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Driver and Vehicle Services Update

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BULLETIN NO. 12-16

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- Act 156 Manufactured Home Community Rights Act
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ACT 156 MANUFACTURED HOME COMMUNITY RIGHTS ACT

Act 156 of 2012 was signed into law Oct. 24, 2012, and will become effective Dec. 24, 2012. This Act amends the Manufactured Home Community Rights Act and provides for removal, sale, and disposal of abandoned manufactured homes. Although no changes were made to Title 75 in this legislation, Act 156 will impact PennDOT procedures for the sale and disposal of an abandoned manufactured home, related to application for certificates of title and non-repairable vehicle certificates. PennDOT has created Form MV-16A, "Application for Abandoned Manufactured Home Certificate of Title or Non-Repairable Certificate," to handle such requests. NOTE: Forms MV-1 and MV-4ST are not required to be submitted in conjunction with Form MV-16A.

ACT 163 EXEMPTION FROM REGISTRATION

Act 163 of 2012 was signed into law Oct. 24, 2012, and will become effective Dec. 24, 2012. This Act

amends Title 75 by providing exemption from registration for an additional type of vehicle.

This Act amends Section 1302 of Title 75, adding an additional vehicle type to the list of vehicles exempt from registration. Section 1302(22) will provide an exemption from registration for any portable traffic control signal or device upon a trailer not exceeding 3,000 pounds gross vehicle weight.

Section 4904 is also amended by Act 163 to allow this type of vehicle to be towed in tandem as long as the length of the two trailers combined does not exceed 300 inches and the trailers are designed by the manufacturer to be able to be towed in tandem on public roadways.

ACT 173 CHANGES TO IMPLEMENTS OF HUSBANDRY

Act 173 of 2012 was signed into law Oct. 24, 2012, and will become effective Dec. 24, 2012. This Act amends Title 75, Section 4921, providing changes to the width, lighting and use of Implements of Husbandry.

This Act amends Section 4921(b)(1) to now state, "Any implement of husbandry or vehicle loaded with crops or nutrients and not exceeding 12 feet in width may be driven, hauled or towed between sunrise and sunset on highways other than freeways."

Section 4921(b)(5) is also amended to state, "An implement of husbandry or vehicle used for crops or nutrients and not exceeding 14 feet 6 inches in width may be operated on highways other than freeways between sunset and sunrise. The implement or vehicle, when used at this time, shall have and operate at least one flashing or revolving yellow light or strobe light, which shall be mounted

to provide visibility to vehicles approaching from any direction, 360-degree visibility, regardless of the method of mounting, and hazard signals.”

ACT 178 CHANGES RELATED TO ASSIGNMENT OF OWNERSHIP

Act 178 of 2012 was signed into law Oct. 24, 2012, and will become effective Dec. 24, 2012. This Act amends Title 75, Sections 1111 and 1161, providing certain exceptions for dealers and insurance companies when assigning ownership to a vehicle.

Section 1111(a.1) was amended and now allows dealers to assign ownership of new vehicles using a Secure Power of Attorney when the Manufacturer's Certificate of Origin is being held by a lienholder. Application submission deadlines and requirements remain in effect for dealers who sell a vehicle before delivery of the proof of ownership. Please note, the use of the Secure Power of Attorney does not negate the need for the Manufacturer's Certificate of Origin to be properly assigned and attached to the title application.

In addition, Act 178 also amends Section 1161(b), allowing an assignment of ownership from an insurance payoff recipient to a vehicle insurer to be completed on the proof of ownership without the required notarization or verification of signatures, when the insurer is using the assigned proof of ownership to apply for a Pennsylvania certificate of salvage.

ACT 209 IMPLEMENTS OF HUSBANDRY

Act 209 of 2012 was signed into law Nov. 1, 2012, and will become effective Dec. 31, 2012. This Act amends Title 75, providing for changes in size, weight and load restrictions for Implements of Husbandry.

This Act amends Section 4921(b) of Title 75 to remove the restriction for operating Implements of Husbandry not exceeding 14 feet 6 inches in width between sunrise and sunset. This size Implement of Husbandry may be operated on highways other than freeways without any restriction as to time,

when the Implement of Husbandry is driven, hauled or towed:

- Within 50 miles of any farm owned or operated by the owner of the Implement of Husbandry
- Between farms
- Between a farm owned or operated by a farmer and a place of business of a mechanic or dealer in Implements of Husbandry located not more than 150 miles away for the purpose of buying, selling, trading, loaning, leasing, demonstrating, repairing or servicing the Implement of Husbandry

It further provides that oversize Implements of Husbandry exceeding 14 feet 6 inches, and not exceeding 16 feet in width may be driven, hauled or towed on highways other than freeways between sunrise and sunset if the Implement of Husbandry is covered by financial responsibility, is preceded by a vehicle that is continuously operating hazard signal lamps and displays an “oversize load” sign on the front of the vehicle. The Implement of Husbandry shall have and operate at least one flashing or revolving yellow light or yellow strobe light, which shall be mounted to provide visibility to vehicles approaching from any direction 360° visibility. An oversized implement of husbandry may be operated under this paragraph as follows:

- Within 50 miles of any farm owned or operated by the owner of the Implement of Husbandry;
- Between farms;
- Between farm owned or operated by a farmer and a place of business or a mechanic or dealer in implements of husbandry; located not more than 150 miles away for the purpose of buying, selling, trading, loaning and leasing, demonstrating, repairing or servicing the implement of husbandry.

Any implement of husbandry, exceeding 14 feet 6 inches and not exceeding 16 feet in width, may be driven, hauled or towed between sunset and sunrise within 25 miles of any farm owned or operated by the owner of the implement of husbandry if all of the following are met:

- The implement of husbandry is equipped with reflective edgemarks or lights to identify the outermost edges of the rear and front of the implement that are visible from the front,

the rear and, as is practicable from each side;

- The implement of husbandry shall have and operate at least one flashing or revolving yellow light or yellow strobe light which shall be mounted to provide visibility to vehicles approaching from any direction, 360° visibility, regardless of the method of mounting and hazard signal lamps.
- The implement of husbandry is not driven, hauled or towed at a speed greater than 25 miles per hour;
- The implement of husbandry is driven, hauled or towed by a person who is at least 18 years of age;
- The implement of husbandry is followed by a vehicle that is displaying an "Oversize Load" sign on the rear of the vehicle and is operating continuously activated hazard signal lamps; and
- The implement of husbandry is covered by the minimum levels of liability insurance coverage on the vehicle as are required to be maintained under Chapter 17 (relating to financial responsibility) by owners of registered motor vehicles. The requirement of this subchapter shall be met if the minimum amounts of liability insurance coverage for the implement of husbandry have been provided under farm liability coverage maintained generally by the owner. Coverage prescribed under Subchapter B of Chapter 17 (relating to motor vehicle liability insurance first party benefits) shall not be required to be maintained or provided for the implement of husbandry.

CLARIFICATION OF INSPECTION AND REGISTRATION REQUIREMENTS FOR COMMERCIAL IMPLEMENTS OF HUSBANDRY

This is intended to clarify vehicle inspection and registration requirements for Commercial Implements of Husbandry.

Some Commercial Implements of Husbandry are constructed on a truck frame. These vehicles are registered as Commercial Implements of Husbandry with a truck (TK) body type. Commercial Implements

of Husbandry with a truck body are required to be inspected and meet all truck safety inspection and equipment standards.

However, some Commercial Implements of Husbandry are not constructed on truck frames. They are a traditional farm tractor or other self propelled field equipment. These vehicles must be titled and registered as Commercial Implements of Husbandry with an implement of husbandry (IMPH) body type. A Commercial Implement of Husbandry with an implement of husbandry body type is exempted from the safety inspection requirements.

NEW FORM MV-14MG, "APPLICATION FOR MUNICIPAL GOVERNMENT REGISTRATION PLATE"

Recently it has become necessary to require applicant certification whenever a Municipal Government (MG) registration plate is requested.

Therefore, any time a customer requests the issuance or transfer of an MG registration plate, Form MV-14MG, "Application for Municipal Government Registration Plate," must be completed and submitted with Form MV-1, MV-4ST, MV-120, or MV-140.

Effective Jan. 2, 2013, all requests for issuance or transfer of MG registration plates must include Form MV-14MG, signed and certified by a person authorized to act on behalf of the political subdivision or municipal authority making application. Requests for MG plates received without a properly completed MV-14MG form will be rejected after Jan. 2, 2013.

Form MV-14MG provides some examples of political subdivisions and municipal authorities; however, agents must require documentation identifying the particular political subdivision or municipal authority, and the person who is authorized to sign on their behalf.

AGENTS ARE REQUIRED TO ENSURE ALL THEIR EMPLOYEES RECEIVE PENNDOT'S DRIVER AND VEHICLE SERVICES UPDATE BULLETINS