



PENNSYLVANIA STATE POLICE
DEPARTMENT HEADQUARTERS
1800 ELMERTON AVENUE
HARRISBURG, PENNSYLVANIA 17110

3044

February 4, 2014

Independent Regulatory Review Commission
333 Market Street, 14th Floor
Harrisburg, Pennsylvania 17101

2014 FEB -5 PM 12:01

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Dear Sir or Madam:

On behalf of the Pennsylvania State Police (PSP), this correspondence is being submitted during the public comment period related to the Proposed Rulemaking Order; Philadelphia Taxicab and Limousine Regulations; Document Number 126-7.

If approved, this proposed regulatory change would require "Distress Signal Lights" on taxicabs operating in the City of Philadelphia. Upon review of the proposed rule, our Director, Bureau of Patrol, reached out to my office and requested our involvement in resolving what is seen as a direct conflict with current law and regulations. We believe that even with this new regulation, the display of these lights will violate the Pennsylvania Vehicle Code and 67 Pennsylvania Code (Transportation Regulations).

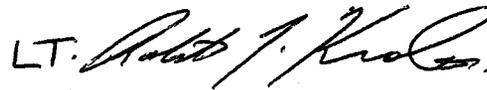
All lights that may be displayed on a vehicle are governed by the Vehicle Code and related Transportation Regulations. Those lights not specifically authorized are expressly prohibited. In regard to the proposed "Distress Signal Lights," Vehicle Code section 4572 governs the installation and use of flashing or revolving yellow lights. They are only permitted on "Authorized Vehicles," which are defined in Vehicle Code section 102. For the purpose of authorized vehicles, the authority to designate vehicles to be in this classification is given to the Pennsylvania Department of Transportation (PennDOT) by Vehicle Code section 6107. In 67 Pa Code, Chapter 15, section 15.2, PennDOT specifically enumerates seven types of authorized vehicle classifications. Taxicabs do not meet the definition in the Vehicle Code, nor do they fall into any of the seven classification types; therefore, the mere installation of these lights could constitute a summary offense, subject to a fine of \$100 - \$500.

To remedy this would require either a legislative change in the Vehicle Code, or at least a regulation change in 67 Pa Code, Chapter 15 to include taxicabs in the Types of "Authorized Vehicles." It should also be noted that if taxicabs are added to the classification Types, the method of displaying the lights described in the proposed regulation is in conflict with 67 Pa Code, Chapter 173. This chapter governs how emergency vehicle and authorized vehicle lights are to be displayed. We note that on

authorized vehicles there is a 360 degree visibility display requirement and that only emergency vehicles may have lights mounted in, on or in front of the vehicle's grill.

Thank you for considering our comments regarding this proposed regulation. While we respect that the intent of the proposed regulation is to enhance safety for the taxicab drivers, the PSP wants ensure it doesn't create enforcement issues for the taxicab drivers/owners in its design. There is a way for the Philadelphia Parking Authority to achieve this safety enhancement; however, we believe it cannot be properly accomplished by this proposed regulation. Should there be anything further needed concerning this request, I may be reached by telephone, at 717-705-1749 or by email, at rkrol@pa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "LT. Robert J. Krol, Jr.", written in a cursive style.

Lieutenant Robert J. Krol, Jr.
Legislative Affairs Office
Pennsylvania State Police