

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 748 Session of 2015

INTRODUCED BY ARGALL, SCAVELLO, BOSCOLA, SCHWANK, STEFANO, CORMAN AND HUGHES, APRIL 21, 2015

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, SEPTEMBER 21, 2015

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in general provisions relating to operation of
3 vehicles, further providing for obedience to authorized
4 persons directing traffic; and providing for drivers of
5 certified escort vehicles; in other required equipment,
6 further providing for identification of certain vehicles;
7 and, in size, weight and load, further providing for scope
8 and application of chapter and, for conditions of permits and <--
9 security for damages AND FOR PERMIT FOR MOVEMENT DURING <--
10 COURSE OF MANUFACTURE.

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

13 Section 1. Section 3102 of Title 75 of the Pennsylvania
14 Consolidated Statutes is amended to read:

15 § 3102. Obedience to authorized persons directing traffic.

16 No person shall willfully fail or refuse to comply with any
17 lawful order or direction of:

18 (1) any uniformed police officer, sheriff or constable
19 or, in an emergency, a railroad or street railway police
20 officer; [or]

21 (2) any appropriately attired person, including an agent

1 or employee of the funeral director during a funeral,
2 authorized to direct, control or regulate traffic [or an];

3 (3) any employee who has been trained in traffic control
4 by a licensed and insured private security company and who is
5 acting in the scope of employment[.]; or

6 (4) any driver of a certified escort vehicle as defined
7 under section 3108 (relating to drivers of certified escort
8 vehicles) and who is acting in the capacity as a driver of a
9 certified escort vehicle.

10 Section 2. Title 75 is amended by adding a section to read:
11 § 3108. Drivers of certified escort vehicles.

12 (a) General rule.--The driver of a certified escort vehicle
13 that is being operated to escort a super load must be certified
14 and licensed by the department and wear attire that complies
15 with 67 Pa. Code § 101.3(5) (relating to minimum attire).

16 (b) Criteria to be established.--Within one year of the
17 effective date of this section, the department shall establish
18 criteria for certified escort vehicles and for determining
19 certification and licensing of drivers of certified escort
20 vehicles within this Commonwealth and shall post the criteria on
21 the department's publicly accessible Internet website.

22 (c) Definitions.--The following words and phrases when used
23 in this section shall have the meanings given to them in this
24 subsection unless the context clearly indicates otherwise:

25 "Certified escort vehicle." A vehicle that is operated to
26 escort a super load on a highway of this Commonwealth.

27 "Super load." A vehicle or combination or load having a
28 gross weight exceeding 201,000 pounds, a total length exceeding
29 160 feet or a total width exceeding 16 feet. The term does not
30 include any of the following:

1 (1) A building under 67 Pa. Code § 179.11 (relating to
2 special vehicle-load restrictions).

3 (2) A vehicle or combination moved across the highway
4 under section 4965 (relating to single permits for multiple
5 highway crossings) or 4966 (relating to permit for movement
6 of quarry equipment).

7 (3) A drag line moved across a highway under permit.

8 Section 3. Sections 4573 and 4901(c) of Title 75 are amended
9 to read:

10 § 4573. Identification of certain vehicles.

11 (a) Commercial tow trucks.--Any truck which is used
12 commercially to tow other motor vehicles shall have the name of
13 the business, or person, operating [such] the truck displayed on
14 signs on both sides of [such] the truck.

15 (b) Certified escort vehicle.--Any certified escort vehicle
16 which is used to escort a super load as defined in section 3108
17 (relating to drivers of certified escort vehicles) shall display
18 the department's certification emblem, may use flashing or
19 revolving yellow lights in accordance with sections 4572
20 (relating to visual signals on authorized vehicles) and 6107
21 (relating to designation of authorized vehicles by department)
22 and shall comply with other department regulations, including
23 those pertaining to pilot cars.

24 § 4901. Scope and application of chapter.

25 * * *

26 (c) Permit authorizing prohibited movement.--If an
27 overweight or oversize movement cannot be made in any other
28 feasible manner, the permit may authorize the movement to be
29 made in contravention to any provision of this title provided
30 that:

1 (1) the department or local authority determines that
2 the movement is in the public interest; and

3 (2) the movement is escorted by [the Pennsylvania State
4 Police, extra-duty Pennsylvania State Police or department
5 personnel. When the movement is escorted by extra-duty
6 Pennsylvania State Police or department personnel,] certified
7 escort vehicles as defined under section 3108 (relating to
8 drivers of certified escort vehicles) or the Pennsylvania
9 State Police and the following shall apply:

10 (i) [Approval must be obtained from the Pennsylvania
11 State Police or the department for the use of their
12 respective personnel.] The department, in consultation
13 with the Pennsylvania State Police, shall determine
14 whether a Pennsylvania State Police escort is necessary.

15 (ii) [The] If it is jointly determined by the
16 Pennsylvania State Police and the department that the
17 movement must be escorted by the Pennsylvania State
18 Police, the permittee shall bear the total costs of
19 escorting the movement.

20 * * *

21 Section 4. Section 4962(d) of Title 75 is amended and the
22 section is amended by adding a subsection to read:

23 § 4962. Conditions of permits and security for damages.

24 * * *

25 (d) Special escort services.--The department or local
26 authorities shall specify what movements require special escort
27 services of the Pennsylvania State Police, local police or
28 department personnel as determined under section 4901(c)(2)
29 (relating to scope and application of chapter).

30 * * *

1 (f.6) One certified escort vehicle.--

2 (1) A super load, as defined in section 3108(c)
3 (relating to drivers of certified escort vehicles), shall be
4 required to maintain one certified escort vehicle under
5 section 4573(b) (relating to identification of certain
6 vehicles) unless otherwise determined under section 4901(c)
7 that an additional certified escort vehicle or a Pennsylvania
8 State Police escort is necessary.

9 (2) The requirements of this subsection are in addition
10 to, not in lieu of, all other pilot car requirements for the
11 super load movement.

12 * * *

13 SECTION 5. SECTION 4968(A.1)(3) OF TITLE 75 IS AMENDED, <--
14 SUBSECTION (A.2) IS AMENDED BY ADDING ~~A PARAGRAPH~~ PARAGRAPHS AND <--
15 SUBSECTION (B) IS AMENDED BY ADDING ~~A DEFINITION~~ DEFINITIONS TO <--
16 READ:

17 § 4968. PERMIT FOR MOVEMENT DURING COURSE OF MANUFACTURE.

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

19 AUTHORIZING MOVEMENT ON SPECIFIED HIGHWAYS OF:

20 * * *

21 (3) AIRCRAFT REFUELING VEHICLES OR VEHICLES AND
22 COMBINATIONS CARRYING MILK, RAW COAL, FLAT-ROLLED STEEL
23 COILS, STEEL SLABS, HOT INGOTS, A HOT BOX, PULPWOOD AND WOOD
24 CHIPS, RAW WATER OR CRYOGENIC LIQUID OR SUGAR WHICH EXCEED
25 THE MAXIMUM WEIGHT SPECIFIED IN SUBCHAPTER C WHILE THEY ARE
26 IN THE COURSE OF MANUFACTURE AND UNDER CONTRACT WITH OR UNDER
27 THE DIRECT CONTROL OF THE MANUFACTURER, PROVIDED THAT THEY DO
28 NOT EXCEED THE MAXIMUM HEIGHT, WIDTH OR LENGTH SPECIFIED IN
29 SUBCHAPTER B UNLESS THEY ALSO QUALIFY UNDER PARAGRAPH (1),
30 SUBJECT TO THE PROVISIONS IN SUBSECTION (A.2).

1 (A.2) SPECIFICATIONS.--

2 * * *

3 (14) A COMBINATION VEHICLE HAULING SUGAR MAY BE
4 PERMITTED BY THE DEPARTMENT AND LOCAL AUTHORITIES TO MOVE
5 UPON SPECIFIED HIGHWAYS WITHIN THEIR RESPECTIVE JURISDICTIONS
6 A DISTANCE NOT EXCEEDING FIVE MILES IF THE GROSS WEIGHT DOES
7 NOT EXCEED 95,000 POUNDS AND THE WEIGHT OF ANY NONSTEERING
8 AXLE DOES NOT EXCEED 21,000 POUNDS. NO PERMIT MAY BE ISSUED
9 FOR THIS TYPE OF MOVEMENT UPON AN INTERSTATE HIGHWAY.

10 (15) A COMBINATION VEHICLE WHICH IS HAULING ROCK SALT <--
11 FROM A MANUFACTURER MAY BE PERMITTED BY THE DEPARTMENT AND
12 LOCAL AUTHORITIES TO MOVE UPON HIGHWAYS WITHIN THEIR
13 RESPECTIVE JURISDICTIONS IF THE GROSS WEIGHT DOES NOT EXCEED
14 95,000 POUNDS. NO PERMIT MAY BE ISSUED FOR THIS TYPE OF
15 MOVEMENT UPON AN INTERSTATE HIGHWAY. AN APPLICATION TO THE
16 DEPARTMENT FOR THE MOVEMENT OF ROCK SALT SHALL DESIGNATE THE
17 ROUTE THE APPLICANT REQUESTS TO USE.

18 (B) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING
19 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
20 SUBSECTION:

21 * * *

22 "ROCK SALT." THE TERM SHALL REFER TO SALT USED FOR DE-ICING <--
23 AND ANTI-ICING OF ROADWAYS.

24 "SUGAR." THE TERM SHALL REFER TO GRANULATED RAW, SEMI-
25 REFINED OR REFINED SUGAR DERIVED FROM THE PROCESSING OF SUGAR
26 CANE OR SUGAR BEETS, REQUIRING FURTHER PROCESSING AND NOT
27 INTENDED FOR DIRECT CONSUMPTION OR RETAIL SALE.

28 Section 5 6. This act shall take effect in 60 days. <--