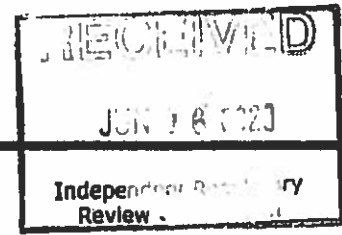


Stephen Hoffman

3258



From: David Bentz <dbentz@exeterpolice.com>
Sent: Thursday, June 11, 2020 9:13 AM
To: Shenk, Scott
Subject: [External] Proposed rule making comment - elimination Title 67 Chapter 55

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Sirs,

Please consider this objection to the proposed elimination of 67 PA Code Chapter 55. The Exeter Township Police Department (along with the other police officers we regularly work with from Berks, Lancaster, and Lehigh Counties) relies heavily on Pennsylvania's Weight Class Stickers when enforcing registered vehicle weights in the Township and highways of the Commonwealth. As the Supervisor of the Exeter Township Police Traffic Safety Unit, I direct the weight enforcement efforts of 18 police officers who are designated as Qualified Commonwealth Employees with respect to size and weight enforcement. Further we employ 4 officers who are qualified as Motor Carrier Safety Assistance Program inspectors.

We object to the suggestion in the "Purpose of this Proposed Rulemaking" that the need for a registration class sticker no longer exists.

On the contrary, weight class stickers or the lack thereof are used extensively to enforce the Commonwealth's Registered Gross Weight provisions of Title 75 Section 4942.

On a regular basis, when enforcing registered vehicle weight violations, we find conditions of either NO CLASS STICKER displayed or the improper Class Sticker displayed in violation of Chapter 55.5.

This becomes most relevant when owners "under register" their vehicles. That is to say when an owner takes advantage of the ability to register a truck at a class less than that which it could be registered. By so doing, owners can save hundreds of dollars annually in registration fees. This is not an issue when an owner "under registers" a truck and appropriately follows the conditions set forth in 67 Code 55.6 as the appropriate lower class will be displayed and a well-trained officer will be able to recognize this condition. Lacking a class sticker, an officer would have no reasonable suspicion to stop said truck and investigate further to determine what class the vehicle is in as the officer would have to assume the truck is registered in the appropriate class.

We feel firmly there needs to be some means to identify trucks that are registered in a class lower than their GVWR permits.

Additionally, as trucks that are registered in combination display the class of the combination weight rating per Chapter 55.4b, well-trained officers can more easily detect violations of Title 75 section 4942(c). Developing reasonable suspicion if a truck is not operating with a combination rating can be as simple as looking at the windshield to verify the class of the truck. Lacking some indication on the truck to identify that it is appropriately registered in combination will greatly reduce our ability to prosecute these violations.

We again feel firmly there needs to be some means of identification when a truck is registered in combination to ensure it is operating appropriately within the law.

Finally, yet not as critically, we utilize Pennsylvania registered trucks class stickers to determine at a glance if those trucks are subject to the Federal Motor Carrier Safety Regulations. Intrastate trucks of class 7 or higher are subject to those regulations. Eliminating the class sticker hampers an officer's ability to quickly determine if a truck is subject to those regulations.

We feel that by eliminating the weight class sticker and Chapter 55, it will become more popular for owners to "under register" their vehicles, thus PA will lose vital infrastructure money. This could also open up "under registered" vehicles to utilize roadways that may have a weight restriction, bridge weight restriction, or not be capable of handling the load now being put on them, knowing that it will be difficult for officers to appropriately enforce these restrictions. This likely could also deteriorate the roadways and bridges of the Commonwealth at a greater rate, thus destroying the infrastructure and requiring additional funds to fix these issues.

But the biggest reason why we are against this Bill, is that it will be a huge safety factor for the motoring/voting public, as by hampering enforcement it subjects them up to additional risks of overweight vehicles on the roadway.

Thank you for your time and consideration in this matter.

Respectfully,

Sergeant David M. Bentz

MCSAP Inspector # PAM198

Qualified Employee for weights and measures since 2001

Sgt. David M. Bentz

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