

## No. 1982-171

## AN ACT

## HB 556

Amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the definition of "street rod," for exceptions to vehicle registration and inspection requirements, for contents of drivers' licenses, for exceptions to assignments of points; further limiting the five-point penalty upon restoration of operating privileges; exempting certain vehicles from registration fees and providing for lost revenues; requiring a permit for migrant farm vehicles and imposing a fee; further providing for the location of identification markers; providing for exceptions for certain equipment requirements and extending the length of oversize vehicles.

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

Section 1. The definition of "street rod" in section 102 of Title 75, act of November 25, 1970 (P.L.707, No.230), known as the Pennsylvania Consolidated Statutes, is amended 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:

\* \* \*

"Street rod." **[A modified antique motor vehicle as defined by department regulations.] A motor vehicle, but not a reproduction thereof, with a model year of 1948 or older which has been materially altered or modified by the removal, addition or substitution of essential parts and with a gross weight or registered gross weight of not more than 9,000 pounds.**

\* \* \*

Section 2. Subsection (a) of section 1302 of Title 75 is amended by adding paragraphs to read:

§ 1302. Vehicles exempt from registration.

(a) General rule.—The following types of vehicles are exempt from registration:

\* \* \*

**(13) Any oversized or overweight vehicles exclusive of load and only moved or operated under a permit issued pursuant to section 4961(a) (relating to authority to issue permits).**

**(14) Any vehicle used for golf course or resort maintenance when such vehicle does not travel on public roads in excess of one mile and the property on both sides of the public road is owned by said golf course or resort.**

\* \* \*

Section 3. Sections 1510(a) and 1535(d) of Title 75 are amended or added to read:

§ 1510. Issuance and content of driver's license.

(a) General rule.—The department shall, upon payment of the required fee, issue to every qualified applicant a driver's license indicating the type or general class of vehicles the licensee is authorized to drive, which license shall contain **[a distinguishing number identifying the licensee,] the social security number of the licensee**, the actual name, date of birth, residence address, a color photograph of the licensee, such other information as may be required by the department, and either a facsimile of the signature of the licensee or a space upon which the licensee shall write his usual signature with pen and ink. Personal medical data and other information for use in an emergency may be included as a part of the license. Information other than that required to identify the licensee, the distinguishing number and the class of license issued may be included in microdata form. No driver's license shall be valid until it has been signed by the licensee.

\* \* \*

§ 1535. Schedule of convictions and points.

\* \* \*

*(d) Exception.—This section does not apply to a person who was operating a pedalcycle or an animal drawn vehicle.*

Section 4. Section 1545 of Title 75 is amended to read:

§ 1545. Restoration of operating privilege.

Upon the restoration of any person's operating privilege which has been suspended or revoked pursuant to this subchapter, such person's record shall show five points, except that any additional points assessed against the person since the date of the last violation resulting in the suspension or revocation shall be added to such five points unless the person has served an additional period of suspension or revocation pursuant to section 1544(a) (relating to additional period of revocation or suspension). *This section shall not apply to section 1533 (relating to suspension of operating privilege for failure to respond to citation).*

Section 5. Section 1901(c)(16) of Title 75 is amended to read:

§ 1901. Exemption of entities and vehicles from fees.

\* \* \*

(c) Processing fee in lieu of registration fee.—No registration fee shall be charged for vehicles registered by any of the following but the department shall charge a fee of \$10 to cover the costs of processing for issuing or renewing the registration:

\* \* \*

(16) Any person who is retired and receiving social security or other pension and whose total income does not exceed **[\$7,500] \$9,000** per year. Unless the retired person is physically or mentally incapable of driving the vehicle, the retired person shall be the principal driver of the vehicle but may from time to time authorize another person to drive the vehicle in his or her stead. *The total amount of money which*

*is annually lost due to benefits received by those individuals who are eligible for or are receiving benefits pursuant to the act of March 11, 1971 (P.L.104, No.3), known as the "Senior Citizens Rebate and Assistance Act," by the Department of Transportation by operation of this paragraph based on the difference between the normal registration fee and the processing fee shall be appropriated from the Lottery Fund to the Motor License Fund. The Governor is hereby authorized to annually transfer from the Lottery Fund the necessary amount of money to reimburse the Motor License Fund pursuant to this paragraph. Such money is hereby specifically appropriated to the Motor License Fund to be expended by the Department of Transportation with the approval of the Governor.*

\* \* \*

Section 6. Section 1902 of Title 75, paragraph (2) amended March 7, 1982 (P.L.152, No.49), is amended to read:

§ 1902. Exemptions from other fees.

No fee shall be charged under this title for or to any of the following:

(1) A certificate of title returned to the department for cancellation.

(2) The replacement of a registration card or plate, driver's license, learner's permit or certificate of title lost in the mail if the applicant files an affidavit of nonreceipt within 90 days of the date of original issuance.

(3) A certificate of junk.

(4) A certificate of rejection.

(5) A special hauling permit issued to any person hauling equipment or materials for use on a Federal or State emergency relief project.

(6) A manufacturer, jobber or dealer for a certificate of title to a motor vehicle, trailer or semitrailer when assignment of certificate of title accompanies the application for certificate of title, and when the dealer, manufacturer or jobber is possessed of current manufacturer's, dealer's or jobber's registration plates.

(7) *The transfer of title to a surviving spouse pursuant to section 1114 (relating to transfer of vehicle by operation of law).*

Section 7. Title 75 is amended by adding a section to read:

§ 1950. *Fee for migrant farm vehicle.*

*The fee for a permit for operation of a migrant farm vehicle pursuant to section 4972 (relating to permits for migrant farm vehicles) shall be \$100. This section shall expire December 31, 1983.*

Section 8. Section 2102(a) of Title 75 is amended to read:

§ 2102. Identification markers required.

(a) General rule.—The Secretary of Revenue shall provide an identification marker for every motor carrier vehicle.

(1) **[The identification marker must be affixed to the vehicle in an easily visible position.]** *All motor vehicles required to display the identification marker shall permanently affix such identification marker*

*on the top one-half of the outside door panel on the driver's left-hand side and shall follow the directions as indicated on the reverse side of the identification marker.*

(2) The identification marker shall remain the property of the Commonwealth and may be recalled for any violation of the provisions of this chapter, the "Motor Carriers Road Tax Act" or the regulations promulgated thereunder.

\* \* \*

Section 9. Sections 4534, 4535 and 4536 of Title 75 are amended to read:

§ 4534. Rearview mirrors.

No person shall operate a motor vehicle or combination on a highway unless the vehicle or combination is equipped with at least one mirror, or similar device, which provides the driver an unobstructed view of the highway to the rear of the vehicle or combination. *This section shall not apply to any special mobile equipment or implement of husbandry that is not so equipped by the original manufacturer.*

§ 4535. Audible warning devices.

(a) General rule.—Every motor vehicle operated on a highway shall be equipped with a horn or other audible warning device of a type approved in regulations of the department.

(b) Certain sound devices prohibited.—Except as specifically provided in this part or by regulations of the department, no vehicle operated on a highway shall be equipped with a siren, bell, whistle or any device emitting a similar sound or any unreasonably loud or harsh sound.

(c) *Exceptions.—This section shall not apply to any special mobile equipment or implement of husbandry that is not so equipped by the original manufacturer.*

§ 4536. Bumpers.

No person shall operate any vehicle upon a highway without bumpers of a type specified by regulations of the department in both the front and rear unless the vehicle was originally designed and manufactured to be used without bumpers. *This section shall not apply to any special mobile equipment or implement of husbandry that is not so equipped by the original manufacturer.*

Section 10. Section 4969 of Title 75 is amended to read:

§ 4969. Permit for movement of vehicles with oversize wheels and tires.

An annual permit may be issued for the operation or movement between sunrise and sunset of a vehicle containing wheels and tires extending beyond the maximum width allowed in section 4921(a) (relating to width of vehicles) if the department determines that such wheels and tires are essential to the function for which the vehicle is designed or adapted and used. The overall width of any vehicle permitted under this section, including wheels and tires, shall not exceed [ten] 12 feet.

Section 11. Title 75 is amended by adding a section to read:

§ 4972. *Permits for migrant farm vehicles.*

*A permit may be issued for a period of 60 consecutive days authorizing the operation in this Commonwealth of any migrant farm vehicle registered in another state. This section shall expire December 31, 1983.*

Section 12. Section 4981(c) of Title 75 is amended to read: § 4981. Weighing and measurement of vehicles.

\* \* \*

(c) Tolerance when weighing axles.—A 3% tolerance per axle shall be permitted when a vehicle is weighed on stationary or portable scales. This tolerance shall not apply on any interstate highway *to vehicles having a registered gross weight in excess of 73,280 pounds.*

\* \* \*

Section 13. (a) This act shall take effect immediately.

(b) The provisions of section 1510(a) (relating to issuance and content of driver's license) requiring Social Security numbers on drivers' licenses shall apply to all licenses issued after the effective date of this act.

APPROVED—The 23rd day of June, A. D. 1982.

DICK THORNBURGH