

No. 1983-19

AN ACT

HB 5

Amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, adding definitions; further providing for certain bonding requirements; restricting the operations of certain combinations; further providing for the length and width of certain vehicles; regulating certification of certain auto inspection mechanics; further providing for certain weight limitations; and requiring axle tax markers.

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

Section 1. The definition of "registered gross weight" in section 102 of Title 75 of the Pennsylvania Consolidated Statutes is amended and the section is amended by adding definitions 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:

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"Converter gear." *A trailer designed and used exclusively to tow a semitrailer by mounting the semitrailer on the fifth wheel of the converter gear. The term includes the terms "auxiliary axle" and "jeep dolly."*

* * *

"Registered gross weight."

(1) The maximum gross weight at which a vehicle or combination is registered in this Commonwealth to operate upon a highway, *which shall include the weight at which a vehicle or combination is registered for operation in this Commonwealth under any system of proportional registration pursuant to Subchapter C of Chapter 61 (relating to reciprocity).*

(2) *For the purposes of Chapter 49 (relating to size, weight and load), Chapter 99 (relating to axle tax for highway bridge improvement) and the definition of "motor carrier vehicle," if there is no registered gross weight as defined in paragraph (1), then the term shall mean the maximum gross weight at which a vehicle or combination registered in another state is registered or otherwise authorized to operate by such state.*

* * *

"Terminal." *A facility, to or from which a combination is actually en route for loading, unloading, breaking down or storing, which has adequate off-highway parking, maneuvering and vehicle storage area to which vehicles can obtain access and egress without backing from or onto a highway, street or public alley.*

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“Tow dolly.” A trailer designed and used exclusively to tow another vehicle by mounting its front or rear wheels on the tow dolly while the other wheels of the towed vehicle remain in contact with the ground.

Section 2. Section 4702.1 of Title 75 is amended to read:

§ 4702.1. Limited liability of inspection station or mechanic.

(a) ***General rule.***—An inspection conducted pursuant to section 4702(a) (relating to annual inspection) shall not be construed as a guaranty of the safety of any vehicle and neither the official inspection station issuing the certificate of inspection nor the official inspection mechanic performing the inspection shall be liable to the owner or occupants of any inspected vehicle for any damages caused by the failure or malfunction of that vehicle or to the owner or occupants of any vehicle involved in an accident with that inspected vehicle or to any pedestrian injured in the accident unless it can be shown by a preponderance of the evidence that the failure was caused by the negligence of the inspection station or mechanic.

(b) ***Prior certification.***—*Inspection mechanics certified as to training, qualifications and competence, prior to January 1, 1983, shall be deemed to have complied with departmental regulations and shall be authorized to conduct motor vehicle inspections without reapplication for certification.*

Section 3. Section 4904 of Title 75 is amended by adding subsections to read:

§ 4904. Limits on number of towed vehicles.

(e) ***Two-trailer combinations on interstate and designated primary highways.***—*Combinations consisting of a truck tractor and two trailers may only be driven as described in section 4908 (relating to operation of certain combinations on interstate and certain primary highways).*

(f) ***Tow dollies and converter gears.***—*A tow dolly or converter gear may be towed by a motor vehicle for the purpose of towing another vehicle, provided the combination meets all requirements of section 4905 (relating to safety requirements for towed vehicles) and separate lighting equipment is displayed on the rear of a towed motor vehicle. A converter gear may also be towed empty behind a combination consisting of a truck tractor and semitrailer.*

Section 4. Title 75 is amended by adding a section to read:

§ 4908. ***Operation of certain combinations on interstate and certain primary highways.***

(a) ***General rule.***—*Combinations authorized by section 4904(e) (relating to limits on number of towed vehicles) to have two trailers, or by section 4923(b)(6) (relating to length of vehicles) to exceed the length limitation for combinations, may be driven only on the types of highways and under the limitations set forth below:*

(1) ***On a designated network consisting of all interstate highways and portions of Federal aid primary highways having at least a 48-foot-wide roadway or two 24-foot-wide roadways and designated by the department as capable of safely accommodating such vehicles.***

(2) *Between the designated network and either of the following:*

(i) *A terminal or a facility for food, fuel, repair or rest having an entrance within two-tenths of a mile of the nearest ramp or intersection, but only on highways having lanes at least 12 feet wide and only if the facility meets the criteria for off-street parking, maneuvering and vehicle storage area for terminals.*

(ii) *A terminal which can safely and reasonably be accessed using highways approved under subsection (d).*

(b) *Household goods carriers.—In addition to the operations authorized in subsection (a), a household goods carrier, consisting of a truck tractor and either of the following:*

(1) *A single trailer, which exceeds the maximum length for combinations established in section 4923(a), may be driven between the designated network and a point of loading or unloading which can safely and reasonably be accessed.*

(2) *Two trailers may be driven between the designated network and a point of loading or unloading which can safely and reasonably be accessed using highways approved under subsection (d) for the particular movement.*

(c) *Nearby terminals and facilities.—Where one or more terminals or facilities for food, fuel, repair or rest along a highway having lanes at least 12 feet wide are in close proximity to a terminal or facility which is within two-tenths of a mile of the designated network, all of such terminals and facilities shall be deemed to be within two-tenths of a mile of the designated network.*

(d) *Route approval.—Approval of a route under subsection (a)(2)(ii) or (b)(2) shall be obtained from the:*

(1) *City in the case of any highway in a city.*

(2) *Department in the case of a State highway not in a city, except that the department will, upon request, delegate authority to approve routes under this subsection to a municipality which has been delegated authority to issue permits in accordance with section 420 of the act of June 1, 1945 (P.L.1242, No.428), known as the State Highway Law.*

(3) *Municipality in the case of a local highway not in a city.*

(e) *Notice.—*

(1) *The department shall publish the designated network established in subsection (a)(1) in the Pennsylvania Bulletin as a notice under 45 Pa. C.S. § 725(a)(3) (relating to additional contents of Pennsylvania Bulletin) and will also forward the designated network to trucking companies and associations and other interested parties, upon request.*

(2) *Approval of a route under subsection (a)(2)(ii) shall be effective upon notice by the approving authority to the person who requested it. Notice of the approval shall also be given to State and affected local police and shall be published in the Pennsylvania Bulletin within ten days as a notice under 45 Pa. C.S. § 725(a)(3).*

(3) *Approval of a route under subsection (b)(2) shall be effective upon notice by the approving authority to the person who requested it. Notice of the approval shall also be given to State and affected local police and shall be published in the Pennsylvania Bulletin within ten days.*

(f) Revocation of route approval.—The authority which approved a route under subsection (a)(2)(ii) may revoke the route approval if it determines that the route or some portion of it cannot safely and reasonably accommodate combinations authorized to exceed length or number of trailer limitations. Notice of the revocation shall be published in the Pennsylvania Bulletin as a notice under 45 Pa.C.S. § 725(a)(3) and shall be effective 15 days after such publication, except that the posting authority may effect an earlier revocation by posting signs to indicate the revocation. Written notice of the revocation shall also be given to the person who requested the route approval and to State and affected local police.

Section 5. Section 4921(a) of Title 75 is amended to read:

§ 4921. Width of vehicles.

(a) General rule.—The total outside width of a vehicle, including any load, shall not exceed eight feet except as otherwise provided in this section. *While operating as provided in section 4908 (relating to operation of certain combinations on interstate and certain primary highways), the total width of a vehicle shall not exceed eight and one-half feet, except as otherwise provided in this section.*

Section 6. Sections 4923, 4943(a) and 9904 of Title 75 are amended to read:

§ 4923. Length of vehicles.

(a) General rule.—[No] *Except as provided in subsection (b), no motor vehicle, including any load and bumpers, shall exceed an overall length of 40 feet, and no combination, including any load and bumpers, shall exceed an overall length of 60 feet.*

(b) Exceptions.—The limitations of (a) do not apply to the following:

(1) Any motor vehicle equipped with a boom or boom-like device if the vehicle does not exceed 55 feet.

(2) Any combination transporting articles which do not exceed 70 feet in length and are nondivisible as to length.

(3) Any bus of an articulated design which does not exceed 60 feet.

(4) Any motor vehicle towing a disabled motor vehicle to a location for repair or to some other place of safety.

(5) *A combination designed and used exclusively for carrying motor vehicles if the overall length of the combination and load does not exceed 65 feet.*

(6) *Any combination consisting of a truck tractor and one or two trailers, when driven as described in section 4908 (relating to operation of certain combinations on interstate and certain primary highways), provided that, except when being operated as a part of a combination of a tractor and single trailer not exceeding an overall length of 60 feet, the length of a single trailer shall not exceed 48 feet and the length of each double trailer shall not exceed 28 feet.*

§ 4943. Maximum axle weight of vehicles.

(a) General rule.—No vehicle or combination driven upon a highway shall have a weight upon any axle in excess of the lesser of the manufacturer's rated axle capacity or the following applicable weight:

(1) Steering axles.—The maximum axle weight upon a steering axle shall not exceed [18,000] 20,000 pounds.

(2) Other axles.—

Maximum Axle Weight in Pounds Upon:

If the Center-to-Center Distance Between the Nearest Adjacent Axles is:	One of Two Adjacent Axles	Other of Two Adjacent Axles
Under 6 feet	18,000	18,000
6 to 8 feet	18,000	22,400
Over 8 feet	22,400	22,400

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§ 9904. [Evidence of payment.]

The issuance of a registration card or vehicle identification marker or permit shall be prima facie evidence that any tax imposed by section 9902 (relating to imposition of axle tax) has been paid.]

Axle tax markers required.

(a) *General rule.*—The Secretary of Revenue shall provide axle tax markers for each truck, truck tractor or combination upon which axle tax has been paid pursuant to section 9902 (relating to imposition of axle tax). The marker must be affixed to the vehicle and displayed as prescribed by regulation prior to the operation of the vehicle in this Commonwealth.

(b) *Issuance of markers.*—The axle tax marker shall be issued for a 12-month period which coincides with the period of validity of either the identification marker or registration referred to in section 9903 (relating to report and payment of tax).

(c) *Penalty.*—Any person who operates or causes to be operated in this Commonwealth any vehicle not displaying the axle tax marker as required by this section commits a summary offense and shall, upon conviction, be sentenced, for a first offense, to pay a fine of not less than \$200 nor more than \$500 and, for each subsequent or additional offense, to pay a fine of not less than \$300 nor more than \$500 or to imprisonment for not more than 90 days, or both.

(d) *Exception.*—This section shall not apply to a person operating a vehicle under a valid permit issued pursuant to section 2102(d)(2) (relating to identification markers required).

Section 7. The provisions of sections 1, 3, 4, 5 and 6 insofar as it relates to section 4923 of this amendatory act shall be effective only as long as Federal law or the Federal Highway Administration shall require this Commonwealth to allow combinations consisting of a truck tractor and two trailers and combinations in excess of 60 feet in length to be driven on its highways. Notice of a change in the Federal mandate shall be published in the Pennsylvania Bulletin by the Secretary of Transportation and the provisions of this act shall be void 30 days thereafter.

Section 8. No bond shall be required pursuant to the act of December 20, 1967 (P.L.869, No.385), known as the Public Works Contractors' Bond

Law of 1967, or any other law for contracts in an amount of \$25,000 or less between a prime contractor and the Department of Transportation for construction, reconstruction, alteration, repair or maintenance of highways.

Section 9. This act shall take effect immediately.

APPROVED—The 7th day of July, A. D. 1983.

DICK THORNBURGH