

Regulatory Analysis Form

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(1) Agency

TURNPIKE COMMISSION

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Harbison

(2) I.D. Number (Governor's Office Use)

60-002

IRRC Number:

2057

(3) Short Title

TRAFFIC REGULATIONS

(4) PA Code Cite

67 PA CODE CH. 601

(5) Agency Contacts & Telephone Numbers

Primary Contact: Mark H. Koch / 717-939-9551

Secondary Contact: Alphonse P. Lepore / 717-939-9551

(6) Type of Rulemaking (check one)

- Proposed Rulemaking
- Final Order Adopting Regulation
- Final Order, Proposed Rulemaking Omitted

(7) Is a 120-Day Emergency Certification Attached?

- No
- Yes: By the Attorney General
- Yes: By the Governor

(8) Briefly explain the regulation in clear and non-technical language.

601.1 Definitions

The definition of CLASS 9 vehicle was amended in conjunction with 601.101 to increase the length limit for tandems from 76 feet to 85 feet. The definition of COMMISSION was amended for purposes of clarification.

601.4 Speed limits

This section has been amended to allow for a maximum speed limit of 65 miles per hour in conjunction with 75 P.a. C.S.A. § 6110 to reflect the current speed limits on the Turnpike. The minimum speed limit has been amended from 40 miles per hour to 15 miles per hour below the posted speed limit to account for different speed zones on the Turnpike, to facilitate a free flow of traffic and improve safety.

601.5 Hazardous materials

The Pennsylvania Department of Transportation terminated its hazardous materials permitting process and the Commission, following PennDOT's lead, has done the same. The Commission will no longer issue Hazardous Materials permits. Both entities terminated their programs due to anticipated federal legislation that was to take effect this year. The federal legislation has not matured as of this date, but the amendment provides for federal permits should they become a reality.

Several tunnels exist on the Turnpike and the transportation of hazardous materials through them is limited by regulation. The amendment to this section permits the transportation through the tunnels of several hazardous materials that were previously prohibited. These materials are permitted in non-bulk packaging only. A consulting firm determined that the Commission's tunnel restrictions concerning hazardous materials are more restrictive than surrounding states and may be increasing hazardous materials traffic in areas that are less equipped to deal with accidents, and closer to residences than the closed system of the Turnpike. The amendment is designed to

place some of this traffic on the Turnpike in the interest of safety without sacrificing the safety concerns of the customers.

This section now includes a fee that is intended to deter violations of 601.5 (f) and recoup costs of policing this regulation.

601.6 **Parking, stopping, loading or unloading**
The amendment to this section is editorial.

601.9 **U-turns**
The amendment to this section is editorial.

601.15 **Vehicles excluded from the Turnpike**
This section has been amended to prohibit vehicles that cannot maintain the minimum speed required in 601.4 and to prohibit non-motorized vehicles. Slow moving vehicles and non-motorized vehicles have strong potential for causing accidents.

601.101 **Length limit for tandems**
The overall length limit for tandem trailer combinations has been amended from 76 feet to 85 feet. Vehicles over 85 feet now require a Class 9 permit to enter the Turnpike. This section was amended due to difficulties with commercial carriers in meeting the 76 foot requirement which thereby placed these vehicles on other state and local roads which are less well equipped to accommodate the size of these vehicles.

601.18 **Accident prevention investigations**
This addition will allow the Commission to perform in-depth investigations and studies of accidents and the causes thereof in an attempt to eliminate these causes. This information must be privileged and confidential so as to cause no ill effect to the Commission. The amendment is designed to protect this information.

(9) State the statutory authority for the regulation and any relevant state or federal court decisions.

Act of May 21, 1937 P.L. 774 No. 211 (36 P.S. § 652d), the Act of September 30, 1985 PL. 240 No. 61 (36 P.S. § 651.7), and the Act of June 17, 1976 P.L. 162 No. 81 (75 P.a. C.S.A. §6110, as amended).

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(10) Is the regulation mandated by any federal or state law or court order, or federal regulation? If yes, cite the specific law, case or regulation, and any deadlines for action.

NO

(11) Explain the compelling public interest that justifies the regulation. What is the problem it addresses?

The amendment to the maximum speed provision places the Turnpike speed limits in conformity with state and federal law. The amendment to the minimum speed provision prevents slow moving vehicles from creating traffic backlogs and resulting accidents and conforms the regulation to the law.

The amendments to the hazardous materials provision eliminated Commission hazardous materials permits, an action taken in anticipation of Federal guidance on the issue. The hazardous materials tunnel restrictions were made less prohibitive to allow more carriers to use the Turnpike instead of other state roads that are less equipped to handle the traffic and the consequences of an accident. The amendment to this section also includes a fee to be assessed against those who violate the tunnel restrictions which recoups Commission costs in policing and signing for the new restrictions.

Slow moving vehicles and non-motorized vehicles were prohibited from using the Turnpike in the interest of safety.

The length limits for tandem trailers has been increased to allow carriers on the Turnpike concurrent with length standards prevalent in the industry.

The addition of the section relating to Accident Prevention Investigation will allow the Commission to study all aspects of accidents on the Turnpike in an attempt to eliminate the causes discovered. At the same time this information must remain privileged or it might subject the Commission to burdensome litigation.

All other amendments were made for purposes of clarification and are editorial in nature.

(12) State the public health, safety, environmental or general welfare risks associated with non-regulation.

The Commission believes that the amendments will increase the overall safety of the Turnpike as well as the general welfare of the travelling public. The hazardous materials amendment and the tandem trailer amendment will ensure more of these vehicles travel on the Turnpike as opposed to other roads less equipped to handle them.

The risks include more accidents in general that are likely to be prevented should these regulations be adopted.

(13) Describe who will benefit from the regulation. (Quantify the benefits as completely as possible and approximate the number of people who will benefit.)

The Commission asserts that its customers are the primary beneficiaries of the regulation. All of the proposed amendments are intended to promote and increase the safety and free flow of traffic on the Turnpike. In addition the amendments to the tunnel restrictions and the length limit for tandem trailers are intended to relocate more of that traffic from local roads onto the Turnpike.

In 1998 155.6 million vehicles used the Turnpike, and the Commission believes all will benefit from the regulation proposed herein.

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(14) Describe who will be adversely affected by the regulation. (Quantify the adverse effects as completely as possible and approximate the number of people who will be adversely affected.)

The Commission does not foresee any adverse effects as a result of the regulation.

(15) List the persons, groups or entities that will be required to comply with the regulation. (Approximate the number of people who will be required to comply.)

All of the customers of the Turnpike Commission (155.6 million in 1998) will be required to comply with the regulation as it will appear in final form.

(16) Describe the communications with and input from the public in the development and drafting of the regulation. List the persons and/or groups who were involved, if applicable.

The hazardous materials amendment regarding the tunnel restrictions was the direct result of a study performed by Triline Associates wherein they recommended the changes as set forth in the amendment. Numerous trucking companies were also consulted and the overall response was in agreement with the changes as proposed in the amendment.

Additionally, several government agencies assisted in the development of the amendments, including: Pennsylvania State Police, Governor's Policy Office and Pennsylvania Department of Transportation. The Commission's consulting engineer (Michael Baker, Jr., Inc.), was also involved.

(17) Provide a specific estimate of the costs and/or savings to the regulated community associated with compliance, including any legal, accounting or consulting procedures which may be required.

In eliminating the Commission's hazardous materials permit, the carriers are no longer required to pay the permit fee. In 1998 the Commission collected \$806,970.00 in permit fees. These fees are the only savings under the proposed regulations.

The Commission can foresee no costs associated with the proposed regulation.

Regulatory Analysis Form

(18) Provide a specific estimate of the costs and/or savings to local governments associated with compliance, including any legal, accounting or consulting procedures which may be required.

None.

(19) Provide a specific estimate of the costs and/or savings to state government associated with the implementation of the regulation, including any legal, accounting, or consulting procedures which may be required.

None.

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(20) In the table below, provide an estimate of the fiscal savings and costs associated with implementation and compliance for the regulated community, local government, and state government for the current year and five subsequent years.

	Current FY Year	FY +1 Year	FY +2 Year	FY +3 Year	FY +4 Year	FY +5 Year
SAVINGS:	\$	\$	\$	\$	\$	\$
Regulated Community	806,970.00	N/A	N/A	N/A	N/A	N/A
Local Government	0					
State Government	0					
Total Savings	806, 970.00					
COSTS:						
Regulated Community	0					
Local Government	0					
State Government	0					
Total Costs	0					
REVENUE LOSSES:						
Regulated Community	0					
Local Government	0					
State Government	0					
Total Revenue Losses	0					

(20a) Explain how the cost estimates listed above were derived.

The regulated community, specifically the hazardous materials carriers will not be required to obtain a Commission permit. The Commission therefore does not receive the \$806,970.00. Arguably this could be extended out through FY+5, however it is difficult to speculate how the numbers would change.

Regulatory Analysis Form

(20b) Provide the past three year expenditure history for programs affected by the regulation.

Program	FY -3	FY -2	FY -1	Current FY
N/A				

(21) Using the cost-benefit information provided above, explain how the benefits of the regulation outweigh the adverse effects and costs.

Not Applicable.

(22) Describe the non-regulatory alternatives considered and the costs associated with those alternatives. Provide the reasons for their dismissal.

None.

(23) Describe alternative regulatory schemes considered and the costs associated with those schemes. Provide the reasons for their dismissal.

None.

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(24) Are there any provisions that are more stringent than federal standards? If yes, identify the specific provisions and the compelling Pennsylvania interest that demands stronger regulation.

No.

(25) How does this regulation compare with those of other states? Will the regulation put Pennsylvania at a competitive disadvantage with other states?

The proposed regulations are comparable to those of other states and will not place Pennsylvania at a disadvantage.

(26) Will the regulation affect existing or proposed regulations of the promulgating agency or other state agencies? If yes, explain and provide specific citations.

Yes. The sections affected are as follows: 601.1, 601.4(a) and (b), 601.5 (a)-(f) , 601.6(a) and (b), 601.9, 601.15(b) and (c), addition of (d), 601.101, and addition of 601.18. For an explanation please see question 8 above.

(27) Will any public hearings or informational meetings be scheduled? Please provide the dates, times, and locations, if available.

No.

Regulatory Analysis Form

(28) Will the regulation change existing reporting, record keeping, or other paperwork requirements? Describe the changes and attach copies of forms or reports which will be required as a result of implementation, if available.

Paperwork requirements for the Commission will not change beyond the fact that hazardous materials permits will no longer be issued by the Commission. There will be no change in paperwork requirements of the Commonwealth.

(29) Please list any special provisions which have been developed to meet the particular needs of affected groups or persons including, but not limited to, minorities, elderly, small businesses, and farmers.

None needed.

(30) What is the anticipated effective date of the regulation; the date by which compliance with the regulation will be required; and the date by which any required permits, licenses or other approvals must be obtained?

The regulation will become effective upon final printing in the Pennsylvania Bulletin and posting at the Commission's interchanges. Compliance will therefore be required as of the date of posting at the interchanges.

No permits, licenses or approvals must be obtained.

(31) Provide the schedule for continual review of the regulation.

The regulations will be monitored continually for updating. No sunset date has been set.

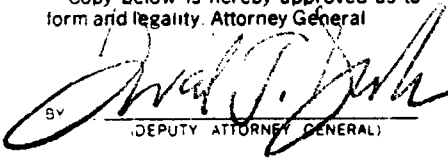
FACE SHEET
FOR FILING DOCUMENTS
WITH THE LEGISLATIVE REFERENCE BUREAU
(Pursuant to Commonwealth Documents Law)

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DO NOT WRITE IN THIS SPACE

Copy below is hereby approved as to form and legality. Attorney General

BY: 
(DEPUTY ATTORNEY GENERAL)

JUL 22 1999

DATE OF APPROVAL

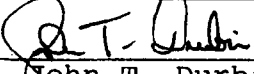
Check if applicable
Copy not approved. Objections attached.

Copy below is hereby certified to be a true and correct copy of a document issued, prescribed or promulgated by:

Turnpike Commission
(AGENCY)

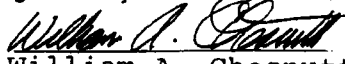
DOCUMENT/FISCAL NOTE NO. 60-002

DATE OF ADOPTION: April 6, 1999

BY: 
John T. Durbin
Executive Director

TITLE: (EXECUTIVE OFFICER, CHAIRMAN OR SECRETARY)

Copy below is hereby approved as to form and legality. Executive or Independent Agencies.

BY: 
William A. Chesnutt

April 9, 1999

DATE OF APPROVAL

(~~DEPUTY CHIEF COUNSEL~~)
(Chief Counsel, Independent Agency)
(Strike inapplicable title)

Check if applicable. No Attorney General approval or objection within 30 days after submission.

Notice of Proposed Rulemaking
Title 67 - Transportation
Part II - Turnpike Commission
Chapter 601 - Traffic Regulations

**Proposed Rulemaking
Pennsylvania Turnpike Commission
67 PA Code Ch. 601
TRAFFIC REGULATIONS
I.D. No. 60-002**

The Pennsylvania Turnpike Commission (Commission) proposes to amend §601.1, §601.4, §601.5, §601.6, §601.9, §601.15, §601.101 and add §601.18 to read as set forth in Annex A. The Commission is publishing the amendments and addition as a notice of proposed rulemaking under the authority of the Act of May 21, 1937 P.L. 774 No. 211 (36 P.S. § 652d), and the Act of September 30, 1985 P.L. 240 No. 61 (36 P.S. § 651.7), and the Act of June 17, 1976 P.L. 162 No. 81 (75 P.a. C.S.A. §6110), as amended.

A. Purpose

The proposed amendments and addition are intended to promote the health, safety and welfare of the Commission's customers and are designed to update, clarify and improve the Commission's Traffic Regulations.

B. Summary of Proposal

The Commission adopted the proposed addition and amendments to the Traffic Regulations at its April 6, 1999 Commission meeting after a review of the existing regulations.

601.1 Definitions

The definition of CLASS 9 vehicle was amended in conjunction with 601.101 to increase the length limit for tandems from 76 feet to 85 feet. The definition of COMMISSION was amended for purposes of clarification.

601.4 Speed limits

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The Commission will no longer issue Hazardous Materials permits. Both entities terminated their programs due to anticipated federal legislation that was to take effect this year. The federal legislation has not matured as of this date, but the amendment provides for federal permits should they become a reality.

Several tunnels exist on the Turnpike and the transportation of hazardous materials through them is limited by regulation. The amendment to this section permits the transportation through the tunnels of several hazardous materials that were previously prohibited. These materials are permitted in non-bulk packaging only. A consulting firm determined that the Commission's tunnel restrictions concerning hazardous materials are more restrictive than surrounding states and may be increasing hazardous materials traffic in areas that are less equipped to deal with accidents, and closer to residences than the closed system of the Turnpike. The amendment is designed to place some of this traffic on the Turnpike in the interest of safety without sacrificing the safety concerns of the customers.

This section now includes a fee that is intended to deter violations of 601.5 (f) and recoup costs of policing this regulation.

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601.9 U-turns
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roads which are less well equipped to accommodate the size of these vehicles.

601.18 Accident prevention investigations

This addition will allow the Commission to perform in-depth investigations and studies of accidents and the causes thereof in an attempt to eliminate these causes. This information must be privileged and confidential so as to cause no ill effect to the Commission. The amendment is designed to protect this information.

C. Effective Date

The proposal, if approved on final rulemaking, will go into effect upon publication of final adoption in the Pennsylvania Bulletin and posting at the Commission interchanges and will remain in effect until modified or rescinded by the Commission.

D. Paperwork

The proposal will not increase paperwork or create new paperwork for the Commonwealth or political subdivisions.

E. Fiscal Impact

The Turnpike Commission is funded primarily by bonds and tolls. These regulations will result in no fiscal impact upon the Commonwealth.

F. Sunset Requirement

The Commission has not set a sunset date for this proposal because the Traffic Regulations are in effect on a continual basis. The Commission continues to monitor these regulations and will propose amendments when required.

G. Public Comments

Interested parties are invited to submit written comments, objections or suggestions about the proposed regulations to Mark H. Koch, Assistant Counsel, (717) 939-9551, P.O. Box 67676, Harrisburg, PA, 17106-7676, within 30 days after publication of this notice in the Pennsylvania Bulletin. Comments submitted by facsimile will not be accepted.

H. Regulatory Review

Pursuant to section 5(a) of the Regulatory Review Act (71 P.S. §745.5(a), on August 13, 1999, a copy of this proposal was submitted to the Independent Regulatory Review Commission (IRRC), the Senate Transportation Committee and the House Transportation Committee. In addition to the proposed regulations, IRRC and the Committees were provided with a copy of a detailed regulatory analysis form prepared by the Commission in compliance with Executive Order 1996-1; "Regulatory Review and Promulgation." A copy of the form is available to the public from the Commission upon request. The Commission will consider comments or suggestions received from IRRC or the Committees, together with comments or suggestions received from the public, prior to adopting the proposed regulations.

If IRRC has objections to any portion of the proposed regulations, it will notify the Commission within 10 days of the close of the Committees' review period. The notification shall specify the regulatory review criteria that have not been met by that portion of the proposed regulations. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the regulations, by the Commission, the General Assembly and the Governor of objections raised.

Executive Director
Pennsylvania Turnpike Commission

FISCAL NOTE: The Commission is funded primarily by bonds and tolls. Because there is no direct cost to the Commonwealth as a result of these regulations, the Turnpike Commission has not submitted a fiscal note.

Annex A
Title 67. Transportation
Part II. Turnpike Commission
Chapter 601. Traffic Regulations

601.1 Definitions.

The following words and terms, when used in this part, have the following meanings, unless the context clearly indicates otherwise:

Acceleration lane – A speed change lane for the purpose of:

- (i) Enabling a vehicle entering a roadway to increase its speed to a rate at which it can safely merge with through traffic.
- (ii) Providing the necessary merging distance
- (iii) Giving the main roadway traffic the necessary time and distance to make appropriate adjustments.

Class 9 Vehicle - A vehicle which exceeds 100,000 pounds in weight, 13 feet 6 inches in height, 10 feet in width, ~~76~~ 85 feet in overall length, or which has a load or part thereof extending 5 feet or more beyond the front bumper or 15 feet or more beyond the rear bumper. The front and rear overhang of stinger steered vehicles, as defined in 23 CFR 658.13 (d) (relating to length), may not be included in calculating the overall length of the stinger steered vehicle, as long as the front overhang does not exceed 3 feet and the rear overhang does not exceed 4 feet.

Commission - The Pennsylvania Turnpike Commission ~~of the Commonwealth.~~

Deceleration lane – The portion of the roadway adjoining the traveled way constructed for the purpose of enabling a vehicle that is exiting a roadway to slow to a safe speed after it has left the mainstream of traffic.

Hazardous material – An explosive, blasting agent, flammable liquid, combustible liquid, flammable solid, flammable and nonflammable compressed gas, corrosive material, poison, poison gas, irritant, oxidizer, organic peroxide, radioactive material, etiologic agent or other regulated material defined in 49 CFR Parts 100-177 (relating to research and special programs administration, Department of Transportation) whether a material, a substance or a waste product.

Max-time formula – The method by which the Commission determines the maximum amount of time a patron should normally spend on the Turnpike system.

Recreational vehicle – A multipurpose passenger vehicle that provides living accommodations for persons or an apportionable vehicle designed or converted and used exclusively for personal pleasure or travel by an individual or the individual's family.

Shoulder – The portion of the highway, contiguous to the roadway, for accommodation of stopped vehicles, for emergency use and for lateral support of the roadway.

Tandem – A truck tractor, semitrailer and trailer.

Traffic lane – A strip of roadway intended to accommodate the forward movement of a single line of vehicles.

Turnpike System – The limited access highway maintained and constructed by the Commission, extending eastward from the Ohio line to the New Jersey line and northward from a point near Norristown, Pennsylvania to a point near Scranton, Pennsylvania and other extensions thereto, which have been or may hereafter be designated as part of the Turnpike System by the Legislature.

Unsafe Vehicle - A vehicle which does not comply with Chapter 175 (relating to vehicle equipment and inspection) or with an equipment requirement of this part, or a vehicle which poses a driving hazard to the vehicle's occupants or to other motorists.

601.2 Authority.

Except as specifically modified in this part, 75 Pa. C. S. (relating to the Vehicle Code), applies to the operation of a vehicle on the Turnpike System.

601.3 Officers.

A driver of a motor vehicle and other persons using or traveling upon the Turnpike System shall obey the signs, signals and oral directions rendered by officers, employees, independent contractors or agents of the Commission, including the State Police, the toll collectors at fare booths and interchanges, maintenance personnel and other officers that are employed by the Commission.

601.4 Speed limits.

(a) A vehicle shall be limited to a maximum speed of 55 miles per hour, except that where a sign indicates a ~~lesser~~ different speed, the vehicle may not exceed the indicated speed. The minimum speed for a vehicle on the Turnpike

is ~~40~~ 15 miles per hour below the posted speed limit, except as noted otherwise. A 65-mile-per-hour maximum speed limit for all vehicles may be established in accordance with 75 Pa. C.S.A. § 6110.

(b) The Commission, in cooperation with the State Police, has the authority to temporarily reduce speed limits on a part of the Turnpike System where hazardous conditions warrant the reduction in speed or where the reduction is necessary for construction or maintenance operations.

601.4 (a) (Reserved).

601.4 (b) (Reserved).

601.5 Hazardous materials.

(a) Hazardous materials may be transported, under all required federal permits, on the Turnpike system, if the shipments are in full compliance with ~~24~~ 10 CFR 71 (relating to packaging and transportation of radioactive material), 49 CFR Subchapter C (relating to hazardous materials regulations), the Federal motor carrier safety regulations at 49 CFR 390-397 and other Federal or State laws or regulations relating to the transportation of hazardous materials

~~b) A carrier intending to transport hazardous materials which require placarding under subsection (a) shall have a hazardous materials transportation permit issued by the Commission. Permit applications may be obtained from the Commission's Hazardous Materials Administrator at (717) 939-9551, extension 5330. For a permit to be issued, a carrier shall provide proof of automobile liability and property damage liability insurance in an amount consistent with the requirements of the Motor Carrier Act of 1980 (Pub. L. 96-296, July 1, 1980, 94 Stat. 793). The certificate of insurance shall specifically name the Commission as an additional insured and have a completed Form MCS-90 attached. These requirements are in addition to registration and permitting procedures which may be required by the Department of Transportation and the Department of Environmental Resources.~~

~~(b) (c)~~ A transporter of hazardous materials shall carry ~~the permit~~ all required federal permits while traveling on the Turnpike system and shall present the permits upon demand to ~~a toll collector, any other~~ Commission employee or the Pennsylvania State Police.

~~(d) A vehicle carrying hazardous materials other than combustible, nonflammable compressed gases, fuel oils or liquid oxygen is prohibited from traveling through a Turnpike System tunnel.~~

~~(c) (e)~~ Explosives Divisions 1.1, 1.2, 1.3 and Radioactive materials and class A and B explosives as defined in 49 CFR ~~173.53~~ 173.50 and 173.403, respectively (relating to provisions for using old classifications of explosives; and (definitions) are prohibited from being transported on the Tumpike in tandem trailer combinations.

~~(d) (f)~~ Other hazardous materials, classifications 2 through 9, as defined in 49 CFR 173.2 (relating to classification of material having more than one hazard as defined in this part), may be carried only under a Commission permit in tandem combinations. The total volume of material in a tandem combination may not exceed the total volume that could be carried in a single trailer.

(e) The following materials are prohibited, restricted or permitted in Commission tunnels as per the following chart. Restricted is defined as non-tanker loads, limited to transport in non-bulk packaging of 119 gallons per container or less, as per 49 CFR 171.8.

PLACARD NAME	POLICY
Table 1 Materials	
Explosives 1.1	Prohibited
Explosives 1.2	Prohibited
Explosives 1.3	Prohibited
Poison Gas	Prohibited
Dangerous When Wet	Prohibited
Poison (Inhalation Hazard)	Prohibited
Radioactive	Prohibited
Table 2 Materials	
Explosives 1.4	Prohibited
Explosives 1.5	Prohibited
Explosives 1.6	Prohibited
Flammable Gas	Restricted
Non-Flammable Gas (Refrigerated Oxygen)	Permitted
Flammable Liquids	Restricted
Combustible (Fuel Oil)	Permitted
Flammable Solid	Restricted
Spontaneously Combustible	Restricted
Oxidizer	Restricted
Organic Peroxide	Restricted
Poison	Restricted
Keep Away From Food	Permitted
Corrosive	Restricted
Miscellaneous (Class 9)	Permitted

(f) An administrative fee in the amount of three hundred dollars (\$300.00), payable directly to the Pennsylvania Turnpike Commission, shall be assessed for violation of Section 601.5 (e).

601.6 Parking, stopping, loading, or unloading.

(a) A vehicle may not be stopped, left standing, parked, loaded or unloaded on a traffic, acceleration or deceleration lane, or on the shoulder adjacent thereto. In case of emergency only, parking, stopping, standing, loading or unloading of a vehicle is permitted on the shoulder to the right of the travel lanes facing ~~in~~ with the direction of travel when the wheels of the vehicle and the projecting parts of the body or load are safely off and to the right of the travel lanes. Parking, standing, stopping, loading or unloading on the shoulders is not permitted at:

- (1) A bridge or structure.
- (2) In front of a service station between the traffic lanes and the station area.
- (3) At a place where a sign prohibiting is posted.

(b) A vehicle otherwise permitted to park off the traffic, deceleration or acceleration lanes may not remain there longer than necessary to meet the emergency. A vehicle will not be permitted to remain anywhere on the Turnpike System longer than 24 hours. A vehicle remaining on the Turnpike system for more than 24 hours will be deemed to be abandoned and ~~will~~ may immediately be removed by, or at the direction of, the State Police to the contract garage providing service for that area or to a nearby licensed salvor, at the owner's expense. The State Police ~~shall~~ may remove or direct removal of the vehicle within 24 hours of the time of the vehicle's presumption of abandonment. The State Police will then promptly notify the registered owner of the vehicle by certified mail of its action, designating the milepost from which the vehicle is removed, the reason for its removal and the location of the contract garage to which it was removed. ~~In an emergency~~ In the interest of safety, the Commission has the right to immediately remove any vehicle from a portion of the Turnpike traffic lanes, shoulders or other part of the Turnpike system.

601.7 Parking.

A person may not park or leave a vehicle standing on the Turnpike System for the purpose of demonstrating, striking or other similar purpose.

601.8 Crossing median strip

(a) The median strip is the area between the traffic lanes and is intended to separate traffic proceeding in opposite directions. Except as directed by traffic signs, Turnpike personnel or State Police, the following acts are prohibited:

- (1) Crossing the median strip at any point.
- (2) Driving on the median strip.
- (3) Parking, standing, loading, unloading or stopping on the median strip.

(b) This section does not apply to police, emergency or other authorized vehicles.

601.9 U-turns.

The making of a U-turn on the Turnpike System is prohibited except by authorized vehicles. A driver of a motor vehicle may reverse direction of travel only by passing through an interchange and paying the fare. The Pennsylvania State Police may authorize a U-turn in an emergency and fare collection personnel may authorize a U-turn at an interchange.

601.10. Pedestrian travel.

Pedestrian travel or entry on the right-of-way of the Turnpike System is prohibited.

601.11. Hitchhiking.

The solicitation for a ride, commonly known as "hitchhiking," is prohibited, and stopping or allowing a vehicle to be standing while hitchhikers board is also prohibited.

601.12 Toll tickets.

- (a) Each vehicle shall obtain a toll ticket upon entering the Turnpike System at an interchange.
- (b) The toll ticket shall then be surrendered to a toll collector together with the appropriate fare upon exiting the Turnpike System.
- (c) The patron shall stop and exhibit his toll ticket upon request by the State Police or a Commission employee.
- (d) In the event of a lost toll ticket, the patron shall pay the fare from the farthest point of entry on the Turnpike to the actual point of exit.

601.13 Evasion of fare.

(a) Evasion of fare or attempted evasion of fare is prohibited and constitutes a summary offense. Fines for evasion of fare or attempted evasion of fare are imposed by 75 Pa.C.S. § 6110(b) (relating to regulation of traffic on Pennsylvania Turnpike).

(b) Evasion of fare or attempted evasion of fare includes the following:

(1) Entering or exiting the Turnpike System except through an interchange, unless directed to do so by the State Police or a Commission employee.

(2) The presentation to a State Trooper or toll collector of a toll ticket which indicates that the patron has exceeded the travel time allotted based on the max-time formula, where the patron cannot produce satisfactory physical evidence, including the driver's record of duty status, demonstrating that the age of the ticket was the result of actual excess time spent legitimately on the Turnpike system by the patron and was not the result of fare evasion or attempted fare evasion.

(3) Possession by the patron of more than one toll ticket.

(4) Possession by the patron of a toll ticket which was issued from an interchange located in the direction in which the patron is traveling.

(5) Possession or presentation by a patron of a toll ticket which has been intentionally altered or mutilated.

(6) The failure by the patron to pay the appropriate toll upon exiting the Turnpike System.

(7) Appropriation or attempted appropriation by a patron of more than one toll ticket at an interchange.

(8) The exchange of toll tickets by two or more patrons

601.14 Class 9 Vehicles.

(a) Prior to entering the Turnpike System, Class 9 vehicles shall contact the Commission's Safety Department at (717) 939-9551, extension 2970 or 2980 to obtain a Class 9 permit.

(b) The requester shall be prepared to provide the following information:

(1) The size, weight and number of axles of the Class 9 vehicle.

(2) The name, address and telephone number of the carrier.

(3) The planned entry and exit interchange.

(4) The planned date of movement.

(5) Other information which may be requested by the Safety Department.

(c) If approved, the Safety Department will provide the requester with a four-digit Class 9 move number, which shall be provided to the toll collector at the time of entry.

(d) Vehicles over 11 feet in width, 90 feet in length or 125,000 pounds in weight may be required to provide an escort vehicle for movement on the Turnpike System.

(e) Class 9 vehicles may travel on the Turnpike System only on days and at times designated by the Commission. The Safety Department will provide schedules and additional information upon request.

(f) If the requester is unable to travel on the planned date of movement, the requester shall notify the Safety Department accordingly.

601.15 Vehicles excluded from the Turnpike.

(a) During adverse weather conditions, recreational vehicles, motorcycles, vehicles towing trailers, tandem trailers, buses and Class 9 vehicles may be excluded from parts or all of the Turnpike System. Vehicles may be excluded from the Turnpike System to effect proper snow removal or to remedy hazardous situations. Unsafe vehicles may be excluded at any time.

(b) Class 9 vehicles are prohibited from using the Turnpike System except by special permit from the Commission, as indicated in § 601.1 (relating to definitions) and § 601.14 (Class 9 Vehicles).

(c) Vehicles which are not capable of maintaining a speed of at least ~~40~~ 15 miles per hour below the posted speed limit on level roadway are prohibited from using the Turnpike system.

(d) No non-motorized vehicles are permitted to be operated on the Turnpike System.

601.16 Penalties.

A person violating a provision of this part for which no penalty has otherwise been provided by statute is guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of \$25.00.

601.17 Authorized Vehicles.

(a) For the purposes of this chapter, the term "authorized vehicle" shall be defined as follows:

- (1) A vehicle which carries the Commission seal, including automobiles and construction and maintenance vehicles.
- (2) A vehicle owned by the Commission which does not carry the Turnpike seal.
- (3) A vehicle driven by a Commission employee used in an official capacity and in the performance of employment.
- (4) A vehicle of the Consulting Engineer utilized in the furtherance of the Consulting Engineer's duties, under the Trust Indenture.
- (5) A vehicle of any consultant under contract with the Commission utilized in the furtherance of the consultant's duties.
- (6) A towing or wrecking vehicle which meets the following conditions:
 - (i) Through contract with the Commission is an authorized service dealer and the vehicle displays that designation.
 - (ii) Is called by an authorized employee of the Commission or the State Police to perform special clean-up or towing services.
- (7) A construction vehicle owned, leased or operated by a company performing a construction contract for the Commission which is operating within the terms of the contract.
- (8) A vehicle which has obtained prior permission from the Commission and is moving under the supervision of a State Trooper in executing the otherwise restricted activity.
- (9) A vehicle operated by the State Police.

(b) An authorized vehicle under this section has the same rights and privileges accorded by statute, rule or regulation to a vehicle designated as authorized by the Department of Transportation.

(c) An authorized vehicle under this section may, at the Commission's discretion, carry flashing or revolving yellow or amber lights, lighted arrowboards and other warning devices for traffic control at accidents scenes or in other emergency situations.

601.18 Accident prevention investigations.

(a) The Commission, in association with the Pennsylvania State Police, may conduct in-depth accident investigations and safety studies of the human, vehicle and environmental aspects of traffic accidents for the purpose of determining the cause of traffic accidents and the improvements which may help

prevent similar types of accidents or increase the overall safety of the Turnpike roadway and bridges.

(b) In-depth accident investigations and safety studies and information, records and reports used in their preparation shall not be discoverable nor admissible as evidence in any legal action or other proceeding, nor shall officers or employees or the agencies charged with the development, procurement or custody of in-depth accident investigations and safety study records and reports be required to give depositions or evidence pertaining to anything contained in such in-depth accident investigations or safety study records or reports in any legal action or other proceeding.

601.101 Length limit for tandems.

A semitrailer, or the trailer of a tandem trailer combination, may not be longer than 28 ½ feet. A tandem combination – including the truck tractor, semitrailer and trailer – which exceeds 76 85 feet in length is considered a Class 9 vehicle which requires a special permit to travel on the Turnpike System.

601.102 Weight and dimensional limits for tandems.

A tandem trailer combination which is considered a Class 9 vehicle shall require a special permit to travel on the Turnpike System. The maximum gross weight that may be carried upon any one axle may not exceed 22,400 pounds. A tandem trailer combination which exceeds the maximum gross axle weight shall be upgraded to the next higher vehicle classification. In tandem combinations, the heaviest trailer shall be towed next to the truck tractor.

601.103 Exclusion of tandem tank trailers.

Tandem tank trailer combinations transporting hazardous materials, substances or wastes, as defined in 49 CFR Chapter 1 (relating to research and special programs administration, Department of Transportation) are prohibited from using the Turnpike System.

601.104 Brakes.

The brakes on a vehicle or dolly converter or combination of vehicles used in tandem trailer operations shall comply with the minimum requirements in 49 CFR Part 393, Subpart C (relating to brakes).

601.105 Emergency equipment.

A truck tractor used in tandem trailer operations shall, at a minimum, be

equipped with emergency equipment as required by 49 CFR Part 393, Subpart H (relating to emergency equipment).

601.106 Coupling and towing vehicles.

Coupling and towing devices used in tandem trailer operations shall comply with 49 CFR Part 393, Subpart F (relating to coupling devices and towing methods).

601.107 Dollies.

When the distance between the rear of the semitrailer and the front of the following trailer is 10 feet or more, the dolly shall be equipped with a device, or the trailers shall be connected along the sides with suitable material, which shall indicate to other Turnpike System users that the trailers are connected and are in effect one unit. These devices or connections shall be approved by the Commission prior to use on a tandem trailer combination.

601.108 Lighting devices and reflectors.

Each trailer in a tandem trailer combination shall, at a minimum, be equipped with the electrical devices and reflectors required by 49 CFR Part 393, Subpart B (relating to lighting devices, reflectors, and electrical equipment).



America's 1st Superhighway

Pennsylvania Turnpike Commission

Office of Chief Counsel
P. O. Box 67676
Harrisburg, PA 17106-7676
(717) 939-9551, Ext. 3180
Fax: (717) 986-9654

August 13, 1999

Independent Regulatory Review Commission

VIA HAND DELIVERY

RE: Turnpike Commission Proposed Rulemaking

Dear Sir or Madam:

Enclosed for filing please find one copy of the Pennsylvania Turnpike Commission's proposed amendments to its regulations, the preamble, and the Regulatory Analysis Form.

Should you have any questions please do not hesitate to contact me.

Sincerely,

Mark H. Koch
Assistant Counsel

MHK/

Enclosures

TRANSMITTAL SHEET FOR REGULATIONS SUBJECT TO THE REGULATORY REVIEW ACT

I.D. NUMBER: 60-002

SUBJECT: Traffic Regulations
67 PA Code Ch. 601

AGENCY: Turnpike Commission

TYPE OF REGULATION

xx Proposed Regulation

Final Regulation

Final Regulation with Notice of Proposed Rulemaking Omitted

120-day Emergency Certification of the Attorney General

120-day Emergency Certification of the Governor

Delivery of Tolled Regulation

- a. With Revisions
- b. Without Revisions

RECEIVED
AUG 13 1999
REGULATORY REVIEW ACT

FILING OF REGULATION

DATE

SIGNATURE

DESIGNATION

8-13-99

L. H. ...

HOUSE COMMITTEE ON
Transportation

8-13-99

J. Reichard

SENATE COMMITTEE ON
Transportation

8/13/99

A. Melner

INDEPENDENT REGULATORY
REVIEW COMMISSION

ATTORNEY GENERAL

8/13/99

C. Lee

LEGISLATIVE REFERENCE
BUREAU

July 28, 1999

2057

COPY

**COMMONWEALTH OF PENNSYLVANIA
OFFICE OF ATTORNEY GENERAL**

July 22, 1999

Forthcoming:

Nyce _____
Sandusky _____
Gelnett _____

RE: Pennsylvania Turnpike Commission Regulation #60-002

TO: Mark Koch
Assistant Counsel
Pennsylvania Turnpike Commission

FROM: David J. DeVries
Chief Deputy Attorney General
Review and Advice Section



The following regulation is hereby approved for form and legality pursuant to the Commonwealth Attorneys Act.

PENNSYLVANIA TURNPIKE COMMISSION
67 Pa. Code, Ch. 601
Traffic Regulations
PROPOSED FORM

9 JUL 23 1999
11 8:35

DJD:mlm
CRA990349