

No. 2004-211

AN ACT

SB 938

Amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further defining "multipurpose agricultural vehicle" and "special mobile equipment"; further providing for accidents involving death or personal injury while not properly licensed, for reports by police, for ignition interlock, for width of certain vehicles and for length of vehicles; and adding a road in Wilkes-Barre Township to the State Highway System.

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

Section 1. The definitions of "multipurpose agricultural vehicle" and "special mobile equipment" in section 102 of Title 75 of the Pennsylvania Consolidated Statutes are amended to read:

§ 102. Definitions.

Subject to additional definitions contained in subsequent provisions of this title which are applicable to specific provisions of this title, the following words and phrases when used in this title shall have, unless the context clearly indicates otherwise, the meanings given to them in this section:

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"Multipurpose agricultural vehicle." A motor vehicle which is [50] 60 inches or less in width and [600] 1,200 pounds or less in dry weight and which is used exclusively for agricultural operations and only incidentally operated or moved upon the highways.

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"Special mobile equipment."

(1) Vehicles not designed or used primarily for the transportation of persons or property, except for tools and parts necessary for the use and maintenance of the vehicle, and only incidentally operated or moved over a highway.

(2) Vehicles which have machinery permanently attached shall not carry a load, except for tools and parts necessary for the use and maintenance of the permanently attached machinery and are only incidentally operated or moved over a highway.

(3) *Motor vehicles used primarily for road and bridge maintenance or repair which carry a load of asphalt emulsion or epoxy and aggregate material, that is applied as a finished product by the vehicle's equipment directly to a highway or trafficway for maintenance or repair of the road or bridge surface.*

The term includes, but is not limited to, ditch digging apparatus, well boring apparatus; earth moving and road construction and maintenance machinery, such as asphalt spreaders, bituminous mixers, bucket loaders, snowplows, ditchers, graders, *patchers*, finishing machines, road rollers, scarifiers, earth

moving carryalls, scrapers, power shovels and drag lines; and self-propelled cranes and tractors, other than truck tractors. The term does not include house trailers; dump trucks; or truck-mounted transit mixers, cranes or shovels.

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Section 2. Sections 3742.1(a), 3751(b), 3805(a), 4921(b)(1) and 4923 of Title 75 are amended to read:

§ 3742.1. Accidents involving death or personal injury while not properly licensed.

(a) Offense defined.—A person whose operating privilege was *disqualified*, canceled, recalled, revoked or suspended and not restored or who does not hold a valid driver's license *and applicable endorsements for the type and class of vehicle being operated* commits an offense under this section if the person was the driver of any vehicle and caused an accident resulting in injury or death of any person.

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§ 3751. Reports by police.

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(b) Furnishing copies of report.—

(1) Police departments shall, upon request, furnish [**at a cost not to exceed \$15**] a certified copy of the full report of the police investigation of any vehicle accident to any person involved in the accident, his attorney or insurer, and to the Federal Government, branches of the military service, Commonwealth agencies, and to officials of political subdivisions and to agencies of other states and nations and their political subdivisions.

(2) *Except as provided in paragraph (3), the cost of furnishing a copy of a report under this subsection shall not exceed \$15.*

(3) *In a city of the first class, the cost of furnishing a copy of a report under this subsection shall not exceed \$25.*

(4) The copy of the report shall not be admissible as evidence in any action for damages or criminal proceedings arising out of a motor vehicle accident.

(5) Police departments may refuse to furnish the complete copy of investigation of the vehicle accident whenever there are criminal charges pending against any persons involved in the vehicle accident unless the Pennsylvania Rules of Criminal Procedure require the production of the documents.

§ 3805. Ignition interlock.

(a) General rule.—If a person violates section 3802 (relating to driving under influence of alcohol or controlled substance) and, *within the past ten years*, has a prior offense as defined in section 3806(a) (relating to prior offenses) or [**if a person**] has had their operating privileges suspended pursuant to section 1547(b.1) (relating to chemical testing to determine amount of alcohol or controlled substance) or 3808(c) (relating to illegally

operating a motor vehicle not equipped with ignition interlock) and the person seeks a restoration of operating privileges, the department shall require as a condition of issuing a restricted license pursuant to this section that the following occur:

(1) Each motor vehicle owned by the person or registered to the person has been equipped with an ignition interlock system and remains so for the duration of the restricted license period.

(2) If there are no motor vehicles owned by the person or registered to the person that the person so certify to the department. A person so certifying shall be deemed to have satisfied the requirement that all motor vehicles owned by the person or registered to the person be equipped with an ignition interlock system as required by this subsection.

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§ 4921. Width of vehicles.

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(b) Special vehicles.—

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

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§ 4923. Length of vehicles.

(a) Motor vehicles.—

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

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

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

(ii) A bus or motor home which does not exceed 45 feet.

(iii) An articulated bus which does not exceed 60 feet.

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

(b.1) Combinations.—

(1) The length of a single trailer being towed by a truck tractor shall not exceed 53 feet provided the distance between the kingpin and the center line of the rear axle or rear axle group does not exceed 41 feet or, in the case of a trailer used exclusively or primarily to transport vehicles in connection with motor sports competition events, does not exceed 46 feet.

(2) For a double trailer, the length of each trailer being towed in combination by a truck tractor shall not exceed 28 1/2 feet.

(3) The overall length of the combination of a truck tractor with a conventional fifth wheel and an auto or boat transporter shall not exceed

65 feet, exclusive of an overhang of not more than three feet on the front and four feet on the rear of the combination.

(4) The overall length of a stinger-steered auto or boat transporter combination shall not exceed 75 feet, exclusive of an overhang of not more than three feet on the front and four feet on the rear of the combination.

(5) The overall length of a saddle-mount combination shall not exceed 75 feet.

(6) The overall length of a maxi-cube combination shall not exceed 65 feet.

(7) A combination consisting of any tow truck towing a disabled motor vehicle to a place of repairs or other place of safety.

(8) A combination transporting articles that, themselves, do not exceed 70 feet in length and are nondivisible as to length.

(c) **Definitions.**—*As used in this section, the following words and phrases shall have the meanings given to them in this subsection:*

“Automobile or boat transporter.” *A truck of a total length not greater than 45 feet, exclusive of an overhang of not more than three feet on the front and four feet on the rear of the vehicle configured by the manufacturer to haul either automobiles, light trucks or boats.*

Section 3. (a) New Street in Wilkes-Barre Township, Luzerne County, from SR 2007 (East Northampton Street) to SR 8029/0760 (ramp) is hereby adopted as a State highway.

(b) The Township of Wilkes-Barre is hereby relieved of all responsibility for maintenance of New Street as described in subsection (a).

Section 4. This act shall take effect as follows:

(1) The amendment of 75 Pa.C.S. § 3805(a) shall take effect June 30, 2007.

(2) This section shall take effect immediately.

(3) The remainder of this act shall take effect in 60 days.

APPROVED—The 30th day of November, A.D. 2004.

EDWARD G. RENDELL