CHAPTER 45
OTHER REQUIRED EQUIPMENT

Subchapter

A. Brake Equipment
B. Safety and Anti-pollution Equipment
C. Vehicles for Transportation of School Children
D. Equipment of Authorized and Emergency Vehicles
E. Child Passenger Protection

Enactment. Chapter 45 was added June 17, 1976, P.L.162, No.81, effective July 1, 1977, unless otherwise noted.

Cross References. Chapter 45 is referred to in sections 3581, 4101 of this title.

SUBCHAPTER A
BRAKE EQUIPMENT

Sec.

4501. Promulgation of regulations by department.
4502. General requirements for braking systems.

§ 4501. Promulgation of regulations by department.

The department shall promulgate regulations governing the type, size, construction, location and use of brake equipment taking into consideration different requirements for different classes or types of vehicles. The authority granted in this section includes the power to regulate the performance of the brake system on a vehicle.

§ 4502. General requirements for braking systems.

(a) Parking brakes.--Every vehicle or combination, except a motorcycle, operated on a highway shall be equipped with a parking brake system adequate to hold the vehicle or combination on any grade on which it is operated, under all conditions of loading, on a surface free of ice or snow. The system shall not be designed to require a continuous or intermittent source of energy for full effectiveness after initial application.

(b) Service brakes.--Every vehicle and combination operated on a highway shall be equipped with a service brake system adequate to control the movement of and to stop and hold the vehicle or combination on any grade on which it is operated, under all conditions of loading, and adequate to meet the braking performance standards established by regulation of the department.

(c) Breakaway systems.--Every combination operated on a highway, the towed vehicle of which is equipped with brakes or which has a gross weight in excess of 3,000 pounds, shall be so equipped that, upon breakaway of the towed vehicle, the towed vehicle shall be stopped and held automatically, and the towing vehicle shall be capable of being stopped and held by use of its own service braking system.

(d) Exceptions.--This section does not apply to towed instruments of husbandry and such items or types of special mobile equipment or commercial implements of husbandry as are specifically exempted from compliance by regulations promulgated by the department.

(Dec. 18, 1992, P.L.1411, No.174, eff. 60 days)

1992 Amendment. Act 174 amended subsec. (d).

Cross References. Section 4502 is referred to in section 3716 of this title.

SUBCHAPTER B
SAFETY AND ANTI-POLLUTION EQUIPMENT

Sec.
4521. Promulgation of regulations by department.
4522. Effect of amendments to Federal regulations (Repealed).
4523. Exhaust systems, mufflers and noise control.
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4533. Rear wheel shields.
4534. Rearview mirrors.
4535. Audible warning devices.
4536. Bumpers.
4537. Device used to carry pedalcycles.

§ 4521. Promulgation of regulations by department.

The department shall promulgate regulations governing the number, size, color, type, construction, location and use of other equipment on vehicles consistent with but not limited by the provisions of this subchapter and taking into consideration different requirements for different classes or types of vehicles.

§ 4522. Effect of amendments to Federal regulations (Repealed).

1985 Repeal Note. Section 4522 was repealed June 19, 1985, P.L.49, No.20, effective in 60 days.

§ 4523. Exhaust systems, mufflers and noise control.

(a) Compliance with established sound levels.--Every motor vehicle operated on a highway shall be constructed, equipped, maintained and operated so as not to exceed the sound level for the vehicle as prescribed in regulations promulgated by the department. The test procedures and instrumentation to be utilized shall also be established by regulation.

(b) Compliance with exhaust requirements.--In addition to any requirements established under sections 4531 (relating to emission control systems) and 4532 (relating to smoke control for diesel-powered motor vehicles), every motor vehicle shall be constructed, equipped, maintained and operated so as to prevent engine exhaust gases from penetrating and collecting in any part of the vehicle occupied by the driver or passengers.

(c) Mufflers and related equipment.--Every motor vehicle shall be equipped with a muffler or other effective noise suppressing system in good working order and in constant operation and no muffler or exhaust system shall be equipped with a cutout, bypass or similar device.

(d) Unauthorized modification of equipment.--No person shall modify the exhaust system of a motor vehicle in a manner which will amplify or increase the noise emitted by the motor of the vehicle above the maximum levels permitted under subsection (a) or violate the provisions of subsection (b). Headers and side exhausts are permitted provided the vehicle meets all the requirements of this section.

(e) Fire equipment and racing vehicles.--This section does not apply to fire equipment or to racing vehicles being operated in an organized racing or competitive event conducted under a permit issued by local authorities.

§ 4524. Windshield obstructions and wipers.

(a) Obstruction on front windshield.--No person shall drive any motor vehicle with any sign, poster

or other nontransparent material upon the front windshield which materially obstructs, obscures or impairs the driver's clear view of the highway or any intersecting highway except an inspection certificate, sticker identification sign on a mass transit vehicle or other officially required sticker and no person shall drive any motor vehicle with any ice or snow on the front windshield which materially obstructs, obscures or impairs the driver's clear view of the highway or any intersecting highway.

(b) Obstruction on side and rear windows.--No person shall drive a motor vehicle with any sign, poster or other nontransparent material, including ice or snow, upon the side wings or side or rear windows of the vehicle which materially obstructs, obscures or impairs the driver's clear view of the highway or any intersecting highway. The placement of a registration permit upon the side or rear window of a vehicle shall not be considered a material obstruction.

(c) Other obstruction.--No person shall drive any motor vehicle with any object or material hung from the inside rearview mirror or otherwise hung, placed or attached in such a position as to materially obstruct, obscure or impair the driver's vision through the front windshield or any manner as to constitute a safety hazard.

(d) Windshield wiper systems.--The windshield on every motor vehicle other than a motorcycle or special mobile equipment shall be equipped with a wiper system capable of cleaning rain, snow or other moisture from the windshield, and so constructed as to be controlled or operated by the driver of the vehicle.

(e) Sun screening and other materials prohibited.--

(1) No person shall drive any motor vehicle with any sun screening device or other material which does not permit a person to see or view the inside of the vehicle through the windshield, side wing or side window of the vehicle.

(2) This subsection does not apply to:

(i) A vehicle which is equipped with tinted windows of the type and specification that were installed by the manufacturer of the vehicle or to any hearse, ambulance, government vehicle or any other vehicle for which a currently valid certificate of exemption has been issued in accordance with regulations adopted by the department.

(ii) A vehicle which is equipped with tinted windows, sun screening devices or other materials which comply with all applicable Federal regulations and for which a currently valid certificate of exemption for medical reasons has been issued in accordance with regulations adopted by the department.

(3) A certificate of exemption shall be issued by the department for a vehicle which is:

(i) Registered in this Commonwealth on the effective date of this subsection and is equipped with a sun screening device or other material prohibited under paragraph (1) on the effective date.

(ii) Equipped with tinted windows, sun screening devices or other materials for a physical condition that makes it necessary to equip the motor vehicle with sun screening material which would be of a light transmittance or luminous reflectance in violation of this section.

(A) A certificate of exemption for medical reasons shall be issued only if the owner or registrant of the vehicle, or a person residing in the household of the owner or registrant who regularly drives or is driven in the vehicle, suffers from a physical condition determined by the department, in consultation with the Medical Advisory Board, to justify the exemption.

(B) Any person requesting an exemption for medical reasons shall have his physical condition certified to the department by a licensed physician or optometrist.

(4) A certificate of exemption issued under this subsection shall be carried in the vehicle and displayed on request of a police officer.

(5) Upon the sale or transfer of the vehicle to any person who does not qualify under paragraph (2)(ii), the exemption shall be null and void. Prior to the sale or transfer of an exempt vehicle, it shall be the sole responsibility of the owner or seller of a formerly exempt vehicle to remove all sun screening or other materials from the vehicle. At the time of the sale or transfer of a formerly exempt vehicle, the owner shall remove and destroy the certificate of exemption for physical

reasons and provide the purchaser with a notarized statement setting forth the name and address of the owner or seller, the vehicle identification number, year and model, and the business entity and process used to remove the sun screening or other material.

(f) Exception.--This section does not apply to mobile video recording equipment installed in a vehicle exclusively used for official police purposes.

(Feb. 15, 1980, P.L.12, No.8, eff. imd.; Dec. 8, 1982, P.L.842, No.234, eff. Apr. 1, 1983; July 10, 1984, P.L.679, No.146, eff. 60 days; Nov. 21, 1990, P.L.556, No.137, eff. 180 days; June 22, 2001, P.L.559, No.37, eff. 60 days; June 11, 2002, P.L.370, No.53, eff. imd.)

2002 Amendment. Act 53 added subsec. (f). Section 3 of Act 53 provided that subsec. (f) shall apply upon the enactment of a statute providing for the intercepting and recording of oral communications under 18 Pa.C.S. § 5704. Act 52 of 2002, effective June 11, 2002, added provisions relating to the intercepting and recording of oral communications under 18 Pa.C.S. § 5704.

2001 Amendment. Act 37 amended subsec. (b).

1990 Amendment. Act 137 amended subsec. (e).

§ 4525. Tire equipment and traction surfaces.

(a) General rule.--No vehicle shall be operated on the highway unless the vehicle is equipped with tires of a type, size and construction approved by the department for the vehicle and unless the tires are in a safe operating condition as determined in accordance with regulations of the department, except that commercial implements of husbandry may be equipped with tires marked for nonhighway use.

(b) Vehicles not equipped with pneumatic tires.--It is unlawful for any person to operate or move, or cause or permit to be moved, in contact with any highway any vehicle equipped with traction or road contact surfaces other than pneumatic tires unless of a type, size and construction permitted by regulations of the department and unless the movement is made under specific conditions allowed by regulations of the department.

(c) Ice grips and tire studs.--Tires in which ice grips or tire studs of wear resisting material have been installed which provide resiliency upon contact with the road and which have projections not exceeding two thirty-seconds of an inch beyond the tread of the traction surface of the tire shall be permitted between November 1 of each year and April 15 of the following year. The Governor may by executive order extend the time tires with ice grips or tire studs may be used when highway conditions are such that such tires would be a safety factor in traveling Commonwealth highways. The use of tires with ice grips or tire studs contrary to the provisions of this subsection shall be unlawful.

(d) Tire chains.--Tire chains may be temporarily used on vehicles during periods of snow and ice emergency if they are in conformance with regulations promulgated by the department.

(e) Penalty.--

(1) Any person violating the provisions of subsection (c) shall be guilty of a summary offense and, upon conviction thereof, shall be sentenced to pay a fine as indicated in paragraph (2) and, in default of payment thereof, shall undergo imprisonment for not more than 30 days.

(2) Fines for violation of subsection (c) relating to the period of use of ice grips or tire studs shall be determined from the following chart based on the period of unauthorized use:

April 16 to May 31	$35
June 1 to June 30	45
July 1 to July 31	55
August 1 to August 31	55
September 1 to September 30	55
October 1 to October 31	55

(3) Fines for any other violation of subsection (c) shall be determined according to the chart in paragraph (2) except that fines for violations occurring between November 1 to April 15 shall be $10.

(Nov. 10, 1979, P.L.460, No.95, eff. imd.; July 10, 1984, P.L.679, No.146, eff. 60 days; May 20, 1993, P.L.30, No.10, eff. 60 days)

1993 Amendment. Act 10 amended subsec. (a).

1984 Amendment. Act 146 amended subsecs. (c) and (e).

§ 4526. Safety glass.

(a) Safety glass required.--It is unlawful to sell or to operate on any highway in this Commonwealth any vehicle manufactured or assembled after January 1, 1934, and registered in this Commonwealth unless the vehicle is equipped with safety glass or similar material, which is in compliance with regulations promulgated by the department, wherever transparent or translucent material is used in the vehicle in doors, windows, windshields and wings.

(b) Replacement of glass.--It is unlawful for the owner of any vehicle to have safety glass, broken or otherwise, in the windshields, doors, windows or wings of the vehicle replaced with any glass other than safety glass. It is unlawful for any person to install in the windshields, doors, windows or wings of any vehicle any glass other than safety glass.

(c) Violation by common carrier or public utility.--In case of any violation of any provision of this section by any common carrier or person operating under a certificate of authority issued by the Pennsylvania Public Utility Commission, the certificate shall either be revoked or, in the discretion of the commission, suspended until the provision or provisions are complied with to the satisfaction of the commission.

(d) Exception.--This section does not apply to house trailers.

§ 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.

(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.

(Apr. 29, 1994, P.L.148, No.25, eff. imd.)

§ 4528. Fire extinguishers.

Every vehicle towing a house trailer, every motor home and every motor vehicle with a mounted truck-camper shall be equipped with at least one fire extinguisher of a type and size approved by the department.

§ 4529. Slow moving vehicle emblem.

(a) General rule.--All implements of husbandry, commercial implements of husbandry and special mobile equipment designed to operate at 25 miles per hour or less and all animal-drawn vehicles shall, when traveling on a highway, display on the rear of the vehicle a reflective slow moving vehicle emblem as specified in regulations of the department. The use of the slow moving vehicle emblem shall be in addition to any other lighting devices or equipment required by this title.

(b) Limitations on use or display.--No person shall use or display the slow moving vehicle emblem except as provided in this section nor shall any person display the emblem on a vehicle traveling at a speed in excess of 25 miles per hour.

(c) Towed vehicles.--The emblem shall be required to be displayed on a slow moving vehicle which is being towed on a highway unless the towing vehicle displays the emblem in such a manner as to be clearly visible from the rear.

(Dec. 18, 1992, P.L.1411, No.174, eff. 60 days)

1992 Amendment. Act 174 amended subsec. (a).

§ 4530. Portable emergency warning devices.

(a) General rule.--Every truck, other than a truck registered as either a Class I or Class II having a gross weight of 7,000 pounds or less, truck tractor and bus and any motor vehicle towing a trailer shall carry at least three portable emergency warning devices of a type specified by regulations promulgated by

the department. The regulations shall be consistent with Motor Carrier Safety Regulations, Department of Transportation, Federal Highway Administration, Bureau of Motor Carrier Safety, section 393.95.

(b) When display required.--Whenever any vehicle of a type referred to in subsection (a) is disabled or stopped for more than ten minutes upon a roadway or shoulder outside of an urban district, or upon any divided highway, the driver of the vehicle shall display the portable warning devices of the type required under subsection (a) in such manner as the department shall direct by regulations.

(July 10, 1984, P.L.679, No.146, eff. 60 days)

§ 4531. Emission control systems.

(a) Compliance with established maximum levels.--No vehicle manufactured in compliance with the requirements of the Clean Air Act (77 Stat. 392, 42 U.S.C. § 1857), or any amendments or supplements thereto, shall have emissions exceeding the maximum permissible levels prescribed by law.

(b) Limitation on alteration of system.--No person shall disable, change or alter the emission control system of a vehicle. Original emission control components or replacements in kind shall be present and functioning on all vehicles. A subject vehicle may be equipped with any added components which are designed to improve emissions. It is unlawful for a subject vehicle that is not in compliance with the preceding requirements to be operated under its own power until a reinspection at an official emission inspection station establishes its full compliance, provided that it shall be lawful for the vehicle to be operated under its own power by the vehicle owner while en route to the official emission inspection station for a reinspection.

(c) Limitation on sale and operation of vehicles with altered systems.--No person shall knowingly sell or operate a vehicle whose emission control system has been disabled, changed or altered from its original design specifications, except for in-kind replacement of system components and added components which are designed to improve emissions.

(Dec. 16, 1992, P.L.1250, No.166; Dec. 28, 1994, P.L.1450, No.172, eff. 60 days)

1994 Amendment. Act 172 amended subsec. (c).

Automobile Emission Program. Section 12 of Act 129 of 1982 provided that nothing in Act 129 shall be construed as requiring an automobile emission program. The notice stating that the enhanced emission inspection program will commence January 2, 1995, was published in the Pennsylvania Bulletin on October 29, 1994, at 24 Pa.B. 5472.

Cross References. Section 4531 is referred to in section 4523 of this title.

§ 4532. Smoke control for diesel-powered motor vehicles.

(a) Standards and inspection.--The department shall promulgate regulations for the control of smoke from diesel-powered motor vehicles prescribing standards, inspection procedures and inspection equipment.

(b) Compliance with standards.--No person shall operate a diesel-powered motor vehicle on a highway in such a manner that the smoke emitted exceeds the standards established under this section. Each day of operation in violation shall constitute a separate offense under this subsection.

(c) Correction to avoid prosecution.--Any person arrested in violation of this section shall, upon written notice, be given the opportunity to correct the violation within 48 hours. If sufficient proof of correction is furnished to the arresting officer or his representative within 48 hours of the delivery of the written notice, no prosecution of the violation shall be brought.

(d) Limitation on alteration of system.--No person shall intentionally change or alter a factory installed smoke control system on any diesel-powered vehicle or its fuel system so as to limit the ability of the system to control smoke, and no person shall remove the smoke control system except for repair or installation of a proper replacement.

Cross References. Section 4532 is referred to in section 4523 of this title.

§ 4533. Rear wheel shields.

Every truck with a gross weight exceeding 11,000 pounds, trailer and truck tractor (without a semitrailer) driven on a highway shall be so constructed or equipped as to bar water or other road surface substances thrown from the rear wheels of such vehicle or combination at tangents exceeding 22 1/2

degrees, measured from the road surface, from passing in a straight line to the rear of such vehicle or combination.
(Dec. 9, 2002, P.L.1278, No.152, eff. 60 days)

§ 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, commercial implement of husbandry or implement of husbandry that is not so equipped by the original manufacturer.
(June 23, 1982, P.L.605, No.171, eff. imd.; Dec. 18, 1992, P.L.1411, No.174, eff. 60 days)

§ 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, commercial implement of husbandry or implement of husbandry that is not so equipped by the original manufacturer.
(June 23, 1982, P.L.605, No.171, eff. imd.; Dec. 18, 1992, P.L.1411, No.174, eff. 60 days)

1992 Amendment. Act 174 amended subsec. (c).

§ 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, commercial implement of husbandry or implement of husbandry that is not so equipped by the original manufacturer. The driver of a commercial implement of husbandry equipped with vehicular hazard signal lamps shall use the signals when the vehicle is traveling below the speed limit on any highway if the vehicle is not equipped with a rear bumper.
(June 23, 1982, P.L.605, No.171, eff. imd.; Dec. 18, 1992, P.L.1411, No.174, eff. 60 days; May 20, 1993, P.L.30, No.10, eff. 60 days)

§ 4537. Device used to carry pedalcycles.

Notwithstanding any other provision of this title to the contrary, a bus used for public transportation shall be permitted to operate with a device used to carry pedalcycles mounted on the front of the bus if the device, including the pedalcycles, does not extend more than 36 inches.
(Dec. 21, 1998, P.L.1126, No.151, eff. 60 days)

1998 Amendment. Act 151 added section 4537.

SUBCHAPTER C
VEHICLES FOR TRANSPORTATION OF
SCHOOL CHILDREN

Sec.
4551. Safety regulations.
4552. General requirements for school buses.
4553. General requirements for other vehicles transporting school children.

§ 4551. Safety regulations.

(a) General rule.--All school buses and all other vehicles used in the transportation of school children, owned by or under contract with any school district or parochial or private school, shall conform to

standards prescribed by the department. Regulations shall be promulgated by the department governing the safe design, construction, equipment and operation of vehicles engaged in the transportation of school children.

(b) Violation and penalty.--No person shall operate or permit the operation of a vehicle of a type specified in this subchapter which is not in compliance with the requirements of this subchapter or applicable regulations issued under this subchapter. Violation of this section constitutes a summary offense punishable by a fine of not less than $50 nor more than $100.

§ 4552. General requirements for school buses.

(a) Color and identification.--Every school bus shall be of a uniform color scheme and labeled "School Bus" on both front and rear as provided by regulation. Exterior labels and markings other than those specifically required or permitted by law or regulation shall be prohibited. This subsection shall not be construed to prohibit the affixation of exterior labels or stickers of a temporary nature which have been approved by the school district as having educational value and which do not obscure the "School Bus" labels.

(b) Visual signals.--In addition to the applicable lighting requirements of Chapter 43 (relating to lighting equipment) every school bus shall be equipped with a uniform front and rear system of red and amber visual signals for the warning and control of traffic during route operations as provided in section 3345 (relating to meeting or overtaking school bus) and in regulations of the department.

(b.1) Use of side stop signal arms.--Every school bus shall be equipped with a side stop signal arm on the left side of the vehicle. The side stop signal arm shall be automatically activated whenever the bus is stopped with the red visual signals in use and shall itself contain a flashing red light connected to the same circuits as the red visual signals. The side stop signal arm is mandated according to the following schedule:

(1) School buses may be equipped with and use a side stop signal arm on January 1, 1989.

(2) Every new school bus purchased and manufactured after July 1, 1989, shall be equipped with a side stop signal arm.

(3) By July 1, 1994, every school bus shall be equipped with a side stop signal arm.

The department shall adopt regulations implementing this subsection.

(b.2) Use of front crossing control arm.--Every school bus shall be equipped with a crossing control arm on the front of the vehicle. The crossing control arm shall be automatically activated whenever the bus is stopped with the red visual signals in use. The crossing control arm is mandated according to the following schedule:

(1) School buses may be equipped with and use a crossing control arm on January 1, 1999.

(2) Every school bus purchased and manufactured after July 1, 1999, shall be equipped with a crossing control arm.

(3) By July 1, 2001, every school bus shall be equipped with a crossing control arm.

(b.3) Strobe light.--School buses may be equipped with a bright white strobe light affixed to the roof.

(c) Body construction.--Every school bus shall be designed and constructed to provide a single, closed metal body with adequate ventilation and an entrance door of adequate clearance and safe design visible to and controlled only by the driver. At least one emergency exit door of safe design and construction and adequate labeling shall be located in or near the rear of the school bus. All side windows shall be of a safe design which will provide emergency egress for passengers.

(d) Seating.--Adequate seating space of safe design and construction shall be provided for each passenger and no passenger shall be carried for which adequate seating space is not available and used.

(e) Visibility.--Every school bus shall be designed and equipped so as to provide the driver with an unobstructed view of any pedestrian in proximity to the vehicle.

(f) Emergency equipment.--Every school bus shall carry, in good and usable condition, at least one fire extinguisher of adequate size and type and such other emergency equipment as regulations may prescribe.

(g) Emergency drills.--Each school district and the administration of every private school within this Commonwealth shall ensure, through adequate instruction and a minimum of two actual drills each year, that every student is familiar with school bus emergency procedures and equipment and safe loading and

unloading operations.

(h) Duty of department.--The department shall by regulation adopt specific requirements implementing this section and any additional requirements, not inconsistent with this section, which will ensure the maximum safety of school children furnished transportation. Unless required by Federal law or regulation, the regulations established by the department shall not require vehicles which pick up and discharge school children only at locations off the highway to be of any particular color or to display flashing red and amber lights.

(Dec. 19, 1988, P.L.1290, No.163, eff. imd.; Mar. 13, 1990, P.L.69, No.14, eff. imd.; Dec. 21, 1998, P.L.1126, No.151, eff. imd.)

1998 Amendment. Act 151 added subsecs. (b.2) and (b.3).
1990 Amendment. Act 14 amended subsec. (a).
1988 Amendment. Act 163 added subsec. (b.1).
Cross References. Section 4552 is referred to in sections 3345, 4107, 4921 of this title.

§ 4553. General requirements for other vehicles transporting school children.

(a) Buses operated by urban mass transportation systems.--

(1) Buses, other than school buses, operated by urban mass transportation systems for the exclusive transportation of school children shall comply with Federal safety standards and such other safety regulations as the Pennsylvania Public Utility Commission and the department shall provide for such buses.

(2) Buses, other than school buses, operated by urban mass transportation systems for the exclusive or nonexclusive transportation of school children may, at the option of the urban mass transportation system, be equipped with flashing red and amber lights and may be identified by appropriate labeling as carrying school children. This equipment and identifying labels shall conform to those regulations which may be issued by the department under this paragraph. Notwithstanding any other provision of law, buses which are operated by urban mass transportation systems and which are equipped and identified in accordance with this paragraph, shall be considered school buses for purposes of section 3345(a), (b), (c), (d), (e), (f), (g) and (j) (relating to meeting or overtaking school bus). The department may issue those regulations it deems appropriate to implement this paragraph.

(b) School-chartered bus.--In addition to school buses, school-chartered buses, which are designed to transport 16 or more passengers, including the driver, and which are operated by a person holding a certificate of the Pennsylvania Public Utility Commission or the Interstate Commerce Commission, may be used under a short-term contract with a school which has acquired the exclusive use of the vehicle at a fixed charge to provide transportation of school children to a special school-related event. A school-chartered vehicle may be used without restriction for the transportation of school children with special needs as may be necessary to make reasonable accommodations pursuant to the Americans with Disabilities Act of 1990 (Public Law 101-336, 104 Stat. 327).

(c) Other vehicles.--A motor vehicle used to transport children to or from school or in connection with school activities, which is not a school bus because of its limited seating capacity, shall comply with regulations established by the department for such vehicles. Unless required by Federal law or regulation, the regulations established by the department shall not require vehicles which pick up and discharge school children only at locations off the highway to be of any particular color or to display flashing red and amber lights.

(July 10, 1984, P.L.679, No.146, eff. 60 days; May 20, 1993, P.L.30, No.10, eff. imd.)

1993 Amendment. Act 10 relettered former subsec. (b) to subsec. (c) and added a new subsec. (b).
1984 Amendment. Act 146 amended subsec. (a).

SUBCHAPTER D
EQUIPMENT OF AUTHORIZED AND
EMERGENCY VEHICLES

Sec.
4571. Visual and audible signals on emergency vehicles.
4572. Visual signals on authorized vehicles.
4573. Identification of certain vehicles.

Cross References. Subchapter D is referred to in section 3327 of this title.

§ 4571. Visual and audible signals on emergency vehicles.

(a) General rule.--Every emergency vehicle shall be equipped with one or more revolving or flashing red lights and an audible warning system. Spotlights with adjustable sockets may be attached to or mounted on emergency vehicles.

(b) Police, sheriff, fire and coroner or medical examiner vehicles.--

(1) Police, sheriff, coroner, medical examiner or fire police vehicles may in addition to the requirements of subsection (a) be equipped with one or more revolving or flashing blue lights. The combination of red and blue lights may be used only on police, sheriff, coroner, medical examiner or fire police vehicles.

(2) Unmarked police and sheriff vehicles used as emergency vehicles and equipped with audible warning systems shall be equipped with the lights described in this subsection.

(b.1) Mounted lights and additional equipment.--

(1) Police, sheriff and fire vehicles may be equipped with a mounted rack containing one or more emergency warning lights or side mounted floodlights or alley lights or all such lights in conformance with department regulations.

(2) Additional visual or audible warning signal equipment, including, but not limited to, flashing headlamp system, flashing or revolving white or clear lights, steady burning lights, traffic-control emergency directional light assembly, amber lights and intersection lights, may be utilized on emergency vehicles in accordance with regulations promulgated by the department.

(c.1) Public Utility Commission vehicles.--Vehicles owned or operated by the Pennsylvania Public Utility Commission and used in the enforcement of 66 Pa.C.S. Chs. 23 (relating to common carriers) and 25 (relating to contract carrier by motor vehicle and broker) may be equipped with revolving or flashing red lights in accordance with subsection (a).

(d) Vehicles prohibited from using signals.--Except as otherwise specifically provided in this section, no vehicle other than an emergency vehicle may be equipped with revolving or flashing lights or audible warning systems identical or similar to those specified in subsections (a) and (b). A person who equips or uses a vehicle with visual or audible warning systems in violation of this section commits a summary offense and shall, upon conviction, be sentenced to pay a fine of not less than $500 nor more than $1,000.

(e) Authorized period of use.--The lights and warning systems specified by this section may be used only during an emergency, or in the interest of public safety, or by police officers, sheriffs and deputy sheriffs in enforcement of the law. Unauthorized use of the lights and warning systems specified by this section shall be a summary offense punishable by a fine of not less than $500 nor more than $1,000.

(f) Conformity with department regulations.--All equipment authorized or required by this section shall conform to department regulations.

(Feb. 15, 1980, P.L.12, No.8, eff. imd.; July 10, 1981, P.L.250, No.82, eff. imd.; July 9, 1984, P.L.671, No.142, eff. imd.; May 9, 1986, P.L.158, No.51, eff. 60 days; Dec. 11, 1986, P.L.1530, No.166, eff. 60 days; Mar. 13, 1990, P.L.69, No.14, eff. 60 days; Dec. 18, 1992, P.L.1411, No.174, eff. 60 days; June 26, 2001, P.L.734, No.75, eff. 60 days)

Cross References. Section 4571 is referred to in sections 4107, 4306 of this title; section 5704 of Title 18 (Crimes and Offenses).

§ 4572. Visual signals on authorized vehicles.

(a) Flashing or revolving blue lights.--Ambulance personnel, volunteer firefighters, certified volunteer search and rescue organization members and owners and handlers of dogs used in tracking humans may each equip one motor vehicle with no more than two flashing or revolving blue lights.

(1) In order to be eligible to display lights on their vehicles under this subsection, the

names of the ambulance personnel, volunteer firefighters and certified volunteer search and rescue organization members shall be submitted to the nearest station of the Pennsylvania State Police on a list signed by the chief of the ambulance or fire department or company, the head of the search and rescue organization, and each dog owner and handler shall register at the nearest Pennsylvania State Police station.

(2) The manner in which the lights are displayed and their intensity shall be determined by regulation of the department.

(3) The lights shall be operable by the driver from inside the vehicle.

(4) The lights may be used only while en route to or at the scene of a fire or emergency call.

(5) The lights shall be removed from the vehicle immediately upon receipt of notice from the chief of the ambulance or fire department or company or the head of the search and rescue organization to remove the lights upon termination of the person's status as an active volunteer firefighter or ambulance person or upon termination of the person's active status as a certified volunteer search and rescue organization member or dog owner or handler, or when the vehicle is no longer used in connection with the person's duties as a volunteer firefighter or ambulance person, certified volunteer search and rescue organization member or dog owner or handler.

(6) This subsection does not relieve the driver from the duty to drive with due regard for the safety of all persons nor exempt the driver from complying with all provisions of this title.

(b) Flashing or revolving yellow lights.--Vehicles authorized pursuant to the provisions of sections 6106 (relating to designation of emergency vehicles by Pennsylvania State Police) and 6107 (relating to designation of authorized vehicles by department), tow trucks and vehicles used for snow removal may be equipped with one or more flashing or revolving yellow lights. The manner in which the light or lights shall be displayed and the intensity shall be determined by regulation of the department.

(c) Vehicles prohibited from using lights.--No vehicle other than a duly authorized vehicle may be equipped with lights identical or similar to those specified in subsections (a) and (b). A person who equips or uses a vehicle with visual systems in violation of this section commits a summary offense and shall, upon conviction, be sentenced to pay a fine of not less than $100 nor more than $500.
(June 26, 2001, P.L.734, No.75, eff. 60 days; Nov. 29, 2006, P.L.1449, No.159, eff. 60 days)

2006 Amendment. Act 159 amended subsec. (a).
Cross References. Section 4572 is referred to in section 4107 of this title.

§ 4573. Identification of certain vehicles.

Any truck which is used commercially to tow other motor vehicles shall have the name of the business, or person, operating such truck displayed on signs on both sides of such truck.
(Oct. 10, 1980, P.L.791, No.147, eff. imd.)

1980 Amendment. Act 147 added section 4573.

SUBCHAPTER E
CHILD PASSENGER PROTECTION

Sec.
4581. Restraint systems.
4582. Child Passenger Restraint Fund.
4583. Hospital information program.
4584. Oral hazard warning (Deleted by amendment).
4585. Use of information or evidence of violation of subchapter.
4586. Civil immunity for child passenger safety technicians and lenders of child passenger restraint systems and booster seats.

Enactment. Subchapter E was added November 1, 1983, P.L.195, No.53, effective immediately, unless otherwise noted.

Special Provisions in Appendix. See the preamble of Act 53 of 1983 in the appendix to this title for information relating to legislative intent.

§ 4581. Restraint systems.

(a) Occupant protection.--

(1) Any person who is operating a passenger car, Class I truck, Class II truck, classic motor vehicle, antique motor vehicle or motor home and who transports a child under four years of age anywhere in the motor vehicle, including the cargo area, shall fasten such child securely in a child passenger restraint system, as defined in subsection (d). This subsection shall apply to all persons while they are operators of motor vehicles where a seating position is available which is equipped with a seat safety belt or other means to secure the systems or where the seating position was originally equipped with seat safety belts.

(1.1) Any person who is operating a passenger car, Class I truck, Class II truck, classic motor vehicle, antique motor vehicle or motor home and who transports a child four years of age or older but under eight years of age anywhere in the motor vehicle, including the cargo area, shall fasten such child securely in a fastened safety seat belt system and in an appropriately fitting child booster seat, as defined in subsection (d). This paragraph shall apply to all persons while they are operators of motor vehicles where a seating position is available which is equipped with a seat safety belt or other means to secure the systems or where the seating position was originally equipped with seat safety belts. A conviction under this paragraph by State or local law enforcement agencies shall occur only as a secondary action when a driver of a motor vehicle has been convicted of violating any other provision of this title.

(2) Except for children under eight years of age and except as provided in paragraphs (1) and (1.1), each driver and front seat occupant of a passenger car, Class I truck, Class II truck or motor home operated in this Commonwealth shall wear a properly adjusted and fastened safety seat belt system. A conviction under this paragraph by State or local law enforcement agencies shall occur only as a secondary action when a driver of a motor vehicle has been convicted of any other provision of this title. The driver of a passenger automobile shall secure or cause to be secured in a properly adjusted and fastened safety seat belt system any occupant who is eight years of age or older and less than 18 years of age. This paragraph shall not apply to:

(i) A driver or front seat occupant of any vehicle manufactured before July 1, 1966.

(ii) A driver or front seat occupant who possesses a written verification from a physician that he is unable to wear a safety seat belt system for physical or medical reasons, or from a psychiatrist or other specialist qualified to make an informed judgment that he is unable to wear a safety seat belt system for psychological reasons.

(iii) A rural letter carrier while operating any motor vehicle during the performance of his duties as a United States postal service rural letter carrier only between the first and last delivery points.

(iv) A driver who makes frequent stops and is traveling less than 15 miles per hour for the purpose of delivering goods or services while in the performance of his duties and only between the first and last delivery points.

A violation of this paragraph shall not be subject to the assessment of any points under section 1535 (relating to schedule of convictions and points).

(3) A driver who is under 18 years of age may not operate a motor vehicle in which the number of passengers exceeds the number of available safety seat belts in the vehicle.

(b) Offense.--Anyone who fails to comply with the provisions of subsection (a)(1) or (1.1) shall be guilty of a summary offense with a maximum fine of $100. The court imposing and collecting any such fines shall transfer the fines thus collected to the State Treasurer for deposit in the Child Passenger Restraint Fund, pursuant to section 4582 (relating to Child Passenger Restraint Fund). Anyone who violates subsection (a)(2) or (3) commits a summary offense and shall, upon conviction, be sentenced to pay a fine of $10. No person shall be convicted of a violation of subsection (a)(2) unless the person is also convicted of another violation of this title which occurred at the same time. No costs as described in 42 Pa.C.S. § 1725.1 (relating to costs) shall be imposed for summary conviction of subsection (a)(2) or (3). Conviction

under this subsection shall not constitute a moving violation.

(c) Waiver of fine.--If a person receives a citation issued by the proper authority for violation of subsection (a)(1) or (1.1), a magisterial district judge, magistrate or judge shall dismiss the charges if the person prior to or at the person's hearing displays evidence of acquisition of a child passenger restraint system or child booster seat to such magisterial district judge, magistrate or judge. Sufficient evidence shall include a receipt mailed to the appropriate court officer which evidences purchase, rental, transferal from another child seat owner (evidenced by notarized letter) or bailment from a bona fide loaner program of a child passenger restraint system or child booster seat.

(d) Standards.--

(1) A child passenger restraint system shall be used as designated by the manufacturer of the system in motor vehicles equipped with seat safety belts and shall meet the Federal Motor Vehicle Safety Standard (49 C.F.R. § 571.213).

(2) A child booster seat shall be used as designated by the manufacturer of the system in motor vehicles equipped with seat safety belts and shall meet the Federal Motor Vehicle Safety Standard (49 CFR § 571.213) that is designed to elevate a child to properly sit in a federally approved safety seat belt system.

(e) Civil actions.--In no event shall a violation or alleged violation of this subchapter be used as evidence in a trial of any civil action; nor shall any jury in a civil action be instructed that any conduct did constitute or could be interpreted by them to constitute a violation of this subchapter; nor shall failure to use a child passenger restraint system, child booster seat or safety seat belt system be considered as contributory negligence nor shall failure to use such a system be admissible as evidence in the trial of any civil action; nor shall this subchapter impose any legal obligation upon or impute any civil liability whatsoever to an owner, employer, manufacturer, dealer or person engaged in the business of renting or leasing vehicles to the public to equip a vehicle with a child passenger restraint system or child booster seat or to have such child passenger restraint system or child booster seat available whenever their vehicle may be used to transport a child.

(f) Criminal proceedings.--The requirements of this subchapter or evidence of a violation of this subchapter are not admissible as evidence in a criminal proceeding except in a proceeding for a violation of this subchapter. No criminal proceeding for the crime of homicide by vehicle shall be brought on the basis of noncompliance with this subchapter.

(g) Exemptions.--Exemptions will be allowed if it is determined, according to the rules and regulations of the department, that the use of a child passenger restraint system or child booster seat would be impractical for physical reasons including, but not limited to, medical reasons or size of the child.

(h) Insurance.--An insurer may not charge an insured who has been convicted of a violation of this section a higher premium for a policy of insurance in whole or in part by reason of that conviction.
(Nov. 23, 1987, P.L.399, No.82, eff. imd.; June 22, 1993, P.L.101, No.22, eff. 60 days; June 25, 1999, P.L.164, No.23; Dec. 23, 2002, P.L.1982, No.229, eff. 60 days; Nov. 30, 2004, P.L.1618, No.207, eff. 60 days)

2004 Amendment. Act 207 amended subsec. (c). 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 Amendment. See section 21 of Act 229 in the appendix to this title for special provisions relating to promulgation of guidelines to implement Act 229.

1987 Amendment. See sections 8, 9 and 10 of Act 82 in the appendix to this title for special provisions relating to compatibility with Federal safety standards, seat belt educational program and seat belt oral hazard warnings.

Cross References. Section 4581 is referred to in sections 4582, 4586 of this title.

§ 4582. Child Passenger Restraint Fund.

A Child Passenger Restraint Fund is established in the General Fund as a special restricted receipts account hereby earmarked for and appropriated to the department. This fund shall consist of all fines deposited pursuant to section 4581(b) (relating to restraint systems), all Federal funds granted for said use and any moneys donated into the fund. All such funds shall be used solely for the purpose of purchasing Federally approved child restraint seats or appropriately fitting child booster seats and making such seats

available to qualified loaner programs within the Commonwealth. A qualified loaner program shall be one determined by the department to loan Federally approved child restraint seats or appropriately fitting child booster seats to parents or legal guardians of children under eight years of age who, due to financial or economic hardship, are unable to comply with the provisions of this subchapter. The department shall adopt such regulations as are necessary to effectuate the purpose of this section.
(July 15, 2004, P.L.694, No.75, eff. 60 days)

Cross References. Section 4582 is referred to in section 4581 of this title.

§ 4583. Hospital information program.

(a) Availability of restraint devices.--The hospital, in conjunction with the attending physician, shall provide the parents of any newborn child with any information regarding the availability of loaner or rental programs for child restraint devices that may be available in the community where the child is born.

(b) Instruction and education programs.--The department shall provide instructional and educational program material through all current public information channels and to all relevant State and Federally funded, community-based programs for maximum distribution of information about this child passenger protection law.

§ 4584. Oral hazard warning (Deleted by amendment).

2004 Amendment. Section 4584 was deleted by amendment July 15, 2004, P.L.694, No.75, effective in 60 days.

§ 4585. Use of information or evidence of violation of subchapter.

The requirements of this subchapter or evidence of a violation of this subchapter may not be used by an insurer for any purpose.

§ 4586. Civil immunity for child passenger safety technicians and lenders of child passenger restraint systems and booster seats.

(a) Technician immunity.--A child passenger safety technician or sponsoring organization shall not be civilly liable for an act or omission that occurs solely in the inspection, installation or adjustment of a child passenger restraint system or child booster seat in a motor vehicle or in the giving of advice or assistance regarding the installation or adjustment of a child passenger restraint system or child booster seat in a motor vehicle if:

(1) the child passenger safety technician acts in good faith and within the scope of the training for which the technician is currently certified;

(2) the act or omission does not constitute gross negligence or willful or wanton misconduct;

(3) the inspection, installation or adjustment of the child passenger restraint system or child booster seat or the advice or assistance is provided without fee or charge to the owner or operator of the motor vehicle; and

(4) the inspection, installation or adjustment of the child passenger restraint system or child booster seat is not provided in conjunction with the for-profit sale of the child passenger restraint system or child booster seat.

(b) Lender immunity.--No person or organization who or which lends to another person or organization a child passenger restraint system or appropriately fitting child booster seats, as described in section 4581 (relating to restraint systems), shall be liable for any civil damages resulting from any acts or omission, except any act or omission intentionally designed to harm, or any grossly negligent act or omission resulting in harm to another.

(c) Definitions.--As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

"Child passenger safety technician." An individual who holds a current certification as a child passenger safety technician or technician instructor by the National Highway Traffic Safety Administration of the United States Department of Transportation, the American Automobile Association or other entity

designated by the National Highway Traffic Safety Administration.
(Nov. 23, 1987, P.L.399, No.82, eff. imd.; July 15, 2004, P.L.694, No.75, eff. 60 days)