

No. 1979-95

AN ACT

SB 696

Amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for studded tires, for the standing and parking of vehicles and for the removal of vehicles from certain property.

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

Section 1. Subparagraph (i) of paragraph (1) of subsection (a) and subsection (c) of section 3353 and section 4525 of Title 75, act of November 25, 1970 (P.L.707, No.230), known as the Pennsylvania Consolidated Statutes, are amended to read:

§ 3353. Prohibitions in specified places.

(a) General rule.—Except when necessary to avoid conflict with other traffic or to protect the safety of any person or vehicle or in compliance with law or the directions of a police officer or official traffic-control device, no person shall:

(1) Stop, stand or park a vehicle:

(i) On the roadway side of any vehicle stopped or parked at the edge or curb of a street except that **[a pedalcycle may be parked as provided in section 3509(b)(2) (relating to parking)]**:

(A) A pedalcycle may be parked as provided in section 3509(b)(2) (relating to parking).

(B) Standing or parking for the purpose of loading or unloading persons or property may be authorized by local ordinance, but the ordinance shall not authorize standing or parking on State designated highways except during off-peak traffic-flow hours as determined by department regulations.

* * *

(c) Property owner may remove vehicle.—The owner or other person in charge or possession of any property on which a vehicle is parked or left unattended in violation of the provisions of subsection (b) may remove or have removed the vehicle at the reasonable expense of the owner of the vehicle. *Such person who removes a vehicle left parked or unattended in violation of the provisions of subsection (b) shall have a lien against the owner of the vehicle, in the amount of the reasonable value of the costs of removing the vehicle. Any city, borough, incorporated town or township may, by ordinance, provide for rates to be charged for removal of vehicles and for municipal regulation of authorized towing services.*

* * *

§ 4525. Tire equipment and traction surfaces.

(a) General rule.—No vehicle shall be operated on the highway unless the vehicle is equipped with tires of a type, size and construction approved

by the department for the vehicle and unless the tires are in a safe operating condition as determined in accordance with regulations of the department.

(b) Vehicles not equipped with pneumatic tires.—It is unlawful for any person to operate or move, or cause or permit to be moved, in contact with any highway any vehicle equipped with traction or road contact surfaces other than pneumatic tires unless of a type, size and construction permitted by regulations of the department and unless the movement is made under specific conditions allowed by regulations of the department.

(c) **[Tire] Ice grips and tire studs.—[No vehicle having tires containing studs shall be driven on any highway.] Tires in which ice grips or tire studs of wear resisting material have been installed which provide resiliency upon contact with the road and which have projections not exceeding two thirty-seconds of an inch beyond the tread of the traction surface of the tire shall be permitted between November 1 of each year and April 1 of the following year. The Governor may by executive order extend the time tires with ice grips or tire studs may be used when highway conditions are such that such tires would be a safety factor in traveling Commonwealth highways. The use of tires with ice grips or tire studs contrary to the provisions of this subsection shall be unlawful.**

(d) Tire chains.—Tire chains may be temporarily used on vehicles during periods of snow and ice emergency if they are in conformance with regulations promulgated by the department.

(e) **Penalty.—**

(1) Any person violating the provisions of subsection (c) shall be guilty of a summary offense and, upon conviction thereof, shall be sentenced to pay a fine as indicated in paragraph (2) and, in default of payment thereof, shall undergo imprisonment for not more than 30 days.

(2) Fines for violation of subsection (c) relating to the period of use of ice grips or tire studs shall be determined from the following chart based on the period of unauthorized use:

<i>April 1 to May 31</i>	<i>\$35</i>
<i>June 1 to June 30</i>	<i>45</i>
<i>July 1 to July 31</i>	<i>55</i>
<i>August 1 to August 31</i>	<i>55</i>
<i>September 1 to September 30</i>	<i>55</i>
<i>October 1 to October 31</i>	<i>55</i>

(3) Fines for any other violation of subsection (c) shall be determined according to the chart in paragraph (2) except that fines for violations occurring between November 1 to April 1 shall be \$10.

Section 2. This act shall take effect immediately.

Office of the Secretary of the Commonwealth

November 10, 1979

I do certify that the above bill, entitled "An act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for studded tires, for the standing and parking of vehicles and for the

removal of vehicles from certain property." was presented to the Governor on the thirty-first day of October, one thousand nine hundred and seventy-nine, and was not returned within ten days after it had been presented to him, wherefore it has, agreeably to the Constitution of this Commonwealth, become a law in like manner as if he had signed it.

WILLIAM R. DAVIS

Acting Secretary of the Commonwealth

Note. The date of final enactment of Act No. 1979-95 is Nov. 10, 1979.