

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1414 Session of 2017

INTRODUCED BY BARRAR, BOBACK, V. BROWN, GABLER, GILLEN, KAVULICH, MURT, ZIMMERMAN AND KORTZ, MAY 19, 2017

AS REPORTED FROM COMMITTEE ON TRANSPORTATION, HOUSE OF REPRESENTATIVES, AS AMENDED, DECEMBER 11, 2017

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in other required equipment, further providing for <--
3 visual signals on authorized vehicles. IN GENERAL PROVISIONS, <--
4 FURTHER PROVIDING FOR DEFINITIONS; AND, IN OTHER REQUIRED
5 EQUIPMENT, FURTHER PROVIDING FOR VISUAL SIGNALS ON AUTHORIZED
6 VEHICLES AND PROVIDING FOR FLASHING OR REVOLVING YELLOW AND
7 WHITE LIGHTS AND FOR SOLID WASTE COLLECTION VEHICLES.

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

10 Section 1. Section 4572 of Title 75 of the Pennsylvania <--
11 Consolidated Statutes is amended by adding a subsection to read:
12 § 4572. Visual signals on authorized vehicles.

13 * * *

14 (d) Emergency towing lights. The following shall apply:

15 (1) A tow truck may be equipped with one or more
16 flashing or revolving yellow lights and one or more flashing
17 or revolving red lights to remove a disabled vehicle under
18 one of the following conditions:

19 (i) Responding to a 911 dispatch.

20 (ii) Responding to a request from law enforcement

1 ~~for the removal of a disabled vehicle.~~

2 ~~(iii) Responding to a request from the owner or~~
3 ~~operator of the disabled vehicle.~~

4 ~~(2) The manner in which the light or lights shall be~~
5 ~~displayed and the intensity shall be determined by regulation~~
6 ~~of the department.~~

7 ~~(3) The combination of yellow and red lights specified~~
8 ~~in this subsection may be used only during the period in~~
9 ~~which the tow truck is at the incident to which it was~~
10 ~~dispatched or requested for the removal of a disabled~~
11 ~~vehicle. Use of the combination lights to and from the~~
12 ~~incident is prohibited.~~

13 ~~(4) Unauthorized use of the lights specified in this~~
14 ~~subsection shall be a summary offense punishable by a fine of~~
15 ~~not less than \$500 nor more than \$1,000.~~

16 SECTION 1. THE DEFINITION OF "EMERGENCY VEHICLE" IN SECTION <--
17 102 OF TITLE 75 OF THE PENNSYLVANIA CONSOLIDATED STATUTES IS
18 AMENDED AND THE SECTION IS AMENDED BY ADDING A DEFINITION TO
19 READ:

20 § 102. DEFINITIONS.

21 SUBJECT TO ADDITIONAL DEFINITIONS CONTAINED IN SUBSEQUENT
22 PROVISIONS OF THIS TITLE WHICH ARE APPLICABLE TO SPECIFIC
23 PROVISIONS OF THIS TITLE, THE FOLLOWING WORDS AND PHRASES WHEN
24 USED IN THIS TITLE SHALL HAVE, UNLESS THE CONTEXT CLEARLY
25 INDICATES OTHERWISE, THE MEANINGS GIVEN TO THEM IN THIS SECTION:

26 * * *

27 "EMERGENCY VEHICLE." A STATE OR COUNTY EMERGENCY MANAGEMENT
28 VEHICLE, FIRE DEPARTMENT VEHICLE, POLICE VEHICLE, SHERIFF
29 VEHICLE, AMBULANCE, ADVANCED LIFE SUPPORT SQUAD VEHICLE, BASIC
30 LIFE SUPPORT SQUAD VEHICLE, EMERGENCY CANTEEN SUPPORT SERVICE

1 ORGANIZATION VEHICLE, BLOOD DELIVERY VEHICLE, HUMAN ORGAN
2 DELIVERY VEHICLE, HAZARDOUS MATERIAL RESPONSE VEHICLE, ARMED
3 FORCES EMERGENCY VEHICLE, ONE VEHICLE OPERATED BY A CORONER OR
4 CHIEF COUNTY MEDICAL EXAMINER AND ONE VEHICLE OPERATED BY A
5 CHIEF DEPUTY CORONER OR DEPUTY CHIEF COUNTY MEDICAL EXAMINER
6 USED FOR ANSWERING EMERGENCY CALLS, A VEHICLE OWNED BY OR LEASED
7 TO A REGIONAL EMERGENCY MEDICAL SERVICES COUNCIL THAT IS USED AS
8 AUTHORIZED BY THE DEPARTMENT OF HEALTH TO RESPOND TO AN ACTUAL
9 OR POTENTIAL DISASTER, MASS CASUALTY SITUATION OR SUBSTANTIAL
10 THREAT TO PUBLIC HEALTH, A VEHICLE OWNED BY A COUNTY OR REGIONAL
11 POLICE ASSOCIATION AND OPERATED BY A POLICE OFFICER THAT IS USED
12 FOR POLICE TRANSPORT OR VICTIM EXTRACTION, A VEHICLE THAT IS
13 OWNED AND OPERATED BY A COUNTY CORRECTIONAL INSTITUTION IN A
14 CITY OF THE FIRST CLASS AND USED TO RESPOND TO AN EMERGENCY AT A
15 CORRECTIONAL INSTITUTION IN A CITY OF THE FIRST CLASS OR TO
16 ESCORT AN AMBULANCE WHICH IS TRANSPORTING SICK OR INJURED
17 PRISONERS IN A CITY OF THE FIRST CLASS, ANY VEHICLE OPERATED BY
18 A SPECIAL AGENT, SPECIAL AGENT SUPERVISOR, NARCOTICS AGENT OR
19 NARCOTICS AGENT SUPERVISOR WHILE PERFORMING OFFICIAL DUTIES AS
20 EMPLOYEES OF THE OFFICE OF ATTORNEY GENERAL, ANY VEHICLE OWNED
21 AND OPERATED BY THE PHILADELPHIA PARKING AUTHORITY ESTABLISHED
22 IN ACCORDANCE WITH 53 PA.C.S. CH. 55 (RELATING TO PARKING
23 AUTHORITIES) AND USED IN THE ENFORCEMENT OF 53 PA.C.S. CH. 57
24 (RELATING TO TAXICABS AND LIMOUSINES IN FIRST CLASS CITIES), A
25 VEHICLE OWNED BY A CITY OF THE FIRST CLASS AND OPERATED BY FIRST
26 JUDICIAL DISTRICT CERTIFIED ARMED PROBATION OFFICERS, A VEHICLE
27 OWNED AND OPERATED BY THE PENNSYLVANIA TURNPIKE COMMISSION THAT
28 IS USED BY AN EMERGENCY SERVICE RESPONDER AS DISPATCHED BY THE
29 PENNSYLVANIA TURNPIKE COMMISSION'S TRAFFIC OPERATIONS CENTER, OR
30 ANY OTHER VEHICLE DESIGNATED BY THE STATE POLICE UNDER SECTION

1 6106 (RELATING TO DESIGNATION OF EMERGENCY VEHICLES BY
2 PENNSYLVANIA STATE POLICE), OR A PRIVATELY OWNED VEHICLE USED IN
3 ANSWERING AN EMERGENCY CALL WHEN USED BY ANY OF THE FOLLOWING:

4 (1) A POLICE CHIEF AND ASSISTANT CHIEF.

5 (2) A FIRE CHIEF, ASSISTANT CHIEF AND, WHEN A FIRE
6 COMPANY HAS THREE OR MORE FIRE VEHICLES, A SECOND OR THIRD
7 ASSISTANT CHIEF.

8 (3) A FIRE POLICE CAPTAIN AND FIRE POLICE LIEUTENANT.

9 (4) AN AMBULANCE CORPS COMMANDER AND ASSISTANT
10 COMMANDER.

11 (5) A RIVER RESCUE COMMANDER AND ASSISTANT COMMANDER.

12 (6) A COUNTY EMERGENCY MANAGEMENT COORDINATOR.

13 (7) A FIRE MARSHAL.

14 (8) A RESCUE SERVICE CHIEF AND ASSISTANT CHIEF.

15 (9) THE CHIEF OR OPERATIONS DIRECTOR OF A COUNTY
16 HAZARDOUS MATERIALS RESPONSE TEAM.

17 * * *

18 "SOLID WASTE COLLECTION VEHICLE." A VEHICLE USED FOR THE
19 CURBSIDE COLLECTION OF MUNICIPAL SOLID WASTE OR RECYCLABLES.

20 * * *

21 SECTION 2. SECTION 4572(A) INTRODUCTORY PARAGRAPH OF TITLE
22 75 IS AMENDED AND THE SUBSECTION IS AMENDED BY ADDING A
23 PARAGRAPH TO READ:

24 § 4572. VISUAL SIGNALS ON AUTHORIZED VEHICLES.

25 (A) FLASHING OR REVOLVING BLUE LIGHTS.--AMBULANCE PERSONNEL,
26 VOLUNTEER FIREFIGHTERS, CERTIFIED VOLUNTEER SEARCH AND RESCUE
27 ORGANIZATION MEMBERS AND OWNERS AND HANDLERS OF DOGS USED IN
28 TRACKING HUMANS MAY EACH EQUIP ONE MOTOR VEHICLE WITH NO MORE
29 THAN TWO FLASHING OR REVOLVING BLUE LIGHTS. THE FOLLOWING SHALL
30 APPLY:

1 * * *

2 (7) THE DEPARTMENT MAY NOT PROHIBIT THE USE OF FLASHING
3 OR REVOLVING BLUE LIGHTS MOUNTED INTERNALLY IN THE PASSENGER
4 COMPARTMENT OF A PRIVATELY-OWNED VEHICLE USED IN ANSWERING AN
5 EMERGENCY CALL THAT OTHERWISE COMPLY WITH THE DEPARTMENT'S
6 REGULATIONS.

7 * * *

8 SECTION 3. TITLE 75 IS AMENDED BY ADDING SECTIONS TO READ:
9 § 4572.1. FLASHING OR REVOLVING YELLOW AND WHITE LIGHTS.

10 (A) GENERAL RULE.--TOW TRUCKS MAY BE EQUIPPED WITH ONE OR
11 MORE FLASHING OR REVOLVING YELLOW LIGHTS AND ONE OR MORE
12 FLASHING OR REVOLVING WHITE LIGHTS. THE MANNER IN WHICH THE
13 LIGHT OR LIGHTS SHALL BE DISPLAYED AND THE INTENSITY SHALL BE
14 DETERMINED BY REGULATION OF THE DEPARTMENT.

15 (B) LIMITATIONS.--THE FLASHING OR REVOLVING YELLOW AND WHITE
16 LIGHTS ON TOW TRUCKS SHALL BE ACTIVATED ONLY WHEN THE VEHICLE IS
17 ACTIVELY PERFORMING THE TYPE OF WORK WHICH IS THE BASIS OF THE
18 DESIGNATION OF THE VEHICLE AS AN AUTHORIZED VEHICLE OR IS WITHIN
19 THE VICINITY OF AN EMERGENCY RESPONSE AREA. TOW TRUCKS SHALL NOT
20 OPERATE WITH ACTIVATED FLASHING OR REVOLVING YELLOW AND WHITE
21 LIGHTS WHEN:

22 (1) NOT ENGAGED IN THE ACT OF TOWING A VEHICLE.

23 (2) BRAKE LIGHTS, TURN SIGNALS AND OPERATING LIGHTS ARE
24 VISIBLE FROM THE REAR AND NOT OBSTRUCTED.

25 (3) THE VEHICLE BEING TOWED DOES NOT TRAIL BEHIND THE
26 TOW TRUCK AND IS SECURELY POSITIONED ON THE FLATBED OF THE
27 TOW TRUCK WITH NO PARTS OF THE TOWED VEHICLE OVERHANGING.

28 (C) PENALTY.--UNAUTHORIZED USE OF THE LIGHTS SPECIFIED IN
29 THIS SUBSECTION SHALL BE A SUMMARY OFFENSE PUNISHABLE BY A FINE
30 OF \$50.

1 § 4572.2. SOLID WASTE COLLECTION VEHICLES.

2 (A) GENERAL RULE.--UPON APPROACHING AND PASSING A STATIONARY
3 SOLID WASTE COLLECTION VEHICLE THAT IS GIVING A VISUAL SIGNAL BY
4 MEANS OF BRIGHT YELLOW STROBE LIGHT AS REQUIRED UNDER SUBSECTION
5 (B), THE DRIVER OF AN APPROACHING VEHICLE SHALL PROCEED AS
6 FOLLOWS:

7 (1) MAKE A LANE CHANGE INTO A LANE NOT ADJACENT TO THE
8 SOLID WASTE COLLECTION VEHICLE, IF POSSIBLE IN THE EXISTING
9 SAFETY AND TRAFFIC CONDITIONS; OR

10 (2) IF A LANE CHANGE UNDER PARAGRAPH (1) WOULD BE
11 IMPOSSIBLE, PROHIBITED BY LAW OR UNSAFE, REDUCE THE SPEED OF
12 THE MOTOR VEHICLE TO A REASONABLE AND PROPER SPEED FOR THE
13 EXISTING ROAD AND TRAFFIC CONDITIONS, WHICH SHALL BE LESS
14 THAN THE POSTED SPEED LIMIT, AND BE PREPARED TO STOP.

15 (B) REQUIREMENTS FOR SOLID WASTE COLLECTION VEHICLES.--SOLID
16 WASTE COLLECTION VEHICLES SHALL BE EQUIPPED WITH A BRIGHT YELLOW
17 STROBE LIGHT AFFIXED TO THE ROOF, WHICH SHALL BE MOUNTED TO
18 PROVIDE VISIBILITY TO VEHICLES APPROACHING FROM ANY DIRECTION,
19 IN ACCORDANCE WITH DEPARTMENT REGULATIONS. THE STROBE LIGHT
20 SHALL BE ACTIVE WHILE STOPPED UPON A STREET AND WHILE ENGAGED IN
21 THE COLLECTION OF GARBAGE, SOLID WASTES, RECYCLABLES AND REFUSE
22 OR WHILE MOVING BETWEEN STOPS AT A SPEED NOT GREATER THAN 10
23 MILES PER HOUR.

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

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