

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 793 Session of 2019

INTRODUCED BY BROOKS, VOGEL, K. WARD AND BREWSTER, JULY 8, 2019

SENATOR K. WARD, TRANSPORTATION, AS AMENDED, JUNE 9, 2020

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, IN COMMERCIAL DRIVERS, FURTHER PROVIDING FOR <--
3 REQUIREMENT FOR COMMERCIAL DRIVER'S LICENSE; AND, in size,
4 weight and load, further providing for restrictions on use of
5 highways and bridges AND FOR CONDITIONS OF PERMITS AND <--
6 SECURITY FOR DAMAGES.

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

9 Section 1. Section 4902(a) of Title 75 of the Pennsylvania <--
10 Consolidated Statutes is amended by adding a paragraph to read:

11 SECTION 1. SECTION 1606(B) OF TITLE 75 OF THE PENNSYLVANIA <--
12 CONSOLIDATED STATUTES IS AMENDED BY ADDING A PARAGRAPH TO READ:
13 § 1606. REQUIREMENT FOR COMMERCIAL DRIVER'S LICENSE.

14 * * *

15 (B) EXEMPTIONS.--THE FOLLOWING PERSONS ARE NOT REQUIRED TO
16 OBTAIN A COMMERCIAL DRIVER'S LICENSE IN ORDER TO DRIVE THE
17 COMMERCIAL MOTOR VEHICLE SPECIFIED:

18 * * *

19 (8) A DRIVER, EMPLOYED BY A POLITICAL SUBDIVISION,
20 OPERATING A COMMERCIAL MOTOR VEHICLE WITHIN THE BOUNDARIES OF

1 THE POLITICAL SUBDIVISION FOR THE PURPOSE OF REMOVING SNOW OR
2 ICE FROM A ROADWAY BY PLOWING, SANDING OR SALTING, IF:

3 (I) THE PROPERLY LICENSED EMPLOYEE WHO ORDINARILY
4 OPERATES A COMMERCIAL MOTOR VEHICLE FOR THE PURPOSE OF
5 REMOVING SNOW OR ICE FROM A ROADWAY BY PLOWING, SANDING
6 OR SALTING IS UNABLE TO OPERATE THE VEHICLE; OR

7 (II) THE POLITICAL SUBDIVISION DETERMINES THAT A
8 SNOW OR ICE EMERGENCY EXISTS THAT REQUIRES ADDITIONAL
9 ASSISTANCE.

10 * * *

11 SECTION 2. SECTION 4902(A) OF TITLE 75 IS AMENDED TO READ:

12 § 4902. Restrictions on use of highways and bridges.

13 (a) Restrictions based on condition of highway or bridge.--

14 * * *

15 (1) THE COMMONWEALTH AND LOCAL AUTHORITIES WITH RESPECT <--
16 TO HIGHWAYS AND BRIDGES UNDER THEIR JURISDICTIONS MAY <--
17 PROHIBIT THE OPERATION OF VEHICLES AND MAY IMPOSE
18 RESTRICTIONS AS TO THE WEIGHT OR SIZE OF VEHICLES OPERATED
19 UPON A HIGHWAY OR BRIDGE ONLY WHEN THEY DETERMINE BY
20 CONDUCTING AN ENGINEERING AND TRAFFIC STUDY AS PROVIDED FOR
21 IN DEPARTMENT REGULATIONS THAT THE HIGHWAY OR BRIDGE MAY BE
22 DAMAGED OR DESTROYED UNLESS USE BY VEHICLES IS PROHIBITED OR
23 THE PERMISSIBLE SIZE OR WEIGHT OF VEHICLES IS REDUCED.

24 (2) SCHOOL BUSES, EMERGENCY VEHICLES AND VEHICLES MAKING
25 LOCAL DELIVERIES OR PICKUPS MAY BE EXEMPTED FROM RESTRICTIONS
26 ON THE USE OF HIGHWAYS IMPOSED UNDER THIS SUBSECTION.

27 (2.1) The following shall apply:

28 (i) Vehicles operated by municipalities and local
29 authorities for road maintenance or construction shall be
30 exempt from restrictions on the use of highways imposed

1 under this subsection while maintaining or constructing
2 municipal roads.

3 (ii) Vehicles operated by persons under contract
4 with municipalities or local authorities for road
5 maintenance shall be exempt from restrictions on the use
6 of highways imposed under this subsection while
7 maintaining municipal roads if authorized by the
8 municipality or local authority. Any vehicle deemed
9 exempt under this subparagraph shall, while maintaining
10 municipal roads, carry written documentation signed by an
11 official of the municipality or local authority that
12 specifically identifies the vehicle as exempt.

13 * * *

14 (3) THE DEPARTMENT [MAY] SHALL ISSUE A STATEMENT OF <--
15 POLICY, WHICH SHALL TAKE EFFECT UPON PUBLICATION IN THE <--
16 PENNSYLVANIA BULLETIN, ADOPTING AN APPROPRIATE METHODOLOGY TO
17 PROVIDE LETTERS OF LOCAL DETERMINATION THAT IDENTIFY
18 PARTICULAR VEHICLES, ROUTES OR USES AS LOCAL IN NATURE.

19 (4) THE METHODOLOGY UNDER PARAGRAPH (3) [MAY] SHALL
20 ALLOW FOR EXEMPTIONS FROM 67 PA. CODE CH. 189 (RELATING TO
21 HAULING IN EXCESS OF POSTED WEIGHT LIMIT) RELATED TO THE AT-
22 RISK INDUSTRY OF LOGGING OR OTHER FOREST PRODUCTS
23 EXPERIENCING A 20% DECLINE IN STATEWIDE EMPLOYMENT BETWEEN
24 MARCH 2002 AND MARCH [2011] 2019, AS DETERMINED BY THE
25 DEPARTMENT OF LABOR AND INDUSTRY.

26 (5) [THE EXEMPTIONS AND RELATED REQUIREMENTS UNDER
27 PARAGRAPH (4) MAY REMAIN IN EXISTENCE ONLY UNTIL DECEMBER 31,
28 2023.] EXEMPTIONS FOR LOCAL DELIVERY OR PICKUP MAY NOT
29 INCLUDE TRAFFIC GOING TO OR COMING FROM A SITE AT WHICH
30 MINERALS, NATURAL GAS OR NATURAL RESOURCES ARE DEVELOPED,

1 HARVESTED OR EXTRACTED, NOTWITHSTANDING WHETHER THE SITE IS
2 LOCATED AT A RESIDENCE, A COMMERCIAL SITE OR ON FARMLAND.
3 DELIVERY OR PICKUP OF LOGS OR OTHER FOREST PRODUCTS TO OR
4 FROM PERMANENT PROCESSING MILLS LOCATED ON OR REACHABLE ONLY
5 THROUGH POSTED HIGHWAYS SHALL BE CONSIDERED LOCAL DELIVERY OR
6 PICKUP. DELIVERY OR PICKUP OF COAL TO OR FROM PERMANENT COAL
7 REPROCESSING OR PREPARATION PLANTS LOCATED ON OR REACHABLE
8 ONLY THROUGH POSTED HIGHWAYS AND NOT ON THE SAME POSTED
9 HIGHWAY AS A SITE AT WHICH COAL IS EXTRACTED SHALL BE
10 CONSIDERED LOCAL DELIVERY OR PICKUP.

11 * * *

12 SECTION 3. SECTION 4962 OF TITLE 75 IS AMENDED BY ADDING A
13 SUBSECTION TO READ:

14 § 4962. CONDITIONS OF PERMITS AND SECURITY FOR DAMAGES.

15 * * *

16 (F.7) MOVEMENT OF DOZERS.--

17 (1) A PERMITTED VEHICLE OR COMBINATION HAULING A DOZER
18 WITH AN ATTACHED BLADE IN EXCESS OF 12 FEET IN WIDTH, BUT NOT
19 WIDER THAN 15 FEET, MAY MOVE UPON A HIGHWAY IF:

20 (I) A TRAFFIC PROTECTOR GUIDERAIL DEVICE IS SECURELY
21 FASTENED TO THE DOZER; OR

22 (II) THE BLADE IS ANGLED SO THE TOTAL WIDTH OF THE
23 LOAD DOES NOT EXCEED 12 FEET.

24 (2) A BLADE OVER 15 FEET IN WIDTH SHALL BE REMOVED AND
25 HAULED SEPARATELY.

26 * * *

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

<--