

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1312 Session of 2014

INTRODUCED BY VOGEL, KITCHEN, EICHELBERGER, KASUNIC, HUGHES, RAFFERTY, ALLOWAY, BAKER, HUTCHINSON, BRUBAKER AND BROWNE, MARCH 27, 2014

AS REPORTED FROM COMMITTEE ON TRANSPORTATION, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 3, 2014

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, IN MISCELLANEOUS PROVISIONS, FURTHER PROVIDING FOR <--
3 ACCIDENTS INVOLVING DEATH OR PERSONAL INJURY; AND, in size,
4 weight and load, further providing for length of vehicles, <--
5 FOR CONDITIONS OF PERMITS AND SECURITY FOR DAMAGES AND FOR
6 PERMITS FOR MOVEMENT OF A MOBILE HOME OR A MODULAR HOUSING
7 UNIT AND MODULAR HOUSING UNDERCARRIAGE.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 ~~Section 1. Section 4923(a) of Title 75 of the Pennsylvania <--
11 Consolidated Statutes is amended to read:~~

12 SECTION 1. SECTIONS 3742(B) AND 4923(A) OF TITLE 75 OF THE <--
13 PENNSYLVANIA CONSOLIDATED STATUTES ARE AMENDED TO READ:

14 § 3742. ACCIDENTS INVOLVING DEATH OR PERSONAL INJURY.

15 * * *

16 (B) PENALTIES.--

17 (1) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, ANY
18 PERSON VIOLATING THIS SECTION COMMITS A MISDEMEANOR OF THE
19 FIRST DEGREE.

1 (2) IF THE VICTIM SUFFERS SERIOUS BODILY INJURY, ANY
2 PERSON VIOLATING SUBSECTION (A) COMMITS A FELONY OF THE THIRD
3 DEGREE, AND THE SENTENCING COURT SHALL ORDER THE PERSON TO
4 SERVE A MINIMUM TERM OF IMPRISONMENT OF NOT LESS THAN 90 DAYS
5 AND A MANDATORY MINIMUM FINE OF \$1,000, NOTWITHSTANDING ANY
6 OTHER PROVISION OF LAW.

7 (3) (I) IF THE VICTIM DIES, ANY PERSON VIOLATING
8 SUBSECTION (A) COMMITS A FELONY OF THE SECOND DEGREE, AND
9 THE SENTENCING COURT SHALL ORDER THE PERSON TO SERVE A
10 MINIMUM TERM OF IMPRISONMENT OF NOT LESS THAN [ONE YEAR]
11 THREE YEARS AND A MANDATORY MINIMUM FINE OF \$2,500,
12 NOTWITHSTANDING ANY OTHER PROVISION OF LAW.

13 (II) IN ADDITION TO THE MINIMUM TERM OF IMPRISONMENT
14 PROVIDED FOR IN SUBPARAGRAPH (I), THE PENNSYLVANIA
15 COMMISSION ON SENTENCING SHALL PROVIDE WITHIN ITS
16 GUIDELINES A SENTENCING ENHANCEMENT IF THE VICTIM DIES AS
17 THE RESULT OF A VIOLATION OF SUBSECTION (A). THE
18 PROVISIONS OF THIS SUBPARAGRAPH SHALL NOT BE AN ELEMENT
19 OF THE CRIME, AND NOTICE OF THE PROVISIONS OF THIS
20 SUBPARAGRAPH SHALL NOT BE REQUIRED PRIOR TO CONVICTION,
21 BUT REASONABLE NOTICE OF THE COMMONWEALTH'S INTENTION TO
22 PROCEED UNDER THIS SUBPARAGRAPH SHALL BE PROVIDED AFTER
23 CONVICTION AND BEFORE SENTENCING.

24 * * *

25 § 4923. Length of vehicles.

26 (a) Motor vehicles.--

27 (1) Except as provided in paragraph (2), no motor
28 vehicle, including any load and bumpers, shall exceed an
29 overall length of 40 feet.

30 (2) Paragraph (1) does not apply to the following:

1 (i) A motor vehicle equipped with a boom or boomlike
2 device if the vehicle does not exceed 55 feet.

3 (ii) A bus, school bus or motor home which does not
4 exceed 45 feet.

5 (iii) An articulated bus which does not exceed 63
6 feet.

7 (iv) An automobile or boat transporter which does
8 not exceed 45 feet, exclusive of an overhang of not more
9 than three feet on the front and four feet on the rear.

10 * * *

11 SECTION 2. SECTION 4962(F.2) OF TITLE 75 IS AMENDED AND THE <--
12 SECTION IS AMENDED BY ADDING SUBSECTIONS TO READ:

13 § 4962. CONDITIONS OF PERMITS AND SECURITY FOR DAMAGES.

14 * * *

15 (F.2) ONE PILOT CAR.--VEHICLES GREATER THAN 13 FEET BUT
16 [LESS] NOT GREATER THAN 14 FEET IN BODY WIDTH, EVEN IF THE TOTAL
17 LENGTH OF THE VEHICLE OR COMBINATION, INCLUDING THE LOAD ON THE
18 COMBINATION, EXCEEDS 90 FEET BUT IS NOT IN EXCESS OF 120 FEET,
19 SHALL ONLY BE REQUIRED TO MAINTAIN ONE PILOT CAR. THE POSITION
20 OF THE PILOT CAR TO THE FRONT OR REAR OF THE PERMITTED VEHICLE
21 MAY BE DETERMINED BY THE DEPARTMENT.

22 * * *

23 (F.4) TRAVEL RESTRICTION.--A PERMITTED OVERSIZED VEHICLE MAY
24 NOT TRAVEL WITHIN 1,000 FEET OF ANOTHER PERMITTED OVERSIZED
25 VEHICLE TRAVELING IN THE SAME DIRECTION, UNLESS THE VEHICLE IS
26 ONE OF THE FOLLOWING:

27 (1) A MILITARY VEHICLE.

28 (2) A VEHICLE TRAVELING IN A CONSTRUCTION ZONE.

29 (3) A VEHICLE TRAVELING WITHIN 2,500 FEET OF A STOP
30 SIGN, TRAFFIC LIGHT OR ANY OTHER TRAFFIC SIGNAL OR EVENT THAT

1 WOULD CAUSE EITHER VEHICLE TO COME TO A STOP.
2 (F.5) TRANSPORT.--NOTWITHSTANDING THE PROVISIONS OF THIS
3 TITLE TO THE CONTRARY, A PERMIT ISSUED UNDER SECTION 4961 OR
4 4973 (RELATING TO PERMITS FOR MOVEMENT OF A MOBILE HOME OR A
5 MODULAR HOUSING UNIT AND MODULAR HOUSING UNDERCARRIAGE) FOR THE
6 MOVEMENT OF MANUFACTURED HOMES, MODULAR HOMES, MOBILE HOMES,
7 MANUFACTURED CONSTRUCTION UNITS OR MODULAR HOUSING
8 UNDERCARRIAGES SHALL PERMIT THE TRANSPORT OF MULTIPLE SECTIONS
9 OF HOMES, UNITS OR UNDERCARRIAGES OR ANY AND ALL COMPONENTS
10 NEEDED OR USED TO ASSEMBLE THE HOMES, UNITS OR UNDERCARRIAGES,
11 INCLUDING, BUT NOT LIMITED TO, SHINGLES, DORMERS, TRUSSES AND
12 GABLE END WALLS, PROVIDED THAT THE MULTIPLE SECTIONS AND
13 COMPONENTS DO NOT EXCEED THE WIDTH, LENGTH OR HEIGHT LIMITATIONS
14 SET FORTH IN THE PERMIT.

15 * * *

16 SECTION 3. SECTION 4973(E) OF TITLE 75 IS AMENDED TO READ:
17 § 4973. PERMITS FOR MOVEMENT OF A MOBILE HOME OR A MODULAR
18 HOUSING UNIT AND MODULAR HOUSING UNDERCARRIAGE.

19 * * *

20 [(E) RESTRICTED TRAVEL PERIODS.--A VEHICLE, COMBINATION OR
21 LOAD PERMITTED UNDER THIS SECTION THAT IS WIDER THAN 14 FEET IN
22 BODY WIDTH SHALL BE MOVED ONLY FROM 9:00 A.M. TO SUNSET ON
23 MONDAY, TUESDAY, WEDNESDAY AND THURSDAY AND FROM 9:00 A.M. TO 12
24 NOON ON FRIDAY. MOVEMENT UNDER THIS SECTION IS NOT AUTHORIZED AT
25 ANY TIME ON SATURDAY OR SUNDAY OR DURING ANY HOLIDAY PERIOD
26 SPECIFIED IN DEPARTMENTAL REGULATIONS OR THE PERMIT.]

27 Section 2 4. This act shall take effect in 60 days.

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