry." Farm equipment that meets all of the following criteria:~~

~~(1) Is equipped with pneumatic tires except if prohibited by religious beliefs.~~

~~(2) Is infrequently operated or moved upon highways.~~

~~(3) Is used in agriculture for any of the following purposes:~~

~~(i) performance of agriculture production or harvesting activities for the farmer's agricultural operations; or~~

~~(ii) transportation of an agricultural [products] commodity or agricultural supplies for the benefit of the farmer's agricultural operations.~~

~~The term also includes earthmoving equipment and any other vehicle determined by the department to be an implement of husbandry.~~

~~* * *~~

~~"Livestock." Cattle, horses, sheep, goats and swine of every age and sex.~~

~~* * *~~

~~"Nutrient." The term includes, but is not limited to:~~

~~(1) A substance or recognized plant nutrient, element or compound that is used or sold for its plant nutritive content or its claimed nutritive value.~~

~~(2) Livestock and poultry manures and their byproducts, compost used as fertilizer, commercially manufactured chemical fertilizers, biosolids or combinations of commercially manufactured chemical biosolids.~~

~~* * *~~

~~Section 2. Section 4921(b) of Title 75 is amended to read:~~

SECTION 1. SECTION 4921(B) OF TITLE 75 OF THE PENNSYLVANIA CONSOLIDATED STATUTES IS AMENDED TO READ:

§ 4921. Width of vehicles.

~~* * *~~

(b) Special vehicles.--

(1) Any implement of husbandry or vehicle loaded with [vegetable produce or forage] crops] ~~an agricultural commodity~~ OR NUTRIENTS and not exceeding [11] 12 feet in width may be driven, hauled or towed between sunrise and sunset on highways other than freeways.

1 (2) Any implement of husbandry not exceeding 14 feet 6
2 inches in width may be driven, hauled or towed between
3 sunrise and sunset on highways other than freeways:

4 (i) Between parts of one farm owned or operated by
5 the owner of the implement of husbandry.

6 (ii) Between farms owned or operated by the owner of
7 the implement of husbandry located not more than 50 miles
8 apart.

9 (iii) Between:

10 (A) farms; or

11 (B) a farm owned or operated by a farmer and a
12 place of business of a mechanic or dealer in
13 implements of husbandry;

14 located not more than 150 miles away for the purpose of
15 buying, selling, trading, loaning and leasing,
16 demonstrating, repairing or servicing the implement of
17 husbandry.

18 (3) Special mobile equipment not exceeding nine feet two
19 inches in width may be driven, hauled or towed between
20 sunrise and sunset on highways other than freeways.

21 (4) ~~{The} Except for an implement of husbandry, the~~ ←
22 department may regulate the operation of special vehicles
23 subject to this subsection which regulations may prohibit the
24 operation of special vehicles on certain days or during
25 certain hours.

26 (5) An implement of husbandry or vehicle used
27 [exclusively for highly perishable crops for processing] ~~to~~ ←
28 ~~transport or harvest an agricultural commodity~~ FOR CROPS OR ←
29 NUTRIENTS and not exceeding 14 feet 6 inches in width may be
30 operated ~~at any time~~ on highways other than freeways ~~{between~~ ←

1 sunset and sunrise [only during the period of May 20 to
2 October 15]. The implement or vehicle, when used [at this
3 time] ~~between sunset and sunrise~~, shall have two rotating
4 yellow beacons and vehicular hazard signal lamps operating.

5 (6) Commercial implements of husbandry not exceeding 12
6 feet in width, including wheels and tires, may be driven,
7 hauled or towed between sunrise and sunset on highways other
8 than freeways.

9 (7) AS USED IN THIS SECTION, THE FOLLOWING WORDS AND
10 PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
11 SUBSECTION:

12 "CROP." THE TERM INCLUDES, BUT IS NOT LIMITED TO:

13 (I) FIELD CROPS, INCLUDING CORN, WHEAT, OATS, RYE,
14 BARLEY, HAY, POTATOES AND DRY BEANS.

15 (II) FRUITS, INCLUDING APPLES, PEACHES, GRAPES,
16 CHERRIES AND BERRIES.

17 (III) VEGETABLES, INCLUDING TOMATOES, SNAP BEANS,
18 CABBAGE, CARROTS, BEETS, ONIONS AND MUSHROOMS.

19 "NUTRIENT." THE TERM INCLUDES, BUT IS NOT LIMITED TO:

20 (I) A SUBSTANCE OR RECOGNIZED PLANT NUTRIENT,
21 ELEMENT OR COMPOUND THAT IS USED OR SOLD FOR ITS PLANT
22 NUTRITIVE CONTENT OR ITS CLAIMED NUTRITIVE VALUE.

23 (II) LIVESTOCK AND POULTRY MANURES AND THEIR
24 BYPRODUCTS, COMPOST USED AS FERTILIZER, COMMERCIALY
25 MANUFACTURED CHEMICAL FERTILIZERS, BIOSOLIDS OR
26 COMBINATIONS OF COMMERCIALY MANUFACTURED CHEMICAL
27 BIOSOLIDS.

28 * * *

29 Section 3 2. This act shall take effect immediately.