

**TITLE 75**  
**VEHICLES**

**Part**

- I. Preliminary Provisions
- II. Title, Registration and Licensing
- III. Operation of Vehicles
- IV. Vehicle Characteristics
- V. Administration and Enforcement
- VI. Miscellaneous Provisions

**Enactment.** Unless otherwise noted, the provisions of Title 75 were added June 17, 1976, P.L.162, No.81, effective July 1, 1977.

**Special Provisions in Appendix.** See sections 2, 4, 5, 6 and 8 of Act 81 of 1976 in the appendix to this title for transition provisions, saving provision, severability, applicability of Statutory Construction Act and effective date.

PART I  
PRELIMINARY PROVISIONS

**Chapter**

- 1. General Provisions

**Enactment.** Part I was added June 17, 1976, P.L.162, No.81, effective July 1, 1977.

CHAPTER 1  
GENERAL PROVISIONS

**Sec.**

- 101. Short title of title.
- 102. Definitions.
- 103. Uniformity of interpretation.
- 104. Continuation of existing law (Repealed).

**Enactment.** Chapter 1 was added June 17, 1976, P.L.162, No.81, effective July 1, 1977.

**§ 101. Short title of title.**

This title shall be known and may be cited as the "Vehicle Code."

**§ 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:

**"Abandoned vehicle."**

(1) A vehicle (other than a pedalcycle) shall be presumed to be abandoned under any of the following circumstances, but the presumption is rebuttable by a preponderance of the evidence:

(i) The vehicle is physically inoperable and is left unattended on a highway or other public property for more than 48 hours.

(ii) The vehicle has remained illegally on a highway or other public property for a period of more than 48 hours.

(iii) The vehicle is left unattended on or along a highway or other public property for more than 48 hours and does not bear all of the following:

- (A) A valid registration plate.
- (B) A current certificate of inspection.
- (C) An ascertainable vehicle identification number.

(iv) The vehicle has remained on private property without the consent of the owner or person in control of the property for more than 24 hours.

(2) Vehicles and equipment used or to be used in construction or in the operation or maintenance of highways or public utility facilities, which are left in a manner which does not interfere with the normal movement of traffic, shall not be considered to be abandoned.

**"Active work zone."** The portion of a work zone where construction, maintenance or utility workers are located on the roadway, berm or shoulder.

**"Agent service."** A person that has been authorized by the Department of Transportation to act as a card agent, a full agent or an issuing agent.

**"Alley."** A street or highway intended to provide access to the rear or side of lots or buildings in urban districts and not intended for the purpose of through vehicular traffic.

**"Ambulance."** Any vehicle which is specifically designed, constructed or modified and equipped and is used or intended to be used and is maintained or operated for the purpose of providing emergency medical care to and transportation of human patients. The term includes advanced or basic life support vehicles that may or may not transport such patients.

**"Antique motor vehicle."** A motor vehicle, but not a reproduction thereof, manufactured more than 25 years prior to the current year which has been maintained in or restored to a condition which is substantially in conformance with manufacturer specifications.

**"Articulated bus."** A bus designed to transport passengers and on which passengers are authorized to be transported, consisting of two or more units or sections permanently assembled in tandem by flexible connections which permit passenger movement throughout the length of the bus.

**"Authorized vehicle."** A vehicle or type of vehicle, other than an emergency vehicle, for which special operating or equipment privileges are given by law or regulation of the department based on design and utility for work within a highway.

**"Automated red light enforcement system."** A vehicle sensor installed to work in conjunction with a traffic-control signal which automatically produces one or more recorded images of a vehicle at the time the vehicle is used or operated in a manner which is a violation under this title.

**"Blood delivery vehicle."** Any vehicle which is used or intended to be used and is maintained or operated for the purpose of transporting blood or blood products on an emergency basis.

**"Bus."**

(1) A motor vehicle designed to transport 16 or more passengers, including the driver; or

(2) a motor vehicle, other than a taxicab or limousine, designed to transport not more than 15 passengers, including the driver, and used for the transportation of persons for compensation.

The term does not include a vehicle used in a ridesharing arrangement, as defined in the act of December 14, 1982 (P.L.1211, No.279), entitled "An act providing for ridesharing arrangements and providing that certain laws shall be inapplicable to ridesharing arrangements," or a school bus.

**"Business district."** The territory contiguous to and including a highway when within any 600 feet along the highway there are buildings in use for business or industrial purposes, including but not limited to hotels, banks,

or office buildings, railroad stations and public buildings which occupy at least 300 feet of frontage on one side or 300 feet collectively on both sides of the highway.

**"Cancel."** To void or terminate by formal action of the department any license, registration or privilege issued or granted by the department to which the individual is no longer entitled.

**"Chemical test or testing."** Analysis performed on a biological material, including but not limited to breath, blood or urine, to determine the identity or concentration or both of particular constituents such as alcohol or controlled substances. Test procedures may rely on one or more physical or chemical properties of the constituent and utilize instrumental or chemical analysis techniques to accomplish the determination.

**"Classic motor vehicle."** A motor vehicle, but not a reproduction thereof, manufactured at least 15 years prior to the current year which has been maintained in or restored to a condition which is substantially in conformity with manufacturer specifications and appearance. Any classic motor vehicle registered under section 1340 (relating to antique and classic plates) on the effective date of the amendment to this definition which fails to qualify as a classic motor vehicle pursuant to these provisions may retain such classic registration unless another type of registration is applied for and issued for the vehicle.

**"Collectible motor vehicle."** A reconstructed or modified motor vehicle substantially modified from the manufacturer's original specifications and appearance and maintained in a collectible condition as determined by the Department of Transportation.

**"Combination."** Two or more vehicles physically interconnected in tandem.

**"Commercial driver."** A person who is either a commercial driver license holder as defined in section 1603 (relating to definitions) or who is driving a commercial motor vehicle.

**"Commercial implement of husbandry."** An implement of husbandry that:

- (1) Is a self-propelled vehicle.
- (2) Is used commercially.
- (3) Is operated or moved upon highways for not more than 180 days in a calendar year.

The term also includes any other vehicle determined by the department to be a commercial implement of husbandry.

**"Construction truck."** A three or four axle truck engaged in construction operations.

**"Containerized cargo."** Manifested international freight in a sealed, seagoing container.

**"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."

**"Court."** Includes (when exercising criminal or quasi-criminal jurisdiction pursuant to 42 Pa.C.S. § 1515 (relating to jurisdiction and venue) or concerning the receipt, storage, reproduction, electronic transmission and admissibility of documentation under section 1377 (relating to judicial review) or 1550 (relating to judicial review)) a district justice or issuing authority or the equivalent official from the Federal Government or another state.

**"Crosswalk."**

- (1) That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway, measured from the curbs or, in the absence of curbs, from the edges of the traversable roadway; and, in the absence of a sidewalk on one side of the roadway, that part of a roadway included within the extension of the lateral lines of the existing sidewalk.

(2) Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

**"Dealer."** A person engaged in the business of buying, selling or exchanging vehicles.

**"Department."** The Department of Transportation of the Commonwealth.

**"District justice."** (Deleted by amendment).

**"Divided highway."** A highway divided into two or more roadways and so constructed as to impede vehicular traffic between the roadways by providing an intervening space, physical barrier or clearly indicated dividing section.

**"Driveaway-towaway operation."** Any operation in which any motor vehicle, trailer or semitrailer, singly or in combination, constitutes the commodity being transported, when one set or more of wheels of the vehicle are on the highway during the course of transportation, whether or not the vehicle furnished the motive power.

**"Driver."** A person who drives or is in actual physical control of a vehicle.

**"Driver's license."** A license or permit to drive a motor vehicle issued under this title.

**"Electric personal assistive mobility device" or "EPAMD."** A self-balancing, two-nontandem-wheeled device designed to transport only one person with an electric propulsion system.

**"Electric vehicle."** A motor vehicle which operates solely by use of a battery or battery pack and which meets the applicable Federal motor vehicle safety standards. The term includes a motor vehicle which is powered mainly through the use of an electric battery or battery pack but which uses a flywheel that stores energy produced by the electric motor or through regenerative braking to assist in operation of the motor veh

**"Emergency service responder."** An individual acting in an official capacity as any of the following:

- (1) A police officer.
- (2) A sheriff or deputy sheriff.
- (3) A coroner or deputy coroner.
- (4) A firefighter.
- (5) Fire police.
- (6) A fire marshal.
- (7) A medical examiner or deputy medical examiner.
- (8) Rescue personnel.
- (9) Ambulance personnel.
- (10) Towing and recovery personnel.
- (11) Highway maintenance and construction personnel.
- (12) Hazardous material response team member.
- (13) Emergency medical services personnel.

**"Emergency vehicle."** A county emergency management vehicle, fire department vehicle, police vehicle, sheriff vehicle, ambulance, advanced life support squad vehicle, basic life support squad vehicle, blood delivery vehicle, human organ delivery vehicle, hazardous material response vehicle, armed forces emergency vehicle, one vehicle operated by a coroner or chief county medical examiner and one vehicle operated by a chief deputy coroner or deputy chief county medical examiner used for answering emergency calls, a vehicle owned by or leased to a regional emergency medical services council that is used as authorized by the Department of Health to respond to an actual or potential disaster, mass casualty situation or substantial threat to public health, any vehicle owned and operated by the Philadelphia Parking Authority established in accordance with 53 Pa.C.S. Ch. 55 (relating to parking authorities) and used in the enforcement of 53 Pa.C.S. Ch. 57 (relating to taxicabs and limousines in first class cities), or any other

vehicle designated by the State Police under section 6106 (relating to designation of emergency vehicles by Pennsylvania State Police), or a privately owned vehicle used in answering an emergency call when used by any of the following:

- (1) A police chief and assistant chief.
- (2) A fire chief, assistant chief and, when a fire company has three or more fire vehicles, a second or third assistant chief.
- (3) A fire police captain and fire police lieutenant.
- (4) An ambulance corps commander and assistant commander.
- (5) A river rescue commander and assistant commander.
- (6) A county emergency management coordinator.
- (7) A fire marshal.
- (8) A rescue service chief and assistant chief.

**"Engineering and traffic study."** An orderly examination or analysis of physical features and traffic conditions conducted in accordance with regulations of the department and conforming to generally accepted engineering standards and practices for the purpose of ascertaining the need or lack of need for a particular action by the department or local authorities.

**"Essential parts."** All major component parts of a vehicle of a type required to be registered under this title, the removal, alteration or substitution of which would tend to conceal the identity of the vehicle or substantially alter its appearance, model, type or mode of operation.

**"Established place of business."** The place actually occupied either continuously or at regular periods by a dealer, manufacturer or other vehicle-related business where the books and records are kept and a large share of the business is transacted.

**"Exhibit."** Surrender of a document into the temporary possession of a person for the purpose of examining the document.

**"Farm equipment."** A vehicle that is specifically designed and manufactured for and used exclusively in agriculture to plant, seed, cultivate, harvest or apply soil nutrients, fertilizers or chemicals. The term also includes any other vehicle determined by the department to be farm equipment.

**"Farm vehicle."** A truck or truck tractor determined by the Department of Transportation to be used exclusively for agricultural purposes.

**"Fire department vehicle."** A vehicle owned or leased by an organized paid or volunteer fire department.

**"Fleet owner."** A person, Federal, State or local government agency or authority owning or leasing 15 or more vehicles who or which provides servicing and repair of the vehicles.

**"Foreign vehicle."** A vehicle of a type required to be registered under this title brought into this Commonwealth from another state, territory or country other than in the ordinary course of business by or through a manufacturer or dealer and not registered in this Commonwealth.

**"Freeway."** A limited access highway to which the only means of ingress and egress is by interchange ramps.

**"Full trailer."** A trailer so constructed that no part of its weight rests upon the towing vehicle. A semitrailer attached to a towing vehicle by means of an auxiliary front axle or dolly shall be deemed to be a full trailer.

**"General rule."** A rule or order promulgated by the governing authority, as defined in 42 Pa.C.S. § 102 (relating to definitions), of the unified judicial system.

**"Gross combination weight rating (GCWR)."** The value specified by the manufacturer as the loaded weight of a combination.

**"Gross vehicle weight rating (GVWR)."** The value specified on the Federal weight certification label by the manufacturer as the loaded weight of a single vehicle.

**"Gross weight."** The combined weight of a vehicle or combination of vehicles and its load excluding the driver's weight.

**"Hazardous material."** Any explosive, blasting agent, flammable liquid, combustible liquid, flammable solid, flammable or nonflammable compressed gas, corrosive material, poison, poison gas, irritant, oxidizer, organic peroxide, radioactive material, etiologic agent, cryogenic liquid, hazardous waste, hazardous substance or other material which the department by procedure prescribed in Chapter 83 (relating to hazardous materials transportation) declares to be a hazardous material.

**"Hazardous material response vehicle."** A vehicle owned or leased by a hazardous material response team certified through the Pennsylvania Emergency Management Agency.

**"Highway."** The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel. The term includes a roadway open to the use of the public for vehicular travel on grounds of a college or university or public or private school or public or historical park.

**"House coach."** A vehicle with an enclosed area which is designed, constructed or equipped for use, either permanently or temporarily, as a dwelling place, living abode, sleeping place or camping accommodation. A house coach includes motor homes, slide-in cabins and sleeping units specifically designed for mounting on a pickup truck and sleeping cabins designed for use on trucks and truck tractors operated for heavy-duty, long-distance hauling.

**"House trailer."**

(1) A trailer which is designed, constructed and equipped as a dwelling place, living abode or sleeping place (either permanently or temporarily) and is equipped for use as a conveyance on streets and highways.

(2) A trailer containing a chassis and exterior shell designed and constructed for use as a house trailer, as defined in paragraph (1), but which is used permanently or temporarily for advertising, sales, display or promotion of merchandise or services, or for any other commercial purpose except the transportation of property.

**"Human organ delivery vehicle."** Any vehicle which is used or intended to be used and is maintained or operated for the purpose of transporting human organs or human tissue on an emergency basis.

**"Hybrid electric vehicle."** An electric vehicle which allows power to be delivered to the drive wheels solely by a battery-powered electric motor but which also incorporates the use of a combustion engine to provide power to the battery and which meets the applicable Federal motor vehicle safety standards. The primary source of power for the motor must be the electric battery or battery pack and not the combustion engine.

**"Implement of husbandry."** Farm equipment that meets all of the following criteria:

(1) Is equipped with pneumatic tires except if prohibited by religious beliefs.

(2) Is infrequently operated or moved upon highways.

(3) Is used in agriculture for any of the following purposes:

(i) performance of agriculture production or harvesting activities for the farmer's agricultural operations; or

(ii) transportation of agricultural products or agricultural supplies for the benefit of the farmer's agricultural operations.

The term also includes earthmoving equipment and any other vehicle determined by the department to be an implement of husbandry.

**"Interactive wireless communications device."** A wireless telephone, personal digital assistant, smart phone, portable or mobile computer or

similar device which can be used for voice communication, texting, e-mailing, browsing the Internet or instant messaging. The term does not include any of the following:

(1) a device being used exclusively as a global positioning or navigation system;

(2) a system or device that is physically or electronically integrated into the vehicle; or

(3) a communications device that is affixed to a mass transit vehicle, bus or school bus.

**"Intersection."**

(1) The area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

(2) Where a highway includes two roadways 30 feet or more apart, then every crossing of each roadway of the divided highway by an intersecting highway shall be regarded as a separate intersection. In the event the intersecting highway also includes two roadways 30 feet or more apart, then every crossing of two roadways of the highways shall be regarded as a separate intersection.

**"Interstate highway."** A freeway on the Dwight D. Eisenhower System of Interstate and Defense Highways.

**"Issuing authority."** A public official having the power and authority of a magisterial district judge.

**"Laned roadway."** A roadway which is divided into two or more clearly marked lanes for vehicular traffic.

**"Learner's permit."** A permit issued for the purpose of learning to operate a motor vehicle.

**"Lienholder."** A person holding a security interest in a vehicle.

**"Limited access highway."** A highway in respect to which owners or occupants of abutting lands and other persons have no legal right of access except at points and in the manner determined by the authority having jurisdiction over the highway.

**"Limousine."** A motor vehicle designed for carrying no more than nine passengers, exclusive of the driver, and used for the transportation of persons for compensation.

**"Local authorities."** County, municipal and other local boards or bodies having authority to enact laws relating to traffic. The term also includes airport authorities, except where those authorities are located within counties of the first class or counties of the second class.

**"Magisterial district judge."** Includes a judge of a community court, of the Pittsburgh Magistrates Court, and of the Traffic Court of Philadelphia when exercising the jurisdiction of a magisterial district judge under this title.

**"Major component parts."** Includes any of the following parts of a vehicle: engine, transmission, front-end assemblies or unibodies structure which may consist of headlight, grille, fenders, bumpers and hood; fenders; hood; any door; any bumper; pickup box or cargo box; airbags; computer assembly; radio or stereo components; or trunk lid, deck lid, tailgate or hatchback, whichever is present.

**"Manufactured construction unit."** A building manufactured in sections in a production plant, transported to a site and set on a foundation to form a complete commercial or institutional noncombustible building.

**"Manufacturer."** A person engaged in the business of constructing or assembling vehicles or motors or bodies of vehicles.

**"Manufacturer's shipping weight."** The weight of a vehicle including all installed options as delivered for retail sale by the final stage manufacturer and as indicated on the manufacturer's certificate of origin.

**"Mass transit vehicle."** A self-propelled or electrically propelled device designed for carrying 15 or more passengers exclusive of the driver, other than a taxicab, designed and used for the transportation of persons for compensation, including but not limited to subway cars, buses, trolleys and trackless trolleys but excluding railroad passenger cars.

**"Maxi-cube vehicle."** A combination. The truck may have either a detachable or permanently attached cargo box. The cargo box on the trailer shall be designed such that the truck may be loaded and unloaded through the trailer. Neither cargo box shall exceed 34 feet in length, and the overall length of the combination shall not exceed 65 feet.

**"Messenger service."** A person who, for a fee, advertises, offers or provides to the public the service of obtaining from the department vehicle titles, registrations, drivers' licenses and similar documents. A dealer who obtains documents only for purchasers of vehicles from the dealer is not a messenger service.

**"Mileage."** The actual distance that a vehicle has traveled.

**"Mobile home."** A trailer designed and used exclusively for living quarters or commercial purposes which exceeds the maximum size limitations prescribed by this title for operation on a highway and is only incidentally operated on a highway.

**"Modified vehicle."** A vehicle of a type required to be registered under this title materially altered by the addition, deletion, substitution or modification of the body, chassis or essential parts, new or used. The term does not include vehicles that have been repaired to the function and appearance of vehicles in their original condition or vehicles where final-stage or second-stage manufacturers provide a manufacturer statement of origin or a federally required certification label at the time of the original title and registration application.

**"Modular housing undercarriage."** A trailer which is used to transport a modular housing unit.

**"Modular housing unit."** A unit transported on a removable or nonremovable frame designed for residential purposes which is wholly or in substantial part fabricated, formed or assembled in manufacturing facilities for assembly and installation on the building site.

**"Motor carrier vehicle."**

(1) A truck, truck tractor or combination having a gross vehicle weight rating, gross combination weight rating, registered gross weight, registered combination weight or actual gross weight of 17,001 pounds or more.

(2) A truck, truck tractor or combination engaged in interstate commerce and having a gross vehicle weight rating, gross combination weight rating, registered gross weight, registered combination weight or actual gross weight of 10,001 pounds or more.

**"Motor home."** A motor vehicle designed or adapted for use as a mobile dwelling or office, except a motor vehicle equipped with a truck-camper.

**"Motor vehicle."** A vehicle which is self-propelled except an electric personal assistive mobility device or a vehicle which is propelled solely by human power.

**"Motorcycle."** A motor vehicle having a seat or saddle for the use of the rider and:

(1) designed to travel on not more than three wheels in contact with the ground; or

(2) designed to travel on two wheels in contact with the ground which is modified by the addition of two stabilizing wheels on the rear of the motor vehicle.

**"Motor-driven cycle."** A motorcycle, including a motor scooter, with a motor which produces not to exceed five brake horsepower.

**"Motorized pedalcycle."** A motor-driven cycle equipped with operable pedals, a motor rated no more than 1.5 brake horsepower, a cylinder capacity not exceeding 50 cubic centimeters, an automatic transmission, and a maximum design speed of no more than 25 miles per hour or an electric motor-driven cycle equipped with operable pedals and an automatic transmission powered by an electric battery or battery pack-powered electric motor with a maximum design speed of no more than 25 miles per hour.

**"Multipurpose agricultural vehicle."** A motor vehicle which is 60 inches or less in width and 1,200 pounds or less in dry weight and which is used exclusively for agricultural operations and only incidentally operated or moved upon the highways.

**"Nondivisible."** Incapable of being divided into parts or dismembered without substantially damaging its usefulness or value.

**"Nonrepairable vehicle."** An abandoned vehicle under paragraph (1)(iii) of the definitions of "abandoned vehicle" which is incapable of safe operation for use on roadways or highways and which has no resale value except as a source of parts or scrap only, a salvage vehicle issued a nonrepairable or nonrebuildable vehicle document by another state or a vehicle which a salvor or vehicle salvage dealer designates as a source for parts or scrap or which the owner irreversibly designates as a source for parts or scrap. Such vehicles may not be issued a certificate of title or certificate of salvage.

**"Nonresident."** A person who is not a resident of this Commonwealth.

**"Number."** When used in the context of identification means a series of numerals or letters or both, with or without a prefix or suffix.

**"Numbered traffic route."** A highway which has been assigned an interstate, United States or Pennsylvania route number, consisting of three or fewer digits, to aid motorists in their travels.

**"Occupational limited license."** A license, issued under this title to a driver whose operating privileges have been suspended, to permit the operation of a motor vehicle under certain conditions, when necessary for the driver's occupation, work, trade or study.

**"Official traffic-control devices."** Signs, signals, markings and devices not inconsistent with this title placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning or guiding traffic.

**"Operating privilege."** The privilege to apply for and obtain a license to use as well as the privilege to use a vehicle on a highway as authorized in this title, but not a contract, property right or civil right.

**"Overtime parking."** The continuous parking of a vehicle for a period of time exceeding the maximum period established by law.

**"Owner."** A person, other than a lienholder, having the property right in or title to a vehicle. The term includes a person entitled to the use and possession of a vehicle subject to a security interest in another person, but excludes a lessee under a lease not intended as security.

**"Park" or "parking."**

(1) When permitted, means the temporary storing of a vehicle, whether occupied or not, off the roadway.

(2) When prohibited, means the halting of a vehicle, whether occupied or not, except momentarily for the purpose of and while actually engaged in loading or unloading property or passengers.

**"Passenger car."** A motor vehicle, except a motorcycle, designed primarily for the transportation of persons and designed for carrying no more than 15

passengers, including the driver, and primarily used for the transportation of persons. The term includes motor vehicles which are designed with seats that may be readily removed and reinstalled, but does not include such vehicles if used primarily for the transportation of property.

**"Pedalcycle."** A vehicle propelled solely by human-powered pedals. The term does not mean a three-wheeled human-powered pedal-driven vehicle with a main driving wheel 20 inches in diameter or under and primarily designed for children six years of age or younger.

**"Pedestrian."** A natural person afoot.

**"Pennsylvania Turnpike."** The highway system owned and operated by the Pennsylvania Turnpike Commission.

**"Person."** A natural person, firm, copartnership, association or corporation.

**"Police officer."** A natural person authorized by law to make arrests for violations of law.

**"Private road or driveway."** A way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

**"Railroad grade crossing."** One or more railroad tracks, but not streetcar tracks, which intersect or cross a highway at the same level or grade.

**"Railroad sign or signal."** A sign, signal or device erected by authority of a public body or official or by a railroad and intended to give notice of the presence of railroad tracks or the approach of a railroad train.

**"Recall."** To withdraw by formal action of the department for an indefinite period the operating privilege of a person for reasons of incompetency.

**"Reconstructed vehicle."** A vehicle, other than an antique or classic vehicle, for which a certificate of salvage was issued and is thereafter restored to operating condition to meet the vehicle equipment and inspection standards under Part IV (relating to vehicle characteristics).

**"Recorded image."** An image recorded by an automated red light enforcement system on a photograph, a digital image or any other image-capture technology.

**"Recovered theft vehicle."** A vehicle other than an antique or classic vehicle which was reported as stolen but subsequently recovered.

**"Recreational trailer."** A trailer designed or adapted and used exclusively for recreational purposes.

**"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) 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.

**"Registration."** The authority for a vehicle to operate on a highway as evidenced by the issuance of an identifying card and plate or plates.

**"Residence district."** The territory contiguous to and including a highway not comprising a business district when the property on the highway for a distance of 300 feet or more is in the main improved with residences or residences and buildings in use for business.

**"Resident."** A person dwelling permanently or continuously for a period exceeding 60 consecutive days within this Commonwealth, except that a person

who regularly dwells in two or more states shall declare residence to be in any one of the states.

**"Revoke."** To terminate by formal action of the department any license, registration or privilege issued or granted by the department. Following a period of revocation, the license, registration or privilege may not be restored except upon submission and acceptance of a new application.

**"Right-of-way."** The right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed and proximity as to give rise to danger or collision unless one grants precedence to the other.

**"Roadway."** That portion of a highway improved, designed or ordinarily used for vehicular travel, exclusive of the sidewalk, berm or shoulder even though such sidewalk, berm or shoulder is used by pedalcycles. In the event a highway includes two or more separate roadways the term "roadway" refers to each roadway separately but not to all such roadways collectively.

**"Saddle-mount operation."** Any operation in which any truck or truck tractor tows one or more trucks or truck tractors, each connected by a saddle to the frame or fifth wheel of the vehicle in front of it. The saddle is a mechanism that connects the front axle of the towed vehicle to the frame or fifth wheel of the vehicle in front and functions like a fifth wheel kingpin connection.

**"Safety seat belt system."** Any strap, webbing or similar device designed to secure a person in a motor vehicle in order to mitigate the results of any accident, including buckles, fasteners and all installation hardware as specified by Federal Motor Vehicle Safety Standard No. 209 (49 C.F.R. § 571.209).

**"Safety zone."** The area or space officially set apart within a roadway for the exclusive use of pedestrians.

**"Salvage motor vehicle auction or pool operator."** A person who on his own behalf or as an agent for a third party engages in business for the purpose of offering for sale wrecked or salvage motor vehicles through an auction or private bid process to vehicle salvage dealers.

**"Salvage vehicle."** A vehicle which is inoperable or unable to meet the vehicle equipment and inspection standards under Part IV (relating to vehicle characteristics) to the extent that the cost of repairs would exceed the value of the repaired vehicle. The term does not include a vehicle which would qualify as an antique or classic vehicle except for its lack of restoration or maintenance.

**"Salvor."** A person engaged in the business of acquiring abandoned vehicles for the purpose of taking apart, recycling, selling, rebuilding or exchanging the vehicles or parts thereof.

**"School bus."** A motor vehicle which:

- (1) is designed to carry 11 passengers or more, including the driver; and
- (2) is used for the transportation of preprimary, primary or secondary school students to or from public, private or parochial schools or events related to such schools or school-related activities.

The term does not include a motor vehicle used to transport preprimary, primary or secondary school students to or from public, private or parochial schools or events related to such schools or school-related activities, which is designed to carry 11 to 15 passengers, including the driver, and which is registered in this Commonwealth as a bus prior to March 1, 1993, or a motor vehicle which is designed to carry 11 to 15 passengers, including the driver, and which was titled to any public, private or parochial school on or before March 1, 1993, and which is registered to that public, private or parochial school in this Commonwealth as a bus prior to September 15, 1993.

**"School vehicle."** A motor vehicle, except a motorcycle, designed for carrying no more than ten passengers, including the driver, and used for the

transportation of preprimary, primary or secondary school students while registered by or under contract to a school district or private or parochial school. The term includes vehicles having chartered, group and party rights under the Pennsylvania Public Utility Commission and used for the transportation of school children.

**"Scrap metal processor."** A person whose principal business is the operation of an establishment having facilities for processing iron, steel or nonferrous scrap metals, and whose principal product is scrap iron, scrap steel or nonferrous scrap for resale for remelting purposes only.

**"Second-stage manufacturer."** A person engaged in performing manufacturing operations on an incomplete vehicle produced by a manufacturer.

**"Secretary."** The Secretary of Transportation of the Commonwealth.

**"Secure power of attorney."** A document printed with security features containing all information required by Federal law and regulations which a transferor may use when a vehicle is transferred to authorize a transferee to disclose odometer mileage in lieu of the transferor completing the odometer information on a certificate of title in the event that the transferor's certificate of title is encumbered by a lienholder.

**"Security interest."** An interest in a vehicle reserved or created by agreement which secures payment or performance of an obligation. The term includes the interest of a lessor under a lease intended as security. A security interest is perfected when it is valid against third parties generally, subject only to specific statutory exceptions.

**"Semitrailer."** A trailer so constructed that some part of its weight rests upon or is carried by the towing vehicle.

**"Serious bodily injury."** Any bodily injury which creates a substantial risk of death or which causes serious, permanent disfigurement or protracted loss or impairment of the function of any bodily member or organ.

**"Shall."** Indicates that an action is required or prohibited.

**"Should."** Indicates that an action is advisable but not required.

**"Sidewalk."** That portion of a street between curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for use by pedestrians.

**"Special mobile equipment."**

(1) Vehicles not designed or used primarily for the transportation of persons or property, except for tools and parts necessary for the use and maintenance of the vehicle, and only incidentally operated or moved over a highway.

(2) Vehicles which have machinery permanently attached shall not carry a load, except for tools and parts necessary for the use and maintenance of the permanently attached machinery and are only incidentally operated or moved over a highway.

(3) Motor vehicles used primarily for road and bridge maintenance or repair which carry a load of asphalt emulsion or epoxy and aggregate material, that is applied as a finished product by the vehicle's equipment directly to a highway or trafficway for maintenance or repair of the road or bridge surface.

The term includes, but is not limited to, ditch digging apparatus, well boring apparatus; earth moving and road construction and maintenance machinery, such as asphalt spreaders, bituminous mixers, bucket loaders, snowplows, ditchers, graders, patchers, finishing machines, road rollers, scarifiers, earth moving carryalls, scrapers, power shovels and drag lines; and self-propelled cranes and tractors, other than truck tractors. The term does not include house trailers; dump trucks; or truck-mounted transit mixers, cranes or shovels.

**"Specially constructed vehicle."** A vehicle not originally constructed under a distinctive name, make, model or type by a generally recognized manufacturer of vehicles.

**"Stand" or "standing."** When prohibited, means the halting of a vehicle, whether occupied or not, except momentarily for the purpose of and while actually engaged in receiving or discharging passengers.

**"State."** A state, territory or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico or a province of Canada.

**"State designated highway."** A highway or bridge on the system of highways and bridges over which the department has assumed or has been legislatively given jurisdiction.

**"Status."** With respect to an abandoned vehicle, a determination by police and a salvor as to the condition or value of the abandoned vehicle. The determination shall be one of the following: vehicle with value, salvage vehicle or nonrepairable vehicle.

**"Stinger-steered automobile" or "boat transporter."** A truck tractor-semitrailer combination of a total length not greater than 75 feet exclusive of an overhang of not more than three feet on the front and four feet on the rear of the vehicle configured as a semitrailer combination wherein the fifth wheel is located on a drop frame located behind and below the rearmost axle of the power unit.

**"Stop" or "stopping."**

(1) When required, means complete cessation from movement.

(2) When prohibited, means any halting even momentarily of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control sign or signal.

**"Streetcar."** A car other than a railroad train for transporting persons or property and operated upon rails.

**"Street rod."** A motor vehicle, or 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.

**"Suspend."** To withdraw temporarily by formal action of the department any license, registration or privilege issued or granted by the department. Following a period of suspension, the department shall restore the license, registration or privilege.

**"Tandem axle."** Every axle located within eight feet of another axle.

**"Taxi."** A motor vehicle designed for carrying no more than eight passengers, exclusive of the driver, on a call and demand service, and used for the transportation of persons for compensation.

**"Terminal."** Any location where:

(1) freight either originates, terminates or is handled in the transportation process; or

(2) commercial motor carriers maintain operating facilities.

**"Theft vehicle."** A vehicle, other than an antique or classic vehicle, which was reported stolen.

**"Through highway."** A highway or portion of a highway on which vehicular traffic is given preferential right-of-way, and at the entrances to which vehicular traffic from intersecting highways is required by law to yield the right-of-way to vehicles on the through highway in obedience to a stop sign, yield sign or other official traffic-control device when the signs or devices are erected as provided in this title.

**"Tire width."** The linear distance between the exteriors of the sidewalls of an uninflated tire, excluding elevations due to labeling, decoration or protective sidebands.

**"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.

**"Traffic."** Pedestrians, ridden or herded animals, vehicles, streetcars and other conveyances, whether singly or together, using any highway for purposes of travel.

**"Traffic-control signal."** A device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and permitted to proceed.

**"Trafficway."** The entire width between property lines or other boundary lines of every way or place of which any part is open to the public for purposes of vehicular travel as a matter of right or custom.

**"Trailer."** A vehicle designed to be towed by a motor vehicle.

**"Transfer."** To change ownership by purchase, gift or any other means.

**"Transferee."** A person to whom ownership of a motor vehicle is transferred, by purchase, gift or any means other than by the creation of a security interest, and any person who, as agent, signs an odometer disclosure statement for the transferee.

**"Transferor."** A person who transfers his ownership of a motor vehicle by sale, gift or any means other than by the creation of a security interest and any person who, as agent, signs an odometer disclosure statement for the transferor.

**"Truck."** A motor vehicle designed primarily for the transportation of property. The term includes motor vehicles designed with seats that may be readily removed and reinstalled if those vehicles are primarily used for the transportation of property.

**"Truck-camper."** A structure designed, used or maintained primarily to be loaded or affixed to a motor vehicle to provide a mobile dwelling, sleeping place, office or commercial space.

**"Truck tractor."** A motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

**"Urban district."** The territory contiguous to and including any street which is built up with structures devoted to business, industry or dwelling houses situated at intervals of less than 100 feet for a distance of a quarter of a mile or more.

**"Urban mass transportation system."** A person holding a certificate of the Public Utility Commission or a municipality authority, port authority or transportation authority established under the laws of this Commonwealth that transports persons on schedule over fixed routes and derives over 80% of their intrastate scheduled revenue from scheduled operations within the county in which they have their principal place of business, or contiguous counties.

**"Utility trailer."** A trailer, except a recreational trailer, which does not have air brakes.

**"Valueless except for salvage."** (Deleted by amendment).

**"Vehicle."** Every device in, upon or by which any person or property is or may be transported or drawn upon a highway, except devices used exclusively upon rails or tracks. The term does not include a self-propelled wheelchair or an electrical mobility device operated by and designed for the exclusive use of a person with a mobility-related disability.

**"Vehicle identification number" or "VIN."** A combination of numerals or letters or both which the manufacturer assigns to a vehicle for identification purposes, or, in the absence of a manufacturer-assigned number, which the department assigns to a vehicle for identification purposes.

**"Work zone."** The area of a highway where construction, maintenance or utility work activities are being conducted which is properly signed as a work zone in accordance with regulations of the Department of Transportation.

**"Wrecker."** A motor vehicle designed or constructed and used for the towing of abandoned or disabled vehicles.

**"Zero-emission vehicle."** A motor vehicle which produces no emissions of any criteria of pollutants under any operational mode and under any conditions and which meets the applicable Federal motor vehicle safety standards.

(Apr. 28, 1978, P.L.202, No.53, eff. 60 days; June 6, 1979, P.L.39, No.12, eff. imd.; June 18, 1980, P.L.223, No.67, eff. imd.; June 18, 1980, P.L.229, No.68, eff. 60 days; Oct. 10, 1980, P.L.791, No.147, eff. imd.; July 10, 1981, P.L.250, No.82, eff. imd.; Mar. 7, 1982, P.L.152, No.49, eff. imd.; June 23, 1982, P.L.605, No.171, eff. imd.; Dec. 15, 1982, P.L.1268, No.289, eff. 30 days; July 7, 1983, P.L.32, No.19, eff. imd.; July 22, 1983, P.L.122, No.32, eff. imd.; Feb. 12, 1984, P.L.26, No.11, eff. Oct. 1, 1984; Feb. 12, 1984, P.L.53, No.12, eff. imd.; Apr. 3, 1984, P.L.181, No.33, eff. 60 days; June 30, 1984, P.L.473, No.99, eff. imd.; July 10, 1984, P.L.679, No.146, eff. 60 days; June 19, 1985, P.L.49, No.20, eff. 60 days; July 11, 1985, P.L.204, No.52, eff. 60 days; July 11, 1985, P.L.220, No.56, eff. 60 days; July 8, 1986, P.L.432, No.90, eff. 60 days; Nov. 23, 1987, P.L.399, No.82, eff. imd.; Feb. 2, 1990, P.L.2, No.2, eff. 60 days; Mar. 13, 1990, P.L.69, No.14, eff. imd.; May 30, 1990, P.L.173, No.42; June 29, 1990, P.L.259, No.60, eff. imd.; Aug. 5, 1991, P.L.238, No.26, eff. imd.; Apr. 16, 1992, P.L.169, No.31, eff. 60 days; Dec. 14, 1992, P.L.870, No.139, eff. 60 days; Dec. 18, 1992, P.L.1411, No.174, eff. 60 days; May 20, 1993, P.L.30, No.10; June 28, 1993, P.L.137, No.33, eff. July 1, 1993; July 2, 1993, P.L.408, No.58, eff. imd.; Feb. 10, 1994, P.L.10, No.2, eff. imd.; Dec. 7, 1994, P.L.820, No.115, eff. 60 days; Dec. 28, 1994, P.L.1450, No.172, eff. 60 days; June 13, 1995, P.L.57, No.9, eff. 30 days; July 6, 1995, P.L.246, No.30, eff. 60 days; Dec. 15, 1995, P.L.655, No.72, eff. 60 days; Dec. 20, 1995, P.L.669, No.75, eff. 120 days; July 11, 1996, P.L.660, No.115, eff. 60 days; Dec. 21, 1998, P.L.1126, No.151, eff. imd.; June 22, 2001, P.L.411, No.33, eff. 60 days; June 25, 2001, P.L.701, No.68, eff. 60 days; June 26, 2001, P.L.734, No.75, eff. 60 days; July 4, 2002, P.L.692, No.105, eff. 60 days; Oct. 4, 2002, P.L.845, No.123, eff. 60 days; Dec. 9, 2002, P.L.1278, No.152; Dec. 23, 2002, P.L.1982, No.229; Nov. 30, 2004, P.L.1618, No.207, eff. 60 days; Nov. 30, 2004, P.L.1667, No.211, eff. 60 days; Dec. 1, 2004, P.L.1767, No.228, eff. Jan. 1, 2007; July 5, 2005, P.L.100, No.37; July 14, 2005, P.L.285, No.50, eff. 60 days; Dec. 18, 2007, P.L.436, No.67, eff. 60 days; Nov. 26, 2008, P.L.1658, No.133, eff. 60 days; Aug. 18, 2009, P.L.308, No.37, eff. imd.; Oct. 19, 2010, P.L.557, No.81, eff. 60 days; Nov. 9, 2011, P.L.406, No.98, eff. 120 days; Dec. 22, 2011, P.L.596, No.129, eff. 60 days; Jan. 27, 2012, P.L.1, No.1, eff. 60 days)

**2012 Amendment.** Act 1 amended the def. of "emergency vehicle."

**2011 Amendments.** Act 98 added the def. of "interactive wireless communications device" and Act 129 amended the def. of "motorcycle."

**2010 Amendment.** Act 81 added the defs. of "emergency service responder" and "serious bodily injury." The preamble of Act 81 provided that Act 81 may be referred to as the Sgt. Michael C. Weigand Law.

**2009 Amendment.** Act 37 amended the def. of "emergency vehicle."

**2008 Amendment.** Act 133 amended the def. of "motor vehicle."

**2007 Amendment.** Act 67 amended the defs. of "automated red light enforcement system" and "recorded images."

**2005 Amendments.** Act 37 added the def. of "commercial driver" and Act 50 amended the def. of "emergency vehicle." Section 10(2) of Act 37 provided that Act 37 shall take effect 90 days after publication of a notice in the Pennsylvania Bulletin. The notice was published July 16, 2005, at 35 Pa.B. 4029.

**2004 Amendments.** Act 207 amended the def. of "issuing authority," added the def. of "magisterial district judge" and deleted the def. of "district justice," Act 211 amended the defs. of "multipurpose agricultural vehicle" and "special mobile equipment" and Act 228 amended the def. of "collectible motor vehicle." See sections 28 and 29 of Act 207 in the appendix to this title for special provisions relating to applicability and construction of law.

**2002 Amendments.** Act 105 amended the def. of "motor vehicle" and added the def. of "electric personal assistive mobility device" or "EPAMD," Act 123 added the defs. of "automated red light enforcement system," "house coach" and "recorded images," Act 152 amended the defs. of "abandoned vehicle," "collectible motor vehicle," "essential parts," "reconstructed vehicle," "recovered theft vehicle" and "vehicle identification number," deleted the def. of "valueless except for salvage" and added the defs. of "agent service," "major component parts," "mileage," "modified vehicle," "nonrepairable vehicle," "salvage vehicle," "status" and "theft vehicle," effective immediately as to "nonrepairable vehicle," six months as to "agent service" and 60 days as to the remainder of the section, and Act 229 amended the def. of "motor carrier vehicle" and added the defs. of "active work zone" and "work zone," effective immediately as to "active work zone" and "work zone" and six months as to "motor carrier vehicle." See section 21 of Act 229 in the appendix to this title for special provisions relating to promulgation of guidelines to implement Act 229.

**2001 Amendments.** Act 33 amended the defs. of "commercial implement of husbandry," "farm equipment" and "implement of husbandry," Act 68 added the defs. of "transfer," "transferee" and "transferor" and Act 75 amended the def. of "emergency vehicle" and added the defs. of "ambulance," "blood delivery vehicle," "fire department vehicle," "hazardous material response vehicle" and "human organ delivery vehicle."

**1998 Amendment.** Act 151 amended the defs. of "maxi-cube vehicle," "modular housing unit," "motorized pedalcycle," "passenger car," "registered gross weight," "salvor," "special mobile equipment," "truck" and "vehicle" and added the defs. of "cancel," "manufactured construction unit" and "numbered traffic route."

**1996 Amendment.** Act 115 added the def. of "utility trailer."

**1995 Amendments.** Act 9 added the def. of "interstate highway," Act 30 added the def. of "second-stage manufacturer," Act 72 amended the def. of "pedalcycle" and Act 75 amended the defs. of "classic motor vehicle" and "emergency vehicle" and added the def. of "collectible motor vehicle."

**1994 Amendments.** Act 2 amended the def. of "terminal" and added the defs. of "maxi-cube vehicle," "saddle-mount operation" and "stinger-steered automobile" or "boat transporter," Act 115 added the def. of "secure power of attorney" and deleted the def. of "farm truck" and Act 172 added the def. of "containerized cargo."

**1993 Amendments.** Act 10 amended the defs. of "recovered theft vehicle" and "school bus," effective immediately, and amended the defs. of "commercial implement of husbandry" and "implement of husbandry" and added the def. of "farm vehicle," all effective in 60 days, Act 33 amended the def. of "court" and Act 58 amended the defs. of "passenger car" and "school bus."

**1992 Amendments.** Act 31 amended the defs. of "emergency vehicle" and "valueless except for junk" and added the def. of "recovered theft vehicle," Act 139 added the defs. of "electric vehicle," "hybrid electric vehicle" and "zero-emission vehicle" and Act 174 amended the def. of "school bus" and added the def. of "commercial implement of husbandry."

**1990 Amendments.** Act 2 added the def. of "salvage motor vehicle auction or pool operator," Act 14 amended the def. of "emergency vehicle," Act 42 amended the defs. of "bus," "passenger car" and "school bus," added the defs. of "limousine," "occupational limited license" and "school vehicle," all

effective November 1, 1990, and amended the def. of "classic motor vehicle," effective in 60 days, and Act 60 amended the def. of "street rod."

**1987 Amendment.** Act 82 added the def. of "safety seat belt system."

**1986 Amendment.** Act 90 amended the def. of "gross weight."

**1985 Amendments.** Act 20 amended the def. of "bus," retroactive to July 10, 1984, Act 52 amended the def. of "emergency vehicle" and Act 56 added the def. of "multipurpose agricultural vehicle."

**1984 Amendments.** Act 11 deleted the def. of "proof of insurance," Act 12 amended the def. of "local authorities," Act 99 added the def. of "hazardous material" and Act 146 amended the defs. of "bus" and "motor-driven cycle."

**1983 Amendments.** Act 19 amended the def. of "registered gross weight" and added the defs. of "converter gear," "terminal" and "tow dolly" and Act 32 amended the def. of "resident." See section 7 of Act 19 in the appendix to this title for special provisions relating to expiration of amendments by Act 19.

**1982 Amendments.** Act 49 amended the def. of "mobile home" and added the defs. of "modular housing undercarriage" and "modular housing unit," Act 171 amended the def. of "street rod" and Act 289 added the def. of "chemical test or testing."

**1980 Amendments.** Act 67 added the def. of "mass transit vehicle" and Act 147 added the defs. of "construction truck" and "tandem axle."

**1979 Amendment.** Act 12 added the def. of "articulated bus."

**1978 Amendment.** Act 53 amended the def. of "issuing authority" and added the defs. of "court," "district justice" and "general rule."

**Cross References.** Section 102 is referred to in sections 2105, 3742.1, 7304.1, 7310 of this title; section 6102 of Title 7 (Banks and Banking); section 6202 of Title 27 (Environmental Resources); section 901 of Title 34 (Game); section 3732 of Title 62 (Procurement); section 8102 of Title 74 (Transportation).

### **§ 103. Uniformity of interpretation.**

This title shall be so interpreted and construed as to effectuate its general purpose to make uniform the law throughout this Commonwealth and all political subdivisions.

### **§ 104. Continuation of existing law (Repealed).**

**1978 Repeal.** Section 104 was repealed April 28, 1978, P.L.202, No.53, effective in 60 days.