

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1171 Session of 2022

INTRODUCED BY HUTCHINSON, BOSCOLA, KANE, MENSCH, J. WARD, PITTMAN AND STEFANO, APRIL 1, 2022

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, JULY 6, 2022

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in size, weight and load, further providing for
3 restrictions on use of highways and bridges, for securing
4 loads in vehicles, FOR WIDTH OF VEHICLES and for permit for <--
5 movement during course of manufacture; AND, IN POWERS OF <--
6 DEPARTMENT AND LOCAL AUTHORITIES, FURTHER PROVIDING FOR
7 PROMULGATION OF RULES AND REGULATIONS BY DEPARTMENT.

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

10 Section 1. Section 4902(a)(5) of Title 75 of the
11 Pennsylvania Consolidated Statutes is amended and the subsection
12 is amended by adding a paragraph to read:

13 § 4902. Restrictions on use of highways and bridges.

14 (a) Restrictions based on condition of highway or bridge.--

15 * * *

16 (2.1) Government-owned vehicles, vehicles of local
17 government agency contractors providing material for
18 maintenance and department contractors engaged in or
19 providing material for construction or maintenance shall be

1 exempted from restrictions on the use of highways, except
2 bridges, imposed under this subsection in accordance with
3 department regulations. The following types of documents
4 shall constitute evidence that a vehicle is traveling to or
5 from a site in accordance with this paragraph:

6 (i) A bill of lading.

7 (ii) A shipping order.

8 (iii) A service order or other document that
9 indicates the address of the site and purpose of the
10 trip.

11 * * *

12 (5) The exemptions and related requirements under
13 paragraph (4) may remain in existence only until December 31,
14 [2023] 2028. Exemptions for local delivery or pickup may not
15 include traffic going to or coming from a site at which
16 minerals, natural gas or natural resources are developed,
17 harvested or extracted, notwithstanding whether the site is
18 located at a residence, a commercial site or on farmland.
19 Delivery or pickup of logs or other forest products to or
20 from permanent processing mills located on or reachable only
21 through posted highways shall be considered local delivery or
22 pickup. Delivery or pickup of coal to or from permanent coal
23 reprocessing or preparation plants located on or reachable
24 only through posted highways and not on the same posted
25 highway as a site at which coal is extracted shall be
26 considered local delivery or pickup.

27 * * *

28 ~~Section 2. Sections 4903(c.2) and 4968(a.2)(10)(i)~~ <--
29 ~~introductory paragraph and (ii) introductory paragraph of Title~~
30 ~~75 are amended to read:~~

1 SECTION 2. SECTION 4903(C.2) OF TITLE 75 IS AMENDED TO READ: <--

2 § 4903. Securing loads in vehicles.

3 * * *

4 (c.2) Load of baled garbage.--Garbage, municipal waste,
5 waste, refuse or rubbish in a tightly compacted and baled form
6 being transported through or within this Commonwealth shall be
7 securely fastened to the vehicle and covered over all exposed
8 areas by being placed within a woven bag or with a canvas cover
9 or cover of a comparable type [which]. If a canvas cover or
10 cover of a comparable type is used, the cover shall be securely
11 attached to the underside of all sides of the truck, trailer or
12 semitrailer [to prevent] by straps. A woven bag, canvas cover or
13 cover of a comparable type shall have the purpose of preventing
14 any of the material from the bales from escaping. No part of any
15 bale shall be uncovered, except for inspection, at any time
16 during transportation within or through this Commonwealth until
17 arrival at the disposal site.

18 * * *

19 SECTION 3. SECTION 4921(B) (6) OF TITLE 75 IS AMENDED AND THE <--
20 SUBSECTION IS AMENDED BY ADDING PARAGRAPHS TO READ:

21 § 4921. WIDTH OF VEHICLES.

22 (B) SPECIAL VEHICLES.--THE FOLLOWING PARAGRAPHS DETERMINE
23 WIDTHS FOR SPECIAL VEHICLES, WITH EACH PARAGRAPH SPECIFICALLY
24 CONTROLLING ITS OWN SUBJECT MATTER IN THE EVENT OF A CONFLICT
25 WITH ANOTHER PARAGRAPH:

26 * * *

27 (6) [COMMERCIAL] EXCEPT AS PROVIDED IN PARAGRAPH (6.1),
28 COMMERCIAL IMPLEMENTS OF HUSBANDRY NOT EXCEEDING 12 FEET IN
29 WIDTH, INCLUDING WHEELS AND TIRES, MAY BE DRIVEN, HAULED OR
30 TOWED BETWEEN SUNRISE AND SUNSET ON HIGHWAYS OTHER THAN

1 FREEWAYS.

2 (6.1) A COMMERCIAL IMPLEMENT OF HUSBANDRY NOT EXCEEDING
3 12 FEET IN WIDTH, INCLUDING WHEELS AND TIRES, MAY BE DRIVEN
4 BETWEEN SUNRISE AND SUNSET ON A FREEWAY, NOT INCLUDING THE
5 PENNSYLVANIA TURNPIKE OR AN INTERSTATE HIGHWAY, SUBJECT TO
6 ALL OF THE FOLLOWING:

7 (I) THE COMMERCIAL IMPLEMENT OF HUSBANDRY IS CAPABLE
8 OF REACHING SPEEDS OF AT LEAST 40 MILES PER HOUR AND
9 MAINTAINS A SPEED OF AT LEAST 40 MILES PER HOUR AT ALL
10 TIMES WHEN BEING DRIVEN ON THE FREEWAY, UNLESS OTHERWISE
11 REQUIRED BY THIS TITLE.

12 (II) THE TIRES ON THE COMMERCIAL IMPLEMENT OF
13 HUSBANDRY HAVE A SPEED RATING FROM THE MANUFACTURER OF AT
14 LEAST 40 MILES PER HOUR.

15 (III) THE COMMERCIAL IMPLEMENT OF HUSBANDRY IS NOT
16 DRIVEN FOR MORE THAN 30 MILES ON THE FREEWAY.

17 (IV) THE COMMERCIAL IMPLEMENT OF HUSBANDRY IS
18 EQUIPPED WITH ONE OR MORE FLASHING OR REVOLVING YELLOW
19 LIGHTS IN A MANNER DETERMINED BY THE DEPARTMENT.

20 (V) THE COMMERCIAL IMPLEMENT OF HUSBANDRY IS DRIVEN
21 ONLY IN THE RIGHT LANE OF THE FREEWAY, UNLESS AS
22 OTHERWISE REQUIRED BY THIS TITLE OR REQUIRED WHEN EXITING
23 THE FREEWAY.

24 (VI) THE FREEWAY HAS A MAXIMUM SPEED LIMIT OF 65
25 MILES PER HOUR AT THE LOCATIONS ON WHICH THE COMMERCIAL
26 IMPLEMENT OF HUSBANDRY IS BEING DRIVEN.

27 (VII) THE INDIVIDUAL OPERATING THE COMMERCIAL
28 IMPLEMENT OF HUSBANDRY IS AT LEAST 18 YEARS OF AGE AND
29 HAS VALID DRIVER'S LICENSE.

30 (VIII) THE COMMERCIAL IMPLEMENT OF HUSBANDRY IS

1 BEING DRIVEN TO OR FROM A FARM, OR FARMS, AND THE
2 BUSINESS LOCATION OF THE OWNER OF THE COMMERCIAL
3 IMPLEMENT OF HUSBANDRY.

4 (IX) THE COMMERCIAL IMPLEMENT OF HUSBANDRY IS
5 COVERED BY THE MINIMUM LEVELS OF LIABILITY INSURANCE
6 COVERAGE ON THE VEHICLE AS REQUIRED UNDER CHAPTER 17 BY
7 OWNERS OF REGISTERED MOTOR VEHICLES.

8 (X) THE COMMERCIAL IMPLEMENT OF HUSBANDRY IS
9 FOLLOWED BY A VEHICLE WITH CONTINUOUSLY ACTIVATED HAZARD
10 SIGNAL LAMPS.

11 (XI) THE HEIGHT OF THE COMMERCIAL IMPLEMENT OF
12 HUSBANDRY DOES NOT EXCEED THE MAXIMUM HEIGHT ESTABLISHED
13 IN SECTION 4922 (RELATING TO HEIGHT OF VEHICLES), THE
14 LENGTH OF THE COMMERCIAL IMPLEMENT OF HUSBANDRY DOES NOT
15 EXCEED THE MAXIMUM LENGTH ESTABLISHED IN SECTION 4923
16 (RELATING TO LENGTH OF VEHICLES) AND THE WEIGHT OF THE
17 COMMERCIAL IMPLEMENT OF HUSBANDRY DOES NOT EXCEED THE
18 MAXIMUM WEIGHT ESTABLISHED IN SECTION 4941 (RELATING TO
19 MAXIMUM GROSS WEIGHT OF VEHICLES).

20 (XII) THE DEPARTMENT HAS NOT PROHIBITED THE
21 OPERATION OF A COMMERCIAL IMPLEMENT OF HUSBANDRY ON THE
22 FREEWAY IN ACCORDANCE WITH PARAGRAPH (6.2).

23 (6.2) THE DEPARTMENT MAY PROHIBIT THE OPERATION OF A
24 COMMERCIAL IMPLEMENT OF HUSBANDRY AS AUTHORIZED BY PARAGRAPH
25 (6.1) ON THE ENTIRETY OR A PORTION OF A FREEWAY IF THE
26 PROHIBITION IS NEEDED TO PROTECT THE SAFETY OF MOTORISTS.

27 * * *

28 SECTION 4. SECTION 4968(A.2)(10)(I) INTRODUCTORY PARAGRAPH
29 AND (II) INTRODUCTORY PARAGRAPH OF TITLE 75 ARE AMENDED TO READ:
30 § 4968. Permit for movement during course of manufacture.

1 * * *

2 (a.2) Specifications.--

3 * * *

4 (10) A combination of vehicles which is hauling pulpwood
5 or wood chips from a specified source to a pulp mill may be
6 permitted by the department and local authorities to move
7 upon specified highways within their respective jurisdictions
8 subject to the following conditions:

9 (i) The vehicle must be a minimum five-axle
10 combination - three-axle truck tractor meeting the
11 following characteristics:

12 * * *

13 (ii) The vehicle must be a minimum six-axle
14 combination - three-axle truck tractor meeting the
15 following characteristics:

16 * * *

17 SECTION 5. SECTION 6103(C) (1) OF TITLE 75 IS AMENDED AND THE <--
18 SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:

19 § 6103. PROMULGATION OF RULES AND REGULATIONS BY DEPARTMENT.

20 * * *

21 (C) ADOPTION OF FEDERAL STATUTE, REGULATION, STANDARD OR
22 CRITERIA.--THE DEPARTMENT SHALL BE AUTHORIZED TO ADOPT BY
23 REFERENCE ANY FEDERAL STATUTE, REGULATION, STANDARD OR CRITERIA
24 OR PROVISION THEREOF RELATING TO VEHICLES OR DRIVERS, INCLUDING,
25 BUT NOT LIMITED TO, MINIMUM DRIVER QUALIFICATIONS, MAXIMUM HOURS
26 OF SERVICE, LOADING, UNLOADING, HAZARDOUS MATERIALS, OPERATION,
27 EQUIPMENT, RECORDS AND INSPECTION.

28 (1) THE DEPARTMENT SHALL BE AUTHORIZED TO EXTEND THE
29 COVERAGE OF ANY FEDERAL STATUTE, REGULATION, STANDARD OR
30 CRITERIA ADOPTED UNDER THIS SUBSECTION TO VEHICLES AND

1 DRIVERS OPERATING ONLY IN INTRASTATE COMMERCE, EXCEPT AS
2 FOLLOWS:

3 (III) NO FEDERAL STATUTE, REGULATION, STANDARD OR
4 CRITERIA SHALL BE EXTENDED TO COVER FARM TRACTORS OR
5 DRIVERS OF FARM TRACTORS, REGARDLESS OF WHETHER THE FARM
6 TRACTOR IS OPERATED AS A COMBINATION.

7 (IV) NO FEDERAL STATUTE, REGULATION, STANDARD OR
8 CRITERIA SHALL BE EXTENDED TO COVER IMPLEMENTS OF
9 HUSBANDRY OTHER THAN FARM TRACTORS, FARM VEHICLES OR
10 DRIVERS OF THESE VEHICLES, REGARDLESS OF WHETHER THE
11 VEHICLE IS OPERATED AS A COMBINATION, PROVIDED THAT:

12 (A) THE VEHICLE'S OR COMBINATION'S GROSS WEIGHT,
13 GROSS VEHICLE WEIGHT RATING OR GROSS COMBINATION
14 WEIGHT RATING DOES NOT EQUAL OR EXCEED 26,001 POUNDS;

15 (B) THE VEHICLE OR COMBINATION IS NOT CARRYING
16 HAZARDOUS MATERIALS IN AN AMOUNT THAT REQUIRES THE
17 TOWING OR TOWED VEHICLE TO BE PLACARDED UNDER CHAPTER
18 83 (RELATING TO HAZARDOUS MATERIALS TRANSPORTATION);
19 AND

20 (C) THE VEHICLE OR COMBINATION IS NOT DESIGNED
21 OR USED TO TRANSPORT 16 OR MORE PEOPLE, INCLUDING THE
22 DRIVER.

23 (V) FOR PURPOSES OF [THIS PARAGRAPH] SUBPARAGRAPHS
24 (III) AND (IV), THE TERM "FARM TRACTORS" INCLUDES
25 TRACTORS DESIGNED FOR OFF-ROAD AGRICULTURAL USE,
26 COMBINES, CROP PICKERS, CROP AND FORAGE HARVESTERS,
27 THRESHERS, PLOWS, TILLERS, PLANTERS, SEEDERS, FIELD
28 SPRAYERS, FORAGE CUTTERS, BALERS AND SIMILAR VEHICLES
29 THAT ARE INFREQUENTLY OPERATED OR MOVED UPON HIGHWAYS AND
30 THAT ARE USED BY A FARMER IN AGRICULTURAL PRODUCTION.

1 (VI) NO FEDERAL STATUTE, REGULATION, STANDARD OR
2 CRITERIA SHALL BE EXTENDED TO COVER A MOTOR VEHICLE
3 TRANSPORTING PROPERTY ALONG A HIGHWAY IN THIS
4 COMMONWEALTH, REGARDLESS OF WHETHER THE MOTOR VEHICLE IS
5 OPERATED AS A COMBINATION, PROVIDED THAT ALL OF THE
6 FOLLOWING CRITERIA ARE MET:

7 (A) THE VEHICLE'S OR COMBINATION'S GROSS WEIGHT,
8 GROSS VEHICLE WEIGHT RATING OR GROSS COMBINATION
9 WEIGHT RATING DOES NOT EQUAL OR EXCEED 26,001 POUNDS;

10 (B) THE VEHICLE OR COMBINATION IS NOT CARRYING
11 HAZARDOUS MATERIALS IN AN AMOUNT THAT REQUIRES THE
12 TOWING OR TOWED VEHICLE TO BE PLACARDED UNDER CHAPTER
13 83;

14 (C) THE VEHICLE OR COMBINATION IS NOT DESIGNED
15 OR USED TO TRANSPORT 16 OR MORE PEOPLE, INCLUDING THE
16 DRIVER; AND

17 (D) THE MOTOR VEHICLE OR COMBINATION IS BEING
18 USED TO TRANSPORT PROPERTY, INCLUDING A VEHICLE, TO
19 OR FROM AN AMATEUR COMPETITIVE EVENT, REGARDLESS OF
20 WHETHER THE MOTOR VEHICLE OR COMBINATION OWNER IS
21 SPONSORED FOR PARTICIPATION IN THE AMATEUR
22 COMPETITIVE EVENT.

23 * * *

24 (F) DEFINITION.--AS USED IN THIS SECTION, THE TERM "AMATEUR
25 COMPETITIVE EVENT" SHALL MEAN A COMPETITION, TOURNAMENT OR
26 ATHLETIC EVENT, INCLUDING MOTORSPORTS, WHERE THE COMPETITORS'
27 PARTICIPATION IS NOT THE RESULT OF AN EMPLOYMENT CONTRACT THAT
28 REQUIRES PARTICIPATION IN THE COMPETITIVE EVENT, NOTWITHSTANDING
29 THE RECEIPT OF PRIZE MONEY OR SPONSORSHIP.

30 Section 3 6. This act shall take effect in 60 days.

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