

No. 1985-52

AN ACT

HB 94

Amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, changing the definition of "emergency vehicle"; further providing for registration exemptions; placing limitations on the use of speed timing devices; increasing the maximum charge for emission inspections; and further providing for single permits for multiple highway crossings.

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

Section 1. The definition of "emergency vehicle" in section 102 of Title 75 of the Pennsylvania Consolidated Statutes is 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:

* * *

"Emergency vehicle." A fire department vehicle, police vehicle, ambulance, blood-delivery vehicle, armed forces emergency vehicle, one vehicle operated by a coroner or chief county medical examiner and one vehicle operated by a chief deputy coroner or deputy chief county medical examiner used for answering emergency calls, one private vehicle of a fire or police chief or assistant chief or, when a fire company has three or more fire vehicles, a second assistant chief, or fire police captain and fire police lieutenant or ambulance corps commander or assistant commander or of a river rescue commander *or assistant commander* or emergency management coordinator or fire marshal used for answering emergency calls or other vehicle designated by the State Police under section 6106 (relating to designation of emergency vehicles by Pennsylvania State Police).

* * *

Section 2. Section 1302(13) of Title 75 is amended to read:

§ 1302. Vehicles exempt from registration.

The following types of vehicles are exempt from registration:

* * *

(13) Any oversized or overweight [**vehicles exclusive of load and only**] *vehicle which may be* moved or operated *only* under a permit [**issued**] *and without a load* pursuant to section 4961(a) (relating to authority to issue permits) *and 4962(f) (relating to when loads permitted).*

* * *

Section 3. Section 3368(c) of Title 75 is amended and the section is amended by adding a subsection to read:

§ 3368. Speed timing devices.

* * *

(c) Mechanical, electrical and electronic devices authorized.—

(1) [The] *Except as otherwise provided in this section, the* rate of speed of any vehicle may be timed on any highway by a police officer using a mechanical or electrical speed timing device.

(2) Electronic devices such as radio-microwave devices (commonly referred to as electronic speed meters or radar) may be used only by members of the Pennsylvania State Police. No person may be convicted upon evidence obtained through the use of such devices unless the speed recorded is six or more miles per hour in excess of the legal speed limit.

* * *

(e) Distance requirements for use of mechanical, electrical and electronic devices.—Mechanical, electrical or electronic devices may not be used to time the rate of speed of vehicles within 500 feet after a speed limit sign indicating a decrease of speed. This limitation on the use of speed timing devices shall not apply to speed limit signs indicating school zones, bridge and elevated structure speed limits, hazardous grade speed limits and work zone speed limits.

Section 4. Section 4706(d) of Title 75 is amended to read:

§ 4706. Prohibition on expenditures for emission inspection program.

* * *

(d) Charge for inspection.—Whenever a system for the periodic inspection of emissions or emission systems is established as authorized in subsection (b), the maximum charge for such inspection shall be **[\$5] \$8**. No additional charge shall be made by the inspecting station for one necessary reinspection within 30 days of the original inspection.

* * *

Section 5. Section 4904 of Title 75 is amended by adding a subsection to read:

§ 4904. Limits on number of towed vehicles.

* * *

(g) Combinations permitted under section 4965(2).—Combinations permitted only to cross a highway to get from one commercial or industrial facility to another under section 4965(2) (relating to single permits for multiple highway crossings) may consist of more than two units as long as the dimensions and gross axle and wheel weight of the combination and loads do not exceed the maximums specified in this chapter.

Section 6. Section 4961(a) of Title 75 is amended by adding a paragraph to read:

§ 4961. Authority to issue permits.

(a) General rule.—The department and local authorities with respect to highways under their respective jurisdictions may, upon application in writing showing good cause, issue special permits in writing authorizing the applicant to operate or move on specified highways any of the following:

* * *

(7) *Such other vehicles and combinations as are specifically authorized in this chapter.*

* * *

Section 7. Section 4962 of Title 75 is amended by adding a subsection to read:

§ 4962. Conditions of permits and security for damages.

* * *

(f) *When loads permitted.—Only vehicles and combinations permitted under the following provisions shall be authorized to carry or haul loads while operating under the permit:*

Section 4965(2) (relating to single permits for multiple highway crossings).

Section 4969 (relating to permit for movement of vehicles with oversize wheels and tires).

Section 4970(b) (relating to permit for movement of construction equipment).

Section 4971 (relating to permit for operation of chemical and fertilizer vehicles).

Section 4972 (relating to permits for migrant farm vehicles).

Section 8. Section 4965 of Title 75 is amended to read:

§ 4965. Single permits for multiple highway crossings.

A single permit may be issued for a number of movements across the highway at specified locations within a fixed period of time of vehicles or combinations:

- (1) exceeding the maximum size or weight specified in this chapter; or
- (2) used to cross a highway to get from one commercial *or* industrial facility to another commercial *or* industrial facility under the same operation.

Whenever a permit is issued for crossing the highway, it is unlawful to move the vehicles along the highway.

Section 9. (a) Section 4 (relating to section 4706(d)) of the act shall take effect September 1, 1985, or immediately, whichever is later.

(b) Sections 2, 5, 6, 7 and 8 of this act shall take effect in 90 days.

(c) Sections 1 and 3 of this act shall take effect in 60 days.

(d) Section 9 of this act shall take effect immediately.

APPROVED—The 11th day of July, A. D. 1985.

DICK THORNBURGH