

No. 2015-55

AN ACT

SB 748

Amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions relating to operation of vehicles, further providing for obedience to authorized persons directing traffic; and providing for drivers of certified escort vehicles; in other required equipment, further providing for identification of certain vehicles; and, in size, weight and load, further providing for scope and application of chapter and for conditions of permits and security for damages.

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

Section 1. Section 3102 of Title 75 of the Pennsylvania Consolidated Statutes is amended to read:

§ 3102. Obedience to authorized persons directing traffic.

No person shall willfully fail or refuse to comply with any lawful order or direction of:

(1) any uniformed police officer, sheriff or constable or, in an emergency, a railroad or street railway police officer; **[or]**

(2) any appropriately attired person, including an agent or employee of the funeral director during a funeral, authorized to direct, control or regulate traffic **[or an]**;

(3) *any* employee who has been trained in traffic control by a licensed and insured private security company and who is acting in the scope of employment[.]; *or*

(4) *any driver of a certified escort vehicle as defined under section 3108 (relating to drivers of certified escort vehicles) and who is acting in the capacity as a driver of a certified escort vehicle.*

Section 2. Title 75 is amended by adding a section to read:

§ 3108. *Drivers of certified escort vehicles.*

(a) *General rule.—The driver of a certified escort vehicle that is being operated to escort a super load must be certified and licensed by the department and wear attire that complies with 67 Pa. Code § 101.3(5) (relating to minimum attire).*

(b) *Criteria to be established.—Within one year of the effective date of this section, the department shall establish criteria for certified escort vehicles and for determining certification and licensing of drivers of certified escort vehicles within this Commonwealth and shall post the criteria on the department's publicly accessible Internet website.*

(c) *Definitions.—The following words and phrases when used in this section shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:*

"Certified escort vehicle." A vehicle that is operated to escort a super load on a highway of this Commonwealth.

"Super load." A vehicle or combination or load having a gross weight exceeding 201,000 pounds, a total length exceeding 160 feet or a total width exceeding 16 feet. The term does not include any of the following:

(1) *A building under 67 Pa. Code § 179.11 (relating to special vehicle-load restrictions).*

(2) *A vehicle or combination moved across the highway under section 4965 (relating to single permits for multiple highway crossings) or 4966 (relating to permit for movement of quarry equipment).*

(3) *A drag line moved across a highway under permit.*

Section 3. Sections 4573 and 4901(c) of Title 75 are amended to read:

§ 4573. Identification of certain vehicles.

(a) *Commercial tow trucks.*—Any truck which is used commercially to tow other motor vehicles shall have the name of the business, or person, operating [such] the truck displayed on signs on both sides of [such] the truck.

(b) *Certified escort vehicle.*—*Any certified escort vehicle which is used to escort a super load as defined in section 3108 (relating to drivers of certified escort vehicles) shall display the department's certification emblem, may use flashing or revolving yellow lights in accordance with sections 4572 (relating to visual signals on authorized vehicles) and 6107 (relating to designation of authorized vehicles by department) and shall comply with other department regulations, including those pertaining to pilot cars.*

§ 4901. Scope and application of chapter.

* * *

(c) Permit authorizing prohibited movement.—If an overweight or oversize movement cannot be made in any other feasible manner, the permit may authorize the movement to be made in contravention to any provision of this title provided that:

(1) the department or local authority determines that the movement is in the public interest; and

(2) the movement is escorted by [the Pennsylvania State Police, extra-duty Pennsylvania State Police or department personnel. When the movement is escorted by extra-duty Pennsylvania State Police or department personnel,] *certified escort vehicles as defined under section 3108 (relating to drivers of certified escort vehicles) or the Pennsylvania State Police and the following shall apply:*

(i) *[Approval must be obtained from the Pennsylvania State Police or the department for the use of their respective personnel.] The department, in consultation with the Pennsylvania State Police, shall determine whether a Pennsylvania State Police escort is necessary.*

(ii) *[The] If it is jointly determined by the Pennsylvania State Police and the department that the movement must be escorted by the Pennsylvania State Police, the permittee shall bear the total costs of escorting the movement.*

* * *

Section 4. Section 4962(d) of Title 75 is amended and the section is amended by adding a subsection to read:

§ 4962. Conditions of permits and security for damages.

* * *

(d) Special escort services.—The department or local authorities shall specify what movements require special escort services of the Pennsylvania State Police, local police or department personnel *as determined under section 4901(c)(2)(relating to scope and application of chapter)*.

* * *

(f.6) One certified escort vehicle.—

(1) A super load, as defined in section 3108(c) (relating to drivers of certified escort vehicles), shall be required to maintain one certified escort vehicle under section 4573(b) (relating to identification of certain vehicles) unless otherwise determined under section 4901(c) that an additional certified escort vehicle or a Pennsylvania State Police escort is necessary.

(2) The requirements of this subsection are in addition to, not in lieu of, all other pilot car requirements for the super load movement.

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Section 5. This act shall take effect in 60 days.

APPROVED—The 30th day of October, A.D. 2015

TOM WOLF