

No. 1994-25

AN ACT

HB 1488

Amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for antique and classic plates, for personal plates, for exemptions of entities and vehicles from fees, for restrictions on use of limited access highways and for television equipment; and authorizing the Department of Transportation to enter into multijurisdictional permit agreements for oversize or overweight vehicles or loads.

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

Section 1. Sections 1338(a), 1340, 1341, 1342(a) and 1901(a) of Title 75 of the Pennsylvania Consolidated Statutes are amended to read:

§ 1338. Handicapped plate and placard.

(a) Handicapped plate.—On the application of any person who:

- (1) is blind;
- (2) does not have full use of an arm or both arms;
- (3) cannot walk 200 feet without stopping to rest;
- (4) cannot walk without the use of, or assistance from, a brace, cane, crutch, another person, prosthetic device, wheelchair or other assistive device;
- (5) is restricted by lung disease to such an extent that the person's forced (respiratory) expiratory volume for one second, when measured by spirometry, is less than one liter or the arterial oxygen tension is less than 60 mm/hg on room air at rest;
- (6) uses portable oxygen;
- (7) has a cardiac condition to the extent that the person's functional limitations are classified in severity as Class III or Class IV according to the standards set by the American Heart Association;
- (8) is severely limited in his or her ability to walk due to an arthritic, neurological or orthopedic condition; or
- (9) is a person in loco parentis of a person specified in paragraph (1), (2), (3), (4), (5), (6), (7) or (8);

the department shall issue a special registration plate for one passenger car or other vehicle with a registered gross weight of not more than 9,000 pounds, designating the vehicle so licensed as being used by a handicapped person. Special plates for handicapped persons may also be issued for vehicles operated exclusively for the use and benefit of handicapped persons. *In the case of a motorcycle, the department shall issue a decal containing the international symbol for handicapped access for display on the registration plate.*

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§ 1340. Antique and classic plates.

(a) General rule.—Upon submission by a vehicle owner of information satisfactory to the department that a *motorcycle or* motor vehicle is an antique *motorcycle or* motor vehicle or classic *motorcycle or* motor vehicle, accompanied by the appropriate fee, the department may issue special plates for the *motorcycle or* vehicle. No annual registration fee may be charged for antique or classic *motorcycles or* motor vehicles.

(b) Use of plates.—It is unlawful for any person to operate a *motorcycle or* vehicle with antique or classic registration plates for general daily transportation. Permitted use shall be limited to participation in club activities, exhibits, tours, parades, occasional transportation and similar uses. Occasional transportation shall mean no more than one day per week.

§ 1341. Personal plate.

Upon request by the applicant, the department may issue registration plates consisting of any combination of numbers, letters or numbers and letters. These special plates may be issued for special groups or for special purposes and bear an appropriate designation. They shall have the same force and effect as regular registration plates. The department may refuse any combination of letters and numbers for cause and shall adopt reasonable rules and regulations for the issuance of the plates and for carrying out the provisions of this section. The applicant shall comply with all laws and regulations pertaining to registration including the payment of any additional fees. *The department is authorized to reissue a combination of numbers or letters for a personal plate if the department records reveal that no activity, such as renewal or transfer of the personal registration plate, has occurred for a period of five or more consecutive years and provided that the personal registration plate was never reported as lost or stolen. Whenever the department reissues an inactive personal plate, the department may purge its records of all references to the previous owners of that personal plate. The department shall, however, note upon its records the reissuance of the personal plate and to whom the plate was issued.*

§ 1342. Veteran plates and placard.

(a) Severely disabled veteran plate.—On the application of a veteran whose service-connected disability is certified at 100% by the service unit of the armed forces in which the veteran served or by the United States Veterans' Administration or who has a service-connected disability of the type enumerated in section 1338 (relating to handicapped plate and placard), the department shall issue a special registration plate designating the vehicle as belonging to a severely disabled veteran. The registration plate shall have a white background, shall have blue numbers or letters as the department may determine, shall have the words, "disabled veteran," in at least ten-point bold type, inscribed in red at the bottom of the plate, and shall include the international symbol for handicapped access. Only one special registration plate shall be issued to a veteran under this section. It may be used only on one passenger vehicle or one other vehicle with a registered gross weight of

not more than 9,000 pounds. *In the case of a motorcycle, the department shall issue a decal containing the international symbol for handicapped access and the words "disabled veteran" for display on the registration plate.*

* * *

§ 1901. Exemption of entities and vehicles from fees.

(a) Governmental and quasi-governmental entities.—Except as otherwise specifically provided in this title, no fees shall be charged under this title to any of the following:

- (1) The Commonwealth.
- (2) Political subdivisions.
- (3) State and local authorities.
- (4) *State-related institutions of higher learning.*
- [(4)] (5) The Federal Government.
- [(5)] (6) Other states.

* * *

Section 2. Section 3313 of Title 75 is amended by adding a subsection to read:

§ 3313. Restrictions on use of limited access highways.

* * *

(c) *Motorcycles.—Except on busways in counties of the first or second class, motorcycles may be operated upon any limited access highway in an urban district in a lane specified for multioccupant vehicles or car pools, except where the department can demonstrate that such use will create a safety hazard.*

Section 3. Section 4527 of Title 75 is amended to read:

§ 4527. Television equipment.

(a) *General rule.*—No motor vehicle operated on a highway shall be equipped with television-type receiving equipment forward of the back of the driver's seat or otherwise visible to the driver. [This section does not prevent the use of television-type]

(b) *Exception.*—*This section shall not apply to the following:*

(1) *Television-type* receiving equipment in a vehicle used exclusively for safety or law enforcement purposes as approved by the Pennsylvania State Police.

(2) *Electronic displays used in conjunction with in-vehicle navigation systems.*

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

§ 6146.1. *Multijurisdictional permit agreement.*

(a) *Multijurisdictional permit agreements authorized.*—*The secretary and the Pennsylvania Turnpike Commission may execute and enter into agreements on behalf of the Commonwealth with other states and countries to provide for:*

(1) *The issuance of permits by one signatory state or country on behalf of another for nondivisible overweight or oversize loads, vehicles*

and combinations which are involved in interstate commerce upon the highways of this Commonwealth and any signatory state or country.

(2) The collection and refund of permit fees and other costs from or to permittees.

(3) The collection and disbursement of permit fees and other funds by one signatory state or country on behalf of another.

(4) The audit of permittees and signatory states or countries to insure compliance with a multijurisdictional permit agreement.

(5) The enforcement of the agreement by one signatory state or country on behalf of another.

(b) Purpose.—Each agreement with another state or country entered into on behalf of the Commonwealth pursuant to this section shall, in the judgment of the secretary, be in the best interests of this Commonwealth and the citizens thereof and shall be fair and equitable to this Commonwealth and the citizens thereof and shall be determined on the basis and recognition of the benefits which accrue to the economy of the Commonwealth from the uninterrupted flow of commerce with due regard for preserving the safety of the motoring public, the orderly movement of traffic and the structural integrity of the highways.

(c) Enforcement.—The secretary and the Pennsylvania Turnpike Commission are authorized to provide for:

(1) The conduct and supervision of the movement of the overweight or oversize loads, vehicles and combinations by the department, the Pennsylvania Turnpike Commission, the Pennsylvania State Police or designated persons when the movement occurs within this Commonwealth or as authorized by the agreement.

(2) The administration and enforcement of provisions set forth in a multijurisdictional permit agreement and the conditions or provisions set forth in any permit issued pursuant to such an agreement.

(3) The suspension, revocation, rescission, cancellation or invalidation of any permittee's rights or privileges.

(d) Implementation.—The secretary and the Pennsylvania Turnpike Commission, in order to implement this section and the provisions of a multijurisdictional permit agreement, shall publish the agreement and relevant rules as a notice in the Pennsylvania Bulletin.

Section 5. This act shall take effect as follows:

(1) The amendment or addition of 75 Pa.C.S. §§ 1340 and 3313(c) shall take effect in 60 days.

(2) The remainder of this act shall take effect immediately.

APPROVED—The 29th day of April, A.D. 1994.

ROBERT P. CASEY