

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 831 Session of 2017

INTRODUCED BY M. K. KELLER, READSHAW, BARBIN, BARRAR, BLOOM, V. BROWN, CARROLL, CAUSER, CUTLER, DeLUCA, DiGIROLAMO, EVERETT, GILLEN, GREINER, A. HARRIS, KAUFFMAN, KINSEY, KNOWLES, KORTZ, LONGIETTI, MARSICO, MASSER, PICKETT, QUIGLEY, RAPP, REESE, SCHLOSSBERG, SNYDER, WARD, WHEELAND, ZIMMERMAN, HELM, FARRY, MOUL, WENTLING AND DAY, MARCH 30, 2017

AS REPORTED FROM COMMITTEE ON TRANSPORTATION, HOUSE OF REPRESENTATIVES, AS AMENDED, MAY 24, 2017

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in general provisions relating to operation of
3 vehicles, further providing for obedience to authorized
4 persons directing traffic and providing for drivers in
5 organized motorcycle processions; AND, in rules of the road <--
6 in general, further providing for following too closely, in <--
7 inspection of vehicles, further providing for inspection by
8 police or Commonwealth personnel; and, in enforcement,
9 further providing for investigation by police officers.

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

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

14 § 3102. Obedience to authorized persons directing traffic.

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

- 17 (1) any uniformed police officer, sheriff or constable
18 or, in an emergency, a railroad or street railway police
19 officer;

1 (2) any appropriately attired person, including an agent
2 or employee of the funeral director during a funeral or a
3 designated member of an organized motorcycle procession under
4 section 3107.1 (relating to drivers in organized motorcycle
5 processions), authorized to direct, control or regulate
6 traffic;

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

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

14 Section 2. Title 75 is amended by adding a section to read:
15 § 3107.1. Drivers in organized motorcycle processions.

16 (a) General rule.--The driver of a vehicle or motorcycle
17 that is being driven in an organized motorcycle procession may:

18 (1) Park or stand irrespective of the provisions of this
19 part.

20 (2) Proceed past a red signal indication or stop sign if
21 the lead vehicle or motorcycle in the procession started
22 through the intersection while the signal indicator was green
23 or, in the case of a stop sign, the lead vehicle or
24 motorcycle first came to a complete stop before proceeding
25 through the intersection.

26 (b) Visual signals required.--The privileges granted by this
27 section shall apply only if the lead and trailing vehicle or
28 motorcycle in an organized motorcycle procession is equipped
29 with and displays a yellow flashing light, lighted head lamps
30 and emergency flashers. All participants are required to have

1 lighted head lamps and emergency flashers-, IF SO EQUIPPED. A <--
2 MOTORCYCLE DRIVEN IN AN ORGANIZED MOTORCYCLE PROCESSION SHALL
3 BEAR A YELLOW BANDANA OR CLOTH OF AT LEAST TWO SQUARE FEET WHICH
4 IS TIED TO THE MOTORCYCLE MIRROR, HANDLEBARS OR SIMILAR FRONTAL
5 AREA FOR THE PURPOSE OF DESIGNATING THE MOTORCYCLE AS PART OF
6 THE PROCESSION.

7 ~~(c) Visual signals authorized. A motorcycle driven in an~~ <--
8 ~~organized motorcycle procession may bear a yellow bandana or~~
9 ~~cloth of at least two square feet which is tied to the~~
10 ~~motorcycle mirror, handlebars or similar frontal area for the~~
11 ~~purpose of designating the motorcycle as part of the procession.~~

12 ~~(d) (C) Right-of-way to emergency vehicles.--This section~~ <--
13 ~~does not relieve the driver of a vehicle or motorcycle which is~~
14 ~~being driven in an organized motorcycle procession from yielding~~
15 ~~the right-of-way to an emergency vehicle making use of audible~~
16 ~~and visual signals or from the duty to drive with due regard for~~
17 ~~the safety of all persons.~~

18 ~~(e) (D) Definition.--As used in this section, the term~~ <--
19 ~~"organized motorcycle procession" means a group of NO FEWER THAN~~ <--
20 ~~10 motorcycle drivers participating in an organized motorcycle~~ <--
21 ~~ride in accordance with the laws of this Commonwealth., NOT~~ <--
22 ~~INCLUDING THE LEAD OR TRAILING VEHICLE OR MOTORCYCLE, WHICH~~
23 ~~MEETS ALL OF THE FOLLOWING REQUIREMENTS:~~

24 (1) THE PROCESSION MUST BE CONDUCTED BETWEEN THE HOURS
25 OF 8 A.M. AND SUNSET.

26 (2) THE PROCESSION MUST BE SPONSORED BY A CORPORATION OR
27 A NONPROFIT ORGANIZATION.

28 (3) THE PROCESSION MUST BE CONDUCTED FOR MEMORIAL OR
29 CHARITABLE PURPOSES.

30 (4) AT LEAST 10% OF THE TOTAL NUMBER OF MOTORCYCLE

1 DRIVERS IN THE PROCESSION MUST WEAR A CLASS 2 OR HIGHER
2 YELLOW REFLECTIVE VEST APPROVED FOR USE BY THE AMERICAN
3 NATIONAL STANDARDS INSTITUTE.

4 ~~Section 3. Sections 3310(c), 4704(a)(2) and 6308(b) of Title <--~~
5 ~~75 are amended to read:~~

6 SECTION 3. SECTION 3310(C) OF TITLE 75 IS AMENDED TO READ: <--
7 § 3310. Following too closely.

8 * * *

9 (c) Caravans and motorcades.--Upon any roadway outside of an
10 urban district, motor vehicles being driven in a caravan or
11 motorcade, whether or not towing other vehicles, shall be so
12 operated as to allow sufficient space between each vehicle or
13 combination of vehicles so as to enable any other vehicle to
14 enter and occupy space without danger. This subsection does not
15 apply to funeral processions under section 3107 (relating to
16 drivers in funeral processions) or organized motorcycle
17 processions under section 3107.1 (relating to drivers in
18 organized motorcycle processions), which shall not be
19 interrupted by any vehicle other than an emergency vehicle.

20 ~~§ 4704. Inspection by police or Commonwealth personnel. <--~~

21 ~~(a) Authority to inspect.--~~

22 * * *

23 ~~(2) Systematic vehicle inspection programs. Any~~
24 ~~Pennsylvania State Police officer or qualified Commonwealth~~
25 ~~employee engaged in a systematic vehicle inspection program~~
26 ~~may inspect any vehicle, driver, documents, equipment and~~
27 ~~load to determine whether they meet standards established in~~
28 ~~department regulations. A systematic vehicle inspection~~
29 ~~program shall not be based on stopping only a particular type~~
30 ~~of vehicle, such as a passenger car, truck or motorcycle.~~

1 ~~Notwithstanding this subsection, a systematic vehicle~~
2 ~~inspection program may stop only commercial motor vehicles,~~
3 ~~as defined in section 1603 (relating to definitions).~~

4 * * *

5 ~~§ 6308. Investigation by police officers.~~

6 * * *

7 ~~(b) Authority of police officer. Whenever a police officer~~
8 ~~is engaged in a systematic program of checking vehicles or~~
9 ~~drivers or has reasonable suspicion that a violation of this~~
10 ~~title is occurring or has occurred, he may stop a vehicle, upon~~
11 ~~request or signal, for the purpose of checking the vehicle's~~
12 ~~registration, proof of financial responsibility, vehicle~~
13 ~~identification number or engine number or the driver's license,~~
14 ~~or to secure such other information as the officer may~~
15 ~~reasonably believe to be necessary to enforce the provisions of~~
16 ~~this title. A systematic program of checking vehicles or drivers~~
17 ~~shall not be based on stopping only a particular type of~~
18 ~~vehicle, such as a passenger car, truck or motorcycle.~~

19 ~~Notwithstanding this subsection, a systematic vehicle inspection~~
20 ~~program may stop only commercial motor vehicles, as defined in~~
21 ~~section 1603 (relating to definitions).~~

22 * * *

23 Section 4. This act shall take effect in 60 days.