

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 390 Session of 2011

INTRODUCED BY BRUBAKER, SCARNATI, ROBBINS, TARTAGLIONE, FOLMER, SMUCKER, ARGALL, YAW, VOGEL, ERICKSON, D. WHITE, EICHELBERGER, WOZNIAK, ALLOWAY, COSTA, SOLOBAY, WAUGH, BOSCOLA, GREENLEAF, KASUNIC, WARD, MENSCH, BAKER, M. WHITE, BROWNE AND GORDNER, FEBRUARY 4, 2011

AS REPORTED FROM COMMITTEE ON TRANSPORTATION, HOUSE OF REPRESENTATIVES, AS AMENDED, OCTOBER 2, 2012

AN ACT

1 ~~Amending Title 75 (Vehicles) of the Pennsylvania Consolidated~~ ←
2 ~~Statutes, in general provisions, further providing for~~
3 ~~definitions; in registration of vehicles, further providing~~
4 ~~for vehicles exempt from registration; in commercial drivers,~~
5 ~~further providing for definitions; and in inspection of~~
6 ~~vehicles, further providing for requirement for periodic~~
7 ~~inspection of vehicles, for operation of vehicle without~~
8 ~~official certificate of inspection and for width of vehicles.~~
9 AMENDING TITLE 75 (VEHICLES) OF THE PENNSYLVANIA CONSOLIDATED ←
10 STATUTES, IN SIZE, WEIGHT AND LOAD, FURTHER PROVIDING FOR
11 WIDTH OF VEHICLES.

12 The General Assembly of the Commonwealth of Pennsylvania
13 hereby enacts as follows:

14 ~~Section 1. The definition of "commercial implement of~~ ←
15 ~~husbandry" in section 102 of Title 75 of the Pennsylvania~~
16 ~~Consolidated Statutes is amended and the section is amended by~~
17 ~~adding a definition to read:~~

18 ~~§ 102. Definitions.~~

19 ~~Subject to additional definitions contained in subsequent~~
20 ~~provisions of this title which are applicable to specific~~

1 ~~provisions of this title, the following words and phrases when~~
2 ~~used in this title shall have, unless the context clearly~~
3 ~~indicates otherwise, the meanings given to them in this section:~~

4 * * *

5 ~~"Commercial implement of husbandry." An implement of~~
6 ~~husbandry that:~~

7 ~~(1) Is a self-propelled vehicle.~~

8 ~~(2) Is used commercially.~~

9 ~~(3) Is operated or moved upon highways for not more than~~
10 ~~180 days in a calendar year.~~

11 ~~(4) Is not a custom farm service implement of husbandry.~~

12 ~~The term also includes any other vehicle determined by the~~
13 ~~department to be a commercial implement of husbandry.~~

14 * * *

15 ~~"Custom farm service implement of husbandry." Farm equipment~~
16 ~~that meets all of the following criteria:~~

17 ~~(1) Is equipped with pneumatic tires except where~~
18 ~~prohibited by religious beliefs.~~

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

20 ~~(3) Is owned by a person who owns or operates a farm.~~

21 ~~(4) Is used to perform any of the following agricultural~~
22 ~~services on farms other than farms owned or operated by the~~
23 ~~owner of the vehicle:~~

24 ~~(i) performance of agriculture production or~~
25 ~~harvesting activities; or~~

26 ~~(ii) transportation of agricultural products or~~
27 ~~agricultural supplies.~~

28 ~~The term applies regardless of whether or not a fee is charged.~~

29 * * *

30 ~~Section 2. Section 1302(2), (10) and (17) of Title 75 are~~

1 amended to read:

2 ~~§ 1302. Vehicles exempt from registration.~~

3 ~~The following types of vehicles are exempt from registration:~~

4 ~~* * *~~

5 ~~(2) Any implement of husbandry, custom farm service~~
6 ~~implement of husbandry and any trailer or semitrailer~~
7 ~~{determined by the department to be used exclusively for~~
8 ~~agricultural operations and only infrequently operated upon~~
9 ~~highways} towed or hauled by an implement of husbandry, or a~~
10 ~~custom farm service implement of husbandry, exempt from~~
11 ~~registration or by a farm vehicle. Vehicles exempt from~~
12 ~~registration under this paragraph shall be used exclusively~~
13 ~~upon a farm or farms owned or operated by the owner of the~~
14 ~~vehicle or upon highways [between] subject to the following~~
15 ~~limitations:~~

16 ~~{(i) Parts of one such farm.~~

17 ~~(ii) Such farms located not more than 25 miles~~
18 ~~apart.~~

19 ~~(iii) Such farm or farms and a place of business~~
20 ~~located within a radius of 25 miles from such farm or~~
21 ~~farms for the purpose of buying or selling agricultural~~
22 ~~commodities or supplies or for delivery, repair or~~
23 ~~servicing of the vehicle.]~~

24 ~~(iv) For an implement of husbandry, a custom farm~~
25 ~~service implement of husbandry or for a trailer or~~
26 ~~semitrailer being towed or hauled by an implement of~~
27 ~~husbandry, or custom farm service implement of husbandry,~~
28 ~~between:~~

29 ~~(A) Parts of one such farm.~~

30 ~~(B) Such farms located not more than 50 miles~~

1 ~~from the originating point.~~

2 ~~(C) Such farm or farms and a place of business~~
3 ~~located within a radius of 50 miles from such~~
4 ~~originating farm or farms for the purpose of buying~~
5 ~~or selling agricultural commodities or supplies or~~
6 ~~for delivering, repairing or servicing of the~~
7 ~~vehicle.~~

8 ~~(D) Between farms serviced by the owner or~~
9 ~~operator of the custom farm service implement of~~
10 ~~husbandry located not more than 50 miles from the~~
11 ~~origination point of the custom farm service~~
12 ~~implement of husbandry.~~

13 ~~(v) For a trailer or semitrailer being towed or~~
14 ~~hauled by a farm vehicle exempt from registration under~~
15 ~~paragraph (10), the areas where the towing or hauling~~
16 ~~vehicle is authorized to be driven.~~

17 ~~(vi) For a trailer or semitrailer being towed or~~
18 ~~hauled by a farm vehicle bearing farm vehicle~~
19 ~~registration plates under section 1344 (relating to use~~
20 ~~of farm vehicle plates), between:~~

21 ~~(A) Parts of one such farm.~~

22 ~~(B) Such farms located not more than 50 miles~~
23 ~~from the originating point.~~

24 ~~(C) Such farm or farms and a place of business~~
25 ~~located within a radius of 50 miles from such~~
26 ~~originating farm or farms for the purpose of buying~~
27 ~~or selling agricultural commodities or supplies or~~
28 ~~for delivering, repairing or servicing of the~~
29 ~~vehicle.~~

30 * * *

1 ~~(10) Any farm vehicle used exclusively upon a farm or~~
2 ~~farms owned or operated by the owner of the vehicle[.],~~
3 ~~subject to the following:~~

4 ~~(i) Type [I] A Such a farm vehicle which does not~~
5 ~~qualify as a motor carrier vehicle may be driven upon~~
6 ~~highways only from sunrise to sunset[. However, a farm~~
7 ~~vehicle which qualifies as a motor carrier vehicle and~~
8 ~~displays a currently valid certificate of inspection may~~
9 ~~be driven upon highways without any restriction as to~~
10 ~~time. Such a farm vehicle may only be driven on highways]~~
11 ~~and between:~~

12 ~~(A) Parts of one such farm.~~

13 ~~(B) Such farms located not more than 25 miles~~
14 ~~apart.~~

15 ~~(C) Such farm or farms and a place of business~~
16 ~~located within a radius of 25 miles from such farm or~~
17 ~~farms for the purpose of buying or selling~~
18 ~~agricultural commodities or supplies.~~

19 ~~(D) Such farm or farms and a place of business~~
20 ~~located within a radius of 50 miles from such farm or~~
21 ~~farms for the purpose of [repair] repairing or~~
22 ~~servicing of the farm vehicle or the trailer or~~
23 ~~semitrailer being towed or hauled by the farm~~
24 ~~vehicle.~~

25 ~~[(ii) Type II Such a farm vehicle which does~~
26 ~~qualify as a motor carrier vehicle and which does not~~
27 ~~display a currently valid certificate of inspection may~~
28 ~~be driven upon highways only from sunrise to sunset and~~
29 ~~between:~~

30 ~~(A) Parts of one such farm.~~

1 ~~(B) Such farms located not more than ten miles~~
2 ~~apart.~~

3 ~~(C) Such farm or farms and a place of business~~
4 ~~located within a radius of ten miles from such farm~~
5 ~~or farms for the purpose of buying or selling~~
6 ~~agricultural commodities or supplies.~~

7 ~~(D) Such farm or farms and a place of business~~
8 ~~located within a radius of 25 miles from such farm or~~
9 ~~farms for the purpose of repair or servicing of the~~
10 ~~farm vehicle.~~

11 ~~(iii) A biennial certificate of exemption shall be~~
12 ~~required for such a farm vehicle.~~

13 ~~(iv) The owner of the farm vehicle shall maintain~~
14 ~~such minimum levels of liability insurance coverage on~~
15 ~~the vehicle as are required to be maintained under~~
16 ~~Chapter 17 (relating to financial responsibility) by~~
17 ~~owners of registered motor vehicles. The owner shall~~
18 ~~satisfy the requirements of this subparagraph if the~~
19 ~~minimum amounts of liability insurance coverage for the~~
20 ~~farm vehicle have been provided under farm liability~~
21 ~~insurance coverage maintained generally by the owner.~~
22 ~~Coverage prescribed in Subchapter B of Chapter 17 shall~~
23 ~~not be required to be maintained or provided for the farm~~
24 ~~vehicle.}~~

25 ~~(v) Type B Such a farm vehicle which does qualify~~
26 ~~as a motor carrier vehicle and which does not display a~~
27 ~~currently valid certificate of inspection may be driven~~
28 ~~upon highways only from sunrise to sunset and between:~~

29 ~~(A) Parts of one such farm.~~

30 ~~(B) Such farms located not more than ten miles~~

1 ~~apart.~~

2 ~~(C) Such farm or farms and a place of business~~
3 ~~located within a radius of ten miles from such farm~~
4 ~~or farms for the purpose of buying or selling~~
5 ~~agricultural commodities or supplies.~~

6 ~~(D) Such farm or farms and a place of business~~
7 ~~located within a radius of 25 miles from such farm or~~
8 ~~farms for the purpose of repairing or servicing of~~
9 ~~the farm vehicle or the trailer or semitrailer being~~
10 ~~towed or hauled by the farm vehicle.~~

11 ~~(vi) Type C Such a farm vehicle which does qualify~~
12 ~~as a motor carrier vehicle and displays a currently valid~~
13 ~~certificate of inspection may be driven without any~~
14 ~~restriction as to time but may only be driven on highways~~
15 ~~between:~~

16 ~~(A) Parts of one such farm.~~

17 ~~(B) Such farms located not more than 50 miles~~
18 ~~apart.~~

19 ~~(C) Such farm or farms and a place of business~~
20 ~~located within a radius of 50 miles from such farm or~~
21 ~~farms for the purpose of buying or selling~~
22 ~~agricultural commodities or supplies or for repairing~~
23 ~~or servicing of the farm vehicle or the trailer or~~
24 ~~semitrailer being towed or hauled by the farm~~
25 ~~vehicle.~~

26 ~~(vii) A biennial certificate of exemption shall be~~
27 ~~required for such a farm vehicle.~~

28 ~~(viii) The owner of the farm vehicle shall maintain~~
29 ~~such minimum levels of liability insurance coverage on~~
30 ~~the vehicle as are required to be maintained under~~

~~Chapter 17 (relating to financial responsibility) by owners of registered motor vehicles. The owner shall satisfy the requirements of this subparagraph if the minimum amounts of liability insurance coverage for the farm vehicle have been provided under farm liability insurance coverage maintained generally by the owner. Coverage prescribed in Subchapter B of Chapter 17 (relating to motor vehicle liability insurance first party benefits) shall not be required to be maintained or provided for the farm vehicle.~~

~~* * *~~

~~(17) Any multipurpose agricultural vehicle. Vehicles exempt from registration under this paragraph shall be used exclusively upon a farm or farms owned or operated by the owner of the vehicles or upon highways between:~~

~~(i) Parts of one such farm.~~

~~(ii) Such farms located not more than [two] five miles apart.~~

~~* * *~~

~~Section 3. The definition of "commercial motor vehicle" in section 1603 of Title 75 is amended to read:~~

~~§ 1603. Definitions.~~

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

~~* * *~~

~~"Commercial motor vehicle." A motor vehicle designed or used to transport passengers or property:~~

~~(1) if the vehicle has a gross vehicle weight rating of 26,001 or more pounds or such lesser rating as the department~~

1 ~~shall adopt under the provisions of section 6103(c) (relating~~
2 ~~to promulgation of rules and regulations by department), as~~
3 ~~determined by Federal regulation and published by the~~
4 ~~department as a notice in the Pennsylvania Bulletin;~~

5 ~~(2) if the vehicle is designed to transport 16 or more~~
6 ~~passengers, including the driver;~~

7 ~~(3) if the vehicle is a school bus; or~~

8 ~~(4) if the vehicle is transporting hazardous materials~~
9 ~~and is required to be placarded in accordance with department~~
10 ~~regulations.~~

11 ~~The term does not include an antique or classic motor vehicle,~~
12 ~~[or] an implement of husbandry or a custom farm service~~
13 ~~implement of husbandry, or any motor home or recreational~~
14 ~~trailer operated solely for personal use, or motorized~~
15 ~~construction equipment, including, but not limited to,~~
16 ~~motorscrapers, backhoes, motorgraders, compactors, excavators,~~
17 ~~tractors, trenchers and bulldozers.~~

18 ~~* * *~~

19 ~~Section 4. Sections 4702(a), 4703(a) and 4921(b) of Title 75~~
20 ~~are amended to read:~~

21 ~~§ 4702. Requirement for periodic inspection of vehicles.~~

22 ~~(a) Annual safety inspection. Except as provided in~~
23 ~~subsection (b), the department shall establish a system of~~
24 ~~annual safety inspection of vehicles, including emergency~~
25 ~~vehicles, farm vehicles with a gross weight or gross vehicle~~
26 ~~weight rating of greater than 17,000 pounds for which a Type [I]~~
27 ~~⊆ biennial certificate of exemption has been issued and private~~
28 ~~noncommercial vehicles used to transport students.~~

29 ~~* * *~~

30 ~~§ 4703. Operation of vehicle without official certificate of~~

1 inspection.

2 ~~(a) General rule. Except as otherwise provided in this~~
3 ~~section, no motor vehicle required to bear current registration~~
4 ~~plates issued by this Commonwealth and no farm vehicle with a~~
5 ~~gross weight or gross vehicle weight rating of greater than~~
6 ~~17,000 pounds for which a Type [I] C biennial certificate of~~
7 ~~exemption has been issued shall be driven and no trailer~~
8 ~~required to bear current registration plates issued by this~~
9 ~~Commonwealth shall be moved on a highway and no mass transit~~
10 ~~vehicle shall be operated unless the vehicle displays a~~
11 ~~currently valid certificate of inspection issued under this~~
12 ~~chapter.~~

13 * * *

14 ~~§ 4921. Width of vehicles.~~

15 * * *

16 ~~(b) Special vehicles.~~

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

21 ~~(2) [Any] (i) Subject to the requirements prescribed~~
22 ~~in subparagraph (ii), any implement of husbandry not~~
23 ~~exceeding [14 feet 6 inches] 16 feet in width may be~~
24 ~~driven, hauled or towed between sunrise and sunset on~~
25 ~~highways other than freeways:~~

26 ~~[(i)] (A) Between parts of one farm owned or~~
27 ~~operated by the owner of the implement of husbandry.~~

28 ~~[(ii)] (B) Between farms owned or operated by~~
29 ~~the owner of the implement of husbandry located not~~
30 ~~more than 50 miles apart.~~

1 ~~[(iii)] (C) Between:~~

2 ~~[(A)] (I) farms; or~~

3 ~~[(B)] (II) a farm owned or operated by a~~
4 ~~farmer and a place of business of a mechanic or~~
5 ~~dealer in implements of husbandry;~~

6 ~~located not more than 150 miles away for the purpose~~
7 ~~of buying, selling, trading, loaning and leasing,~~
8 ~~demonstrating, repairing or servicing the implement~~
9 ~~of husbandry.~~

10 ~~(ii) An implement of husbandry exceeding 14 feet 6~~
11 ~~inches but not exceeding 16 feet in width shall not be~~
12 ~~driven, hauled or towed on any highway between sunrise~~
13 ~~and sunset unless all of the following are met:~~

14 ~~(A) the implement is equipped with reflective~~
15 ~~edgemarks that are visible from the front and the~~
16 ~~rear;~~

17 ~~(B) the implement is equipped with and is~~
18 ~~operating hazard lamps in accordance with the~~
19 ~~regulations of the department; and~~

20 ~~(C) the implement is equipped with and is~~
21 ~~operating two rotating yellow beacons, or the~~
22 ~~implement is preceded by a pilot vehicle that is~~
23 ~~equipped with and is operating hazard lamps, and~~
24 ~~displays an "oversize load" sign on the front of the~~
25 ~~vehicle.~~

26 ~~(2.1) (i) Subject to the requirements prescribed in~~
27 ~~subparagraph (ii), any implement of husbandry not~~
28 ~~exceeding 14 feet 6 inches in width may be driven, hauled~~
29 ~~or towed between sunset and sunrise on highways other~~
30 ~~than freeways:~~

1 ~~(A) Between parts of one farm owned or operated~~
2 ~~by the owner of the implement of husbandry.~~

3 ~~(B) Between farms owned or operated by the owner~~
4 ~~of the implement of husbandry located not more than~~
5 ~~50 miles apart.~~

6 ~~(C) Between:~~

7 ~~(I) farms; or~~

8 ~~(II) a farm owned or operated by a farmer~~
9 ~~and a place of business of a mechanic or dealer~~
10 ~~in implements of husbandry;~~

11 ~~located not more than 50 miles away for the purpose~~
12 ~~of buying, selling, trading, loaning and leasing,~~
13 ~~demonstrating, repairing or servicing the implement~~
14 ~~of husbandry.~~

15 ~~(ii) An implement of husbandry exceeding 12 feet but~~
16 ~~not exceeding 14 feet 6 inches in width shall not be~~
17 ~~driven, hauled or towed on any highway between sunset and~~
18 ~~sunrise unless all of the following are met:~~

19 ~~(A) the implement is equipped with reflective~~
20 ~~edgemarks that are visible from the front and the~~
21 ~~rear;~~

22 ~~(B) the implement is equipped with and is~~
23 ~~operating hazard lamps in accordance with the~~
24 ~~regulations of the department; and~~

25 ~~(C) the implement is equipped with and is~~
26 ~~operating two rotating yellow beacons, or the~~
27 ~~implement is preceded by a pilot vehicle that is~~
28 ~~equipped with and is operating hazard lamps, and~~
29 ~~displays an "oversize load" sign on the front of the~~
30 ~~vehicle.~~

1 ~~(2.2) (i) Subject to the requirements prescribed in~~
2 ~~subparagraph (ii), any custom farm service implement of~~
3 ~~husbandry not exceeding 16 feet in width may be driven,~~
4 ~~hailed or towed between sunrise and sunset on highways~~
5 ~~other than freeways to a farm or between farms serviced~~
6 ~~by the owner or operator of the custom farm service~~
7 ~~implement of husbandry located not more than 50 miles~~
8 ~~from the custom farm service implement of husbandry's~~
9 ~~normal point of origin.~~

10 ~~(ii) A custom farm service implement of husbandry~~
11 ~~exceeding 14 feet 6 inches but not exceeding 16 feet in~~
12 ~~width shall not be driven, hailed or towed on any highway~~
13 ~~between sunrise and sunset unless all of the following~~
14 ~~are met:~~

15 ~~(A) the custom farm service implement is~~
16 ~~equipped with reflective edgemarks that are visible~~
17 ~~from the front and the rear;~~

18 ~~(B) the custom farm service implement is~~
19 ~~equipped with and is operating hazard lamps in~~
20 ~~accordance with the regulations of the department;~~
21 ~~and~~

22 ~~(C) the custom farm service implement is~~
23 ~~equipped with and is operating two rotating yellow~~
24 ~~beacons, or the implement is preceded by a pilot~~
25 ~~vehicle that is equipped with and is operating hazard~~
26 ~~lamps, and displays an "oversize load" sign on the~~
27 ~~front of the vehicle.~~

28 ~~(2.3) (i) Subject to the requirements prescribed in~~
29 ~~subparagraph (ii), any custom farm service implement of~~
30 ~~husbandry not exceeding 14 feet 6 inches in width may be~~

~~driven, hauled or towed between sunset and sunrise on highways other than freeways to a farm or between farms serviced by the owner or operator of the custom farm service implement of husbandry located not more than 50 miles from the custom farm service implement of husbandry's point of origin.~~

~~(ii) A custom farm service implement of husbandry exceeding 12 feet but not exceeding 14 feet 6 inches in width shall not be driven, hauled or towed on any highway between sunset and sunrise unless all of the following are met:~~

~~(A) the custom farm service implement is equipped with reflective edgemarks that are visible from the front and the rear;~~

~~(B) the custom farm service implement is equipped with and is operating hazard lamps in accordance with the regulations of the department; and~~

~~(C) the custom farm service implement is equipped with and is operating two rotating yellow beacons, or the implement is preceded by a pilot vehicle that is equipped with and is operating hazard lamps, and displays an "oversize load" sign on the front of the vehicle.~~

~~(2.4) (i) Subject to the requirements prescribed in subparagraph (ii), any implement of husbandry exceeding 16 feet but not exceeding 17 feet 6 inches may be driven or towed on highways other than freeways between sunrise and sunset:~~

~~(A) Between parts of one farm owned or operated~~

1 ~~by the owner of the implement of husbandry.~~

2 ~~(B) Between farms owned or operated by the owner~~
3 ~~of the implement of husbandry located not more than~~
4 ~~ten miles apart.~~

5 ~~(C) Between:~~

6 ~~(I) farms; or~~

7 ~~(II) a farm owned or operated by a farmer~~
8 ~~and a place of business of a mechanic or dealer~~
9 ~~in implements of husbandry;~~

10 ~~located not more than ten miles away for the purpose~~
11 ~~of buying, selling, trading, loaning and leasing,~~
12 ~~demonstrating, repairing or servicing the implement~~
13 ~~of husbandry.~~

14 ~~(ii) An implement of husbandry exceeding 16 feet but~~
15 ~~not exceeding 17 feet 6 inches in width shall not be~~
16 ~~driven, hauled or towed on any highway between sunrise~~
17 ~~and sunset unless all of the following are met:~~

18 ~~(A) the implement is not driven or towed at a~~
19 ~~speed greater than 25 miles per hour;~~

20 ~~(B) the implement is driven or towed by a person~~
21 ~~who is at least 16 years of age;~~

22 ~~(C) the implement is equipped with reflective~~
23 ~~edgemarks visible from the front and the rear;~~

24 ~~(D) the implement is equipped with and is~~
25 ~~operating hazard lamps in accordance with the~~
26 ~~regulations of the department;~~

27 ~~(E) the implement is equipped with and is~~
28 ~~operating two rotating yellow beacons; and~~

29 ~~(F) the implement is preceded by a pilot vehicle~~
30 ~~that is equipped with and is operating hazard lamps,~~

1 ~~and displays an "oversize load" sign on the front of~~
2 ~~the vehicle.~~

3 ~~(2.5) (i) Subject to the requirements prescribed in~~
4 ~~subparagraph (ii), any custom farm service implement of~~
5 ~~husbandry exceeding 16 feet but not exceeding 17 feet 6~~
6 ~~inches may be driven or towed between sunset and sunrise~~
7 ~~on highways other than freeways to a farm or between~~
8 ~~farms serviced by the owner or operator of the custom~~
9 ~~farm service implement of husbandry located not more than~~
10 ~~ten miles from the custom farm service implement of~~
11 ~~husbandry's normal point of origin.~~

12 ~~(ii) A custom farm service implement of husbandry~~
13 ~~exceeding 16 feet but not exceeding 17 feet 6 inches in~~
14 ~~width shall not be driven or towed on any highway between~~
15 ~~sunrise and sunset unless all of the following are met:~~

16 ~~(A) the custom farm service implement is not~~
17 ~~driven or towed at a speed greater than 25 miles per~~
18 ~~hour;~~

19 ~~(B) the custom farm service implement is driven~~
20 ~~or towed by a person who is at least 16 years of age;~~

21 ~~(C) the custom farm service implement is~~
22 ~~equipped with reflective edgemarks visible from the~~
23 ~~front and the rear;~~

24 ~~(D) the custom farm service implement is~~
25 ~~equipped with and is operating hazard lamps in~~
26 ~~accordance with the regulations of the department;~~

27 ~~(E) the custom farm service implement is~~
28 ~~equipped with and is operating two rotating yellow~~
29 ~~beacons; and~~

30 ~~(F) the implement is preceded by a pilot vehicle~~

~~that is equipped with and is operating hazard lamps,
and displays an "oversize load" sign on the front of
the vehicle.~~

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

~~(4) The department may regulate the operation of special
vehicles subject to this subsection which regulations may
prohibit the operation of special vehicles on certain days or
during certain hours.~~

~~[(5) An implement of husbandry or vehicle used
exclusively for highly perishable crops for processing and
not exceeding 14 feet 6 inches in width may be operated on
highways other than freeways between sunset and sunrise only
during the period of May 20 to October 15. The implement or
vehicle, when used at this time, shall have two rotating
yellow beacons and vehicular hazard signal lamps operating.]~~

~~* * *~~

~~Section 5. This act shall take effect in 60 days.~~

SECTION 1. SECTION 4921(B)(2) OF TITLE 75 OF THE
PENNSYLVANIA CONSOLIDATED STATUTES IS AMENDED AND SUBSECTION (B)
IS AMENDED BY ADDING PARAGRAPHS TO READ:

§ 4921. WIDTH OF VEHICLES.

* * *

(B) SPECIAL VEHICLES.--

* * *

(2) ANY IMPLEMENT OF HUSBANDRY NOT EXCEEDING 14 FEET 6
INCHES IN WIDTH MAY BE DRIVEN, HAULED OR TOWED [BETWEEN
SUNRISE AND SUNSET] WITHOUT ANY RESTRICTION AS TO TIME ON
HIGHWAYS OTHER THAN FREEWAYS IN ACCORDANCE WITH THE

1 FOLLOWING:

2 (I) [BETWEEN PARTS OF ONE FARM OWNED OR OPERATED BY
3 THE OWNER OF THE IMPLEMENT OF HUSBANDRY] (RESERVED).

4 (II) [BETWEEN FARMS OWNED OR OPERATED BY THE OWNER
5 OF THE IMPLEMENT OF HUSBANDRY LOCATED NOT MORE THAN 50
6 MILES APART] THE IMPLEMENT MAY BE DRIVEN, HAULED OR TOWED
7 WITHIN 50 MILES OF ANY FARM OWNED OR OPERATED BY THE
8 OWNER OF THE IMPLEMENT OF HUSBANDRY.

9 (III) [BETWEEN] THE IMPLEMENT MAY BE DRIVEN, HAULED
10 OR TOWED BETWEEN:

11 (A) FARMS; OR

12 (B) A FARM OWNED OR OPERATED BY A FARMER AND A
13 PLACE OF BUSINESS OF A MECHANIC OR DEALER IN
14 IMPLEMENTS OF HUSBANDRY;

15 LOCATED NOT MORE THAN 150 MILES AWAY FOR THE PURPOSE OF
16 BUYING, SELLING, TRADING, LOANING AND LEASING,
17 DEMONSTRATING, REPAIRING OR SERVICING THE IMPLEMENT OF
18 HUSBANDRY.

19 (IV) WHEN DRIVEN, HAULED OR TOWED BETWEEN SUNSET AND
20 SUNRISE, THE IMPLEMENT OF HUSBANDRY SHALL HAVE AND
21 OPERATE AT LEAST ONE FLASHING OR REVOLVING YELLOW LIGHT
22 OR YELLOW STROBE LIGHT, WHICH SHALL BE MOUNTED TO PROVIDE
23 VISIBILITY TO VEHICLES APPROACHING FROM ANY DIRECTION,
24 360° VISIBILITY, REGARDLESS OF THE METHOD OF MOUNTING AND
25 HAZARD SIGNAL LAMPS.

26 (2.1) ANY IMPLEMENT OF HUSBANDRY, EXCEEDING 14 FEET 6
27 INCHES AND NOT EXCEEDING 16 FEET IN WIDTH, MAY BE DRIVEN,
28 HAULED OR TOWED BETWEEN SUNRISE AND SUNSET ON HIGHWAYS OTHER
29 THAN FREEWAYS IF THE IMPLEMENT OF HUSBANDRY IS COVERED BY
30 FINANCIAL RESPONSIBILITY UNDER PARAGRAPH (2.2) (VI) AND IS

1 PRECEDED BY A PILOT VEHICLE THAT DISPLAYS AN "OVERSIZE LOAD"
2 SIGN ON THE FRONT OF THE VEHICLE AND HAS CONTINUOUSLY
3 ACTIVATED HAZARD SIGNAL LAMPS. THE IMPLEMENT OF HUSBANDRY
4 SHALL HAVE AND OPERATE AT LEAST ONE FLASHING OR REVOLVING
5 YELLOW LIGHT OR YELLOW STROBE LIGHT, WHICH SHALL BE MOUNTED
6 TO PROVIDE VISIBILITY TO VEHICLES APPROACHING FROM ANY
7 DIRECTION, 360° VISIBILITY, REGARDLESS OF THE METHOD OF
8 MOUNTING AND HAZARD SIGNAL LAMPS. IMPLEMENTS SUBJECT TO THIS
9 PARAGRAPH MAY BE DRIVEN, HAULED OR TOWED:

10 (I) WITHIN 50 MILES OF ANY FARM OWNED OR OPERATED BY
11 THE OWNER OF THE IMPLEMENT OF HUSBANDRY.

12 (II) BETWEEN:

13 (A) FARMS; OR

14 (B) A FARM OWNED OR OPERATED BY A FARMER AND A
15 PLACE OF BUSINESS OF A MECHANIC OR DEALER IN
16 IMPLEMENTS OF HUSBANDRY;
17 LOCATED NOT MORE THAN 150 MILES AWAY FOR THE PURPOSE
18 OF BUYING, SELLING, TRADING, LOANING AND LEASING,
19 DEMONSTRATING, REPAIRING OR SERVICING THE IMPLEMENT
20 OF HUSBANDRY.

21 (2.2) AN IMPLEMENT OF HUSBANDRY EXCEEDING 14 FEET 6
22 INCHES AND NOT EXCEEDING 16 FEET IN WIDTH MAY BE DRIVEN,
23 HAULED OR TOWED ON HIGHWAYS OTHER THAN FREEWAYS BETWEEN
24 SUNSET AND SUNRISE WITHIN 25 MILES OF ANY FARM OWNED OR
25 OPERATED BY THE OWNER OF THE IMPLEMENT OF HUSBANDRY IF ALL OF
26 THE FOLLOWING ARE MET:

27 (I) THE IMPLEMENT OF HUSBANDRY IS EQUIPPED WITH
28 REFLECTIVE EDGEMARKS OR LIGHTS TO IDENTIFY THE OUTERMOST
29 EDGES OF THE REAR AND FRONT OF THE IMPLEMENT THAT ARE
30 VISIBLE FROM THE FRONT, THE REAR AND, AS IS PRACTICABLE,

1 FROM EACH SIDE;

2 (II) THE IMPLEMENT OF HUSBANDRY SHALL HAVE AND
3 OPERATE AT LEAST ONE FLASHING OR REVOLVING YELLOW LIGHT
4 OR YELLOW STROBE LIGHT, WHICH SHALL BE MOUNTED TO PROVIDE
5 VISIBILITY TO VEHICLES APPROACHING FROM ANY DIRECTION,
6 360° VISIBILITY, REGARDLESS OF THE METHOD OF MOUNTING,
7 AND HAZARD SIGNAL LAMPS;

8 (III) THE IMPLEMENT OF HUSBANDRY IS NOT DRIVEN OR
9 TOWED AT A SPEED GREATER THAN 25 MILES PER HOUR;

10 (IV) THE IMPLEMENT OF HUSBANDRY IS DRIVEN OR TOWED
11 BY A PERSON WHO IS AT LEAST 18 YEARS OF AGE;

12 (V) THE IMPLEMENT OF HUSBANDRY IS FOLLOWED BY A
13 VEHICLE THAT IS DISPLAYING AN "OVERSIZE LOAD" SIGN ON THE
14 REAR OF THE VEHICLE AND IS OPERATING CONTINUOUSLY
15 ACTIVATED HAZARD SIGNAL LAMPS; AND

16 (VI) THE IMPLEMENT OF HUSBANDRY IS COVERED BY THE
17 MINIMUM LEVELS OF LIABILITY INSURANCE COVERAGE ON THE
18 VEHICLE AS ARE REQUIRED TO BE MAINTAINED UNDER CHAPTER 17
19 (RELATING TO FINANCIAL RESPONSIBILITY) BY OWNERS OF
20 REGISTERED MOTOR VEHICLES. THE REQUIREMENT OF THIS
21 SUBPARAGRAPH SHALL BE MET IF THE MINIMUM AMOUNTS OF
22 LIABILITY INSURANCE COVERAGE FOR THE IMPLEMENT OF
23 HUSBANDRY HAVE BEEN PROVIDED UNDER FARM LIABILITY
24 INSURANCE COVERAGE MAINTAINED GENERALLY BY THE OWNER.
25 COVERAGE PRESCRIBED UNDER SUBCHAPTER B OF CHAPTER 17
26 (RELATING TO MOTOR VEHICLE LIABILITY INSURANCE FIRST
27 PARTY BENEFITS) SHALL NOT BE REQUIRED TO BE MAINTAINED OR
28 PROVIDED FOR THE IMPLEMENT OF HUSBANDRY.

29 * * *

30 SECTION 2. THIS ACT SHALL TAKE EFFECT IN 60 DAYS.