

Comments of the Independent Regulatory Review Commission



Department of Transportation Regulation #18-477 (IRRC #3258)

Registration Class Stickers

July 29, 2020

We submit for your consideration the following comments on the proposed rulemaking published in the May 30, 2020 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P.S. § 745.5a(a)) directs the Department of Transportation (Department) to respond to all comments received from us or any other source.

Reasonableness; Protection of the public health, safety and welfare; Fiscal impact.

This proposed rulemaking deletes Chapter 55 of the Department's regulations. Chapter 55 requires the affixation of a "registration class sticker" that indicates the registered gross weight class of a truck, truck-tractor or combination registered in the Commonwealth in the gross weight classes of two through 25. According to the Department, the authorized operating weight is printed on the truck's registration card.

A law enforcement officer submitted a comment stating that his agency uses registration class stickers for enforcement purposes. He also raised two concerns related to the "under registration" of vehicles. First, he believes the proposal may lead to truck owners registering their vehicles at a lower weight to take advantage of lower registration fees. Second, he believes the proposal could lead to under registered vehicles utilizing roads with weight restrictions below the weight of the trucks being driven.

In the Preamble to this proposal, the Department states that law enforcement agencies do not use registration class stickers for enforcement purposes. This contradicts the comment noted above. If the stickers are used for enforcement purposes, we question the reasonableness of this proposal. As the Department prepares the final-form regulation, we ask that it reach out to other law enforcement agencies or statewide associations to ensure that the deletion of Chapter 55 will not be problematic for them in the performance of their duties.

We also ask the Department to consider the potential "under registration" of vehicles this proposal could lead to and the possible impact on the health, safety and welfare of the public if overweight trucks drive on weight restricted roads and also the potential loss of revenue for the Commonwealth. In the Preamble to the final-form regulation, we ask the Department to explain what safeguards are in place to prevent this from happening.