

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 145 Session of 2021

INTRODUCED BY BROOKS, SCAVELLO, PITTMAN, STEFANO AND BOSCOLA, JANUARY 29, 2021

SENATOR LANGERHOLC, TRANSPORTATION, AS AMENDED, APRIL 6, 2022

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. IN SIZE, WEIGHT AND LOAD, FURTHER <--
7 PROVIDING FOR RESTRICTIONS ON USE OF HIGHWAYS AND BRIDGES.

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

10 Section 1. Section 1606(b) of Title 75 of the Pennsylvania <--
11 Consolidated Statutes is amended by adding a paragraph to read:
12 § 1606. Requirement for commercial driver's license.

13 * * *

14 (b) Exemptions. The following persons are not required to
15 obtain a commercial driver's license in order to drive the
16 commercial motor vehicle specified:

17 * * *

18 (9) A driver, employed by a political subdivision,
19 operating a commercial motor vehicle within the boundaries of
20 the political subdivision for the purpose of removing snow or

1 ~~ice from a roadway by plowing, sanding or salting, if:~~

2 ~~(i) the properly licensed employee who ordinarily~~
3 ~~operates a commercial motor vehicle for the purpose of~~
4 ~~removing snow or ice from a roadway by plowing, sanding~~
5 ~~or salting is unable to operate the vehicle; or~~

6 ~~(ii) the political subdivision determines that a~~
7 ~~snow or ice emergency exists that requires additional~~
8 ~~assistance.~~

9 * * *

10 Section 2. ~~Section 4902(a) of Title 75 is amended to read:~~

11 ~~§ 4902. Restrictions on use of highways and bridges.~~

12 ~~(a) Restrictions based on condition of highway or bridge.~~

13 ~~(1) The Commonwealth and local authorities with respect~~
14 ~~to highways and bridges under their jurisdictions may~~
15 ~~prohibit the operation of vehicles and may impose~~
16 ~~restrictions as to the weight or size of vehicles operated~~
17 ~~upon a highway or bridge only when they determine by~~
18 ~~conducting an engineering and traffic study as provided for~~
19 ~~in department regulations that the highway or bridge may be~~
20 ~~damaged or destroyed unless use by vehicles is prohibited or~~
21 ~~the permissible size or weight of vehicles is reduced.~~

22 ~~(2) School buses, emergency vehicles and vehicles making~~
23 ~~local deliveries or pickups may be exempted from restrictions~~
24 ~~on the use of highways imposed under this subsection.~~

25 ~~(2.1) The following shall apply:~~

26 ~~(i) Vehicles operated by municipalities and local~~
27 ~~authorities for road maintenance or construction shall be~~
28 ~~exempt from restrictions on the use of highways imposed~~
29 ~~under this subsection while maintaining or constructing~~
30 ~~municipal roads.~~

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

~~(3) The department [may] shall issue a statement of policy, which shall take effect upon publication in the Pennsylvania Bulletin, adopting an appropriate methodology to provide letters of local determination that identify particular vehicles, routes or uses as local in nature.~~

~~(4) The methodology under paragraph (3) [may] shall allow for exemptions from 67 Pa. Code Ch. 189 (relating to hauling in excess of posted weight limit) related to the at-risk industry of logging or other forest products experiencing a 20% decline in Statewide employment between March 2002 and March [2011] 2019, as determined by the Department of Labor and Industry.~~

~~(5) [The exemptions and related requirements under paragraph (4) may remain in existence only until December 31, 2023.] Exemptions for local delivery or pickup may not include traffic going to or coming from a site at which minerals, natural gas or natural resources are developed, harvested or extracted, notwithstanding whether the site is located at a residence, a commercial site or on farmland. Delivery or pickup of logs or other forest products to or~~

1 ~~from permanent processing mills located on or reachable only~~
2 ~~through posted highways shall be considered local delivery or~~
3 ~~pickup. Delivery or pickup of coal to or from permanent coal~~
4 ~~reprocessing or preparation plants located on or reachable~~
5 ~~only through posted highways and not on the same posted~~
6 ~~highway as a site at which coal is extracted shall be~~
7 ~~considered local delivery or pickup.~~

8 * * *

9 ~~Section 3. Section 4962 of Title 75 is amended by adding a~~
10 ~~subsection to read:~~

11 ~~§ 4962. Conditions of permits and security for damages.~~

12 * * *

13 ~~(f.7) Movement of dozers.~~

14 ~~(1) A permitted vehicle or combination hauling a dozer~~
15 ~~with an attached blade in excess of 12 feet in width, but not~~
16 ~~wider than 15 feet, may move upon a highway if:~~

17 ~~(i) a traffic protector guiderail device is securely~~
18 ~~fastened to the dozer; or~~

19 ~~(ii) the blade is angled so the total width of the~~
20 ~~load does not exceed 12 feet.~~

21 ~~(2) A blade over 15 feet in width shall be removed and~~
22 ~~hailed separately.~~

23 * * *

24 ~~Section 4. This act shall take effect in 60 days.~~

25 SECTION 1. SECTION 4902(A) (5) OF TITLE 75 OF THE <--
26 PENNSYLVANIA CONSOLIDATED STATUTES IS AMENDED AND THE SUBSECTION
27 IS AMENDED BY ADDING A PARAGRAPH TO READ:

28 § 4902. RESTRICTIONS ON USE OF HIGHWAYS AND BRIDGES.

29 (A) RESTRICTIONS BASED ON CONDITION OF HIGHWAY OR BRIDGE.--

30 * * *

1 (2.1) GOVERNMENT-OWNED VEHICLES, VEHICLES OF LOCAL
2 GOVERNMENT AGENCY CONTRACTORS PROVIDING MATERIAL FOR
3 MAINTENANCE AND DEPARTMENT CONTRACTORS ENGAGED IN OR
4 PROVIDING MATERIAL FOR CONSTRUCTION OR MAINTENANCE SHALL BE
5 EXEMPTED FROM RESTRICTIONS ON THE USE OF HIGHWAYS, EXCEPT
6 BRIDGES, IMPOSED UNDER THIS SUBSECTION EXCEPT IN ACCORDANCE
7 WITH DEPARTMENT REGULATIONS. THE FOLLOWING TYPES OF DOCUMENTS
8 SHALL CONSTITUTE EVIDENCE THAT A VEHICLE IS TRAVELING TO OR
9 FROM A SITE IN ACCORDANCE WITH THIS PARAGRAPH:

10 (I) A BILL OF LADING.

11 (II) A SHIPPING ORDER.

12 (III) A SERVICE ORDER OR OTHER DOCUMENT THAT
13 INDICATES THE ADDRESS OF THE SITE AND PURPOSE OF THE
14 TRIP.

15 * * *

16 (5) THE EXEMPTIONS AND RELATED REQUIREMENTS UNDER
17 PARAGRAPH (4) MAY REMAIN IN EXISTENCE ONLY UNTIL DECEMBER 31,
18 [2023] 2028. EXEMPTIONS FOR LOCAL DELIVERY OR PICKUP MAY NOT
19 INCLUDE TRAFFIC GOING TO OR COMING FROM A SITE AT WHICH
20 MINERALS, NATURAL GAS OR NATURAL RESOURCES ARE DEVELOPED,
21 HARVESTED OR EXTRACTED, NOTWITHSTANDING WHETHER THE SITE IS
22 LOCATED AT A RESIDENCE, A COMMERCIAL SITE OR ON FARMLAND.
23 DELIVERY OR PICKUP OF LOGS OR OTHER FOREST PRODUCTS TO OR
24 FROM PERMANENT PROCESSING MILLS LOCATED ON OR REACHABLE ONLY
25 THROUGH POSTED HIGHWAYS SHALL BE CONSIDERED LOCAL DELIVERY OR
26 PICKUP. DELIVERY OR PICKUP OF COAL TO OR FROM PERMANENT COAL
27 REPROCESSING OR PREPARATION PLANTS LOCATED ON OR REACHABLE
28 ONLY THROUGH POSTED HIGHWAYS AND NOT ON THE SAME POSTED
29 HIGHWAY AS A SITE AT WHICH COAL IS EXTRACTED SHALL BE
30 CONSIDERED LOCAL DELIVERY OR PICKUP.

1 * * *

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