

<h1>Regulatory Analysis Form</h1> <p>(Completed by Promulgating Agency)</p> <p><i>(All Comments submitted on this regulation will appear on IRRC's website)</i></p>		<p>INDEPENDENT REGULATORY REVIEW COMMISSION</p> <p>OCT 26 2021</p> <p>Independent Regulatory Review Commission</p>
<p>(1) Agency: Transportation</p>		
<p>(2) Agency Number: 18 Identification Number: 477</p>		<p>IRRC Number: 3258</p>
<p>(3) PA Code Cite: 67 Pa. Code, Chapter 55</p>		
<p>(4) Short Title: Registration Class Stickers</p>		
<p>(5) Agency Contacts (List Telephone Number and Email Address):</p> <p>Primary Contact:</p> <p>R. Scott Shenk, Manager, Vehicle Registration Division Bureau of Motor Vehicles 4th Floor 1101 S Front St Harrisburg, Pennsylvania 17104 (717) 787-2171 rshenk@pa.gov</p> <p>Secondary Contact:</p> <p>Stephen Madrak, Director Bureau of Motor Vehicles 4th Floor 1101 S Front St Harrisburg, Pennsylvania 17104 (717) 787-2171 smadrak@pa.gov</p>		
<p>(6) Type of Rulemaking (check applicable box):</p> <p><input type="checkbox"/> Proposed Regulation</p> <p><input checked="" type="checkbox"/> Final Regulation</p> <p><input type="checkbox"/> Final Omitted Regulation</p>		<p><input type="checkbox"/> Emergency Certification Regulation;</p> <p><input type="checkbox"/> Certification by the Governor</p> <p><input type="checkbox"/> Certification by the Attorney General</p>
<p>(7) Briefly explain the regulation in clear and nontechnical language. (100 words or less)</p> <p>Chapter 55 of the Pennsylvania Department of Transportation's (Department) regulations carried out the agency's authority to classify trucks by the registered gross weight of trucks, truck tractors or</p>		

combinations in excess of 5,000 pounds that operate on public highways through affixation of a sticker to a windshield. This regulation rescinds Chapter 55 in view of the practical reality that registration class stickers (“Registration Class Stickers”) are not needed for determining the registered weight of trucks, truck tractors or combinations. Chapter 55 imposes administrative burdens on the regulated community and the Department that outweigh the limited value of continuing to print and require affixation of Registration Class Stickers to vehicle windshields.

(8) State the statutory authority for the regulation. Include specific statutory citation.

Authority for this final-form regulation is contained in Sections 1301, 1304(b) and 6103 of the Vehicle Code, Act of June 17, 1976, P.L. 162, No. 81, *as amended* (75 Pa.C.S. §§ 1301, 1304(b) and 6103).

(9) Is the regulation mandated by any federal or state law or court order, or federal regulation? Are there any relevant state or federal court decisions? If yes, cite the specific law, case or regulation as well as, any deadlines for action.

No, the final-form regulation is not mandated by any federal or state law or court order, or federal regulation. Furthermore, the use of a Registration Class Sticker is not mandated by state or federal law.

(10) State why the regulation is needed. Explain the compelling public interest that justifies the regulation. Describe who will benefit from the regulation. Quantify the benefits as completely as possible and approximate the number of people who will benefit.

Chapter 55 is no longer needed. The weight classification of trucks, truck tractors or combinations is printed on a vehicle’s registration card. The Registration Class Sticker imposes an administrative burden to affix stickers and is not necessary for use by third parties when verifying the authorized operating weight of trucks, truck tractors or combinations. Instead, third parties should rely on the registration card to determine the authorized operating weight of trucks, truck tractors or combinations. Therefore, the use of a Registration Class Sticker is no longer needed, and its elimination will result in administrative and cost savings to the Department and the regulated community.

(11) 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 regulations.

No.

(12) How does this regulation compare with those of the other states? How will this affect Pennsylvania’s ability to compete with other states?

The Department is not aware of any states that have a Registration Class Sticker window decal requirement. By eliminating the Registration Class Sticker, businesses and individuals with trucks, truck tractors or combinations registered in Pennsylvania will be similarly situated to those in neighboring states. This will improve, albeit on a small scale, Pennsylvania’s ability to compete with other states.

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

These amendments will not affect other Department regulations or the regulations of any other Commonwealth agency.

(14) Describe the communications with and solicitation of input from the public, any advisory council/group, small businesses and groups representing small businesses in the development and drafting of the regulation. List the specific persons and/or groups who were involved. ("Small business" is defined in Section 3 of the Regulatory Review Act, Act 76 of 2012.)

This regulatory package is, in part, responsive to industry requests received by the Department and has been identified as an efficiency measure that will save money and result in positive change for individuals and businesses of all sizes. The Pennsylvania Motor Truck Association (PMTA) inquired if the requirement for all trucks weight class 2 and above to display the Registration Class Sticker could be eliminated. PMTA, in support of this rulemaking, noted that Pennsylvania is the only state that requires a Registration Class Sticker to be affixed to a windshield and many comments noted the impact to fleet vehicles when a windshield requires replacement and a vehicle, under the present regulation, can be out of service for several weeks until a replacement Registration Class Sticker is obtained and affixed. It is important to note that a vehicle's weight classification is printed on the vehicle's registration card carried within a vehicle and produced during a vehicle stop. As we understand law enforcement practices through consultation with the Pennsylvania State Police's Motor Carrier Enforcement Division and those that train state and local law enforcement personnel, law enforcement personnel do not rely on a Registration Class Sticker alone but always confirm the information set forth on the current registration card carried in the vehicle or by accessing the vehicle record from Department records available to law enforcement. From these sources, the registered gross vehicle weight (GVW) can be assessed to determine the acceptable weight limits of an empty and loaded vehicle.

(15) Identify the types and number of persons, businesses, small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012) and organizations which will be affected by the regulation. How are they affected?

Rescinding this chapter to eliminate the requirement to apply for and affix Registration Class Stickers will positively impact an estimated 1.6 million commercial and non-commercial trucks, truck tractors or combinations, including trucks operated by businesses small and large, and individuals who operate trucks for personal use that are currently required to display a Registration Class Sticker.

(16) List the persons, groups or entities, including small businesses, that will be required to comply with the regulation. Approximate the number that will be required to comply.

Rescinding this Chapter will impact an estimated 1.6 million commercial and non-commercial trucks, truck tractors or combinations currently required to display the Registration Class Sticker.

(17) Identify the financial, economic and social impact of the regulation on individuals, small businesses, businesses and labor communities and other public and private organizations. Evaluate the benefits expected as a result of the regulation.

Currently trucks, truck tractors or combinations registered to operate at weights greater than 5,000 pounds are required to display a Registration Class Sticker and replace a Registration Class Sticker when stolen, damaged or destroyed. These stickers are part of the registration process and do not have a direct cost to consumers. Although there is no direct cost to the individuals or businesses to obtain or replace a Registration Class Sticker, it is an administrative burden to affix or replace stickers—all of which results in lost productivity. The Registration Class Stickers cost the Department an average of \$25,000 annually to maintain the needed inventory, which can be saved because of this rulemaking. The long-term costs savings to the Commonwealth and its taxpayers will have positive financial, economic and social impacts on the public.

(18) Explain how the benefits of the regulation outweigh any cost and adverse effects.

Rescinding this Chapter will save the Department an average of \$25,000 annually with no negative or adverse impacts to the Commonwealth and the regulated community.

(19) 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. Explain how the dollar estimates were derived.

The fiscal impact to the regulated community is difficult to quantify because there is no direct savings to individuals or business as a result of the rulemaking. No fee is charged to individuals or businesses to obtain or replace a Registration Class Sticker. Any cost savings to the regulated community is tied to administrative time savings to obtain or replace a damaged or destroyed sticker and the time to affix the sticker to a windshield.

(20) Provide a specific estimate of the costs and/or savings to the **local governments** associated with compliance, including any legal, accounting or consulting procedures which may be required. Explain how the dollar estimates were derived.

Local governments will experience administrative savings mentioned under Section 19 above, related to any truck, truck tractor or combination they maintain that are registered at a weight greater than 5,000 pounds.

(21) Provide a specific estimate of the costs and/or savings to the **state government** associated with the implementation of the regulation, including any legal, accounting, or consulting procedures which may be required. Explain how the dollar estimates were derived.

The Department will save an average of \$25,000 annually from not needing to produce and issue the Registration Class Sticker. Agencies within state government will experience an administrative cost savings mentioned in Section 19 above related to any trucks, truck tractors or combinations they maintain that are registered at a weight greater than 5,000 pounds.

(22) For each of the groups and entities identified in items (19)-(21) above, submit a statement of legal, accounting or consulting procedures and additional reporting, recordkeeping or other paperwork, including copies of forms or reports, which will be required for implementation of the regulation and an explanation of measures which have been taken to minimize these requirements.

Neither legal, accounting or consulting procedures nor forms or reports will be required as a result of this rulemaking.

(22a) Are forms required for implementation of the regulation?

No new forms are required for implementation of the regulation nor will any existing Department forms be eliminated. The Department's existing forms, which are attached, will need to be amended to remove the references to the Registration Class Stickers.

(22b) If forms are required for implementation of the regulation, attach copies of the forms here. If your agency uses electronic forms, provide links to each form or a detailed description of the information required to be reported. **Failure to attach forms, provide links, or provide a detailed description of the information to be reported will constitute a faulty delivery of the regulation.**

Not applicable. No new forms are required for implementation of the regulation.

(23) 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.

	FY 2021-2022	FY 2022-2023	FY 2023-2024	FY 2024-2025	FY 2025-2026	FY 2026-2027
SAVINGS:						
Regulated Community	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown
Local Government	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown
State Government	\$12,500 (through December 2021); \$25,000 projected for full fiscal year.	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
Total Savings	\$12,500 (through December 2021); \$25,000 projected for full fiscal year.	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000

COSTS:						
Regulated Community	N/A	N/A	N/A	N/A	N/A	N/A
Local Government	N/A	N/A	N/A	N/A	N/A	N/A
State Government	N/A	N/A	N/A	N/A	N/A	N/A
Total Costs	N/A	N/A	N/A	N/A	N/A	N/A
REVENUE LOSSES:	\$0	\$0	\$0	\$0	\$0	\$0
Regulated Community	N/A	N/A	N/A	N/A	N/A	N/A
Local Government	N/A	N/A	N/A	N/A	N/A	N/A
State Government	N/A	N/A	N/A	N/A	N/A	N/A
Total Revenue Losses	N/A	N/A	N/A	N/A	N/A	N/A

(23a) Provide the past three year expenditure history for programs affected by the regulation.

Program	FY 2017-2018	FY 2018-2019	FY 2019-2020	FY2020-2021
Registration Class Stickers (actual costs)	\$31,762.50	\$13,612.50	\$49,912.50	\$28,132.50

(24) For any regulation that may have an adverse impact on small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012), provide an economic impact statement that includes the following:

- (a) An identification and estimate of the number of small businesses subject to the regulation.
- (b) The projected reporting, recordkeeping and other administrative costs required for compliance with the proposed regulation, including the type of professional skills necessary for preparation of the report or record.
- (c) A statement of probable effect on impacted small businesses.
- (d) A description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation.

There will not be an adverse impact to small businesses because of this regulation. Conversely, small businesses will benefit from the reduced administrative costs associated with the stickers.

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

There is not a need to develop special provisions to meet the needs of particular groups, as this rulemaking will result in the elimination of a requirement and simplify the registration process for all affected groups or persons.

(26) Include a description of any alternative regulatory provisions which have been considered and rejected and a statement that the least burdensome acceptable alternative has been selected.

This is the least burdensome approach; thus, no alternatives were considered.

(27) In conducting a regulatory flexibility analysis, explain whether regulatory methods were considered that will minimize any adverse impact on small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012), including:

- a) The establishment of less stringent compliance or reporting requirements for small businesses;
- b) The establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses;
- c) The consolidation or simplification of compliance or reporting requirements for small businesses;
- d) The establishment of performance standards for small businesses to replace design or operational standards required in the regulation; and
- e) The exemption of small businesses from all or any part of the requirements contained in the regulation.

None of the above methods were considered as the rescission of these regulations is not expected to negatively impact small businesses.

(28) If data is the basis for this regulation, please provide a description of the data, explain in detail how the data was obtained, and how it meets the acceptability standard for empirical, replicable and testable data that is supported by documentation, statistics, reports, studies or research. Please submit data or supporting materials with the regulatory package. If the material exceeds 50 pages, please provide it in a searchable electronic format or provide a list of citations and internet links that, where possible, can be accessed in a searchable format in lieu of the actual material. If other data was considered but not used, please explain why that data was determined not to be acceptable.

Data was not the basis for this regulation.

(29) Include a schedule for review of the regulation including:

- | | |
|---|--|
| A. The length of the public comment period: | <u>5/30/2020 through 6/30/2020</u> |
| B. The date or dates on which any public meetings or hearings will be held:
_____ | <u>N/A</u> |
| C. The expected date of delivery of the final-form regulation: | <u>October 2021</u> |
| D. The expected effective date of the final-form regulation: | <u>Upon publication of the final-form regulation in the Pa. Bulletin</u> |
| E. The expected date by which compliance with the final-form regulation will be required: | <u>Upon publication of the final-form regulation in the Pa. Bulletin</u> |
| F. The expected date by which required permits, licenses or other approvals must be obtained: | <u>N/A</u> |

(30) Describe the plan developed for evaluating the continuing effectiveness of the regulations after its implementation.

The Department's Driver and Vehicle Services Deputate will continue to administer the vehicle registration program and promulgate regulations that may be beneficial to the same in the future.



INFORMATION ONLY

APPLICATION FOR THE ISSUANCE OF AN AGENCY SPECIFIC OFFICIAL USE REGISTRATION PLATE

For Department Use Only
Bureau of Motor Vehicles • 1101 S. Front Street • Harrisburg, PA 17104

The Agency Specific Official Use registration plate is an official use registration plate for participating commonwealth agencies that are using their state agency emblem/symbol/logo on their official use registration plate.

Issuing Agencies (Check (✓) your agency):

- | | |
|---|--|
| <input type="checkbox"/> Department of General Services (DGS) | <input type="checkbox"/> Pennsylvania Department of Transportation (PennDOT) |
| <input type="checkbox"/> Pennsylvania Turnpike Commission (PTC) | <input type="checkbox"/> Pennsylvania State Police Plate (PSP) |

A VEHICLE INFORMATION			
Agency Name _____			
Title Number (if applicable) _____		Vehicle Identification Number _____	
Make of Vehicle _____	Body Type _____	Reg. Gross Wt. (if applicable) _____	Combo Wt. (if applicable) _____
B AGENCY REGISTRATION PLATE ISSUED (Check (✓) appropriate blocks)			
Issued registration plate # _____ with tag type _____ to the vehicle described in Section A above.			
C APPLICANT(S) SIGNATURE			
I hereby certify under penalty of law that ALL information contained herein is TRUE and CORRECT and that I understand that any misstatement of fact is a misdemeanor of the third degree punishable by a fine up to \$2,500 and/or imprisonment up to 1 year (18 Pa C S. Section 4904(b))			
_____ Signature of Authorized Representative		_____ () Telephone Number	
_____ Title of Authorized Representative		_____ Date	

GENERAL INFORMATION REGARDING AN AGENCY SPECIFIC OFFICIAL USE REGISTRATION PLATE

- This application, with Sections A through C completed in full, must be returned to PennDOT by the agency representative along with application for Pennsylvania Certificate of Title or Form MV-44, "Request for Duplicate Registration Card, Replacement of Registration Plate or Weight Class Sticker."
- No Agency Specific Official Use registration plate will be duplicated. If a registration plate is lost, stolen or defaced you will need to reapply for an Agency Specific Official Use registration plate by completing this application and submitting it to PennDOT. Should you need an immediate replacement registration plate, please complete and submit Form MV-44, "Application for Duplicate Registration Card, Replacement of Registration Plate or Weight Class Sticker." (NOTE: Form MV-44 is available on our website at www.dmv.pa.gov.)
- Agency Specific Official Use registration plates are issued in number sequence.
- After you have received your Agency Specific Official Use registration plate, return your old registration plate to:
 - Bureau of Motor Vehicles
 - Return Tag Unit
 - P.O. Box 68597
 - Harrisburg, PA 17106-8597



INFORMATION ONLY

APPLICATION FOR SPECIAL ORGANIZATION REGISTRATION PLATE

For Department Use Only
Bureau of Motor Vehicles • P.O. Box 68266 • Harrisburg, PA 17106-8266

Check One: Leased Vehicle: YES NO

NOTE: If the vehicle is a leased vehicle, Form MV-1L, "Application for Lessee Information," must be completed and attached. Form MV-1L is available on our website at www.dmv.pa.gov.

A VEHICLE DESCRIPTION AND APPLICANT INFORMATION - Complete this section exactly as information appears on current registration card.				
Title Number	Registration Plate Number	Expiration Date	Make of Vehicle	Year
Last Name (Or Full Business Name)	First Name	Middle Name	PA DL/Photo ID# or Bus. ID#	Date of Birth
Street Address - Must list a street address. P.O. Box # alone is not acceptable.	City	State	Zip Code	Telephone Number Home () _____ Work () _____
NOTE: In conjunction with replacement of your registration plate, you will receive one registration card. If additional registration cards are desired, the fee is \$2 for each card. Number of duplicate registration cards requested @ \$2 each: _____.				
B TO BE COMPLETED BY ORGANIZATION OFFICIAL				
NAME OF ORGANIZATION:				
Name of Organization, Chapter, Post, Lodge, Employer, etc.				Telephone Number
Street Address	City	State	Zip Code	
C TO BE COMPLETED BY ORGANIZATION OFFICIAL - See special instructions below.				
I certify that the individual named in Section A is a member in good standing of the organization listed in Section B.				
Name of Organization Official	Title	Signature		
D APPLICANT SIGNATURE				
I certify that all information given on this application is TRUE AND CORRECT and that when I cease to be a member of the above named organization, I will immediately return the registration plate to PennDOT.				
Applicant's Signature in Ink				Date

GENERAL INFORMATION REGARDING A SPECIAL ORGANIZATION PLATE

• PennDOT charges an issuance fee of \$27. Participating organizations may charge an initial fee above the \$27 PennDOT fee. The organization fee is \$_____. Therefore, the total fee due with this application is \$_____. Fees must be made payable to the organization name of _____.

NOTE: Special organizations with more than 2,000 organization registration plates may charge a renewal fee for authorization of or continued use of the special organization registration plate. This fee is separate from PennDOT's registration renewal fee. The renewal fee is at the organization's discretion and is not related to PennDOT.

- Payment is to be made by check or money order payable to Commonwealth of Pennsylvania. **DO NOT SEND CASH. NO REFUND** of the fee will be issued when an applicant cancels a request after an order is placed.
- No special organization registration plate will be duplicated. If your registration plate is lost, stolen or defaced you will need to reapply for a special organization registration plate by completing this application and submitting with the appropriate fees. Should you need an immediate replacement registration plate, please complete and submit Form MV-44, "Application for Duplicate Registration Card, Replacement of Registration Plate or Weight Class Sticker," with a fee of \$11. A standard issued registration plate will be issued until the replacement special organization registration plate can be provided. (NOTE: Form MV-44 is available on our website at www.dmv.pa.gov.)
- Requests for special organization registration plates are restricted to passenger vehicles or trucks with a registered gross weight of not more than 14,000 lbs., trailers, motorcycles and motor homes. NOTE: Motorcycles registration plates are only available if the organization has an approved motorcycle special organization registration plate.
- This application, completed in full, along with a check or money order should be mailed to: Bureau of Motor Vehicles, Special Organization Plate Program, P.O. Box 68266, Harrisburg, PA 17106-8266.
- When the applicant ceases to be a member in the organization or ceases to be a notary public as listed in Section B, the registration plate must be returned to PennDOT. Complete Form MV-44 and submit a fee of \$11 for the issuance of a regular series registration plate.
- This special organization registration plate is issued in number sequence only and may not be personalized.
- All telephone numbers will be held in confidence and used only in the event of a problem with your application.
- To avoid possible problems with citations with your old registration plate, return it to: Bureau of Motor Vehicles, Return Tag Unit, P.O. Box 68597, Harrisburg, PA 17106-8597 after you have received your special organization registration plate.

SPECIAL INSTRUCTIONS - SECTION C

- If the applicant is a notary applying for a notary public registration plate, the applicant's notary seal must be affixed in this section instead of an official's signature.

Visit us at www.dmv.pa.gov or call us at 717-412-5300. TTY callers — please dial 711 to reach us.

GENERAL INFORMATION REGARDING A SPECIAL ORGANIZATION REGISTRATION PLATE

- **PLEASE ALLOW 4-6 WEEKS FOR DELIVERY.**
- This application, with Sections A, D (if applicable), and E, completed in full, must be returned to the organization official for submission to PennDOT. No applications sent directly to PennDOT by the organization member will be processed. The organization must complete Sections B and C. **NOTE:** Only applications for Volunteer Fire Fighter and Emergency Medical Services special organization registration plates may be mailed directly to PennDOT by the customer.
- The applicant listed in Section A must be a registered owner of the vehicle as indicated on the vehicle's registration credential. If the vehicle is a leased vehicle, Form MV-1L, "Application for Lessee Information," must be completed and attached. (NOTE: Form MV-1L is available on our website at www.dmv.pa.gov.)
- PennDOT charges an issuance fee of \$27. Participating organizations may charge an initial fee above the \$27 PennDOT fee. The organization fee is \$_____. Therefore, the total fee due with this application is \$_____. Fees must be made payable to the organization name of _____.
NOTE: Special organizations with more than 2,000 organization registration plates may charge a renewal fee for authorization of continued use of the special organization registration plate. This fee is separate from PennDOT's registration renewal fee. The renewal fee is at the organization's discretion and is not related to PennDOT.
- No special organization registration plate will be duplicated. If your registration plate is lost, stolen or defaced you will need to reapply for a special organization registration plate by completing this application and submitting it with the appropriate fees. Should you need an immediate replacement registration plate, please complete and submit Form MV-44, "Application for Duplicate Registration Card, Replacement of Registration Plate or Weight Class Sticker," along with a fee of \$11. A standard registration plate will be issued until the replacement special organization registration plate can be provided. (NOTE: Form MV-44 is available on our website at www.dmv.pa.gov.)
- Requests for special organization registration plates are restricted to passenger vehicles, trucks with a registered gross weight of not more than 14,000 lbs., trailers, motorcycles and motor homes. **NOTE:** Motorcycle registration plates are only available if the organization has an approved motorcycle special organization registration plate.
- **NO REFUND** of the fee will be issued when an applicant cancels a request after the order is placed.
- When the applicant ceases to be a member in the organization as listed in Section B, the registration plate must be returned to PennDOT. Complete Form MV-44 and submit a fee of \$11 for the issuance of a regular series registration plate.
- Special organization registration plates are issued in number sequence unless requesting personalization in Section D.
- To avoid possible problems with citations with your old registration plate, return it to: Bureau of Motor Vehicles, Return Tag Unit, P.O. Box 68597, Harrisburg, PA 17106-8597 after you have received your special organization registration plate.
- If applying for a Fraternal Order of Police registration plate, the PA State Lodge Seal and the PA State Lodge Recording Secretary signature must be affixed to this application.

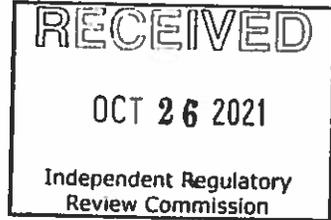
IF PERSONALIZING YOUR SPECIAL ORGANIZATION REGISTRATION PLATE

- Personalized special organization registration plates may contain up to FIVE letters and numbers in combination. A preprinted letter configuration will precede your personalized configuration on your registration plate and cannot be changed. **NOTE:** If the organization has an approved design for motorcycle registration plates, the personalized motorcycle registration plates may contain up to FOUR letters and numbers in combination.
- If a hyphen or space is used as part of the registration configuration, it counts as one of the available spaces for personalization. Only one hyphen or space is permitted, but not both. **NOTE:** No additional special characters are available.
- When requesting a numeric character of zero, please list as "0" instead of the alpha character of "O".
- PennDOT reserves the right to limit or reject requests.
- The registration on your vehicle must be current in order for PennDOT to process your request. The fee to personalize your special organization registration plate is an additional \$108. The additional \$108 fee covers the cost of your personalized registration plate order only and will not renew your vehicle's registration. To renew your registration, please include your completed renewal application, Form MV-105, "Pennsylvania Registration Renewal Application," or Form MV-140, "Request for Registration," and a separate check or money order in the amount of your registration renewal fee. Payment is to be made by check or money order payable to the Commonwealth of Pennsylvania. **PLEASE DO NOT SEND CASH.**
- To check personalized registration plate availability, visit PennDOT's Driver and Vehicle Services website, www.dmv.pa.gov, and select Plate Availability from the list of services under the Online Services heading. Personalized registration plates will not be reserved until PennDOT receives payment and a completed application, and approves your requested registration plate configuration [number(s) and/or letter(s)]. Please note that registration plate requests are processed on a first-come, first-served basis. Although a requested registration plate configuration may show as being available on the website, it is possible that a request for the same registration plate configuration may have already been submitted by another customer and may not be available when making application.
- Personalized registration plates will be manufactured on the basis of this application. **NO REFUND** of the fee will be issued when an applicant cancels a request after the order is placed with the manufacturer.
- Allow eight to 10 weeks for delivery of personalized special organization registration plate.

Visit us at www.dmv.pa.gov or call us at 717-412-5300. TTY callers — please dial 711 to reach us.

**FACE SHEET
FOR FILING DOCUMENTS
WITH THE
LEGISLATIVE REFERENCE BUREAU**

(Pursuant to Commonwealth Documents Law)



DO NOT WRITE IN THIS SPACE

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

By _____
(Deputy Attorney General)

Date of Approval

Check if applicable
Copy not approved. Objections attached.

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

**Department
of
Transportation**
(Agency)

DOCUMENT/FISCAL NOTE NO. 18-477

DATE OF ADOPTION 7/21/2021

BY [Signature]
Secretary of Transportation

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

BY [Signature]

October 13, 2021
(Date of Approval)

(Deputy General Counsel)
(Chief Counsel, Independent Agency)
(Strike Inapplicable Title)

Check if applicable. No attorney
General Approval or Objection within
30 days after submission.

NOTICE OF FINAL RULEMAKING

TITLE 67. TRANSPORTATION

Part I – Department of Transportation

Subpart A. Vehicle Code Provisions

Article III. Registration

Chapter 55. Registration Class Stickers

Preamble

TITLE 67. TRANSPORTATION

Part I – Department of Transportation

Subpart A. Vehicle Code Provisions

Article III. Registration

Chapter 55. Registration Class Stickers

Final Rulemaking

The Department of Transportation (Department), under the authority of 75 Pa.C.S. § 6103 (relating to promulgation of rules and regulations by department) and more generally 75 Pa.C.S. §§ 1301 and 1304(b) (relating to registration and certificate of title required; and registration criteria), is deleting Chapter 55 (relating to Registration Class Stickers) to read as set forth in Annex A.

Purpose of Chapter

This Chapter implements 75 Pa.C.S. § 1304(b) regarding the classification of vehicles. Section 1304(b) of 75 Pa.C.S. authorizes the Department to "identify vehicles by type as to weight, design, loading, use, ownership or other significant characteristics for purposes of registration." The Department adopted Chapter 55 in 1979 to implement the portion of section 1304(b) that concerns identifying vehicle according to weight for purposes of registration. Chapter 55 requires the affixation of a registration class sticker ("Registration Class Sticker") to a windshield, which indicates the registered gross weight class of a truck, truck-tractor or combination registered in this Commonwealth in the registered gross weight classes 2 through 25.

Purpose of this Final-Form Rulemaking

In addition to the Registration Class Sticker, a vehicle's weight classification is printed on the vehicle's registration card. The Registration Class Sticker is not exclusively utilized by third parties, including law enforcement, when verifying the authorized operating weight of a vehicle. Instead, law enforcement, based on the understanding of Department personnel, should rely on the registration card to confirm the authorized operating weight of a vehicle. Therefore, the need for a

Registration Class Sticker no longer exists, and its elimination will result in administrative and cost savings to the Department and the regulated community.

Significant Provisions of the Final-Form Regulation

This rulemaking will delete Chapter 55 in its entirety.

Summary of Comments and Changes

The Department received 75 public comments related to this rulemaking, 74 of which expressed support. That support came from members of the Pennsylvania Motor Truck Association (PMTA). PMTA and its members have consistently expressed support for eliminating Registration Class Stickers due to their obsolescence and the administrative burden of affixing and changing Registration Class Stickers. In sum, comments in support of this rulemaking noted that Pennsylvania is the only state that requires a Registration Class Sticker to be affixed to a windshield and many comments noted the impact to fleet vehicles when a windshield requires replacement and a vehicle, under the present regulation, can be out of service for several weeks until a replacement Registration Class Sticker is obtained and affixed.

The only comment received from the public in opposition to the rulemaking came from one local law enforcement officer with the Exeter Township Police Department. He noted negative consequences would occur from an enforcement perspective because elimination of the Registration Class Sticker would remove a visual tool that he and other local law enforcement rely upon for enforcement activities. While we value this input and took it into consideration after conducting research, we find the use of a Registration Class Sticker for law enforcement activities to be inherently unreliable.

First, the officer notes that Registration Class Stickers are important to enforcement activities related to gross vehicle weight (GVW), including instances where a vehicle is “under registered” at a lower GVW. He later contends that “under registration” of a vehicle will reduce registration revenues to the Department and may be used to circumvent highway and bridge weight restrictions, which adversely impact the lifespan of transportation infrastructure.

It is important to note that a vehicle's weight classification is printed on the vehicle's registration card carried within a vehicle and produced during a vehicle stop. As we understand law enforcement practices through consultation with the Pennsylvania State Police, its Motor Carrier Enforcement Division and those that train state and local law enforcement personnel, law enforcement personnel never rely on a Registration Class Sticker alone but always confirm the information set forth on the current registration card carried in the vehicle or by accessing the vehicle record from Department records available to law enforcement. From these sources, the registered GVW can be assessed to determine the acceptable weight limits of an empty and loaded vehicle.

A registrant can register their vehicle at its maximum weight rating, then later, reduce the registered weight. When the registered weight is reduced by the registrant, a new registration card is issued along with a new Registration Class Sticker. It is then up to the registrant to remove the old Registration Class Sticker and replace it with the new one. If they do not, the Registration Class Sticker affixed to the windshield will appear as though the vehicle is registered at a higher weight than contained on the vehicle registration card. The reliable way to determine the vehicle's registered weight is for the law enforcement officer to review the current registration card. There is nothing that precludes under registration of a vehicle under Pennsylvania law but that official registration GVW information will limit the total weight of what can be loaded in a vehicle. The actual weight of the vehicle can only be determined via weighing the vehicle with a scale.

Turning to revenue, the revenue generated by the Department is tied to the application fee based upon the registered weight of a vehicle and what is set forth on an application. Eliminating Registration Class Stickers will have no bearing on revenue as application fees will be collected in accordance with established fee schedules. An application for registration under the Vehicle Code is signed by the applicant under penalty of law and any violation of the registration requirements will occur, with or without Registration Class Stickers. Registration Class Stickers do not prevent an applicant from submitting false information or exceeding the maximum GVW when operating the vehicle. Looking strictly at revenue, eliminating the Registration Class Sticker will increase available revenue to the Department because the Department will not incur printing and other administrative costs associated with the issuance of Registration Class Stickers.

As to weight restricted roadway enforcement, such enforcement activities are strictly based on the actual weight of a vehicle, which is not tied to a Registration Class Sticker. Registered weight has no bearing on this type of enforcement. For example, a truck tractor can be registered to carry up to 40 tons. However, when the truck is empty it weighs far less than 20 tons. Therefore, there is no reason the vehicle would be restricted from using a bridge restricted to 25 tons when it is empty. Compliance with infrastructure weight restrictions can be ensured using a scale.

Second, the officer contends that Registration Class Stickers assist in providing a visual clue that a vehicle may not have a combination registration, which relates to a class of vehicle registration that accounts for the combined weight of a truck tractor and trailer.

Registration Class Stickers do not have any discernable information that can be determined from a distance. It is not until one is close to the sticker that the weight class number is legible. This requires the vehicle to be stopped so that the Registration Class Sticker can be read. As stated above, once the vehicle is stopped, reviewing the registration card carried in the vehicle or the Department's vehicle records is a more reliable means of confirming the registered GVW.

Third, the officer notes that a Registration Class Sticker of 7 or greater provides a visual confirmation that Federal Motor Carrier Safety requirements apply to the vehicle, which alters the enforcement activities undertaken by local law enforcement. Again, the reading of the Registration Class Sticker is difficult at highway speeds. Once the vehicle is pulled over, the visual confirmation is not necessary as the registration weights are readily available on the registration card carried in the vehicle or the Department's vehicle records. It is important to note, Federal Motor Carrier Safety requirements are applied based on the GVW rating, not the registered weight. Reliance

solely on the Registration Class Sticker may result in Federal Motor Carrier Safety requirements not being applied (in the case of a vehicle registered in a lower weight category) when they should be.

Lastly, the officer concludes that the safety of the motoring public will be impacted by hampered law enforcement activities to prevent overweight vehicles from using Pennsylvania highways. Safety is the paramount objective of the Department. A vehicle over its registered weight, but not its maximum weight rating as set by the manufacturer, is presumed safe. The only way to know if a vehicle is over either its registered weight or maximum weight rating is to weigh it with a scale; at which time law enforcement can review the registration card. The Department does not believe that this rulemaking will hamper law enforcement activities or impact safety. While certain law enforcement practices may change slightly with this rulemaking, the costs savings to the Department and removing administrative burdens to the regulated community outweigh impacts to law enforcement activities.

The Independent Regulatory Review Commission (IRRC) submitted its comments to the Department on July 29, 2020. IRRC reiterated several of the officer's concerns, noting that the Department, in its proposed rulemaking, stated that law enforcement agencies do not use Registration Class Stickers for enforcement purposes, yet the officer's comments indicate otherwise. IRRC questioned the reasonableness of the regulation on this ground and asked the Department to reach out to other law enforcement agencies or statewide associations to ensure that the deletion of Chapter 55 will not be problematic for the performance of local law enforcement duties.

As indicated above, the Department reached out to the Pennsylvania State Police. Its Commercial Vehicle Safety Division provides all training to Pennsylvania State Police troopers and local law enforcement personnel in all aspects of motor carrier vehicle safety enforcement. These discussions resulted in the Department amending the statements set forth in the proposed rulemaking that indicate law enforcement *never* uses Registration Class Stickers. Throughout this final-form rulemaking, the Department clarifies the inherent unreliability of Registration Class Stickers as the sole means of ensuring that a vehicle is registered and operating in accordance with applicable laws. The training presented to state and local law enforcement encourage law enforcement to use the registration card carried in the vehicle and confirm any unclear information through law enforcement's established means of access to Department vehicle records.

IRRC also asked the Department to consider the potential "under registration" of vehicles and its impact on the health, safety and welfare of the public if overweight trucks drive on weight restricted roads and the potential loss of revenue for the Commonwealth. The Department was further asked to explain what safeguards are in place to prevent this from happening.

As noted above, nothing precludes under registration of a vehicle; however, the registration of a vehicle dictates the total weight a vehicle can lawfully carry. Registration Class Stickers do not prevent false information from being submitted to the Department and these stickers do not prevent an operator from overloading a truck. If a vehicle is under registered and is carrying more weight than its registration limit but less than the overall maximum GVW, a properly maintained vehicle can safely operate, but would subject an operator to citations and fines. Weight restrictions

on highways and bridges are not directly tied to the maximum GVW capacity of a vehicle but is instead determined by the actual weight of the vehicle to determine if it exceeds weight restrictions. The problem of exceeding a registered or maximum vehicle weight is not prevented or remedied by the continued use of Registration Class Stickers. We reiterate that the benefits of this final-form rulemaking to the regulated community and the reduction of administrative costs to the Commonwealth and regulated community outweigh impacts to law enforcement activities.

Persons and Entities Affected

This rulemaking will impact an estimated 1.6 million commercial and non-commercial vehicles currently required to display the Registration Class Sticker.

Fiscal Impact

Deleting Chapter 55 will save the Department the cost of maintaining an inventory of the required stickers (averaging \$25,000 annually). The fiscal impact to the regulated community is difficult to quantify because there is no direct savings to individuals or business as a result of the rulemaking. No fee is charged to individuals or businesses to obtain or replace a Registration Class Sticker. Any cost savings to the regulated community are tied to administrative time savings to obtain or replace a damaged or destroyed sticker and the time to affix the sticker to a windshield.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on May 18, 2020, the agency submitted a copy of the proposed regulation, published at 50 *Pa.B.* 2746, to the Independent Regulatory Review Commission and to the Chairpersons of the House and Senate Transportation Committees for review and comment.

Under section 5(c) of the Regulatory Review Act, IRRC and the House and Senate Committees were provided with copies of the comments received during the public comment period, as well as other documents when requested. In preparing the final-form rulemaking, the Department considered all comments from IRRC and the public. No comments were received from the House and Senate Committees.

Under section 5.1(j.2) of the Regulatory Review Act (71 P. S. § 745.5a(j.2)), on _____, 2021, this final-form rulemaking was deemed approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on _____, 2021 and approved this final-form rulemaking.

Effective Date

This rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin*.

Sunset Date

The Department is not establishing a sunset date for this regulation, as this rulemaking deletes a chapter.

Contact Person

The contact person for technical questions about this final-form rulemaking is R. Scott Shenk, Manager, Vehicle Registration Division, Bureau of Motor Vehicles, 1101 South Front Street, 4th Floor, Harrisburg, PA 17104 or rshenk@pa.gov.

Findings

The Department finds that:

(1) Public notice of the amendments to the regulations at 67 Pa. Code, Chapter 55, was given at 50 *Pa.B.* 2746 under sections 201 and 202 of the Act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201-1202) and the regulations promulgated under those sections at 1 Pa. Code §§ 7.1-7.2.

(2) A public comment period was provided as required by law and all comments were considered in drafting this final-form rulemaking.

(3) These amendments to the regulations of the Department are necessary and appropriate for the continued implementation of 75 Pa. C.S. § 1304(b)(relating to the classification of vehicles) in view of comments received and the public interest.

Order

The Department, acting under the authorizing statutes, orders that:

- (a) The regulations of the Department, 67 Pa. Code Chapter 55, are amended to read as set forth in Annex A.
- (b) The Department shall submit this final-form regulation to the Office of General Counsel and Office of Attorney General, as required by law, for approval as to form and legality.

- (c) The Department shall submit this final-form regulation to the IRRC and the Senate and House Transportation Committees as required by law.
- (d) The Department shall certify this final-form regulation and deposit it with the Legislative Reference Bureau, as required by law.
- (e) The final-form rulemaking shall take effect upon publication in the *Pennsylvania Bulletin*.

YASSMIN GRAMIAN, P.E.,
Secretary

Annex A

TITLE 67. TRANSPORTATION

PART I. DEPARTMENT OF TRANSPORTATION

Subpart A. VEHICLE CODE PROVISIONS

ARTICLE III. REGISTRATION

CHAPTER 55. | REGISTRATION CLASS STICKERS | (Reserved)

(Editor's Note: As part of this rulemaking, the Department is deleting the text of Chapter 55, which appears at 67 Pa. Code pages 55-1—55.3, serial pages (254023) to (254025).

§§ 55.1—55.6. (Reserved).



COMMONWEALTH OF PENNSYLVANIA
GOVERNOR'S OFFICE OF GENERAL COUNSEL

October 26, 2021

Sent via Electronic Mail Only

David Sumner, Executive Director
Independent Regulatory Review Commission
333 Market Street, 14th Floor
Harrisburg, Pennsylvania 17101

Re: Final Rulemaking
18-477 — 67 Pa. Code, Chapter 55
Registration Class Stickers

Dear Mr. Sumner:

Attached please find the Face Sheet, Preamble, Annex A, and Regulatory Analysis Form relative to the repeal of Chapter 55 of the Department of Transportation's (Department) regulations, which the Department intends to adopt in accordance with the provisions of Section 5 of the Regulatory Review Act, Act of June 25, 1982, P.L. 633, *as amended*.

Copies of these materials were also delivered today to the majority and minority chairpersons of the Pennsylvania House and Senate Transportation Committees. Attached to my e-mail correspondence are read receipts evidencing the receipt of this final rulemaking package by the Transportation Committees and the Legislative Reference Bureau.

The Department will provide the Independent Regulatory Review Commission with any assistance required to facilitate a thorough review of this regulation. Thank you for your attention.

Very truly yours,

/s/ Jeffrey M. Spotts

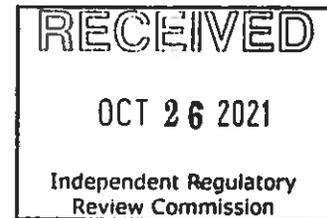
Jeffrey M. Spotts,
Regulatory Counsel

Stephen Hoffman

From: Ritchie, Nolan <nritchie@pasen.gov>
Sent: Tuesday, October 26, 2021 2:59 PM
To: Bove, Amanda; Monoski, Jesse; Biggica, Meredith; jshelly
Cc: Lapadat, David; Spotts, Jeffrey M
Subject: Final Rulemaking--Registration Class Stickers (18-477)--67 Pa. Code, Chapter 55

Received, thanks!

Nolan R. Ritchie, M.P.A.
Executive Director, Senate Transportation Committee
Office of Senator Wayne Langerholc, Jr. (R-35)
281 Main Capitol Building, Harrisburg, PA 17120
T: 717-787-5400 | E: nritchie@pasen.gov | W: www.SenatorLangerholc.com



From: Bove, Amanda <above@pa.gov>
Sent: Tuesday, October 26, 2021 2:05 PM
To: Ritchie, Nolan <nritchie@pasen.gov>; Monoski, Jesse <Jesse.Monoski@pasenate.com>; MBiggica@pahouse.net; Jshelly@pahousegop.com
Cc: Lapadat, David <dlapadat@pa.gov>; Spotts, Jeffrey M <jespotts@pa.gov>
Subject: Final Rulemaking--Registration Class Stickers (18-477)--67 Pa. Code, Chapter 55
Importance: High

Ⓢ CAUTION : External Email Ⓢ

Good afternoon.

Please see the attached rulemaking. Please respond to confirm that this rulemaking was received by your office.

Thank you.

Amanda N. Bove | Legal Analyst
Governor's Office of General Counsel
Department of Transportation
Office of Chief Counsel
P.O. Box 8212 | Harrisburg, PA 17105
Phone: 717.705.1270 | Fax: 717.772.2741
www.penndot.gov

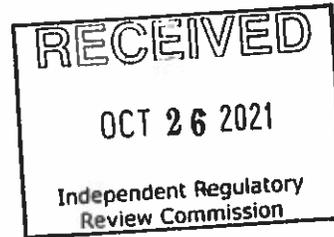
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Stephen Hoffman

From: Monoski, Jesse <Jesse.Monoski@pasenate.com>
Sent: Tuesday, October 26, 2021 2:36 PM
To: Bove, Amanda; Ritchie, Nolan; Biggica, Meredith; jshelly
Cc: Lapadat, David; Spotts, Jeffrey M
Subject: RE: Final Rulemaking--Registration Class Stickers (18-477)--67 Pa. Code, Chapter 55

Received. Thank you Amanda.



Jesse Monoski

Executive Director | Senate Transportation Committee
Senator John P. Sabatina, Jr. | Chairman
543 Main Capitol | Harrisburg, PA 17120
O: 717-787-9608

From: Bove, Amanda <above@pa.gov>
Sent: Tuesday, October 26, 2021 2:05 PM
To: nritchie@pasen.gov; Monoski, Jesse <Jesse.Monoski@pasenate.com>; MBiggica@pahouse.net; jshelly@pahousegop.com
Cc: Lapadat, David <dlapadat@pa.gov>; Spotts, Jeffrey M <jespotts@pa.gov>
Subject: Final Rulemaking--Registration Class Stickers (18-477)--67 Pa. Code, Chapter 55
Importance: High

■ EXTERNAL EMAIL ■

Good afternoon.

Please see the attached rulemaking. Please respond to confirm that this rulemaking was received by your office.

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Amanda N. Bove | Legal Analyst
Governor's Office of General Counsel
Department of Transportation
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P.O. Box 8212 | Harrisburg, PA 17105
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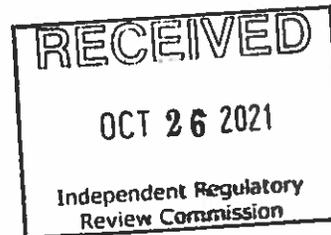
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Stephen Hoffman

From: Josiah Shelly <Jshelly@pahousegop.com>
Sent: Tuesday, October 26, 2021 3:17 PM
To: Bove, Amanda
Cc: Lapadat, David
Subject: RE: Final Rulemaking--Registration Class Stickers (18-477)--67 Pa. Code, Chapter 55

Received.

Josiah Shelly
Executive Director (R)
House Transportation Committee
129 Ryan Office Building
717-787-8592



From: Bove, Amanda <above@pa.gov>
Sent: Tuesday, October 26, 2021 2:05 PM
To: nritchie@pasen.gov; Monoski, Jesse <Jesse.Monoski@pasenate.com>; MBiggica@pahouse.net; Josiah Shelly <Jshelly@pahousegop.com>
Cc: Lapadat, David <dlapadat@pa.gov>; Spotts, Jeffrey M <jespotts@pa.gov>
Subject: Final Rulemaking--Registration Class Stickers (18-477)--67 Pa. Code, Chapter 55
Importance: High

Good afternoon.

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Thank you.

Amanda N. Bove | Legal Analyst
Governor's Office of General Counsel
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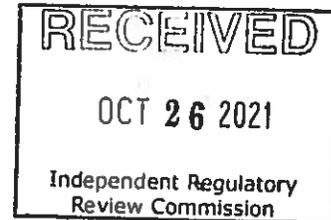
Stephen Hoffman

From: Biggica, Meredith <MBiggica@pahouse.net>
Sent: Tuesday, October 26, 2021 2:20 PM
To: Bove, Amanda
Subject: RE: Final Rulemaking--Registration Class Stickers (18-477)--67 Pa. Code, Chapter 55

Received.

Thank you!
Meredith

Meredith Biggica | Executive Director
House Transportation Committee, Chairman Mike Carroll (D)
300 Main Capitol, Harrisburg, PA 17120
(717) 772-1786



From: Bove, Amanda <above@pa.gov>
Sent: Tuesday, October 26, 2021 2:05 PM
To: nritchie@pasen.gov; Monoski, Jesse <Jesse.Monoski@pasenate.com>; Biggica, Meredith <MBiggica@pahouse.net>; Jshelly@pahousegop.com
Cc: Lapadat, David <dlapadat@pa.gov>; Spotts, Jeffrey M <jespotts@pa.gov>
Subject: Final Rulemaking--Registration Class Stickers (18-477)--67 Pa. Code, Chapter 55
Importance: High

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Thank you.

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Governor's Office of General Counsel
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