

Regulatory Analysis Form

(Completed by Promulgating Agency)

(All Comments submitted on this regulation will appear on IRRC's website)

**INDEPENDENT REGULATORY
REVIEW COMMISSION****RECEIVED**Independent Regulatory
Review Commission

July 30, 2025

(1) Agency

Department Of Transportation

(2) Agency Number: 18

Identification Number: 489

IRRC Number: 3453

(3) PA Code Cite:

67 Pa. Code § 173.3

(4) Short Title:

Regulation on the use of green revolving or flashing lights.

(5) Agency Contacts (List Telephone Number and Email Address):

Primary Contact: Daniel Farley, P.E., Director, Bureau of Operations, 400 North Street, Harrisburg, PA 17120. Telephone Number 717-783-0333 Email Address: dfarley@pa.govSecondary Contact: Christa Newmaster, Director, Bureau of Maintenance, 400 North Street, Harrisburg, PA 17120. Telephone Number 717-346-5536 Email Address: cnewmaster@pa.gov

(6) Type of Rulemaking (check applicable box):

- ☒ Proposed Regulation
☐ Final Regulation
☐ Final Omitted Regulation

- ☐ Emergency Certification Regulation;
☐ Certification by the Governor
☐ Certification by the Attorney General

(7) Briefly explain the regulation in clear and nontechnical language. (100 words or less)

This proposed regulation would permanently establish the usage guidelines for green revolving or flashing lights on highway construction and maintenance vehicles engaged in official roadway maintenance, construction and safety operations. The proposed regulation would apply to the department, the Pennsylvania Turnpike Commission, Commonwealth municipalities, and contractors performing official business for the department, the Pennsylvania Turnpike Commission or municipalities. The department proposes to replace the temporary regulation authorized under 75 Pa.C.S. § 4572(b.2) (relating to visual signals on authorized vehicles) that is currently in effect with this proposed regulation so that there is a permanent regulation related to the use of green revolving or flashing lights.

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

This regulation is issued under the authority of 75 Pa.C.S. §§ 4572(b.2) and 6103 (relating to visual signals on authorized vehicles; and promulgation of rules and regulations by department). Section 6103 grants broad authority to the department to promulgate rules and regulations to carry out its responsibilities under the Vehicle Code. Under 75 Pa.C.S. § 4572(b.2), the department is given specific authority to determine the manner in which green flashing or revolving lights are displayed on highway construction and maintenance vehicles and their intensity.

(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.

Yes, the proposed regulation is mandated by 75 Pa.C.S. 4572(b.2), which requires the department to promulgate a regulation on the manner in which green flashing or revolving lights are displayed on highway construction and maintenance vehicles and their intensity. The law permitted the department to promulgate a temporary regulation that would expire upon the promulgation of a final regulation or August 16, 2027, whichever is earlier. The temporary regulation took effect September 7, 2024. See 54 Pa.B. 5616. This proposed regulation, once promulgated, will replace the temporary regulation.

No, there are not any relevant state or federal court decisions.

(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.

This proposed regulation is necessary to:

- Improve visibility and safety of work crews operating on Pennsylvania roadways.
- Improve the safety of the motoring public.
- Standardize who is authorized to use green revolving lights.
- Prevent misuse and unauthorized use of green revolving lights.
- Maintain continuity following the expiration of the temporary regulation.

Without this regulation, there would be no clear, permanent guidance on the use of green lights, potentially creating safety hazards and enforcement challenges.

The proposed regulation will affect the department, the department's contractors, the Pennsylvania Turnpike Commission and municipalities that own an authorized highway construction and maintenance vehicle. It will affect the motoring public in general in that it should improve the overall safety of Pennsylvania roadways. While green lights are entirely optional under the law, those entities seeking to install the green lights would need to comply with this proposed regulation. According to research conducted in other states, the human eye can identify green lights more clearly and brightly than traditional amber lighting. See [Green Warning Lights Enhance Plow Truck Visibility in Michigan - Clear Roads](#) and [SPR-1692-Report.pdf](#)

(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, there are no provisions that are more stringent than federal standards.

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

Pennsylvania's proposed regulation on green lights closely aligns with those in Ohio, New York, Maryland, and New Jersey, all aimed to enhance employee and public safety during construction and maintenance operations. Flashing or revolving green lights are a proven technology utilized by other states such as Ohio, Michigan, Maine, Connecticut, North Carolina, Maryland, and New York as an option to allow for more visibility of construction and maintenance operations.

An independent effectiveness study was completed by Michigan State identifying the benefits:

[Michigan DOT Green Light Research Report](#)

[Michigan Research Spotlight Document](#)

This proposed regulation should have little to no effect on Pennsylvania's ability to compete with other states. This proposed regulation governs the use of green flashing or revolving lights on highway construction and maintenance vehicles. The installation of these lights is optional and does not mandate any requirements on the general public.

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

Yes, the regulation will affect another regulation of the department. Currently the department has a temporary regulation governing the use of green flashing or revolving lights on highway construction and maintenance vehicles. Upon promulgation of this proposed regulation, the temporary regulation will expire. The proposed regulation will not affect any regulations of any other state 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.)

The temporary regulation has been effective since September 7, 2024, and the department has not received any negative feedback from the public, any advisory group, small business or group representing small business. Additionally, in November of 2024, the department emailed a memo titled Green Light Implementation, which provided general guidance and detailed the temporary regulation.

The memo was sent to the following groups:

- (1) Associated Pennsylvania Constructors.
- (2) American Traffic Safety Services Association.
- (3) Pennsylvania Asphalt Pavement Association.
- (4) Pennsylvania Association of Asphalt Material Applicators.
- (5) Municipal Advisory Committee.
- (6) Pennsylvania’s State Police.
- (7) Pennsylvania Turnpike Commission.

The department did not receive any feedback in response to the Memo.

(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?

This proposed regulation will affect highway construction and maintenance workers which may include the department, the Pennsylvania Turnpike Commission, Pennsylvania municipalities, and contractors performing the maintenance and construction activities on behalf of Commonwealth agencies and municipalities. The exact number of agencies and municipalities affected will depend on the number of agencies and municipalities that choose to install the green lights on the vehicles.

Moreover, the motoring public will be provided green light indications providing an additional visual notification of the location of active work vehicles and devices while they are being used in key maintenance and construction activities.

This proposed regulation will also affect automotive light bulb manufacturers engaged in the sale of green lights for highway construction and maintenance vehicles, as it will govern the display and intensity of these lights. Presumably, the regulation will benefit the manufacturers of these lighting systems as the sale of these new lighting systems is now approved by State law. In order to be considered a small business, an automotive light bulb manufacturer must have less than 1,250 employees. Therefore, the department is assuming that the majority of the automotive light bulb manufacturers are small businesses.

(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.

This proposed regulation will require compliance by the department, the Pennsylvania Turnpike Commission, Pennsylvania municipalities, and contractors performing the maintenance and construction activities on behalf of Commonwealth agencies and municipalities. The exact number of agencies and municipalities that will be required to comply will depend on the number of agencies and municipalities that choose to install the green lights on the vehicles.

This proposed regulation will also require automotive light bulb manufacturers engaged in the sale of green lights for highway construction and maintenance vehicles to comply, as it will govern the display and intensity of these lights. In order to be considered a small business, an automotive light bulb manufacturer must have less than 1,250 employees. Therefore, the department is assuming that the majority of the automotive light bulb manufacturers are small businesses.

(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.

Financially, the proposed regulation will benefit automotive light bulb manufacturers that are now able to sell their green lights to the department, the Pennsylvania Turnpike Commission and municipalities, and the contractors that work for the agencies and municipalities, that choose to install green lights. This proposed regulation will cost the department, the Pennsylvania Turnpike Commission and municipalities, and the contractors that work for the agencies and municipalities, that chose to install green lights additional money to have the lights installed. In reviewing preliminary data from vendors, costs on average may range between \$200 to \$2,000, depending on the device and features. More specifically, for the department, the cost to upfit 1,072 vehicles primarily used on interstate routes will be the following:

Light cost per vehicle;

Crew Cab \$750

Truck \$1,900

Total cost of \$1,592,900

Economically, the proposed regulation will benefit the motoring public, the department, the Pennsylvania Turnpike Commission and municipalities, and the contractors that work for the agencies and municipalities, because the increased safety provided by the green lights is projected to reduce the number of automobile accidents and resulting claims and lawsuits.

Socially, the proposed regulation will benefit the motoring public, the department, the Pennsylvania Turnpike Commission and municipalities, and the contractors that work for the agencies and municipalities, because the increased safety provided by the green lights will make encourage travel and make the roads more accessible.

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

If the department, the Pennsylvania Turnpike Commission or a municipality chooses to install green flashing or revolving lights, the cost will differ significantly between multiple vehicle systems. The cost on average may range between \$200 to \$2,000, depending on the device and features. However, the cost to install these green lights is outweighed by the benefit to public safety. Studies have shown that green lights improve the visibility of highway maintenance vehicles as the human eye can identify green lights more clearly and brightly than traditional amber lights. See [Michigan DOT Green Light Research Report](#) and [Michigan Research Spotlight Document](#). This increase in visibility leads to an increase in public safety and will potentially save lives, which is invaluable.

(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 proposed regulation does not increase the legal, accounting or consulting costs incurred by the regulated community. The estimated cost of adding flashing or rotating green lights to highway construction and maintenance vehicles varies from \$200 to \$2000 per vehicle. However, doing so is optional.

(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.

The proposed regulation does not increase the legal, accounting or consulting costs incurred by the local governments. Local governments who own and operate highway construction and maintenance vehicles may incur costs between \$200 - \$2000 per vehicle, if they elect to incorporate green flashing or rotating lights on their vehicles. However, doing so is entirely optional.

(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 proposed regulation does not increase the legal, accounting or consulting costs incurred by the department. The costs to the department to upfit 1,072 vehicles primarily used on interstate routes will be the following:

Light cost per vehicle;

Crew Cab \$750

Truck \$1,900

Total cost of \$1,592,900

(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.

This proposed regulation does not increase the legal, accounting or consulting costs incurred by any of the groups or entities identified above so there is not any additional reporting, recordkeeping or other paperwork.

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

No, forms are not required for implementation of the proposed regulation.

(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.**

No, forms are not required for implementation of the proposed 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.

	Current FY Year	FY +1 Year	FY +2 Year	FY +3 Year	FY +4 Year	FY +5 Year
SAVINGS:	\$	\$	\$	\$	\$	\$
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 Savings	N/A	N/A	N/A	N/A	N/A	N/A
COSTS:						
Regulated Community	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown
Local Government	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown
State Government	\$471,650	\$1,121,250	Unknown	Unknown	Unknown	Unknown
Total Costs	\$471,650	\$1,121,250	Unknown	Unknown	Unknown	Unknown
REVENUE LOSSES:						
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 -3	FY -2	FY -1	Current FY
Maintenance and Operation of Equipment and Machinery – Lighting Systems (8138345) Fund number: 10582	\$128,380	\$139,230	\$148,680	\$199,640

(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.

This proposed regulation will not have an adverse impact on small businesses.

(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 are no special provisions which have been developed to meet the needs of 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.

The statute giving the department the authority to regulate green lights does not allow the department to mandate that green lights be installed. The department followed the statute in crafting the language of this proposed regulation. The installation of green lights is optional. As such, the least burdensome acceptable alternative has been selected.

(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.

This proposed regulation will not have an adverse impact on 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 is 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>30 days</u> |
| B. The date or dates on which any public meetings or hearings will be held: | <u>To be determined</u> |
| C. The expected date of delivery of the final-form regulation: | <u>To be determined</u> |
| D. The expected effective date of the final-form regulation: | <u>Upon publication in the
<i>Pennsylvania Bulletin</i></u> |
| E. The expected date by which compliance with the final-form regulation will be required: | <u>Upon publication in the
<i>Pennsylvania Bulletin</i></u> |
| F. The expected date by which required permits, licenses or other approvals must be obtained: | <u>Not applicable</u> |

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

These regulations will be reviewed periodically as appropriate to ensure continued effectiveness.

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

(Pursuant to Commonwealth Documents Law)

RECEIVED

Independent Regulatory
Review Commission

July 30, 2025

DO NOT WRITE IN THIS SPACE

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

By: Amy M Elliott
(Deputy Attorney General)

Digitally signed by Amy M Elliott
DN: cn=Amy M Elliott, o=Office of
Attorney General, ou=Legal Review
Section,
email=aelliott@attorneygeneral.gov,
c=US
Date: 2025.07.10 09:11:25 -0400

7/10/2025

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. 18-489

DATE OF ADOPTION _____

BY [Signature]
Secretary of Transportation

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

BY Cynthia K. Montgomery
Digitally signed by Cynthia K.
Montgomery
DN: cn=Cynthia K. Montgomery, o=RI,
email=cmontgomery@pa.gov, c=US
Date: 2025.06.23 09:47:17 -0400

June 23, 2025

(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.

TITLE 67. TRANSPORTATION

PART I. DEPARTMENT OF TRANSPORTATION

SUBPART A. VEHICLE CODE PROVISIONS

ARTICLE VII. VEHICLE CHARACTERISTICS

**CHAPTER 173. FLASHING OR REVOLVING LIGHTS ON EMERGENCY AND
AUTHORIZED VEHICLES**

Proposed Rulemaking

The Pennsylvania Department of Transportation (department), under the authority of 75 Pa. C.S. §§ 4572 and 6103 (relating to visual signals on authorized vehicles; and promulgation of rules and regulations by department), proposes this regulation concerning the use of green revolving or flashing lights on vehicles engaged in official roadway maintenance, construction and safety operations. This proposed regulation seeks to make permanent the temporary regulations currently in effect and provides clear guidance on the authorized use of green lights to enhance worker visibility and roadway safety.

Statutory Authority

This rulemaking is proposed under the authority of 75 Pa.C.S. §§ 4572 (b.2) and 6103 (relating to visual signals on authorized vehicles; and promulgation of rules and regulations by department). Section 6103 grants broad authority to the department to promulgate rules and regulations to carry out its responsibilities under the Vehicle Code. Under 75 Pa.C.S. § 4572 (b.2), the department is given specific authority to determine the manner in which green flashing or revolving lights are displayed on highway construction and maintenance vehicles and their intensity.

Background and Need for the Amendment

This proposed regulation would permanently establish the usage guidelines for green revolving or flashing lights on highway construction and maintenance vehicles engaged in official roadway maintenance, construction and safety operations. The proposed regulation would apply to the department, the Pennsylvania Turnpike Commission, municipalities within this Commonwealth, and contractors performing official business for the department, the Pennsylvania Turnpike Commission or municipalities. The department proposes to replace

the temporary regulation authorized under 75 Pa.C.S. § 4572 (b.2) (relating to visual signals on authorized vehicles) that is currently in effect with this proposed regulation so that there is a permanent regulation related to the use of green revolving or flashing lights. The temporary regulation was effective beginning September 7, 2024, and will expire upon promulgation of final form regulations or August 16, 2027, whichever is earlier. This proposed regulation is necessary to:

- Improve visibility and safety of work crews operating on Pennsylvania roadways.
- Improve the safety of the motoring public.
- Standardize who is authorized to use green revolving lights.
- Prevent misuse and unauthorized use of green revolving lights.
- Maintain continuity following the expiration of the temporary regulation.

Without this regulation, there would be no clear, permanent guidance on the use of green lights, potentially creating safety hazards and enforcement challenges.

This proposed regulation will affect the department, the department's contractors, the Pennsylvania Turnpike Commission and municipalities that own an authorized highway construction and maintenance vehicle. It will affect the motoring public in general in that it should improve the overall safety of Pennsylvania roadways. While green lights are entirely optional under the law, those entities seeking to install the green lights would need to comply with this proposed regulation. According to research conducted in other states, the human eye can identify green lights more clearly and brightly than traditional amber lighting.

Description of the Proposed Amendments

The department is proposing to rescind the temporary regulation currently codified at § 173.3(a.1) (relating to display requirements) and replace it with permanent regulation as described below.

The department is proposing to add a definition of “highway construction and maintenance vehicle” to § 173.2 (relating to definitions). The term is defined as set forth in 75 Pa.C.S. § 4572(d), which provides that the term “means a motor vehicle or device used by a municipality, the Pennsylvania Turnpike Commission, the department or their contractors for the maintenance, construction or repair of a highway or bridge. The term includes, but is not limited to, a vehicle or device used for snow removal, traffic-line painting truck, sign and signal maintenance truck, dump truck, street sweeper, mower, highway inspection vehicle, vehicle used for traffic control and vehicle involved in traffic studies or right-of-way-operations.”

In § 173.3, the department proposes to add “green” to the list of authorized colors permitted for use in flashing or revolving lights in subsection (a) and to add a new paragraph (4.1) to provide that a highway construction and maintenance vehicle may be equipped with one or more flashing or revolving green lights when incorporated into one or more light-bar assemblies containing yellow or amber lights. The department also proposed to delete the restriction in paragraph (5)(i) that an authorized vehicle (which includes a highway construction and maintenance vehicle) may be equipped with one or more light-bar assemblies containing only yellow or amber lights.

Finally, the department is rescinding and reserving the temporary regulation pertaining to green lights in subsection (a.1).

Fiscal Impact

This proposed regulation does not impose new costs on the department, the Pennsylvania Turnpike Commission, or municipalities within this Commonwealth as these entities are already complying with the temporary regulation and the incorporation of green flashing or rotating lights is entirely optional. Contractors may incur minor costs if they decide to install green revolving or flashing lights, but since many are already doing so, additional financial impact is expected to be minimal.

Regulatory Review Information

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on July 30, 2025, the department submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the Senate Transportation Committee and the House Transportation Committee. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections shall specify the regulatory review criteria in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b) which have not been met. The Regulatory Review Act specifies detailed procedures for review prior to final publication of the rulemaking by the Board, the General Assembly and the Governor.

Effective Date

The amendments will be effective upon publication in final-form in the *Pennsylvania Bulletin*.

Public Comment

Interested persons are invited to submit written comments, recommendations or objections regarding this proposed rulemaking to Daniel Farley, P.E., Bureau of Operations at Commonwealth Keystone Building, 400 North Street, Harrisburg, Pennsylvania 17120 or by email at RA-PDOCCPUBCOMMENTS@pa.gov within 30 days of publication of this proposed rulemaking in the Pennsylvania Bulletin. Please reference “Regulation No. 187-489 (flashing or revolving lights on emergency and authorized vehicles)” when submitting comments.

Contact Person

The contact person for technical questions about the proposed regulation is Daniel Farley, P.E., Director, Bureau of Operations, 400 North Street, Harrisburg, Pennsylvania 17120, telephone number 717-346-5536, email address dfarley@pa.gov

Michael Carroll
Secretary of Transportation

Annex A

TITLE 67. TRANSPORTATION

PART I. DEPARTMENT OF TRANSPORTATION

SUBPART A. VEHICLE CODE PROVISIONS

ARTICLE VII. VEHICLE CHARACTERISTICS

CHAPTER 173. FLASHING OR REVOLVING LIGHTS ON EMERGENCY AND
AUTHORIZED VEHICLES

§ 173.2. Definitions.

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

* * * * *

Hazard warning system—Driver-controlled flashing front and rear lights used to warn approaching motorists when a vehicle is broken down or is traveling at a slow speed.

Highway construction and maintenance vehicle—The term as defined in 75 Pa.C.S. § 4572(d) (relating to visual signals on authorized vehicles).

Intersection light—A flashing red, blue, white or clear light used as part of a flashing, oscillating, or revolving light system to enhance the visibility of an emergency vehicle from the front and side as it approaches or travels through an intersection.

* * * * *

§ 173.3. Display requirements.

- (a) *Color*. [Except as provided in subsection (a.1), white] White, clear, red, blue, green,
amber or yellow are the only colors permitted for use in flashing or revolving lights.

* * * * *

(4) *Combination red-and-blue lights.* Vehicles listed under 75 Pa.C.S. § 4571(b) may display combination red-and-blue lights. The privately-owned vehicles defined as emergency vehicles under 75 Pa.C.S. § 102 (relating to definitions)) must be equipped under 75 Pa.C.S. § 4571(a).

(4.1) *Green lights.* Under 75 Pa.C.S. § 4572(b.2), a highway construction and maintenance vehicle may be equipped with one or more flashing or revolving green lights when incorporated into one or more light-bar assemblies containing yellow or amber lights in accordance with this section.

(5) *Yellow or amber lights.* A vehicle may display yellow or amber lights as follows:

(i) Under 75 Pa.C.S. § 4572(b), an authorized vehicle as defined in 75 Pa.C.S. § 102 and designated in Chapter 15 (relating to authorized vehicles and special operating privileges) may be equipped with flashing or revolving yellow or amber lights or one or more light-bar assemblies containing **[only]** yellow or amber lights. See Figure 3.1.

* * * * *

(a.1) ***[Temporary regulation—Green lights.* Under 75 Pa.C.S. § 4572(b.2), a highway construction and maintenance vehicle, as defined in 75 Pa.C.S. § 4572(d), may be equipped with one or more flashing or revolving green lights when incorporated into one or more light-bar assemblies containing yellow or amber lights in accordance with this section. This provision expires upon the promulgation of final regulations**

implementing the act of July 17, 2024 (P.L. 868, No. 78), but in no event later than August 16, 2027.]{Reserved}.}

* * * * *



COMMONWEALTH OF PENNSYLVANIA
GOVERNOR'S OFFICE OF GENERAL COUNSEL

July 30, 2025

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

Re: Proposed Rulemaking
18-489 — 67 Pa. Code, Chapter 173
Flashing or Revolving Lights on Emergency and Authorized Vehicles

Dear Mr. Sumner:

Enclosed please find a copy of the proposed regulatory package of the Department of Transportation for the amendment of 67 Pa. Code Ch. 173, Flashing or Revolving Lights on Emergency and Authorized Vehicles.

The Department will be happy to provide whatever information the Independent Regulatory Review Commission may require during the course of its review of the rulemaking.

Very truly yours,

Victoria P. Edwards

Victoria P. Edwards
Regulatory Counsel

From: [Josiah Shelly](#)
To: [Edwards, Victoria](#); [Kerry Benninghoff](#)
Cc: [Wagner, Teresa](#); [Spotts, Jeffrey M](#); [Sullivan, Daniel](#); [Domoto, Aaron](#); [Kayer, Kristin](#); [Fertenbaugh, Seth](#)
Subject: RE: [EXTERNAL]: Proposed Rulemaking # 18-489 - 67 Pa Code, Chapter 173
Date: Wednesday, July 30, 2025 9:10:18 AM
Attachments: [image001.png](#)

RECEIVED

Independent Regulatory
Review Commission

Regulations received.

July 30, 2025

Thank you.

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

From: Edwards, Victoria <victoredwa@pa.gov>
Sent: Wednesday, July 30, 2025 8:39 AM
To: Kerry Benninghoff <Kbenning@pahousegop.com>; Josiah Shelly <Jshelly@pahousegop.com>
Cc: Wagner, Teresa <tereswagne@pa.gov>; Spotts, Jeffrey M <jespotts@pa.gov>; Sullivan, Daniel <danisulliv@pa.gov>; Domoto, Aaron <aardomoto@pa.gov>; Kayer, Kristin <kkayer@pa.gov>; Fertenbaugh, Seth <sfertenbau@pa.gov>
Subject: [EXTERNAL]: Proposed Rulemaking # 18-489 - 67 Pa Code, Chapter 173
Importance: High

Good morning,

Please see the attached rulemaking documents for proposed rulemaking – 67 Pa. Code Chapter 173 Green Flashing or Revolving Lights (Agency #18-489). All rulemaking documents are included in the attached files. Please confirm your receipt of this email by responding with an email confirmation.

Thank you,

Victoria



Victoria P. Edwards | Assistant Chief Counsel
Governor's Office of General Counsel
Department of Transportation | Office of Chief Counsel

July 30, 2025

From: [Gensimore, Justin](#)
To: [Edwards, Victoria](#); [Flynn, Senator Marty](#)
Cc: [Wagner, Teresa](#); [Spotts, Jeffrey M](#); [Sullivan, Daniel](#); [Domoto, Aaron](#); [Kayer, Kristin](#); [Fertenbaugh, Seth](#)
Subject: RE: Proposed Rulemaking # 18-489 - 67 Pa Code, Chapter 173
Date: Wednesday, July 30, 2025 9:10:01 AM
Attachments: [image001.png](#)

Good morning,

On behalf of Chairman Flynn, please allow this email to serve as confirmation of receipt of the provided proposed rulemaking (re: 18-486).

Please let me know if you have any questions.

Thank you.

Warm regards,

Justin M. Gensimore

Executive Director | Senate Transportation Committee

Policy Director | Office of Senator Marty Flynn

Room 543 | Main Capitol | Harrisburg | PA | 17120

(O) 717.787.6481 | (E) Justin.Gensimore@PASenate.com

From: Edwards, Victoria <victoredwa@pa.gov>

Sent: Wednesday, July 30, 2025 8:40 AM

To: Flynn, Senator Marty <marty.flynn@pasenate.com>; Gensimore, Justin <Justin.Gensimore@pasenate.com>

Cc: Wagner, Teresa <teresawagne@pa.gov>; Spotts, Jeffrey M <jespotts@pa.gov>; Sullivan, Daniel <danisulliv@pa.gov>; Domoto, Aaron <aardomoto@pa.gov>; Kayer, Kristin <kkayer@pa.gov>; Fertenbaugh, Seth <sfertenbau@pa.gov>

Subject: Proposed Rulemaking # 18-489 - 67 Pa Code, Chapter 173

Importance: High

■ EXTERNAL EMAIL ■

Good morning,

Please see the attached rulemaking documents for proposed rulemaking – 67 Pa. Code Chapter 173 Green Flashing or Revolving Lights (Agency #18-489). All rulemaking documents are included in the attached files. Please confirm your receipt of this email by responding with an email confirmation.

Thank you,

Victoria



Victoria P. Edwards | Assistant Chief Counsel

From: [Wagonseller, Kyle](#)
To: [Edwards, Victoria](#); [Neilson, Ed](#)
Cc: [Wagner, Teresa](#); [Spotts, Jeffrey M](#); [Sullivan, Daniel](#); [Domoto, Aaron](#); [Kayer, Kristin](#); [Fertenbaugh, Seth](#)
Subject: RE: Proposed Rulemaking # 18-489 - 67 Pa Code, Chapter 173
Date: Wednesday, July 30, 2025 9:13:50 AM
Attachments: [image002.png](#)
[image003.png](#)

RECEIVED

Independent Regulatory
Review Commission

Received.

July 30, 2025



Kyle Wagonseller | Executive Director
House Transportation Committee
Majority Chairman Ed Neilson (D)
127 Irvis Office Building, Harrisburg, PA 17120
Office: 717-772-1786 | Cell: 717-982-1114
E-mail: kwagonse@pahouse.net

From: Edwards, Victoria <victoredwa@pa.gov>
Sent: Wednesday, July 30, 2025 8:40 AM
To: Neilson, Ed <ENeilson@pahouse.net>; Wagonseller, Kyle <KWagonse@pahouse.net>
Cc: Wagner, Teresa <tereswagne@pa.gov>; Spotts, Jeffrey M <jespotts@pa.gov>; Sullivan, Daniel <danisulliv@pa.gov>; Domoto, Aaron <aardomoto@pa.gov>; Kayer, Kristin <kkayer@pa.gov>; Fertenbaugh, Seth <sfertenbau@pa.gov>
Subject: Proposed Rulemaking # 18-489 - 67 Pa Code, Chapter 173
Importance: High

Good morning,

Please see the attached rulemaking documents for proposed rulemaking – 67 Pa. Code Chapter 173 Green Flashing or Revolving Lights (Agency #18-489). All rulemaking documents are included in the attached files. Please confirm your receipt of this email by responding with an email confirmation.

Thank you,

Victoria



Victoria P. Edwards | Assistant Chief Counsel
Governor's Office of General Counsel
Department of Transportation | Office of Chief Counsel
400 North Street | P.O. Box 8212 | Harrisburg, PA 17105-8212
Phone: 717.787.5299
victoredwa@pa.gov | www.penndot.pa.gov

PRIVILEGED AND CONFIDENTIAL COMMUNICATION

The information transmitted is intended only for the person or entity to whom it is addressed and may contain

From: [Ritchie, Nolan](#)
To: [Edwards, Victoria](#)
Cc: [Wagner, Teresa](#); [Spotts, Jeffrey M](#); [Sullivan, Daniel](#); [Domoto, Aaron](#); [Kayer, Kristin](#); [Fertenbaugh, Seth](#); [Ward, Senator Judy](#)
Subject: Proposed Rulemaking # 18-489 - 67 Pa Code, Chapter 173
Date: Wednesday, July 30, 2025 10:01:10 AM
Attachments: [image001.png](#)

RECEIVED

Independent Regulatory
Review Commission

Good Morning:

July 30, 2025

First, this is to affirm that PennDOT delivered the proposed regulation in accordance with their email sent on July 10, 2025, for the planned delivery date of July 23rd or July 30th.

This email also confirms receipt of the proposed rulemaking, #18-489, on behalf of the Majority Chair for the Senate Transportation Committee.

Let me know if you have any questions.

Nolan R. Ritchie, M.P.A.

Executive Director, Senate Transportation Committee
Office of Senator Judy Ward (R-30)
362 Main Capitol Building, Harrisburg, PA 17112
T: 717-787-5490 | Direct: 7-0336 | E: nritchie@pasen.gov

From: Edwards, Victoria <victoredwa@pa.gov>
Sent: Wednesday, July 30, 2025 8:39 AM
To: Ward, Senator Judy <jward@pasen.gov>; Ritchie, Nolan <nritchie@pasen.gov>
Cc: Wagner, Teresa <tereswagne@pa.gov>; Spotts, Jeffrey M <jespotts@pa.gov>; Sullivan, Daniel <danisulliv@pa.gov>; Domoto, Aaron <aardomoto@pa.gov>; Kayer, Kristin <kkayer@pa.gov>; Fertenbaugh, Seth <sfertenbau@pa.gov>
Subject: Proposed Rulemaking # 18-489 - 67 Pa Code, Chapter 173
Importance: High

● CAUTION : External Email ●

Good morning,

Please see the attached rulemaking documents for proposed rulemaking – 67 Pa. Code Chapter 173 Green Flashing or Revolving Lights (Agency #18-489). All rulemaking documents are included in the attached files. Please confirm your receipt of this email by responding with an email confirmation.

Thank you,

Victoria



Victoria P. Edwards | Assistant Chief Counsel
Governor's Office of General Counsel

From: [Bulletin](#)
To: [Edwards, Victoria](#)
Cc: [Spotts, Jeffrey M](#); [Domoto, Aaron](#); [Kayer, Kristin](#); [Fertenbaugh, Seth](#); [Alyssa M. Burns](#); [Adeline E. Gaydosh](#)
Subject: [External] RE: Proposed Rulemaking # 18-489 - 67 Pa Code, Chapter 173
Date: Wednesday, July 30, 2025 8:46:30 AM
Attachments: [image001.png](#)

July 30, 2025

***ATTENTION:** This email message is from an external sender. Do not open links or attachments from unknown senders. To report suspicious email, use the [Report Phishing button in Outlook](#).*

Good morning, Victoria,

Thank you for sending this proposed rulemaking. It is scheduled for the August 9, 2025, issue of the *Pennsylvania Bulletin*.

Have a great day!

Alyssa Burns | Legal Assistant

aburns@palrb.us | 717.783.1531

Legislative Reference Bureau

Pennsylvania Code & Bulletin Office

647 Main Capitol Building

Harrisburg, PA 17120

From: Edwards, Victoria <victoredwa@pa.gov>

Sent: Wednesday, July 30, 2025 8:41 AM

To: Bulletin <bulletin@palrb.us>

Cc: Spotts, Jeffrey M <jespotts@pa.gov>; Domoto, Aaron <aardomoto@pa.gov>; Kayer, Kristin <kkayer@pa.gov>; Fertenbaugh, Seth <sfertenbau@pa.gov>

Subject: Proposed Rulemaking # 18-489 - 67 Pa Code, Chapter 173

Importance: High

Good morning,

As previously discussed, attached please find PennDOT's proposed rulemaking #18-489 – 67 Pa. Code, Chapter 173. These documents are being simultaneously delivered to the House and Senate Transportation Committees. Once, I receive your email confirmation, I will send it along with the other confirmations to IRRC. Attached please find the Cover Letter and the proposed rulemaking package in PDF. Also attached are Word versions of the Proposed Preamble and Annex A. Please send me an email confirming your receipt of this email and the attachments. Please also confirm the publication date.

Please let me know if you have any questions or concerns.

July 30, 2025

Thank you,

Victoria



Victoria P. Edwards | Assistant Chief Counsel

Governor's Office of General Counsel

Department of Transportation | Office of Chief Counsel

400 North Street | P.O. Box 8212 | Harrisburg, PA 17105-8212

Phone: 717.787.5299

victoredwa@pa.gov | www.penndot.pa.gov

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