
 THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. **2025** Session of
2015

INTRODUCED BY REESE, TAYLOR, W. KELLER, ADOLPH, BAKER, CARROLL,
CUTLER, DUNBAR, FRANKEL, GABLER, GALLOWAY, GIBBONS,
GILLESPIE, HAHN, HARHAI, HARHART, A. HARRIS, HEFFLEY,
KAUFFMAN, M. K. KELLER, KILLION, LONGIETTI, MACKENZIE, MAHER,
MAJOR, MARSICO, MATZIE, MUSTIO, OBERLANDER, PEIFER, PETRARCA,
PYLE, SACCONI, SAINATO, SAYLOR, SIMMONS, SNYDER, STURLA,
PICKETT, ROTHMAN, NELSON AND D. COSTA, APRIL 29, 2016

AS AMENDED ON SECOND CONSIDERATION, IN SENATE, OCTOBER 18, 2016

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, IN GENERAL PROVISIONS, FURTHER PROVIDING FOR <--
3 DEFINITIONS; in registration of vehicles, further providing
4 for temporary registration cards; ~~AND,~~ FOR DISPLAY OF <--
5 REGISTRATION PLATE AND FOR SURRENDER OF REGISTRATION PLATES
6 AND CARDS UPON SUSPENSION OR REVOCATION AND PROVIDING FOR
7 SUSPENSION OF REGISTRATION UPON UNPAID TOLLS; IN COMMERCIAL
8 DRIVERS, FURTHER PROVIDING FOR COMMERCIAL DRIVER'S LICENSE;
9 IN FEES, FURTHER PROVIDING FOR TRUCKS AND TRUCK TRACTORS AND
10 FOR REINSTATEMENT OF OPERATING PRIVILEGE OR VEHICLE
11 REGISTRATION; IN MISCELLANEOUS PROVISIONS, FURTHER PROVIDING
12 FOR THE OFFENSE OF HOMICIDE BY VEHICLE AND FOR THE OFFENSE OF
13 AGGRAVATED ASSAULT BY VEHICLE; in inspection of vehicles,
14 further providing for REQUIREMENT FOR PERIODIC INSPECTION OF <--
15 VEHICLES, FOR LIMITED LIABILITY OF INSPECTION STATION OR
16 MECHANIC, FOR suspension of certificates of appointment and
17 for certification of mechanics; IN SIZE, WEIGHT AND LOAD,
18 FURTHER PROVIDING FOR PERMIT FOR MOVEMENT DURING COURSE OF
19 MANUFACTURE; AND, IN ABANDONED VEHICLES AND CARGO, FURTHER
20 PROVIDING FOR REPORTS BY PRIVATE PROPERTY OWNERS OF ABANDONED
21 VEHICLES.

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

24 ~~Section 1. Sections 1310(b), 4702.1(B), 4724(a) and (b) and <--~~

1 ~~4726(b) and (c) of Title 75 of the Pennsylvania Consolidated~~
2 ~~Statutes are amended to read:~~

3 SECTION 1. PARAGRAPH (1) OF THE DEFINITION OF "ABANDONED <--
4 VEHICLE" IN SECTION 102 OF THE TITLE 75 OF THE PENNSYLVANIA
5 CONSOLIDATED STATUTES IS AMENDED BY ADDING A SUBPARAGRAPH TO
6 READ:

7 § 102. DEFINITIONS.

8 SUBJECT TO ADDITIONAL DEFINITIONS CONTAINED IN SUBSEQUENT
9 PROVISIONS OF THIS TITLE WHICH ARE APPLICABLE TO SPECIFIC
10 PROVISIONS OF THIS TITLE, THE FOLLOWING WORDS AND PHRASES WHEN
11 USED IN THIS TITLE SHALL HAVE, UNLESS THE CONTEXT CLEARLY
12 INDICATES OTHERWISE, THE MEANINGS GIVEN TO THEM IN THIS SECTION:

13 "ABANDONED VEHICLE."

14 (1) A VEHICLE (OTHER THAN A PEDALCYCLE) SHALL BE
15 PRESUMED TO BE ABANDONED UNDER ANY OF THE FOLLOWING
16 CIRCUMSTANCES, BUT THE PRESUMPTION IS REBUTTABLE BY A
17 PREPONDERANCE OF THE EVIDENCE:

18 * * *

19 (V) THE VEHICLE HAS REMAINED ON THE PRIVATE PROPERTY
20 OF A SALVOR FOR 20 DAYS.

21 * * *

22 SECTION 2. SECTIONS 1310(B), 1332(B) AND (C) AND 1376(B.1)
23 OF TITLE 75 ARE AMENDED TO READ:

24 § 1310. Temporary registration cards.

25 * * *

26 (b) Duration.--Temporary registration cards shall be valid
27 for such period as the department shall designate. Temporary
28 registration cards issued to a vehicle acquired in this
29 Commonwealth for transportation to another state for
30 registration or use in the other state shall be valid for 60

1 days from the date of issuance.

2 * * *

3 § 1332. DISPLAY OF REGISTRATION PLATE. <--

4 * * *

5 (B) OBSCURING PLATE.--IT IS UNLAWFUL TO DISPLAY ON ANY
6 VEHICLE A REGISTRATION PLATE WHICH:

7 (1) IS SO DIRTY AS TO PREVENT THE READING OF THE NUMBER
8 OR LETTERS THEREON AT A REASONABLE DISTANCE;

9 (2) IS OBSCURED IN ANY MANNER WHICH INHIBITS THE PROPER
10 OPERATION OF AN AUTOMATED RED LIGHT ENFORCEMENT SYSTEM IN
11 PLACE PURSUANT TO SECTION 3116 (RELATING TO AUTOMATED RED
12 LIGHT ENFORCEMENT SYSTEMS IN FIRST CLASS CITIES) OR 3117
13 (RELATING TO AUTOMATED RED LIGHT ENFORCEMENT SYSTEMS IN
14 CERTAIN MUNICIPALITIES) OR ANY OTHER AUTOMATED ENFORCEMENT
15 SYSTEM AUTHORIZED BY THIS TITLE OR AN ELECTRONIC TOLL
16 COLLECTION SYSTEM AS AUTHORIZED UNDER 74 PA.C.S. § 8117
17 (RELATING TO TOLL COLLECTION); [OR]

18 (3) IS OTHERWISE ILLEGIBLE AT A REASONABLE DISTANCE OR
19 IS OBSCURED IN ANY MANNER[.]; OR

20 (4) IS OBSCURED, COVERED OR OTHERWISE OBSTRUCTED IN A
21 MANNER WHICH INHIBITS THE VISIBILITY OF THE ISSUING
22 JURISDICTION AT A REASONABLE DISTANCE.

23 (C) PENALTY FOR OBSCURED PLATE.--ANY PERSON WHO VIOLATES
24 SUBSECTION (B) (2) OR (4) COMMITS A SUMMARY OFFENSE AND SHALL,
25 UPON CONVICTION, BE SENTENCED TO PAY A FINE OF \$100.

26 * * *

27 § 1376. SURRENDER OF REGISTRATION PLATES AND CARDS UPON
28 SUSPENSION OR REVOCATION.

29 * * *

30 (B.1) IMMEDIATE SEIZURE OF REGISTRATION PLATES AND CARDS.--

1 THE DEPARTMENT MAY DELEGATE AUTHORITY TO THE PERSONS DESCRIBED
2 IN THIS SECTION TO IMMEDIATELY SEIZE REGISTRATION PLATES AND
3 CARDS UPON IMPOSITION OF THE FOLLOWING:

4 (1) A SUSPENSION IMPOSED PURSUANT TO SECTION 1374(D)(3)
5 OR (4) (RELATING TO SUSPENSION OR REVOCATION OF VEHICLE
6 BUSINESS REGISTRATION PLATES) UNTIL ALL FEES, TAXES AND
7 PENALTIES HAVE BEEN PAID;

8 (2) A SUSPENSION OR REVOCATION IMPOSED PURSUANT TO
9 SECTION 1373(B)(3) (RELATING TO SUSPENSION OF REGISTRATION)
10 OR 1374(G);

11 (3) A SUSPENSION OR REVOCATION IS REINSTATED AFTER
12 DETERMINATION OF A MATTER AS PROVIDED IN SECTION 1377
13 (RELATING TO JUDICIAL REVIEW); [OR]

14 (4) A SUSPENSION IMPOSED PURSUANT TO SECTION 1379
15 (RELATING TO SUSPENSION OF REGISTRATION UPON SIXTH UNPAID
16 PARKING VIOLATION IN CITIES OF THE FIRST CLASS) UNTIL ALL
17 FINES, PENALTIES AND COSTS HAVE BEEN PAID[.]; OR

18 (5) A SUSPENSION IMPOSED PURSUANT TO SECTION 1380
19 (RELATING TO SUSPENSION OF REGISTRATION UPON UNPAID TOLLS)
20 UNTIL ALL TOLLS, ADMINISTRATIVE FEES AND COSTS HAVE BEEN
21 PAID, DISMISSED, REVERSED ON APPEAL OR CANCELED OR IF THE
22 OWNER OR REGISTRANT ENTERS INTO AN AGREEMENT WITH THE TOLLING
23 ENTITY TO MAKE INSTALLMENT PAYMENTS.

24 * * *

25 SECTION 3. TITLE 75 IS AMENDED BY ADDING A SECTION TO READ:
26 § 1380. SUSPENSION OF REGISTRATION UPON UNPAID TOLLS.

27 (A) GENERAL RULE.--

28 (1) THE DEPARTMENT SHALL SUSPEND THE REGISTRATION OF A
29 VEHICLE UPON NOTIFICATION FROM A TOLLING ENTITY THAT THE
30 OWNER OR REGISTRANT OF THE VEHICLE HAS EITHER:

1 (I) FAILED TO PAY OR DEFAULTED IN THE PAYMENT OF SIX
2 OR MORE VIOLATIONS ISSUED UNDER 74 PA.C.S. § 8116(A)
3 (RELATING TO COLLECTION AND DISPOSITION OF TOLLS AND
4 OTHER REVENUE) OR 8117(A)(1) (RELATING TO ELECTRONIC TOLL
5 COLLECTION) OR OTHER LAW, REGULATION, ORDINANCE OR
6 STANDARD APPLICABLE TO THE TOLL COLLECTION OR PAYMENT
7 REQUIREMENTS FOR A TOLLING ENTITY; OR

8 (II) INCURRED UNPAID TOLLS OR ADMINISTRATIVE FEES OR
9 COSTS THAT COLLECTIVELY TOTAL A MINIMUM OF \$500,
10 REGARDLESS OF THE NUMBER OF VIOLATIONS.

11 (2) NOTHING IN PARAGRAPH (1) SHALL BE CONSTRUED TO LIMIT
12 A TOLLING ENTITY'S ABILITY TO RECOUP UNPAID TOLLS OR
13 ADMINISTRATIVE FEES OR COSTS BY ANY MEANS AVAILABLE UNDER THE
14 LAW.

15 (B) NOTICE.--PRIOR TO NOTIFYING THE DEPARTMENT UNDER
16 SUBSECTION (C), THE TOLLING ENTITY SHALL PROVIDE THE OWNER OR
17 REGISTRANT WRITTEN NOTICE BY FIRST CLASS MAIL OF ITS INTENT TO
18 SEEK SUSPENSION OF THE VEHICLE REGISTRATION UNDER THIS SECTION
19 AND AFFORD THE OWNER OR REGISTRANT WITH THE OPPORTUNITY TO BE
20 HEARD DURING AN ADMINISTRATIVE PROCEEDING.

21 (C) NOTICE TO DEPARTMENT.--

22 (1) NOT SOONER THAN 30 DAYS AFTER MAILING THE NOTICE
23 UNDER SUBSECTION (B), THE TOLLING ENTITY, PROVIDED IT HAS
24 ENTERED INTO AN AGREEMENT WITH THE DEPARTMENT TO ENFORCE THE
25 PROVISIONS OF THIS SECTION, MAY NOTIFY THE DEPARTMENT
26 ELECTRONICALLY IN A FORMAT PRESCRIBED BY THE DEPARTMENT
27 WHENEVER AN OWNER OR REGISTRANT MEETS THE REQUIREMENTS FOR
28 SUSPENSION UNDER SUBSECTION (A)(1).

29 (2) WHEN A TOLLING ENTITY HAS PROVIDED NOTICE UNDER THIS
30 SUBSECTION AND ALL OF THE VIOLATIONS ARE SUBSEQUENTLY PAID,

1 DISMISSED, REVERSED ON APPEAL OR CANCELED, THE TOLLING ENTITY
2 SHALL NOTIFY THE DEPARTMENT ELECTRONICALLY IN A FORMAT
3 PRESCRIBED BY THE DEPARTMENT OF THE DISPOSITION OF THE
4 VIOLATION AND SHALL PROVIDE THE OWNER OR REGISTRANT WITH A
5 RELEASE FROM THE SUSPENSION.

6 (D) PERIOD OF SUSPENSION.--A SUSPENSION UNDER SUBSECTION (A)
7 SHALL CONTINUE UNTIL THE DEPARTMENT RECEIVES NOTICE FROM THE
8 TOLLING ENTITY THAT THE VIOLATIONS ARE PAID, DISMISSED, REVERSED
9 ON APPEAL OR CANCELED OR THE OWNER OR REGISTRANT ENTERS INTO AN
10 AGREEMENT WITH THE TOLLING ENTITY TO MAKE INSTALLMENT PAYMENTS
11 FOR TOLLS, ADMINISTRATIVE FEES AND COSTS IMPOSED AND PAYS THE
12 FEE PRESCRIBED IN SECTION 1960 (RELATING TO REINSTATEMENT OF
13 OPERATING PRIVILEGE OR VEHICLE REGISTRATION), PROVIDED THAT THE
14 SUSPENSION MAY BE REIMPOSED BY THE DEPARTMENT IF THE OWNER OR
15 REGISTRANT FAILS TO MAKE REGULAR INSTALLMENT PAYMENTS.

16 (E) ADDITIONAL SUSPENSION.--THE DEPARTMENT SHALL IMPOSE AN
17 ADDITIONAL PERIOD OF REGISTRATION SUSPENSION IF, SUBSEQUENT TO
18 THE ISSUANCE OF A SUSPENSION UNDER SUBSECTION (A) BUT PRIOR TO
19 THE RESTORATION OF THE REGISTRATION, THE DEPARTMENT IS NOTIFIED
20 BY THE TOLLING ENTITY THAT THE OWNER OR REGISTRANT HAS FAILED TO
21 PAY, FAILED TO RESPOND OR DEFAULTED IN THE PAYMENT OF AN
22 ADDITIONAL VIOLATION ISSUED UNDER 74 PA.C.S. § 8117(A)(1).

23 (F) VIOLATIONS OUTSIDE COMMONWEALTH.--

24 (1) THE DEPARTMENT SHALL SUSPEND THE REGISTRATION OF A
25 VEHICLE UPON THE NOTIFICATION FROM A TOLLING ENTITY THAT HAS
26 ENTERED INTO AN ENFORCEMENT AGREEMENT WITH THE DEPARTMENT AS
27 AUTHORIZED UNDER SECTION 6146 (RELATING TO ENFORCEMENT
28 AGREEMENTS) FOR ANY TOLL VIOLATION OF THAT STATE OR AN
29 AUTHORITY OR FOR FAILURE TO PAY ANY FINE OR COSTS IMPOSED IN
30 ACCORDANCE WITH THE LAWS OF THE JURISDICTION IN WHICH THE

1 VIOLATION OCCURRED.

2 (2) AN OWNER OR REGISTRANT WHO PROVIDES PROOF
3 SATISFACTORY TO THE DEPARTMENT THAT THE FULL AMOUNT OF THE
4 FINE AND COSTS HAS BEEN FORWARDED TO AND RECEIVED BY THE
5 OTHER STATE MAY NOT BE REGARDED AS HAVING FAILED TO PAY FOR
6 THE PURPOSES OF THIS SUBSECTION.

7 (G) DOCUMENTATION.--

8 (1) IN ANY PROCEEDING UNDER THIS SECTION, DOCUMENTS
9 OBTAINED BY THE DEPARTMENT FROM A TOLLING ENTITY OR FROM THE
10 APPROPRIATE AGENCY OF THE COMMONWEALTH OR ANOTHER STATE SHALL
11 BE ADMISSIBLE INTO EVIDENCE TO SUPPORT THE DEPARTMENT'S CASE.

12 (2) THE DEPARTMENT MAY TREAT THE DOCUMENTS AND REPORTS
13 AS DOCUMENTS OF THE DEPARTMENT AND USE ANY OF THE METHODS OF
14 STORAGE PERMITTED UNDER THE PROVISIONS OF 42 PA.C.S. § 6109
15 (RELATING TO PHOTOGRAPHIC COPIES OF BUSINESS AND PUBLIC
16 RECORDS) AND MAY REPRODUCE THE DOCUMENTS IN ACCORDANCE WITH
17 THE PROVISIONS OF 42 PA.C.S. § 6103 (RELATING TO PROOF OF
18 OFFICIAL RECORDS).

19 (3) THE DEPARTMENT MAY CERTIFY THAT IT HAS RECEIVED OR
20 OBTAINED DOCUMENTS AND REPORTS FROM A TOLLING ENTITY, THE
21 COMMONWEALTH OR OTHER STATES, AND THE CERTIFICATION SHALL BE
22 PRIMA FACIE PROOF OF THE FACTS CONTAINED IN THE DOCUMENTS AND
23 REPORTS.

24 (H) THREE-YEAR STATUTE OF LIMITATIONS.--NO SUSPENSION MAY BE
25 IMPOSED BASED UPON A VIOLATION OF 74 PA.C.S. § 8117(A) (1) OR
26 SIMILAR PROVISION FROM ANOTHER STATE MORE THAN THREE YEARS AFTER
27 THE VIOLATION IS COMMITTED.

28 (I) COLLECTION OF OUT-OF-STATE TOLLS.--THE DEPARTMENT OR A
29 TOLLING ENTITY MAY COLLECT THE CIVIL PENALTIES AND TOLLS IMPOSED
30 BY AN OUT-OF-STATE TOLLING ENTITY IF THE DEPARTMENT OR TOLLING

1 ENTITY HAS ENTERED INTO A RECIPROCITY AGREEMENT THAT CONFIRMS
2 THE FOLLOWING:

3 (1) THE OTHER STATE OR TOLLING ENTITY HAS ITS OWN
4 EFFECTIVE RECIPROCAL PROCEDURE FOR COLLECTING PENALTIES AND
5 TOLLS IMPOSED BY A COMMONWEALTH TOLLING ENTITY AND AGREES TO
6 COLLECT PENALTIES AND TOLLS OF THE COMMONWEALTH TOLLING
7 ENTITY BY EMPLOYING SANCTIONS THAT INCLUDE DENIAL OF AN
8 OWNER'S OR REGISTRANT'S RIGHT TO REGISTER OR REREGISTER A
9 MOTOR VEHICLE.

10 (2) THE PENALTIES, EXCLUSIVE OF TOLLS, CLAIMED BY THE
11 OTHER STATE OR TOLLING ENTITY AGAINST AN OWNER OR REGISTRANT
12 OF A MOTOR VEHICLE REGISTERED IN THIS COMMONWEALTH DO NOT
13 EXCEED \$100 FOR A FIRST VIOLATION OR \$600 FOR ALL PENDING
14 VIOLATIONS.

15 (3) THE OTHER STATE OR TOLLING ENTITY PROVIDES DUE
16 PROCESS AND APPEAL PROTECTIONS TO AVOID THE LIKELIHOOD THAT A
17 FALSE, MISTAKEN OR UNJUSTIFIED CLAIM WILL BE PURSUED AGAINST
18 AN OWNER OR REGISTRANT.

19 (4) AN OWNER OR REGISTRANT OF A MOTOR VEHICLE REGISTERED
20 IN THIS COMMONWEALTH MAY PRESENT EVIDENCE TO THE OTHER STATE
21 OR TOLLING ENTITY BY MAIL, TELEPHONE, ELECTRONIC MEANS OR
22 OTHER MEANS TO INVOKE RIGHTS OF DUE PROCESS, WITHOUT HAVING
23 TO APPEAR PERSONALLY IN THE JURISDICTION WHERE THE VIOLATION
24 IS ALLEGED TO HAVE OCCURRED.

25 (5) THE RECIPROCAL COLLECTION AGREEMENT BETWEEN THE
26 DEPARTMENT OR A TOLLING ENTITY AND THE OTHER STATE OR TOLLING
27 ENTITY PROVIDES THAT EACH PARTY MAY CHARGE THE OTHER A FEE
28 SUFFICIENT TO COVER THE COSTS OF COLLECTION SERVICES,
29 INCLUDING COSTS INCURRED BY THE AGENCY THAT REGISTERS MOTOR
30 VEHICLES.

1 (J) DEFINITION.--AS USED IN THIS SECTION, THE TERM "TOLLING
2 ENTITY" MEANS ANY OF THE FOLLOWING:

3 (1) THE PENNSYLVANIA TURNPIKE COMMISSION.

4 (2) AN ENTITY AUTHORIZED TO IMPOSE AND COLLECT TOLLS IN
5 ACCORDANCE WITH ANY OF THE FOLLOWING:

6 (I) THE LAWS OF THIS COMMONWEALTH.

7 (II) THE LAWS OF ANOTHER STATE.

8 (III) THE TERMS OF AN INTERSTATE COMPACT OR
9 AGREEMENT.

10 (3) AN AUTHORIZED AGENT OF AN ENTITY UNDER PARAGRAPH

11 (2).

12 SECTION 4. SECTION 1610(B) OF TITLE 75 IS AMENDED BY ADDING
13 A PARAGRAPH TO READ:

14 § 1610. COMMERCIAL DRIVER'S LICENSE.

15 * * *

16 (B) CLASSIFICATIONS, ENDORSEMENTS AND RESTRICTIONS.--

17 * * *

18 (4) A HAZARDOUS MATERIALS (CODE H) ENDORSEMENT SHALL NOT
19 BE REQUIRED FOR A DRIVER WITH CLASS A COMMERCIAL DRIVER'S
20 LICENSE WHO IS OPERATING A COMMERCIAL MOTOR VEHICLE IN
21 ACCORDANCE WITH 49 CFR § 383.3(I) (RELATING TO
22 APPLICABILITY).

23 * * *

24 SECTION 5. SECTION 1916(A) OF TITLE 75 IS AMENDED BY ADDING
25 PARAGRAPHS TO READ:

26 § 1916. TRUCKS AND TRUCK TRACTORS.

27 (A) GENERAL RULE.--

28 * * *

29 (3) A REGISTRATION FEE FOR A MOTOR CARRIER VEHICLE IN
30 EXCESS OF 17,000 POUNDS SHALL BE REFUNDED IF THE VEHICLE IS

1 STOLEN OR DEMOLISHED AND THE VEHICLE HAS A NONREPAIRABLE
2 CERTIFICATE OR CERTIFICATE OF SALVAGE. THE REFUND SHALL BE
3 PRORATED BASED ON THE NUMBER OF MONTHS THE VEHICLE WAS
4 OPERATIONAL.

5 (4) IN THE CASE OF APPORTIONED REGISTRATIONS, ONLY THE
6 FEES PAID FOR THE COMMONWEALTH PORTION OF THE FEES SHALL BE
7 ELIGIBLE FOR A REFUND.

8 * * *

9 SECTION 6. SECTIONS 1960, 3732(B)(1.1) AND (3), 3732.1(B)(2)
10 AND (4), 4702(B)(7), 4702.1(B), 4724(A) AND (B) AND 4726 (B) AND
11 (C) OF TITLE 75 ARE AMENDED TO READ:

12 § 1960. REINSTATEMENT OF OPERATING PRIVILEGE OR VEHICLE
13 REGISTRATION.

14 THE DEPARTMENT SHALL CHARGE A FEE OF \$70 OR, IF SECTION 1379
15 (RELATING TO SUSPENSION OF REGISTRATION UPON SIXTH UNPAID
16 PARKING VIOLATION IN CITIES OF THE FIRST CLASS), 1380 (RELATING
17 TO SUSPENSION OF REGISTRATION UPON UNPAID TOLLS) OR 1786(D)
18 (RELATING TO REQUIRED FINANCIAL RESPONSIBILITY) APPLIES, A FEE
19 OF \$88 TO RESTORE A PERSON'S OPERATING PRIVILEGE OR THE
20 REGISTRATION OF A VEHICLE FOLLOWING A SUSPENSION OR REVOCATION.

21 § 3732. HOMICIDE BY VEHICLE.

22 * * *

23 (B) SENTENCING.--

24 * * *

25 (1.1) IN ADDITION TO ANY OTHER PENALTY PROVIDED BY LAW,
26 A PERSON CONVICTED OF A VIOLATION OF SUBSECTION (A) AS THE
27 RESULT OF A VIOLATION OF SECTION 3316 (RELATING TO
28 PROHIBITING TEXT-BASED COMMUNICATIONS), 3325 (RELATING TO
29 DUTY OF DRIVER ON APPROACH OF EMERGENCY VEHICLE) OR 3327
30 (RELATING TO DUTY OF DRIVER IN EMERGENCY RESPONSE AREAS) AND

1 WHO IS CONVICTED OF VIOLATING SECTION 3316, 3325 OR 3327 MAY
2 BE SENTENCED TO AN ADDITIONAL TERM NOT TO EXCEED FIVE YEARS'
3 CONFINEMENT WHEN THE VIOLATION RESULTED IN DEATH.

4 * * *

5 (3) THE PENNSYLVANIA COMMISSION ON SENTENCING, PURSUANT
6 TO 42 PA.C.S. § 2154 (RELATING TO ADOPTION OF GUIDELINES FOR
7 SENTENCING), SHALL PROVIDE FOR A SENTENCING ENHANCEMENT FOR
8 AN OFFENSE UNDER THIS SECTION WHEN THE VIOLATION OCCURRED IN
9 AN ACTIVE WORK ZONE OR WAS THE RESULT OF A VIOLATION OF
10 SECTION 3316, 3325 OR 3327.

11 § 3732.1. AGGRAVATED ASSAULT BY VEHICLE.

12 * * *

13 (B) SENTENCING.--

14 * * *

15 (2) IN ADDITION TO ANY OTHER PENALTY PROVIDED BY LAW, A
16 PERSON CONVICTED OF A VIOLATION OF SUBSECTION (A) AS THE
17 RESULT OF A VIOLATION OF SECTION 3316 (RELATING TO
18 PROHIBITING TEXT-BASED COMMUNICATIONS), 3325 (RELATING TO
19 DUTY OF DRIVER ON APPROACH OF EMERGENCY VEHICLE) OR 3327
20 (RELATING TO DUTY OF DRIVER IN EMERGENCY RESPONSE AREAS) AND
21 WHO IS CONVICTED OF VIOLATING SECTION 3316, 3325 OR 3327 MAY
22 BE SENTENCED TO AN ADDITIONAL TERM NOT TO EXCEED TWO YEARS'
23 CONFINEMENT WHEN THE VIOLATION RESULTED IN SERIOUS BODILY
24 INJURY.

25 * * *

26 (4) THE PENNSYLVANIA COMMISSION ON SENTENCING, UNDER 42
27 PA.C.S. § 2154 (RELATING TO ADOPTION OF GUIDELINES FOR
28 SENTENCING), SHALL PROVIDE FOR A SENTENCING ENHANCEMENT FOR
29 AN OFFENSE UNDER THIS SECTION WHEN THE VIOLATION OCCURRED IN
30 AN ACTIVE WORK ZONE OR WAS THE RESULT OF A VIOLATION OF

1 SECTION 3316, 3325 OR 3327.

2 § 4702. REQUIREMENT FOR PERIODIC INSPECTION OF VEHICLES. <--

3 * * *

4 (B) SEMIANNUAL SAFETY INSPECTION OF CERTAIN VEHICLES.--THE
5 FOLLOWING VEHICLES SHALL BE SUBJECT TO SEMIANNUAL SAFETY
6 INSPECTION:

7 * * *

8 [(7) MOTOR CARRIER VEHICLES WITH A REGISTERED GROSS
9 WEIGHT IN EXCESS OF 17,000 POUNDS, OTHER THAN FARM VEHICLES
10 FOR WHICH A BIENNIAL CERTIFICATE OF EXEMPTION HAS BEEN
11 ISSUED.]

12 * * *

13 § 4702.1. LIMITED LIABILITY OF INSPECTION STATION OR MECHANIC. <--

14 * * *

15 [(B) PRIOR CERTIFICATION.--INSPECTION MECHANICS CERTIFIED AS
16 TO TRAINING, QUALIFICATIONS AND COMPETENCE, PRIOR TO JANUARY 1,
17 1983, SHALL BE DEEMED TO HAVE COMPLIED WITH DEPARTMENTAL
18 REGULATIONS AND SHALL BE AUTHORIZED TO CONDUCT MOTOR VEHICLE
19 INSPECTIONS WITHOUT REAPPLICATION FOR CERTIFICATION.]

20 § 4724. Suspension of certificates of appointment.

21 (a) General rule.--The department shall supervise and
22 inspect official inspection stations and may suspend the
23 certificate of appointment issued to a station and OR MAY impose <--
24 a monetary penalty OR MAY ISSUE A WARNING AGAINST THE STATION, <--
25 which it finds is not properly equipped or conducted or which
26 has violated or failed to comply with any of the provisions of
27 this chapter or regulations adopted by the department. A
28 schedule of all penalties, points and suspension may be
29 established by the department by publishing a notice in the
30 Pennsylvania Bulletin until the regulations governing these

1 penalties are promulgated by the department. The department
2 shall maintain a list of all stations holding certificates of
3 appointment and of those whose certificates of appointment have
4 been suspended. Any suspended certificate of appointment and all
5 unused certificates of inspection shall be returned immediately
6 to the department.

7 (b) Judicial review.--Any person whose mechanic certificate
8 issued under section 4726 (relating to certification of
9 mechanics) or certificate of appointment has been denied or
10 suspended or who has received a monetary penalty under this
11 chapter shall have the right to appeal to the court vested with
12 jurisdiction of such appeals by or pursuant to Title 42
13 (relating to judiciary and judicial procedure). The court shall
14 set the matter for hearing upon 60 days' written notice to the
15 department and take testimony and examine into the facts of the
16 case and determine whether the petitioner is entitled to a
17 mechanic certificate or certificate of appointment or is subject
18 to suspension [of the certificate of appointment] or monetary
19 penalty under the provisions of this chapter.

20 * * *

21 § 4726. Certification of mechanics.

22 * * *

23 (b) Supervision and suspension.--The department shall
24 supervise mechanics certified under this section and may suspend
25 the certification issued to a mechanic ~~and~~ OR may impose a <--
26 monetary penalty if it finds that the mechanic has improperly
27 conducted inspections or has violated or failed to comply with
28 any of the provisions of this chapter or regulations adopted by
29 the department. The department shall maintain a list of all
30 certified mechanics and of those whose certification has been

1 suspended. Any suspended certificate shall be returned
2 immediately to the department.

3 [(c) Judicial review.--Any mechanic whose certificate has
4 been denied or suspended under this chapter shall have the right
5 to appeal to the court vested with jurisdiction of such appeals
6 by or pursuant to Title 42 (relating to judiciary and judicial
7 procedure). The court shall set the matter for hearing upon 60
8 days' written notice to the department and take testimony and
9 examine into the facts of the case and determine whether the
10 petitioner is entitled to certification or is subject to
11 suspension of the certification under the provisions of this
12 chapter.]

13 SECTION 7. SECTION 4968(A.1)(3) OF TITLE 75 IS AMENDED, <--
14 SUBSECTION (A.2) IS AMENDED BY ADDING A PARAGRAPH AND SUBSECTION
15 (B) IS AMENDED BY ADDING A DEFINITION TO READ:

16 § 4968. PERMIT FOR MOVEMENT DURING COURSE OF MANUFACTURE.

17 (A.1) GENERAL RULE.--AN ANNUAL PERMIT MAY BE ISSUED
18 AUTHORIZING MOVEMENT ON SPECIFIED HIGHWAYS OF:

19 * * *

20 (3) AIRCRAFT REFUELING VEHICLES OR VEHICLES AND
21 COMBINATIONS CARRYING MILK, RAW COAL, FLAT-ROLLED STEEL
22 COILS, STEEL SLABS, HOT INGOTS, A HOT BOX, PULPWOOD AND WOOD
23 CHIPS, RAW WATER OR CRYOGENIC LIQUID OR SUGAR WHICH EXCEED
24 THE MAXIMUM WEIGHT SPECIFIED IN SUBCHAPTER C WHILE THEY ARE
25 IN THE COURSE OF MANUFACTURE AND UNDER CONTRACT WITH OR UNDER
26 THE DIRECT CONTROL OF THE MANUFACTURER, PROVIDED THAT THEY DO
27 NOT EXCEED THE MAXIMUM HEIGHT, WIDTH OR LENGTH SPECIFIED IN
28 SUBCHAPTER B UNLESS THEY ALSO QUALIFY UNDER PARAGRAPH (1),
29 SUBJECT TO THE PROVISIONS IN SUBSECTION (A.2).

30 (A.2) SPECIFICATIONS.--

1 * * *

2 (14) A COMBINATION VEHICLE HAULING SUGAR MAY BE
3 PERMITTED BY THE DEPARTMENT AND LOCAL AUTHORITIES TO MOVE
4 UPON SPECIFIED HIGHWAYS WITHIN THEIR RESPECTIVE JURISDICTIONS
5 A DISTANCE NOT EXCEEDING FIVE MILES IF THE GROSS WEIGHT DOES
6 NOT EXCEED 95,000 POUNDS AND THE WEIGHT OF ANY NONSTEERING
7 AXLE DOES NOT EXCEED 21,000 POUNDS. NO PERMIT MAY BE ISSUED
8 FOR THIS TYPE OF MOVEMENT UPON AN INTERSTATE HIGHWAY.

9 (B) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING
10 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
11 SUBSECTION:

12 * * *

13 "SUGAR." THE TERM SHALL REFER TO GRANULATED RAW, SEMI-
14 REFINED OR REFINED SUGAR DERIVED FROM THE PROCESSING OF SUGAR
15 CANE OR SUGAR BEETS, REQUIRING FURTHER PROCESSING AND NOT
16 INTENDED FOR DIRECT CONSUMPTION OR RETAIL SALE.

17 SECTION 8. SECTION 7311.1 OF TITLE 75 IS AMENDED TO READ:
18 § 7311.1. REPORTS BY PRIVATE PROPERTY OWNERS OF ABANDONED
19 VEHICLES.

20 (A) REMOVAL OF ABANDONED VEHICLES.--

21 (1) A PERSON ON WHOSE PRIVATE PROPERTY IS LOCATED A
22 VEHICLE WHICH HAS REMAINED ON THE PROPERTY WITHOUT THE
23 CONSENT OF THE PROPERTY OWNER OR HIS AGENT FOR MORE THAN 24
24 HOURS MAY AUTHORIZE THE REMOVAL OR PROCESSING OF THE VEHICLE.

25 (2) PRIOR TO REMOVAL OR PROCESSING OF THE VEHICLE, THAT
26 PERSON SHALL FILE A REPORT, ON A MULTIPART FORM PRESCRIBED BY
27 THE DEPARTMENT, WITH THE LOCAL POLICE DEPARTMENT DECLARING
28 THAT AN UNAUTHORIZED VEHICLE HAS BEEN LEFT UNATTENDED AND ON
29 PRIVATE PROPERTY FOR AT LEAST 24 HOURS. ONE PART OF SUCH
30 REPORT SHALL BE RETAINED BY THAT PERSON, AND THE OTHER PART

1 SHALL BE FILED WITH THE POLICE DEPARTMENT.

2 (3) THE POLICE DEPARTMENT SHALL, WITHIN FIVE BUSINESS
3 DAYS, PROCESS THE VEHICLE AS ABANDONED UNDER THIS CHAPTER AND
4 ATTACH A COPY OF THE REPORT TO THE ABANDONED VEHICLE
5 INFORMATION REPORT.

6 (B) SALVORS.--

7 (1) AN UNAUTHORIZED VEHICLE THAT HAS BEEN LEFT
8 UNATTENDED AND ON PRIVATE PROPERTY INCLUDES A VEHICLE TOWED
9 TO A SALVOR'S PROPERTY THAT HAS REMAINED ON THE SALVOR'S
10 PROPERTY FOR A PERIOD OF 20 DAYS.

11 (2) AFTER THE 20-DAY PERIOD, THE SALVOR MAY FILE A
12 REPORT AS PROVIDED UNDER SUBSECTION (A). IF THE SALVOR ELECTS
13 TO FILE A REPORT, THE SALVOR SHALL RETAIN AND PROCESS THE
14 VEHICLE FOR WHICH THE REPORT HAS BEEN FILED.

15 ~~Section 2. This act shall take effect in 60 days.~~ <--

16 SECTION 9. THIS ACT SHALL TAKE EFFECT AS FOLLOWS: <--

17 (1) THE FOLLOWING PROVISIONS SHALL TAKE EFFECT
18 IMMEDIATELY:

19 (I) THIS SECTION.

20 (II) THE AMENDMENT OF 75 PA.C.S. § 102.

21 (III) THE ADDITION OF 75 PA.C.S. § 1610(B)(4).

22 (IV) THE AMENDMENT OF 75 PA.C.S. § 7311.1.

23 (2) THE FOLLOWING PROVISIONS SHALL TAKE EFFECT IN NINE
24 MONTHS:

25 (I) THE AMENDMENT OF 75 PA.C.S. § 1332(B) AND (C).

26 (II) THE AMENDMENT OF 75 PA.C.S. § 1376(B.1).

27 (III) THE ADDITION OF 75 PA.C.S. § 1380.

28 (3) THE FOLLOWING PROVISIONS SHALL TAKE EFFECT IN 90
29 DAYS:

30 (I) THE ADDITION OF 75 PA.C.S. § 1916(A)(3).

1 (II) THE AMENDMENT OF 75 PA.C.S. § 4702(B)(7).
2 (4) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT IN 60
3 DAYS.