

No. 104

AN ACT

HB 509

Amending the act of April 29, 1959 (P.L.58, No.32), entitled "An act consolidating and revising the Vehicle Code, the Tractor Code, the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership, possession and use of vehicles and tractors," limiting the use and sale of studded tires and providing penalties.

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

Section 1. Subsection (c) and the penalty clause of section 829, act of April 29, 1959 (P.L.58, No.32), known as "The Vehicle Code," subsection (c) amended August 10, 1965 (P.L.317, No.167), are amended to read:

Section 829. Chains and Tires.—

* * *

(c) No tire on a vehicle moved on a highway shall have on its periphery any block, stud, flange, cleat or spike, or any other protuberance which projects beyond the tread of the traction surface of the tire, of any material other than rubber, except that it shall be permissible to use (1) tire chains consisting of not less than five (5) cross chains and which do not project more than one (1) inch upon the outside surface of the periphery of the wheel of any vehicle, and (2) **from November 1 of each year to April 30 of the following year** tires in which have been inserted ice grips or tire studs of wear-resisting material, installed in such manner as to provide resiliency upon contact with the road, with projections not to exceed **[three thirty-seconds (3/32)] two thirty-seconds (2/32)** of an inch beyond the tread of the traction surface of the tire, and constructed to prevent any appreciable damage to the road surface: **Provided, That after the effective date of this amending act, the sale of tires in which have been inserted ice grips or tire studs with projections in excess of two thirty-seconds (2/32) of an inch shall be prohibited: And, provided further, That the Governor may by executive order extend the time tires with ice grips or tire studs may be used when highway conditions are such that such tires would be a safety factor in traveling Commonwealth highways: And, be it further provided, That fire fighting and fire emergency vehicles may use tires with ice grips or tire studs during any time of the year.**

* * *

Penalty.—Any person violating any of the provisions of subsection (a) **[(b) or (c)] or (b)** of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten dollars (\$10.00) and

costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Any person violating any of the provisions of subsection (c) of this section, shall upon summary conviction before a magistrate, be sentenced to pay a fine as indicated in the chart below and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than thirty (30) days:

<i>May 1 to May 31</i>	<i>\$35</i>
<i>June 1 to June 30</i>	<i>45</i>
<i>July 1 to July 31</i>	<i>55</i>
<i>August 1 to August 31</i>	<i>55</i>
<i>September 1 to September 30</i>	<i>55</i>
<i>October 1 to October 31</i>	<i>55</i>
<i>November 1 to April 30</i>	<i>10</i>

Section 2. This act shall take effect April 1, 1974.

APPROVED—The 17th day of June, A. D. 1974.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly No. 104.



Secretary of the Commonwealth.