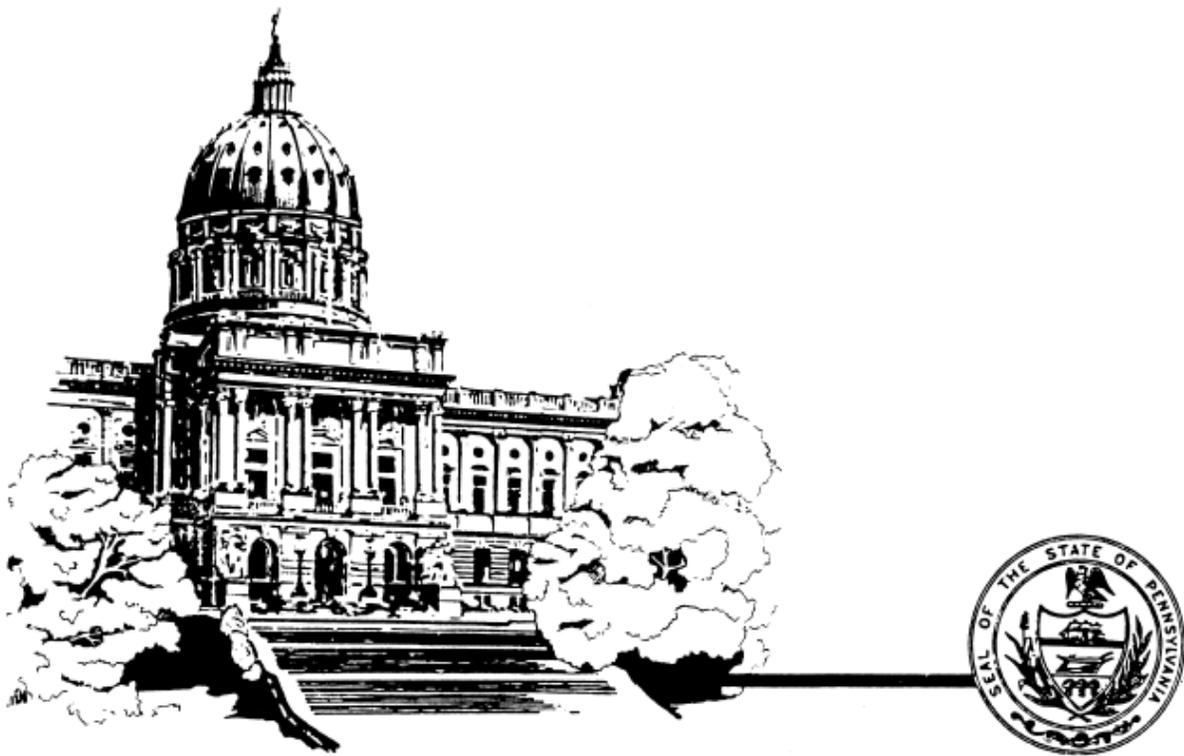


PENNSYLVANIA CODE & BULLETIN STYLE MANUAL



Fifth Edition

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CHAPTER 1. GENERAL

Sec.

- 1.1. Applicability of manual.
- 1.2. Authority.
- 1.3. Editorial privilege.
- 1.4. Statutory Construction Act.
- 1.5. Sources used.

§ 1.1. Applicability of manual.

This manual has been developed to provide guidance for drafting regulations and notices for the *Pennsylvania Code (Code)* and *Pennsylvania Bulletin (Bulletin)*. It does not provide every grammatical rule which is used in standard written English. Unless otherwise stated in this manual, the rules of standard written English apply. The manual reinforces certain rules that are necessary in drafting legal text. Additionally, the manual standardizes usage in cases when conflicting rules have traditionally been applied.

§ 1.2. Authority.

This manual is issued under 1 Pa. Code § 17.56 (relating to information on document drafting and publication assistance) and 45 Pa.C.S. § 723 (relating to processing of deposited documents) which directs the Legislative Reference Bureau (Bureau) to:

...prepare in active cooperation with an agency a revised text of any document relating to the administrative regulations of the agency which conforms fully to the format established for the code, which eliminates all obsolete, unnecessary or unauthorized material, which has been prepared in such a manner as to lend to the published code as a whole uniformity of style and clarity of expression, and which does not effect any change in the substance of the deposited text of such regulations.

§ 1.3. Editorial privilege.

(a) Under 45 Pa.C.S. § 723, the Bureau may review and revise text of proposed and final-form rulemakings.

(b) Editorial privileges of the *Code* and *Bulletin* staff include:

- (1) Formatting and editing documents for grammar, style and consistency.
- (2) Formatting and editing documents for rules in this manual.
- (3) Renumbering regulations.
- (4) Correcting legal citations.
- (5) Writing editorial notes.

(c) A *Code* and *Bulletin* editor may contact the agency liaison or staff attorney with questions or comments about regulations and notices.

§ 1.4. Statutory Construction Act.

Part V of 1 Pa.C.S. (relating to Statutory Construction Act of 1972) applies to administrative rules codified in the *Pennsylvania Code*. See 1 Pa. Code § 1.7 (relating to Statutory Construction Act of 1972 applicable).

§ 1.5. Sources used.

The following sources are used by the *Code* and *Bulletin* staff:

- (1) *The United States Government Printing Office Style Manual*.
- (2) *Merriam Webster's New Collegiate Dictionary*.
- (3) Titles 1 and 101 of the *Pennsylvania Code* (relating to general provisions; and General Assembly).
- (4) Additional sources the *Code* and *Bulletin* staff deems necessary.

CHAPTER 2. FORMAT OF REGULATIONS

ORGANIZATION AND STRUCTURE OF REGULATIONS

Sec.

- 2.1. Arrangement of *Code*.
- 2.2. Deletion and addition of sections.
- 2.3. Section headings.
- 2.4. Subdivision headings.
- 2.5. Section length.
- 2.6. Sentence length.
- 2.7. Paragraph and sentence structure.
- 2.8. Arrangement of sections within a chapter.
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- 2.15. General Rules of Administrative Practice and Procedure.

PROPOSED AND FINAL-FORM RULEMAKINGS

- 2.16. Hard copy and electronic requirements.
- 2.17. Preamble.
- 2.18. Bracketing and underscoring amendments.
- 2.19. Ellipses to show unchanged text.

ORGANIZATION AND STRUCTURE OF REGULATIONS

§ 2.1. Arrangement of *Code*.

- (a) Titles are the major divisions of the *Code* that bring together broadly related governmental functions or requirements. Titles are subdivided as follows:
 - (1) Parts are typically assigned to agencies. Parts are identified by Roman numerals—I.
 - (2) Subparts are used to distinguish between material emanating from an overall office or agency and the material issued by its various components. Subparts are identified by upper case letters—A.
 - (3) Articles are identified by upper case Roman numerals—I.
 - (4) Divisions are identified by Arabic numerals—1.
 - (5) Subdivisions are identified by lower case letters—a.
 - (6) Chapters are the normal divisions of parts in the *Code*. A chapter consists of a unified body of regulations applying to a specific function of the issuing agency or devoted to specific subject matter under control of the issuing agency. Chapters are identified by Arabic numerals—1.

- (7) Subchapters are used to group related parts within a chapter. Subchapters are identified by upper case letters—(A).
- (8) Undesignated center heads are used in a chapter or subchapter to group related sections. These headings are identified by upper case letters.
- (9) Sections are the basic units of the *Code*. They are identified by the chapter number followed by Arabic numerals—(1.1)

Example:

TITLE 25. ENVIRONMENTAL PROTECTION
 PART I. DEPARTMENT OF ENVIRONMENTAL PROTECTION
 Subpart A. PRELIMINARY PROVISIONS
 ARTICLE I. ADMINISTRATIVE PROVISIONS
 CHAPTER 9. ENVIRONMENTAL MASTER PLAN
 Subchapter A. ENVIRONMENTAL POLICY PLANNING PROGRAM
 § 9.1. Background.

- (b) Chapters should be spaced to allow for expansion, with at least one number omitted between chapter numbers.
- (c) Sections of the *Code* are subdivided as follows:
 - (1) Subsections, identified by lower case letters—(a).
 - (2) Paragraphs, identified by Arabic numerals—(1).
 - (3) Subparagraphs, identified by lower case Roman numerals—(i).
 - (4) Clauses, identified by upper case letters—(A).
 - (5) Subclauses, identified by upper case Roman numerals—(I).
 - (6) Items, identified by a hyphen, lower case letter and a hyphen—(-a-).
- (d) When numbering sections in a new chapter or under an undesignated center head, the first section starts with “1.”
- (e) When a section consists of only one paragraph, a subsection designator is not necessary.
- (f) A subdivision may not have two designators. A subdivision may carry a heading to allow for further breakdown. See § 2.4 (relating to subdivision headings).

Do Not Use:

Use:

- (a)(1) An application shall be signed.
- (2) The Department will review the application.

- (a) *Applications.*
- (1) An application shall be signed.
- (2) The Department will review the application.

(g) There must be at least two equal subdivisions to use the subdivisions in subsection (c).

Example:

§ 7.224. Landing guards.

(a) On the ascending side of a manlift, landings shall be provided with a bevel guard or cone meeting the following requirements:

(1) The cone shall make an angle of not less than 45 degrees with the horizontal. An angle of 60° or greater shall be used where ceiling heights permit.

(2) The guard shall extend at least 36 inches outward from the face of the belt, but not beyond the upper surface of the floor above.

(b) It should be noted that cones on the down run of the belt serve as fairly effective fire stops and tend to prevent the loss of warm air from lower floors.

§ 2.2. Deletion and addition of sections.

(a) When a section is deleted, the vacated number is marked “(Reserved).” Section numbers may not be reserved for future use. Previously reserved sections may not be reused. Do not renumber sections that follow a deleted section.

Example:

§ 9.3. (Reserved).

(b) When it is necessary to add a section between two existing sections, include a lower case letter in the section number.

Example:

§ 63.15. Field dressing of fish.

§ 63.15a. Officially-recognized fish cleaning stations.

§ 63.16. Fishing in the vicinity of fishways.

(c) Subsections (a) and (b) apply to chapters and subchapters.

(d) Subdivisions of a section may not be reserved. When it is necessary to delete a subdivision, renumber the subdivisions that follow. It is critical to update cross-references to deleted and renumbered subdivisions. The *Code* and *Bulletin* Office is not permitted to update cross-references in sections that are not included in a rulemaking.

§ 2.3. Section headings.

(a) A section must have a heading that briefly describes the subject of the section. Questions may not be used as a heading. The section number that designates the section and the section heading stand alone on a line. The text that follows begins a new line.

Example:

§ 4.5. Safety.

The owner shall maintain stairways and hallways free of obstructions.

- (b) A section heading should be concise. Limit section headings to ten words or less. If a section heading is long or contains different topics, the section itself is probably too long or too broad and should be broken down into two or more sections.

Do Not Use:

§ 3.3. Livers condemned because of infestation and for other causes; conditions for disposal for purposes other than human food.

Use:

§ 3.3. Condemnation and disposal of parasitic livers.

Do Not Use:

§ 23.3. Matchmakers; boxers; seconds or trainers; referees; judges; timekeepers.

Use:

§ 23.3. Matchmakers.
§ 23.4. Boxers.
§ 23.5. Seconds or trainers.
§ 23.6. Referees.
§ 23.7. Judges.
§ 23.8. Timekeepers.

- (c) Section headings do not “govern, limit, modify or affect the scope, meaning or intent of the *Code*” under 1 Pa. Code § 1.5 (relating to headings, etc., not to be used in construing).

§ 2.4. Subdivision headings.

- (a) Headings, which are italicized, may be used for subdivisions of a section. A heading provides a synopsis of the subdivision. Lengthy subdivisions should be given headings.
- (b) A subsection may consist of only a heading to serve as a subdivision for paragraphs.

Example:

(b) *Electronic filings.*

(1) When the qualified document, including attachments, is 250 pages or less...

(2) When the qualified document, including attachments, exceeds 250 pages...

- (c) When a heading is used for a subdivision, give headings to all equal subdivisions of the section. The *Code* and *Bulletin* Office will add headings to subdivisions without headings.
- (d) Subdivision headings do not “govern, limit, modify or affect the scope, meaning or intent of the *Code*” under 1 Pa. Code § 1.5.

§ 2.5. Section length.

Short sections are encouraged. The use of many short sections is preferable to a few long ones.

§ 2.6. Sentence length.

Use short sentences. The following guidelines shall be used:

- (1) One or two subjects.
- (2) One predicate.
- (3) One or two objects.
- (4) One adjective per noun.
- (5) A minimal use of adverbs.
- (6) Active voice.

§ 2.7. Paragraph and sentence structure.

Use short paragraphs, short sentences and short words. Avoid using numerous dependent clauses, parallel clauses or other complex sentence structures. Short sentences and paragraphs are more easily understood. Ambiguity is avoided by limiting sentences to one or two thoughts and a single relationship of thoughts in a paragraph. For better comprehension, keep sentences to fewer than 25 words and keep paragraphs to fewer than 75 words.

§ 2.8. Arrangement of sections within a chapter.

Within a chapter, sections should follow a logical order so that the regulated community recognizes in what order they are to proceed. Proper planning at the beginning of the drafting stage will result in regulations that are easily understood by the audience. The following organization is commonly used throughout the *Code*:

- (1) Scope, applicability, purpose and definitions sections should appear first as they establish the fundamentals of a chapter.
- (2) Sections that apply to the most people should precede those that apply to a few people.
- (3) General provisions should precede specific provisions.
- (4) Frequently used provisions should precede less frequently used provisions.
- (5) Simple provisions should precede lengthy and difficult ones.
- (6) Penalty and appeals sections should appear last.

§ 2.9. Scope section.

A scope section is used to limit the applicability of the chapter. A scope section should limit or clarify the use of sections when the name of the chapter might be interpreted as permitting a broader application.

Example:

§ 127.401. Scope.

This subchapter applies to sources required to obtain an operating permit under the act.

§ 2.10. Purpose section.

- (a) A purpose section should be included only when necessary. A purpose section is a simple statement of intent that appears at the beginning of a chapter. A purpose section should be drafted after all other sections in the chapter or subchapter. Otherwise, it may become a crutch used to avoid resolving difficult substantive issues in the sections.

Example:

§ 109.2. Purpose.

The purpose of this chapter is to protect the public health and safety by assuring that public water systems provide a safe and adequate supply of water for human consumption by establishing drinking water quality standards, permit requirements, design and construction standards, system management responsibilities and requirements for public notification.

- (b) Do not include substantive provisions within a purpose section. Substantive provisions belong in the main body of the chapter.

§ 2.11. Definition section.

- (a) A definition section should be placed near the beginning of a chapter. It is not necessary to repeat definitions included in a definition section that are applicable to an entire part.
- (b) Use a definition to avoid vagueness, ambiguity or unnecessary verbosity.
- (c) If a definition does not serve a purpose or is not used in the chapter, do not include it.
- (d) Words used in their dictionary meanings may not be defined.

Do Not Use:

Trash can—A receptacle for waste material.

(e) Substantive (that is, regulatory) provisions may not be in a definition section.

Do Not Use:

Alcoholic beverage—Beer, wine and liquor. An owner of a business establishment serving alcoholic beverages shall obtain a license.

(f) Acronyms used in more than one section of the chapter should be included in the definition section. See subsection (c) and § 6.3 (relating to acronyms).

(g) Definitions are arranged in alphabetical order and not numbered or lettered. Acronyms precede words.

Example:

CPVC—Chlorinated polyvinyl chloride.

Can coating—Exterior coating and interior spray coating in two-piece can lines.

ERC—Emission Reduction Credit—A permanent, enforceable, quantifiable and surplus emissions reduction.

Economic Incentive Program—A program developed by a source or the Department that is submitted to the EPA as a revision to the SIP.

(h) The term being defined may not be included as part of the definition.

Do Not Use:

Use:

Airplane—An airplane, helicopter, or hot air balloon. *Airplane*—A device that is used for flight.

§ 2.12. Forms.

(a) Although not prohibited, it is not recommended to codify forms in the *Code*. The adoption of a form as a regulation requires an agency to amend the regulation to change the form, even if only a minor change is necessary. Rather, it is suggested that the form be referred to in the regulation.

Example:

An applicant shall complete the form provided by the Department.

(b) If the agency feels that a legal basis is needed for requesting the submission of the information on the form, the regulation should list the information to be required, followed by language such as: This information shall be submitted on a form provided by the Department.

§ 2.13. Severability clause.

A severability provision applies to regulations under 1 Pa.C.S. § 1925 (relating to constitutional construction of statutes).

§ 2.14. Incorporation by reference.

- (a) Statutory language may not be repeated verbatim in a regulation. When particular statutory language is required, the agency should consider incorporation by reference. See 1 Pa.C.S. § 1937 (relating to references to statutes and regulations).
- (b) Under 45 Pa.C.S. § 727 (relating to matter not required to be published), the text of the source is omitted. The phrase “incorporated by reference” must be used. For nongovernmental sources, the year or edition and the name and address of the source must be stated.

Examples:

Construction shall conform to the technical requirements of the “1991 American Standards Institute Publication No. 1,” which is incorporated by reference. Copies of this publication may be obtained by contacting ANSI, 1071 Second Avenue, New York, NY 10002.

EPA standards in 40 CFR Part 745 (relating to lead-based paint poisoning prevention in certain residential structures) are incorporated by reference. If EPA regulations and this chapter conflict, this chapter applies.

§ 2.15. General Rules of Administrative Practice and Procedure.

- (a) The General Rules of Administrative Practice and Procedure apply to agencies. See 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure).
- (b) An agency shall follow 1 Pa. Code § 13.38 (relating to special rules of administrative practice and procedure) when it intends for regulations to supersede the applicable provisions of 1 Pa. Code Part II.

Example:

§ 1.24. Copies of briefs.

- (a) Except when filing of a different number is permitted or directed by the Commission, 14 copies of each brief shall be furnished for the use of the Commission.
- (b) Subsection (a) supersedes 1 Pa. Code § 35.193 (relating to filing and service of briefs).

PROPOSED AND FINAL-FORM RULEMAKINGS

§ 2.16. Hard copy and electronic requirements.

- (a) A rulemaking must be typewritten, double-spaced and appear on only one side of the page.
- (b) Rulemakings and notices shall be submitted in duplicate originals on 8 1/2" x 11" paper.
- (c) An agency shall provide the *Code* and *Bulletin* Office with Word files of a notice or the preamble and annex of a rulemaking. PDF files are not accepted.
- (d) A document not conforming to this format or an illegible document may be rejected.

§ 2.17. Preamble.

- (a) *Purpose.* The preamble provides essential information about the rulemaking. The preamble may not reiterate the text of the regulation.
- (b) *Elements.*
 - (1) Preambles to proposed and final-form rulemakings address:
 - (i) The statutory authority.
 - (ii) The purpose and explanation of amendments.
 - (iii) A contact person.
 - (iv) The effective date.
 - (v) Regulatory review information.
 - (2) The preamble to a proposed rulemaking must provide details regarding the public comment period.
 - (3) The preamble to a final-form rulemaking includes:
 - (i) Responses to comments received.
 - (ii) Findings.
 - (iii) An order.
- (c) *Comment and response document.* A comment and response document should be considered for a final-form rulemaking when a large number of public comments are received. This allows an agency to respond to comments in a separate, unpublished document. The preamble may address comments in more general terms. When a comment and response document is prepared by an agency, information regarding its availability must be included in the preamble as the full text is not published. The comment and response document must be submitted to the *Code* and *Bulletin* Office as part of the final-form rulemaking package.

§ 2.18. Bracketing and underscoring amendments.

(a) Proposed amendments to an existing regulation are formatted in a very specific manner to indicate text that is proposed to be deleted or added. Bracketed text is proposed to be deleted; underscore or bold text is proposed to be added. The Independent Regulatory Review Commission details formatting for a proposed rulemaking in 1 Pa. Code § 305.1a (relating to formatting the text of a proposed rulemaking). The formatting of a final-form rulemaking is explained in 1 Pa. Code § 307.3a (relating to formatting the text of a final regulation). The *Code* and *Bulletin* Office reformats proposed rulemakings for publication. In the *Bulletin*, proposed amendments are printed in bold face. Final-form rulemakings are printed in medium type.

(b) The following principles should be followed when preparing an annex:

(1) Deleted existing text before proposed text.

Use:

§ 1.3. Scope.

In addition to the provisions of this **[part] chapter**, the Department will apply in all matters not specifically covered by this **[part] chapter** all other regulations which involve the lives, limbs and health of workers.

(2) Whole words are bracketed for deletion. Do not bracket or underline one letter.

Do Not Use:

§ 133.5. Furbearers.

The coyote is furbearing animal. For the purposes of licensing, coyotes may be hunted with a hunting license or hunted and trapped with a furtaker[s] **furtaker** license as stated in section 2705 of the act (relating to classes of licenses).

Use:

§ 133.5. Furbearers.

The coyote is a furbearing animal. For the **[purpose] purposes** of licensing, coyotes may be hunted with a hunting license or hunted and trapped with a **[furtakers] furtaker** license as stated in section 2705 of the act (relating to classes of licenses).

(3) Group deleted text and added text to improve readability.

Do Not Use:

§ 11.43. [Revocation or s]Suspension of permits.

The Board may **[revoke or]** suspend **[a permit] permits** issued under this **[subchapter] part** if, after notice and hearing, it appears to the Board that the permittee has violated any law of the United States or of this Commonwealth or any provision of this part.

Use:

§ 11.43. **[Revocation or suspension] Suspension** of permits.

The Board may **[revoke or suspend a permit issued under this subchapter if] suspend permits issued under this part if**, after notice and hearing, it appears to the Board that the permittee has violated any law of the United States or of this Commonwealth or any provision of this part.

(4) Subsections and paragraphs are deleted as a continuous group.

Use:

§ 88.30. Description of land use.

An application must contain a statement and map of the condition of the land within the proposed permit area[, **including:**].

[(1) The uses of the land existing at the time of application...

(2) The capability of the land to support a variety of uses...

(3) The productivity of cropland, pastureland or land occasionally cut...]

(5) Subdivisions that are deleted are renumbered, not reserved.

Do Not Use:

§ 19.19. Standards of licensure for retail or public auction.

(a) *Auction activities.*

(1) Every public or retail auction shall have a business identity separate from other businesses owned or operated by the public or retail auction.

(2) [A public or retail auction may not conduct...] (Reserved).

(3) An auction license does not permit a public or retail auction to broker...

Use:

§ 19.19. Standards of licensure for retail or public auction.

(a) *Auction activities.*

(1) Every public or retail auction shall have a business identity separate from other businesses owned or operated by the public or retail auction.

[(2) A public or retail auction may not conduct ...

(3)] (2) An auction license does not permit a public or retail auction to broker...

§ 2.19. Ellipses to show unchanged text.

- (a) A proposed amendment may only be needed for certain subdivisions of a regulation. Ellipses, five asterisks, are used to show existing text that is not proposed to be amended in the rulemaking. It is critical to provide a “breadcrumb trail” to show readers the exact location of the proposed amendment, that is, the hierarchy of subdivisions that precede the portion of the section being amended.
- (b) The *Code* and *Bulletin* Office may choose to publish unchanged subdivisions to provide context and improve readability. Up to three unchanged subdivisions may be shown.

Example:

§ 207.303. Approvals.

* * * * *

(b) The owner or operator of the developed facility shall submit to the Department a written request which:

* * * * *

(5) Contains a map or drawings depicting the developed facility, including the following:

(i) The information required under § 207.314(b) (relating to ventilation) if the developed facility will be using mechanical ventilation.

(ii) The information required under § 207.318(b) (relating to storage of flammable liquids) if more than **[5 gallons] 2 gallons** of liquid are stored in the developed facility.

* * * * *

- (c) When adding a new subdivision within a regulation, include the text immediately preceding and following the proposed text.

§ 637a.5. Shuffle and cut of the cards.

* * * * *

(b) After the cards have been shuffled and stacked, the dealer shall:

(1) If the cards were shuffled using an automated card shuffling device...

(2) If the cards were shuffled manually or were preshuffled...

(3) Remove the top card and place it in the dealing shoe.

(c) After the cards have been cut and before any cards have been dealt...

* * * * *

- (d) Do not use ellipses to indicate a section that is not being amended.

CHAPTER 3. WORDS, SPELLING AND CAPITALIZATION

Sec.

- 3.1. Sources.
- 3.2. General.
- 3.3. Exceptions.
- 3.4. Verbs.
- 3.5. Prefixes.
- 3.6. Predicate adjectives.
- 3.7. Proper nouns.
- 3.8. List of words.

§ 3.1. Sources.

The sources for the preferred forms of compound words are *Merriam Webster's New Collegiate Dictionary* and the *United States Government Printing Office Style Manual*.

§ 3.2. General.

- (a) Compound words may be printed as one word, two or more words, or hyphenated words. Preferred usages may change.
- (b) The tendency is to close up words, especially short words, which through frequent use have come to be thought of as units. Refer to §§ 3.1 and 3.8 (relating to sources; and list of words).

§ 3.3. Exceptions.

This manual does not take into account every situation. Exceptions may be allowed.

§ 3.4. Verbs.

Compound words used as verbs are treated as separate words and are seldom hyphenated.

§ 3.5. Prefixes.

- (a) The general rule is not to use a hyphen between a prefix and the word being modified. If a word is in the dictionary, use the dictionary version. Each prefix with its rule in § 3.8 (relating to list of words) is preceded by an asterisk. The following exceptions are made:
 - (1) When a vowel is doubled by creating a one word form (semi-invalid), the word is hyphenated.
 - (2) If a consonant is tripled by creating a one-word form (bell-like), the word is hyphenated.
- (b) To ensure distinct pronunciation (un-ionized, semi-independent), the word is hyphenated.

(c) To join a prefix to an already hyphenated word, the word is hyphenated (for example, non-civil-service position).

(d) In a series of hyphenated phrases, use the complete phrase in each instance.

Do Not Use:

full or part-time member

Use:

full-time or part-time member

(e) Avoid using the prefix “bi.” “Biweekly” may mean twice a week or every other week.

§ 3.6. Predicate adjectives.

Compound words used as predicate adjectives are usually treated as separate words with without a hyphen (a State-owned university; the university is State owned).

§ 3.7. Proper nouns.

Prefixes are hyphenated when paired with a proper noun (non-Commonwealth).

§ 3.8. List of words.

This section contains the preferred usage of commonly used words.

(1) *Abbreviations.* The following abbreviations are used in this section:

(n) = noun

(pa) = predicate adjective (verb as adjective)

(um) = unit modifier; an adjective or an adverb

(v) = verb

(2) *General compounds, spelling and capitalization.*

AIDS

able-bodied (um) (*able-bodied* person)

aboveground

access way

action at law

African-American

agreed upon (v)

agreed-upon (um) (*agreed-upon* standards)

air conditioner (n)

air-condition (v)

airtight (um)

all-terrain (um)

all-time (um) (*all-time* high)

American-Indian (use Native American)

animal drawn (pa) (vehicle is *animal drawn*)

animal-drawn (um) (*animal-drawn* vehicle)

* *anti* (as prefix is generally one word)

anticrime (um) (*anticrime* group)

anti-injunction

antipollution (n, um)

Arabic numerals

archaeology

areawide

armed forces

armed forces of the United States

Asian-American

at-large elections

audio-visual

Btu, Btus (pl) (British thermal unit)

bachelor of arts degree (BA degree)

back pay

back-up

bar code
 base year (n) (the employee's *base year*)
 base-year (um) (*base-year* salary)
 **bi* (as prefix is generally one word; avoid use)
 biannual
 bioengineering
 bipartisan
 birth date
 birth parent
 blood bank
 blood-delivery (um)
 bona fide (um) (*bona fide* transaction)
 bondholder
 bookmaking (n, um)
 build up (v) (*build up* its military reserves)
 buildup (n) (a military *buildup*)
 built up (pa) (structure was *built up*)
 built-up (um) (*built-up* structure)
 bulkhead
 bungee
 businessperson
 bylaw (n)
 bypass (n, v)
 by-product (n)
 cardholder
 caregiver
 carryforward (n) (net operating loss *carryforward*)
 carry forward (v)
 carryout (n, um)
 carry out (v)
 carryover (n, um)
 caseworker
 center line (n)
 center-to-center
 certificateholder
 checkout (n, um)
 checkup (n, um)
 child care (n)
 child-care (um) (*child-care* facility)
 childrearing
 civic-minded (um)
 classwork
 cleanup (n, um)
 clean up (v)
 clearinghouse
 clubhouse
 * *co* (as prefix is generally one word)
 codefendant (n)
 coemployee
 coinsurance
 commander in chief
 commingle
 committeeperson
 common-law (um)
 common law (n)
 Commonwealth Court
 the/this Commonwealth
 communitywide
 computer related (pa)
 computer-related (um)
 continuing-care (um) (*continuing-care* facility)
 contractual
 controlled access (um) (*controlled access* highway)
 co-officer
 co-owner
 copartnership
 copayment
 coplaintiff
 cost-benefit (um)
 cost effective (pa) (program is *cost effective*)
 cost-effective (um) (*cost-effective* program)
 cost efficient (pa)
 cost-efficient (um)
 cost of living (n) (*cost of living* escalated)
 cost-of-living (um) (*cost-of-living* index)
 cost related (pa) (item is *cost related*)
 cost-related (um) (*cost-related* item)
 counterclaim (n, v)
 county owned (pa) (property is *county owned*)
 county-owned (um) (*county-owned* property)
 countywide
 coursework
 Court of Common Pleas of _____ County
 courthouse (n)
 coworker
 creditworthiness
 * *cross* (as prefix is generally hyphenated)
 cross-claims
 cross-connection
 cross-examination (n)
 cross-examine (v)
 cross-file
 cross-reference
 cross section
 database
 day care (n)
 day-care (um)
 * *de* (as prefix is generally one word)
 decision making
 deed of conveyance
 de-escalate

degree (academic) (capitalize when applied to a specific person; lower case when used generally)
 degree-granting
 describable
 disinvestment (n)
 districtwide
 divest, divesting, divestment, divestiture
 down payment
 down slope
 drug-related (um) (drug-related offenses)
 earthmoving (um) (*earthmoving* equipment)
 eGrant
 * *elect* (as suffix is generally hyphenated)
 e-mail
 emission control systems
 employee
 end-user
 energy-saving (um) (*energy-saving* devices)
 engine driven (pa) (vehicle is *engine driven*)
 engine-driven (um) (*engine-driven* vehicle)
 equipment related (pa) (failure was *equipment related*)
 equipment-related (um) (*equipment-related* failure)
 even-numbered
 * *ex* (as prefix is generally hyphenated)
 ex officio (um) (*ex officio* member)
 ex parte
 ex-convict
 executive board
 executive branch
 extracurricular
 export-related (um) (*export-related* service)
 fact-finder (n)
 fact-finding (n, um)
 farmland (n)
 farmworker
 fax
 Federal
 Federal court
 Federal income tax
 final-form
 fire-resistant (um)
 fire-retardant (um)
 firefighter (n)
 firefighting
 firehouse
 fireproof
 fire safety (n, um)
 first aid (n, um)
 first-come-first-served basis (um)
 floodplain
 flow-through (um) (*flow-through* method)
 follow up (v)
 follow-up (n, um)
 footbridge
 forego
 forest land
 for profit (corporation *for profit*)
 for-profit (um) (*for-profit* corporation)
 foster care
 framework
 free fall
 freestanding
 freshwater (um)
 fringe benefit
 front seat (n, um)
 full coverage (n, um)
 full-fledged (um)
 full time (um) (individual works *full time*)
 full-time (um) (*full-time* employee)
 fundraising
 furtaker, furtaking
 general assembly (generally)
 General Assembly (Pennsylvania)
 General Counsel
 give away (v) (show *gives away* expensive prizes)
 giveaway (n) (show has costly *giveaways*)
 go-cart (n)
 good faith (n, um)
 ground cover
 groundwater
 guide rail
 handgun (n)
 hard-of-hearing (um)
 health care (um) (*health care* service)
 health care-related (um)
 health related (pa) (cases are *health related*)
 health-related (um) (*health-related* cases)
 hearing impaired (pa)
 hearing-impaired (um) (*hearing-impaired* person)
 high-rise (n, um)
 home care (n)
 home-care (um) (home-care professional)
 home page
 home rule (municipality, charter)
 home schooled
 horsepower (n)
 House of Representatives
 human-powered (um)
 inasmuch as
 income-paying (um)
 in-depth (um)

* *infra* (as prefix is generally one word)
 infrastructure (n)
 in-ground (um)
 in-house (um)
 in kind (loan repaid *in kind*)
 in-kind (um) (*in-kind* contribution)
 inpatient (n, um) (*inpatient* clinic)
 in-service (um)
 insofar as
 installment
 in-State (um)
 in-stream (um)
 * *inter* (as prefix is generally one word)
 interagency
 inter alia
 inter vivos
 interest bearing (pa) (accounts are *interest bearing*)
 interest-bearing (um) (*interest-bearing* accounts)
 intermodal
 International
 Internet
 * *intra* (as prefix is generally one word)
 intrastate (um)
 in *vitro* (n, um)
 joint-stock (*joint-stock* association)
 judgment
 kickback (n, um)
 laid off (v) (*laid off* 30 people)
 laid-off (um) (*laid-off* employee)
 landfill
 landowner
 lane-direction (um)
 lay off (v)
 layoff (n, um) (*layoff* period)
 Legislature (General Assembly is preferred)
 license holder
 lifelong (um)
 lifesaving
 lifestyle
 life support (n)
 life-support (um) (*life-support* system)
 life-sustaining (um) (*life-sustaining* drugs)
 lifetime (n, um)
 limited access (um) (*limited access* highway)
 local government
 local and State government (Pennsylvania)
 lock out (v) (*lock out* employees)
 lockout (n, um)
 lockup (n)
 long range (pa) (plan is *long range*)
 long-range (um) (*long-range* planning)
 longstanding (um)
 long-term (um) (*long-term* loan)
 longtime (um)
 look-alike (n, um) (*look-alike* drugs)
 low-cost (um)
 low-income (um) (*low-income* housing)
 lowfat (um) (*lowfat* milk)
 lump sum (n)
 lump-sum (um) (*lump-sum* payment)
 * *main* (as prefix is generally one word)
 main stem
 main-traveled (um) (*main-traveled* roads)
 Majority Leader
 majority party
 make up (v)
 makeup (n, um)
 man-hour
 manmade (if appropriate, use synthetic or machine-made)
 manpower (n)
 manufacturer-assigned (um) (*manufacturer-assigned* number)
 marketplace (n)
 markup (n, um)
 master of arts degree (MA degree)
 Medicaid
 Medicare
 member at large
 microcomputer
 microdata
 microform (n, um) (microform librarian)
 micro-organism
 mid-January
 midpoint (n, um)
 midterm
 military related (pa) (claim is *military related*)
 military-related (um) (*military-related* injury)
 mobile home
 moneys
 motor-driven (um) (*motor-driven* vehicle)
 motor home
 * *multi* (as prefix is generally one word)
 multidimensional
 multifamily
 multipurpose
 National
 Nationwide (um)
 no-fault
 no-passing (um) (*no-passing* zone)
 nolo contendere
 * *non* (as prefix is generally one word)
 noncontact
 non-English-speaking

non-Federal
 nonfleet
 non-job-related
 nonprofit
 nonresident
 occurrence
 odd-numbered (um)
 off-peak (um) (*off-peak* hours)
 off premises (use *off the premises*)
 off-premises (um) (*off-premises* outdoor advertising device)
 off-ramp (n) (east bound *off-ramp*)
 off-road
 offset
 offsite
 offtrack (um) (*offtrack* betting)
 old-age (um) (*old-age* benefits)
 onboard
 oneself
 one-time (um) (*one-time* fee)
 onetime (um) (*onetime* director) (former)
 one-way (um)
 ongoing (um) (*ongoing* concern)
 online (application is *online*)
 on-the-job (um) (*on-the-job* training)
 onlot
 on premises (use *on the premises*)
 on-premises (um) (*on-premises* supervision)
 on-ramp
 on-scene (um) (*on-scene* investigator)
 onsite
 open-body (um) (*open-body* vehicle)
 open end
 ophthalmic
 out-of-date
 out-of-State (um)\
 outcompete
 outpatient (n, um) (*outpatient* clinic)
 over-the-counter
 overall
 owner-occupant
 paperwork
 pari-mutuel
 part time (um) (he works *part time*)
 part-time (um) (*part-time* employee)
 passenger-type (*passenger-type* vehicle)
 passthrough
 per capita (um) (*per capita* tax)
 per diem (um) (*per diem* employee)
 permit-by-rule
 permit holder
 phase out (v)
 phaseout (n, um)
 pick up (v) (*pick up* the papers)

pickup (n, um)
 point-of-sale (um)
 policyholder
 policymaking (um)
 pool selling
 * *post* (as prefix is generally one word)
 postaudit
 post-conviction (um) (*post-conviction* hearing proceedings)
 postclosure
 postgraduate
 postoperative
 postmarked
 postsecondary
 posttrial
 powerhouse
 praiseworthy
 * *pre* (as prefix is generally one word)
 prearrest
 preaudit
 pre-empt (v)
 pre-emption (n)
 pre-exist
 prepayment
 pre-release
 preselect
 pretrial
 prima facie (um) (*prima facie* evidence)
 printout
 privately owned
 * *pro* (as prefix is generally one word)
 profit making (n)
 profit-making (um) (*profit-making* enterprise)
 profit sharing (n)
 profit-sharing (um)
 pro rata (um) (*pro rata* share)
 public at large
 publicly owned
 * *quasi* (as prefix is generally hyphenated)
 quasi-governmental
 radio-microwave (*radio-microwave* devices)
 rainwater
 rate filing (n)
 rate-filing (um)
 ratemaking
 ratepayer (n)
 * *re* (as prefix is generally one word)
 ready-to-wear (um)
 recordkeeping
 * *related* (when used as part of a unit modifier, it is generally joined by a hyphen to the noun which precedes it)
 reopen

rescission
 restroom
 * *retro* (as prefix is generally one word)
 retroactive
 revenue-producing (um)
 (*revenue-producing* purposes)
 revenue sharing (n)
 revenue-sharing (um) (*revenue-sharing*
 plan)
 reweighing
 right-to-know
 right-of-way (n, um)
 rights-of-way
 roll-back (um) (*roll-back* taxes)
 roll call (n, um) (*roll call* vote)
 roundtrip (um)
 rulemaking
 run-on
 run off (v)
 runoff (n, um) (truck *runoff* or *runoff* water)
 salable
 sale-for-resale (um) (*sale-for-resale* basis)
 saltwater (um)
 school age (n) (children of *school age*)
 school-age (um) (*school-age* children)
 school related (pa) (the activity was *school*
 related)
 school-related (um) (*school-related* activity)
 securityholders
 * *self* (as prefix is generally hyphenated)
 self-administer
 self-incriminate
 self-incriminating (um)
 self-insure, self-insured, self-insurance
 self-insurers
 self-propelled (um)
 * *semi* (as prefix is generally one word)
 semiannual (um)
 semitrailer (n)
 senior citizen (um) (*senior citizen* programs)
 service connected (pa) (injury is *service*
 connected)
 service-connected (um) (*service-connected*
 injury)
 set-aside (n, um)
 set off (v)
 setoff (n)
 setup (n, um)
 severely disabled
 short-term (um) (*short-term* investment)
 sidewall (n, um)
 * *single* (as prefix is generally hyphenated)
 single-axle
 single-family
 single-residence
 single-use (um) (*single-use* dialyzer)
 Social Security (*Social Security* benefits)
 Social Security Number
 socioeconomic
 soundproof (um, v)
 source-separation
 southeastern, southwestern (*southwestern*
 Pennsylvania)
 specially constructed
 specialty (not speciality)
 springwater
 stake-body (um) (*stake-body* vehicle)
 standby
 start up (v)
 start-up (n, um)
 state (other than Pennsylvania)
 State (Pennsylvania)
 State aid (n)
 State-aided (um) (*State-aided* highways)
 State designated (pa) (buildings are *State*
 designated)
 State-designated (um) (*State-designated*
 highway)
 State funded (pa) (institution that is *State*
 funded)
 State-funded (um) (*State-funded*
 institutions)
 State government (Pennsylvania)
 State legislator
 State-level (um) (Pennsylvania)
 state-of-the-art (um) (*state-of-the-art*
 technology)
 State owned (PA) (universities are *State*
 owned)
 State-owned (um) (*State-owned*
 universities)
 State-related
 Statewide
 stick-up (n, um)
 stockholder, stockholdings
 stormwater
 * *sub* (as prefix is generally one word)
 subbasin
 subclass
 subcommittee
 subheading
 subject matter (n, um)
 subrogable
 successor in interest
 supersede
 surface water (n)
 surface-water (um)
 tax exempt (pa) (bond is *tax exempt*)

tax-exempt (um) (<i>tax-exempt</i> bond)	upslope
ten-point (um) (<i>ten-point</i> type)	up-to-date (um)
theater	vehicle related (pa) (accident was <i>vehicle related</i>)
therefrom	vehicle-related (um) (<i>vehicle-related</i> accident)
third party (n)	Veterans Day
third-party (um) (<i>third-party</i> payor)	videotape, videotaping
time frame	wastepaper
time-share (um) (<i>time-share</i> estate)	wastewater
time span (n)	waterborne (um)
time-span (um) (<i>time-span</i> estate)	weekday
timetable	watercourse
toll-free (um)	water ski
traffic-control (um) (<i>traffic-control</i> devices)	water-skier
traffic lane (n) (right <i>traffic lane</i>)	waterskiing
traffic-lane (um) (a <i>traffic-lane</i> width)	web site
trafficways	web based (n)
transferal, transferable, transferee	web-based (um)
trier of fact	webpage
tristate	* <i>well</i> (as prefix is generally hyphenated)
truck-camper	well-being
truck-mounted	whitewater (um)
tuition-paid (um)	Wilkes-Barre
tune up (v) (<i>tune up</i> the car)	willful, willfully
tune-up (n, um)	workday
two-axle	work force
two-party (um) (<i>two-party</i> system)	workload
two-step	workplace
two-way (um)	work-sharing (um) (<i>work-sharing</i> program)
ultrasound	workspace
ultraviolet	write off (v) (<i>write off</i> the lunch)
U-turn (n)	write-off (n) (a tax <i>write-off</i>)
* <i>un</i> (as prefix is generally one word)	wrongdoing
un-American (um)	year-round
* <i>under</i> (as prefix is generally one word)	X-ray
underrepresented	
underutilization	
United States Armed Forces	

CHAPTER 4. NUMBERS

Sec.

- 4.1. Ten and under.
- 4.2. Eleven and over.
- 4.3. Numbers in combination.
- 4.4. Beginning a sentence.
- 4.5. Money.
- 4.6. Percentages.
- 4.7. Fractions.
- 4.8. Ages.
- 4.9. Time of day.
- 4.10. Dates.
- 4.11. Measurements.

§ 4.1. Ten and under.

Numbers ten and under are expressed in words, except as provided for in §§ 4.3 and 4.11 (relating to numbers in combination; and measurements).

§ 4.2. Eleven and over.

Numbers 11 and over are expressed in figures.

§ 4.3. Numbers in combination.

Numbers 10 and under are expressed in figures when used in combination with at least one number over 11.

Example:

There may be 1, 9 or 15 posts per acre.

§ 4.4. Beginning a sentence.

Numbers are expressed in words when used at the beginning of a sentence.

§ 4.5. Money.

Money is expressed in figures. Avoid stating a dollar amount at the beginning of a sentence.

Examples:

5¢	\$5.25	\$5 million
25¢	\$100	\$6.5 million (not \$6,500,000)
\$5	\$25,000.25	\$1,349,980

§ 4.6. Percentages.

Percentages are expressed in figures followed by the percent symbol.

Examples:

0.5%

5%

25%

§ 4.7. Fractions.

Fractions are expressed in figures.

Examples:

1/2

2/3

5/8

§ 4.8. Ages.

- (a) Age is stated as “__ years of age or older” or “under __ years of age.”
- (b) It is not necessary to say “reaching his ___ birthday.” The phrase “___ years of age or older” means the same thing. For example, when someone has reached his 21st birthday, that person is 21 years of age.
- (c) If it is intended to include persons who have reached their 18th birthday, but not their 70th birthday, say “a person 18 years of age or older but under 70 years of age.”

§ 4.9. Time of day.

When the time is on the hour, do not include the colon and double zeros. References to times must include “a.m.” or “p.m.”

Example:

The office opens at 8 a.m. and closes at 4:30 p.m.

§ 4.10. Dates.

Full dates are used in text. In the middle of a sentence, a comma is placed after the year. Do not abbreviate the month. Numbers are used for days and years.

Examples:

October 18, 2014

July 3

July 1995

§ 4.11. Measurements.

Numbers are expressed in figures when used with time or distance.

CHAPTER 5. CITATIONS

Sec.

- 5.1. Pennsylvania statutes.
- 5.2. Pennsylvania Constitution.
- 5.3. Pennsylvania court rules.
- 5.4. *Pennsylvania Code*.
- 5.5. *Pennsylvania Bulletin*.
- 5.6. Federal statutes.
- 5.7. *Code of Federal Regulations*.
- 5.8. *Federal Register*.
- 5.9. Nonstatutory and nonregulatory materials.
- 5.10. Citation at the beginning of a sentence.
- 5.11. References.
- 5.12. Cross-references.
- 5.13. Series of sections.
- 5.14. Quotations.

§ 5.1. Pennsylvania statutes.

- (a) *Unconsolidated statute without official short title*. Use the official act date, public law number and act number followed by a Purdon's citation with a section symbol and known as title, if applicable. "P.L." and "No." are the short form citations. "P.S." is the short form *Purdon's* citation.

the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1102—1208), known as the Commonwealth Documents Law (CDL),

section 204 of the CDL (45 P.S. § 1204)—*subsequent references*

section 1 of the act of April 27, 1927 (P. L. 465, No. 299) (35 P. S. § 1221), known as the Fire and Panic Act,

- (b) *Unconsolidated statute with official short title*. Use the official short title and Purdon's citation with a section symbol. "P.S." is the short form *Purdon's* citation.

The Clean Streams Law (35 P. S. §§ 691.1—691.1001)

section 1 of The Clean Streams Law (act) (35 P.S. § 691.1)

section 1 of the act—*subsequent references*

section 901 of the Health Care Facilities Act (35 P.S. § 448.901), regarding existing facilities and institutions,—*limited use of "regarding" is acceptable*

- (c) *Pennsylvania Consolidated Statutes*. Use numerical citations with a section symbol; use (regarding) for section or the official short title for a complete act. "Pa.C.S." is the short form citation. See § 5.12 (relating to cross-references).

3 Pa.C.S. Chapter 65 (relating to the Food Employee Certification Act)

58 Pa.C.S. § 2310 (relating to administrative penalties)

§ 5.2. Pennsylvania Constitution.

The Pennsylvania Constitution is cited as follows. “Pa.Const.” is the short form citation.

Pa.Const. Art. II, § 2

§ 5.3. Pennsylvania court rules.

Pennsylvania court rules are cited as follows:

<i>Rules</i>	<i>Citation</i>	<i>Pa. Code Title</i>
Court of Judicial Discipline Rules of Procedure	C.J.D.R.P.	207, Part IV
Disciplinary Board Rules		204, Chs. 85—95
Judicial Council Rules		204, Part VI
Minor Court Civil Rules	Pa.R.C.P.D.J.	246
Pennsylvania Bar Admission Rules	Pa.B.A.R.	204, Part IV
Pennsylvania Rules of Appellate Procedure	Pa.R.A.P.	210
Pennsylvania Rules of Civil Procedure	Pa.R.C.P.	231
Pennsylvania Rules of Continuing Legal Education	Pa.R.C.L.E.	204, Chapter 82
Pennsylvania Rules of Criminal Procedure	Pa.R.Crim.P.	234
Pennsylvania Rules of Disciplinary Enforcement	Pa.R.D.E.	204, Chapter 83
Pennsylvania Rules of Evidence	Pa.R.E.	225
Pennsylvania Rules of Judicial Administration	Pa.R.J.A.	201
Pennsylvania Rules of Juvenile Court Procedure	Pa.R.J.C.P.	237
Supreme Court Orphans’ Court Rules	Pa.O.C. Rules	231, Part II

§ 5.4. Pennsylvania Code.

The *Pennsylvania Code* is cited by title number and chapter or section number with a section symbol. “Pa. Code” is the short form citation. See § 5.12.

Chapters 121, 123 and 139 (relating to general provisions; standards for contaminants; and sampling and testing)—*within the same title*

28 Pa. Code § 23.10(b) (relating to scoliosis screening)—*to a different title*

§ 5.5. *Pennsylvania Bulletin.*

The *Pennsylvania Bulletin* is cited by volume, page number and date. “Pa.B.” is the short form citation.

36 Pa.B. 510 (February 4, 2006)

§ 5.6. Federal statutes.

(a) *United States Code Annotated.* Use the official short title and *United States Code Annotated* citation with a section symbol. “U.S.C.A.” is the short form citation.

Pollution Prevention Act of 1990 (42 U.S.C.A. §§ 13101—13109)

sections 111 and 112 of the Clean Air Act (42 U.S.C.A. §§ 7411 and 7412)

(b) *Public law.* Use the official short title and public law number. “Pub. L. No.” is the short form citation.

the Health Care and Education Reconciliation Act of 2010 (Pub L. No. 111-152)

§ 5.7. *Code of Federal Regulations.*

The *Code of Federal Regulations* is cited by title number and chapter or section number. Do not use section symbol. “CFR” is the short form citation. See § 5.12.

40 CFR Part 63, Subpart KK (relating to National emission standards for the printing and publishing industry)

40 CFR 60.45(b)(1) (relating to emissions and fuel monitoring)

§ 5.8. *Federal Register.*

The *Federal Register* is cited by volume, page number and date. “FR” is the short form citation.

62 FR 38652 (July 18, 1997)

§ 5.9. Nonstatutory and nonregulatory materials.

(a) References to nonstatutory and nonregulatory materials should provide information to direct readers to sources. In addition to the title, provide relevant details such as a responsible entity or author and year of publication.

Example:

According to the Game Commission’s Stocked Trout Program: Cost Report (March 2009), trends in population...

(b) Articles published in academic journals are cited as follows:

Last name of author, Initials. (year). "Title of article." *Title of periodical*, vol.(issue), pages.

(c) Books are cited as follows:

Last name of author, Initials. (year). *Title*. Place of publication: Publisher.

(d) Web sites are cited as follows.

Author, A. (date). Title of document. Retrieved from <http://URL>

§ 5.10. Citation at the beginning of a sentence.

A citation at the beginning of a sentence begins with the chapter or section followed by the remainder of the citation. See § 5.11 (relating to references).

Section 301 of The Insurance Company Law of 1921 (40 P.S. § 421) directs companies to...

Chapter 4 of 22 Pa. Code (relating to academic standards and assessment) was amended...

Section 304 of 30 Pa.C.S. (relating to waterways patrolmen and employees) requires...

§ 5.11. References.

Use specific references in regulations. Ambiguous references such as "herein," "above," "below," "hereinafter" and "such" may not be used.

Use:

The fees in subsection (b) shall be submitted to the Board.

§ 5.12. Cross-references.

(a) *Regulations.*

(1) "Relating to" is used when citing the *Pennsylvania Code*, the *Pennsylvania Consolidated Statutes* and the *Code of Federal Regulations*.

(2) "Relating to" is only used for the major divisions of regulations. See § 2.1 (relating to arrangement of *Code*).

(i) A subsection or paragraph heading is not used in the (relating to).

(ii) The heading for the division of the regulation is used in the (relating to).

(3) Do not use (relating to) when more than three chapters or sections are referenced.

- (4) Do not use (relating to) more than once for each reference to the same regulation within a section, preamble or notice.

Examples:

Code cross-reference within the same title—The package must contain a label with the information required under § 39.4 (relating to contents of labels).

Code cross-reference to another title—Evidence of self-insurance under 31 Pa. Code Chapter 243 (relating to medical malpractice and health-related self-insurance plans).

...participated in a program of random drug testing that meets the standards of 46 CFR Part 16 (relating to chemical testing).

...as stated under § 21.12 or § 21.13 (relating to mooring and launching; and motorized boats)...

...the Bureau will adhere to 49 Pa. Code § 40.202(c)(2) (relating to suspected child abuse and mandated reporting requirements)—*not § 40.202(c)(2) (relating to written reports)*

- (b) *Statutes.* “Relating to” information is not listed for Pennsylvania or Federal statutes. If it is necessary to provide further information or clarification, “regarding” should be used as follows:

Example:

Under section 401 of the Milk Marketing Law (31 P.S. § 700j-401), regarding milk dealers or handlers required to be licensed, a broker shall...

§ 5.13. Series of sections.

To refer to a series of consecutive sections, join the first and last sections in the series with an em dash. Do not use “et seq.”

Example:

§§ 3.1—3.9

§ 5.14. Quotations.

Sentences or paragraphs that are stated verbatim from regulations, statutes and other sources must be formatted as follows:

- (1) Clearly cite the source material.
- (2) Text quoted within a quotation is indicated by single marks.
- (3) A lower case letter may be substituted for an upper case letter. The substituted letter is shown in brackets.

- (4) Substituted words and clarifying text are designated by brackets.
- (5) An error in quoted text is acknowledged by noting “[sic]” directly following the incorrect language.
- (6) Words that are omitted from the original text are indicated by ellipses, that is, three periods. Do not use ellipses at the beginning of a quotation. Omitted words at the end of the sentence are shown with ellipses and a period.
- (7) Quotations of 49 words or less are indicated by quotation marks within a paragraph.
- (8) When 50 words or more are quoted, the text is shown as a separate paragraph that is indented on the left and right. Quotation marks are not used. Clearly indicate the source material before or after the block text.

Examples:

Section 322(c)(8) of the code (relating to powers and duties of commission) specifically empowers the Commission to “[a]dd to or change the classification of any wild bird or wild animal.”

Under section 306 of the act (40 P.S. § 1303.306), “recommendations made to medical facilities pursuant to subsection (a)(4) may be considered by the department for licensure purposes under the act of July 19, 1979 (P.L. 130, No. 48) ... [and] shall not be considered mandatory” unless a facility...

CHAPTER 6. PUNCTUATION, GRAMMAR AND USAGE

Sec.

- 6.1. Commas.
- 6.2. Abbreviations.
- 6.3. Acronyms.
- 6.4. Active voice.
- 6.5. Tense.
- 6.6. Commonwealth government or territory.
- 6.7. Use of “shall,” “will,” “must” and “may.”
- 6.8. Use of “do not.”
- 6.9. Gender.
- 6.10. Persons with disabilities.
- 6.11. Mood.
- 6.12. Conditional clauses.
- 6.13. Number and subject.
- 6.14. Infinitives.
- 6.15. Words and phrases.
- 6.16. Words and phrases to avoid.

§ 6.1. Commas.

- (a) In a series, the comma joining the last two items is omitted. In some instances, it may be necessary to include a comma in a series.

The basket shall contain apples, oranges and pears.

A permit shall be mailed, e-mailed or faxed.

Participants in this organization include regulatory agencies, consumer groups, food service and retail store trade associations, and retail food facility operators.

- (b) Use commas instead of parentheses when possible.
- (c) Use commas in an address between the street, city and state. Do not include a comma between the state and zip code.

§ 6.2. Abbreviations.

- (a) Avoid using abbreviations unless absolutely necessary. An abbreviation must be written in the first time it is used followed by the abbreviation in parenthesis.
- (b) Generally, units of measure should be written in full rather than abbreviated. The use of an abbreviation in a table, however, is acceptable to save space.
- (c) Abbreviations that are widely used are acceptable.

§ 6.3. Acronyms.

(a) *Preambles and notices.*

- (1) An acronym used in a preamble or notice is stated in full when it is first used followed by the acronym in parenthesis. Subsequent references are to the acronym.

Example:

This final-form rulemaking will be implemented, in part, through the National Pollutant Discharge Elimination System (NPDES) permitting program. The NPDES permitting program has been...

- (2) An acronym that is only used one time must be stated in full. An acronym will not be stated, even in cases when the acronym is commonly used.

(b) *Regulations.*

- (1) An acronym that is used throughout a chapter or subchapter should be included in the definition section. See § 2.11 (relating to definition section).
- (2) An acronym that is used only in one section must be stated in full when initially used followed by the acronym in parenthesis. Subsequent references are to the acronym.

(c) *Generally.*

- (1) An acronym in parenthesis is singular.
- (2) An apostrophe is not needed for plural acronyms.

§ 6.4. Active voice.

- (a) Regulations should be written in active voice. This helps readers know who is responsible for doing something under the regulation. In the active voice, the subject is doing the action. Use the active voice because sentences with passive verbs are often awkward.

Example:

Active voice—The Department will review the permit.

Passive voice—The permit is reviewed by the Department.

- (b) The use of the active voice is especially effective when the writer confers a power or privilege or imposes a duty because the active voice makes clear to the reader who is to perform the duty or who is vested with the power or privilege. Arrange the sentence to name the actor first and then the recipient.

§ 6.5. Tense.

The present tense addresses the condition at both the time a regulation was promulgated, the current time and a future time.

§ 6.6. Commonwealth government or territory.

- (a) *Government.* The government of the Commonwealth of Pennsylvania at the Statewide level is referred to as “the Commonwealth.”

Examples:

Permits are issued by the Commonwealth.

The Commonwealth maintains 1,200 vehicles.

- (b) *Territory.* The territory under the jurisdiction of the Commonwealth of Pennsylvania is referred to as “this Commonwealth.”

Examples:

There are 67 counties in this Commonwealth.

The regulations will protect the health and safety of the citizens of this Commonwealth.

- (c) The use of “Pennsylvania” should be avoided.

§ 6.7. Use of “shall,” “will,” “must” and “may.”

- (a) “Shall” expresses a duty or obligation. The subject of the sentence must be a person, committee or other nongovernmental entity that is required to or has the power to make a decision or take an action.

The applicant shall mail the application to the Department.

The municipal authority shall comply with § 21.2 (relating to procedures).

The permit shall be filed before January 1, 2016.—*A person acts on behalf of the object. The object cannot act on its own.*

- (b) “Shall not” negates the obligation but not the permission to act. Therefore, this term is not used. “May not” is the stronger prohibition and used in regulations.

- (c) “Will” indicates that the Commonwealth pledges to act.

The Department will review the application within 1 month.

The Board will conduct the hearing.

- (d) “Will not” indicates that the Commonwealth does not act.

The Department will not renew a lapsed application.

The Board will not review a faulty document.

(e) “Must” is used when referring to an inanimate object.

The well must be 100 feet deep.

The door must be metal.

(f) “May” is used in the permissive sense to express a right, power or privilege. This is a discretionary action.

The applicant may call the Department.

A red pen may be used.

(g) “May not” denotes the curtailment of a right, power or privilege.

The applicant may not e-mail the permit application.

A well may not be less than 200 feet deep.

§ 6.8. Use of “do not.”

Use “do not” or “does not” when the prohibition applies directly to the regulations.

§ 6.9. Gender.

(a) Avoid the use of gender-based descriptions and masculine pronouns.

Do Not Use:

His name...

If he is...

Use:

The applicant's name...

If the individual is...

(b) Words used in the masculine gender include the feminine under 1 Pa.C.S. § 1902 (relating to number; gender; tense).

(c) Words that show gender distinctions may be used in a regulation that specifically applies to only one sex.

Do Not Use:

If the alleged father appears for trial without having filed a written answer, the court shall advise the alleged father of the alleged father’s right to...

Use:

If the alleged father appears for trial without having filed a written answer, the court shall advise him of his right to...

§ 6.10. Persons with disabilities.

Avoid personifying disabilities or using physical conditions as adjectives.

Use:

a person with an intellectual disability

a person with disabilities

§ 6.11. Mood.

Use the indicative mood. The indicative mood expresses fact.

Example:

If it *is* determined... (indicative)

If it *be* determined... (subjunctive)

§ 6.12. Conditional clauses.

(a) Do not use “where” or “should” to introduce a condition in a section.

(b) Use “if” or “when” depending on the kind of condition.

(1) Use “if” to introduce a condition that may or may not occur.

Example:

If an applicant fails the examination, the applicant shall wait 30 days before reapplying.

(2) Use “when” to introduce a condition that is considered inevitable or when a time element is involved.

Example:

When the Board of Commissioners meets, it will hear the appeal.

§ 6.13. Number and subject.

(a) *Agreement.* A verb must agree (plural or singular) with its subject.

(b) *Compound subjects.*

(1) A compound subject joined by the conjunction “and” is plural and requires a plural verb.

An application and a copy are required...

- (2) A compound subject joined with “or” or “nor” requires a singular verb if both parts are singular.

When a permittee or licensee purchases an application...

- (3) A compound subject joined with “or” or “nor” requires a plural verb if both parts are plural.

Licensed practical nurses or registered nurses are not subject to this section.

- (4) When one subject is singular and one is plural, the verb agrees with the subject nearest to it. For example:

Neither the licensor nor the licensees are subject to the tax.

- (c) *Collective nouns.* Singular verbs and singular pronouns are used with collective nouns that refer to the group as a whole. When a collective noun refers to the members of a group, a plural verb is used.

§ 6.14. Infinitives.

Avoid splitting verbs and infinitives.

Do Not Use:

A corporation shall, if it earns more than \$600 a year, file a tax return.

Use:

A corporation shall file a tax return if it earns more than \$600 a year.

§ 6.15. Words and phrases.

(a) *General.*

- (1) Use short, familiar words and phrases that best express the intended meaning.
- (2) Avoid long words, especially when a short word conveys the same message.
- (3) If it is possible to omit a word and preserve the meaning of the sentence, omit the word.
- (4) Be consistent.
- (i) Use the same word in regulations when the same meaning is intended.

Do Not Use:

A motor vehicle owner shall register the owner’s *car* with the police department.

Use:

An *automobile* owner shall register the owner’s *automobile* with the police department.

(ii) Do not use the same word to convey more than one meaning.

Do Not Use:

(a) The manufacturer shall equip each *tank* with the following:

(1) A neon search light.

(2) A 50-caliber machine gun.

(3) A 200-gallon *tank* for fuel.

(b) The manufacturer shall galvanize the *tank* to prevent corrosion.

Use:

(a) The manufacturer shall equip each *tank* with the following:

(1) A neon search light.

(2) A 50-caliber machine gun.

(3) A 200-gallon *fuel container*.

(b) The manufacturer shall galvanize the *tank* to prevent corrosion.

or

(b) The manufacturer shall galvanize the *fuel container* to prevent corrosion.

(5) Avoid making a verb phrase when a simple verb will do. Draft sentences to use action verbs instead of participles, infinitives, gerunds and other noun or adjective verb forms. Action verbs are shorter and more direct.

(b) *Words or phrases to be avoided or eliminated.*

(1) Foreign phrases, scientific words and jargon. Substitute an everyday English equivalent if possible.

(2) Archaic language.

(3) Technical language. When technical language is needed, it should be defined in a definition section or first use in a regulation.

(4) Provisos. The proviso is archaic and legalistic; it usually results in a long and unintelligible sentence. Use the following drafting conventions to avoid expressions such as “provided,” “provided however” and “provided that.”

(i) To introduce a qualification or limitation to the rule, use “but.”

(ii) To introduce an exception or limitation to the rule, use “except that.”

(iii) To introduce a condition to the rule, use “if.”

(iv) If the clause is a separate complete thought, use a new sentence or subsection.

Do Not Use:

A reasonable and lawful use is permitted provided that the surface water quality is not adversely affected.

Use:

A reasonable and lawful use is permitted if the surface water quality is not adversely affected.

- (5) Contractions.
- (6) Indefinite terms. For example, “acceptable” and “reasonable.”
- (7) Meaningless words and phrases. For example, “all,” “any,” “every,” “duly,” “set forth in” and “in order.”
- (8) And/or. Use “_____ or _____, or both,” instead.
- (9) Redundancies.
 - (i) Pairs of words having the same effect, such as “above and beyond,” “null and void” and “sole and exclusive.”
 - (ii) Pairs of words, one of which includes the other, such as “authorize and direct,” “means and includes” and “necessary or desirable.”
 - (iii) “The provisions of” is usually redundant.
- (10) Legal jargon.
- (11) “Such” or “said” when used as demonstrative adjectives because these terms are:
 - (i) Incorrect under accepted writing standards.
 - (ii) Stilted ways of saying something generally better expressed by “that,” “the,” “those,” “it,” “them,” and the like.
 - (iii) Easily confused with the more appropriate uses of “such.”

§ 6.16. Words and phrases to avoid.

This section contains words to be avoided accompanied by preferred substitutions.

<i>Avoid</i>	<i>Use</i>
above and beyond	beyond
absolutely null and void and of no effect	void
accorded	given
adequate number of	enough
afforded	given
all of the ____	the ____
are presently in progress	are in progress
at such time as	when
at that point in time	then
at the time of	when
at this point in time	now
attains the age ____	becomes ____ years
authorize and direct	authorize

<i>Avoid</i>	<i>Use</i>
be and the same hereby is	is
by means of	by
by reason of	because of
cause it to be done	have it done
cease	stop
close proximity	close
commence.....	begin, start
contiguous to	next to
deem	consider
delete a regulation.....	rescind a regulation
does not operate to	does not
due to the fact that.....	because
duly referenced.....	referenced
during such time as	during, while, when
during the course of	during
each and all	each
each and every.....	each
each such	each
effectuate.....	carry out
e.g.....	for example, such as
et al.	and others
enter into a contract with.....	contract with
etc.	, and the like
evince	show
expeditiously as possible	as soon as possible
feasible.....	possible
finalize.....	complete
for the duration of	during
for the period of	for
for the purpose of ___ ing.....	to ___
for the reason that.....	because
formulate	make
forthwith	immediately
from and after.....	from
from July 1, 2011	after June 30, 2011
full force and effect	effect
give consideration to	consider
give recognition to	recognize
grandparenting	grandfathering
has the duty to.....	shall
have in ___ possession	have, possess
have knowledge of.....	know

<i>Avoid</i>	<i>Use</i>
have need of	need
hereafter	after this ___ takes effect
herein, hereunder	in this section
hereinafter	after this
heretofore	before this ... takes effect
i.e.	that is,
in case, in the event of	if
in cases which, in the case of	when, where
in close proximity to	close to, near
in its discretion	may
in lieu of	instead of
in order to	to
in the event that	if
in the interest of	for
inasmuch as	since
includes, but is not limited to,	includes
institute	begin, start
interrogate	question
irregardless	regardless
is able to	can
is applicable	applies
is authorized and directed to	shall
is authorized to	may
is defined to mean	means
is dependent on	depends on
is directed to	shall
is empowered to	may
is entitled	may
is in attendance at	attends
is not precluded from	may
is required to	shall
is unable to	cannot
it is the duty to	shall
make application	apply
make payment	pay
make provision	provide
may, at his discretion,	may
necessitate	require
no later than June 30, 2011	before July 1, 2011
not precluded from	may
nothing in this section may be construed	this section does not
null and void	void

<i>Avoid</i>	<i>Use</i>
of a technical nature	technical
occasion (as a verb).....	cause
on the part of	by
or, in the alternative	or
per annum.....	annually, yearly
per centum.....	percent
period of time	period, time
portion	part
prescribe	require
present incumbent	incumbent
prior	before
proscribe	prohibit
provided however	if
provision of law.....	law
pursuant to	under
render (in the sense of “give”)	give
render (meaning “cause to be”).....	make
repeal a regulation.....	rescind a regulation
required by.....	required under
said	that, these, the, them, this, it
separate and apart.....	apart
shall be	is
shall be construed to mean	means
shall have the power to	may
shall mean	means
shall not.....	may not or will not (see § 6.8)
so as to	to
sole and exclusive	sole specified (meaning “mentioned” or “listed”)
subsequent to	after
such	that, these, the, them, this, it
suffer (meaning “permit”)	permit
sufficient number of	enough
terminate	end
the manner in which.....	how
thereof	of it, of them (or delete entirely)
to the effect that.....	that
(is) unable to	cannot
under the provisions of.....	under
unless and until.....	unless
until such time as	until
upon	on

<i>Avoid</i>	<i>Use</i>
utilize, employ (meaning "use")	use
vendee	buyer
via	by means of, through
where (meaning "if")	if
whereby	by which
whereupon.....	on which
whether or not.....	whether
with reference to	about
with the object of ___ ing.....	to ___

CHAPTER 7. ENUMERATIONS

Sec.

7.1. General.

7.2. Form, style and punctuation.

§ 7.1. General.

Enumeration is used to list a series of items or concepts, each of which relates to common introductory language. Enumeration may enhance clarity and prevent ambiguity. This structure avoids the confusion that comes from lumping a large mass of conditions together before a standard.

§ 7.2. Form, style and punctuation.

- (a) When a subsection contains a list or a series, the text should be subdivided into paragraphs that are structured similarly and flow logically from the introductory language. It is critical to indicate if the items are mandatory or optional and if one, some or all of the items are mandatory.

Examples:

§ 41.22. Motor carrier passenger transportation services by municipal corporations or State instrumentalities.

As a general rule, a passenger transportation service is not subject to Commission jurisdiction when provided by *any of the following*:

- (1) State instrumentalities.
- (2) Municipal authorities.

§ 101.142. Additional staff application materials.

A professional staff member *shall submit the following* to the Department with the administrative and instructional staff application:

- (1) A statement certifying that the applicant...
- (2) A list of names, addresses and telephone numbers of three persons...

(b) The enumerations must have parallel structure.

Examples:

§ 22.804. Application for license.

The Board may issue a license to practice as a counselor to an applicant who:

- (1) Submits an application to the Board by February 20, 2015.
- (2) Demonstrates that the applicant is at least 21 years of age and of good moral character.
- (3) Demonstrates that he has received a master's degree or higher.

§ 3.12. Inoculations.

A veterinarian shall inoculate an animal against infection if the animal is:

- (1) Seven months of age or older.
- (2) Owned by a resident of this Commonwealth.
- (3) Free from infection by:
 - (i) Tapeworms.
 - (ii) Roundworms.
 - (iii) Hookworms.
 - (iv) Heartworms.

(c) The style and punctuation of enumerations must conform to the following:

- (1) The items in the enumeration belong to the same class, that is, the enumeration has a common theme or thread.
- (2) Each item in the enumeration must be responsive, in form and in substance, to the material immediately preceding the colon.
- (3) Unless it is a “pure” list, each item in the list must express a complete thought when combined with the language that introduces the enumeration.

Do Not Use:

An application is exempt if the person:

- (1) Signs the application under oath.
- (2) Pays the required fee.
- (3) Anything else the Secretary reasonably requires.

Use:

An application is exempt if the person:

- (1) Signs the application under oath.
- (2) Pays the required fee.
- (3) Does anything else the Secretary reasonably requires.

- (4) If the tabulated material takes the form of a sentence in which the enumeration is an integral part, each item must begin with a capital letter and end with a period.
- (5) If the tabulated material takes the form of a simple list following a sentence that is otherwise complete, each item must begin with a capital letter and end with a period.
- (6) Do not include “and” or “or” at the end of the penultimate item.
- (7) Semicolons are not used in series or lists.
- (8) Each item in the enumeration must include a subdivision notation. Do not continue or “float” a sentence or paragraph at the end of an enumeration.

Do Not Use:

Warranties are implied that the improvement is:

- (1) Free from faulty materials.
- (2) Constructed according to sound engineering standards.
- (3) Constructed in a workmanlike manner.
- (4) Fit for habitation.

This applies at the time of delivery of the deed to a completed improvement.

Use:

Warranties are implied that, at the time of delivery of the deed to a completed improvement, the improvement is:

- (1) Free from faulty materials.
- (2) Constructed according to sound engineering standards.
- (3) Constructed in a workmanlike manner.
- (4) Fit for habitation.

CHAPTER 8. DIRECTNESS

Sec.

8.1. Positive ideas.

8.2. Use of exceptions.

§ 8.1. Positive ideas.

A provision that may be accurately expressed either positively or negatively should be expressed positively.

Do Not Use:

The Director may not appoint persons other than those qualified by the Department of Personnel for the Assistant's position.

Use:

The Director will appoint a person qualified by the Department of Personnel for the Assistant's position.

§ 8.2. Use of exceptions.

If possible, state a requirement directly rather than by use of exceptions.

Do Not Use:

Persons except those 18 years of age or older shall...

Use:

An individual under 18 years of age shall...

CHAPTER 9. THIRD-PERSON

Sec.

9.1. Use.

9.2. Use of “any” and “all.”

9.3. Use of “a,” “an,” “the,” “each” and “every.”

§ 9.1. Use.

A sentence that imposes an obligation on an entity to act or not to act, or that gives permission to an entity to act or not to act, should be stated in the third-person singular.

Do Not Use:

Persons applying for a permit...

Use:

A person applying for a permit...

§ 9.2. Use of “any” and “all.”

A singular subject in a sentence is preferable. There is not a need to state “any person.” “A person” is sufficient as it is as inclusive as “any person.”

Do Not Use:

All persons conducting business shall...

All businesses shall reply by...

Any nursing home requesting...

Use:

A person conducting business shall...

A business shall reply by...

A nursing home requesting...

§ 9.3. Use of “a,” “an,” “the,” “each” and “every.”

(a) Use the articles “a,” “an” and “the” instead of “all,” “any,” “each” and “every.”

Do Not Use:

Any person who violates this section shall...

Use:

A person who violates this section shall...

(b) Use “each” when referring to separate members of a group rather than the group as a whole.

Do Not Use:

A member of the Board shall take the oath...

Use:

Each member of the Board shall take the oath...

(c) Use “a” or “an” before a word intended as a *general* reference.

Do Not Use:

The notice shall be sent...

Use:

A notice shall be sent...

(d) Use “the” before a word intended as a *specific* reference.

Do Not Use:

A licensee shall file...

Use:

The licensee shall file...

CHAPTER 10. AMBIGUITY

Sec.

10.1. General.

10.2. Word order.

10.3. Word meaning.

§ 10.1. General.

A sentence that a reader may interpret two or more ways is ambiguous. Ambiguity has two common sources—word order and word meaning.

§ 10.2. Word order.

The position of words in a sentence is the principal means of showing the relationship. The following conventions address the most common word order problems.

- (1) Place the subject and verb of a sentence as close together as reasonably possible.

Do Not Use:

The Secretary, with the approval
of the Governor, will...

Use:

With the approval of the Governor,
the Secretary will...

- (2) The careless placement of a modifier may result in the same sentence having several meanings.

Do Not Use:

John saw Jane driving down the street.

Use:

While driving down the street, John
saw Jane.

or

John saw Jane, who was driving
down the street.

- (3) If a pronoun could refer to more than one person or object in a sentence, repeat the term referring to the individual or object.

Do Not Use:

There is a fly in your salad. Do you want
to eat it?

Use:

There is a fly in your salad. Do you
want to eat your salad?

- (4) A common example of a problem with word order occurs when two or more prepositional phrases are grouped together in a sentence.

Do Not Use:

Each subscriber to a newspaper in Philadelphia...

Use:

Each newspaper subscriber in Philadelphia...

or

Each subscriber to a newspaper published in Philadelphia...

- (5) Do not place a modifier so that it is unclear whether it modifies a single item in a series or each item in the series.

Do Not Use:

A gasoline-powered automobile, truck or van

Use:

A truck, van or gasoline-powered automobile, ...

A child or relative who resides in this Commonwealth...

A relative who resides in this Commonwealth or a child...

- (6) Place adverbs such as “only” as close as possible to the word being modified. Placement usually occurs before the word being modified.

§ 10.3. Word meaning.

- (a) Word meaning problems occur when one word or phrase is open to several interpretations.

- (b) Use the singular noun rather than the plural noun. This will avoid the problem of whether the rule applies separately to each member of a class or jointly to the class as a whole.

Do Not Use:

The guard shall issue security badges to the technicians who work in Building D and Building E.

Use:

The guard shall issue a security badge to each technician who works in Building D and each technician who works in Building E.

or

The guard shall issue a security badge to each technician who works in both Building D and Building E.

(c) Draft an expression of time as accurately as possible. Avoid the use of time relational words, such as “now,” “presently” and “currently.”

Do Not Use:

The administrator is entitled to a salary equal to that of a shepherd, as now prescribed by law.

Use:

The administrator is entitled to a salary of \$50,000.

or

The administrator is entitled to a salary equal to that of a shepherd, as that amount is established by law.

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