

RULES AND REGULATIONS

Title 61—REVENUE

DEPARTMENT OF REVENUE

[61 PA. CODE CH. 117]

Return of Information as to Payment in Excess of \$10

The Department of Revenue (Department), under the authority contained in section 354 of the Tax Reform Code of 1971 (TRC) (72 P. S. § 7354), by this order amends § 117.18 (relating to return of information as to payment in excess of \$10).

Purpose of Amendment

In March 1996, the Department adopted a final-form regulation that amended § 117.18 in addition to other personal income tax regulatory sections. During the final stages of the adoption process, a public comment was made regarding the information return required to be made by a regulated investment company. As a result of this public comment, the Department is amending § 117.18.

Explanation of Regulatory Requirements

This amendment allows a regulated investment company to meet the information return requirement of § 117.18(c) in two additional ways. A regulated investment company that furnishes a Federal Form 1099-DIV to its distributees may now attach or provide a separate statement that, together with the information on the Federal form, allows distributees to compute the correct amount of Pennsylvania exempt-interest dividends. A regulated investment company that is not required to furnish its distributees with a Federal Form 1099-DIV may provide a statement that allows the distributees to compute the amount of taxable dividend distributions and any adjustment to basis or taxable gain for the taxable year.

Affected Parties

Regulated investment companies that have chosen not to report their investors' items of income and distribution using either the Pennsylvania Form 1099-DIV or a separate statement showing the ratio of Pennsylvania exempt-interest dividends to total ordinary dividends reported on the Federal Form 1099-DIV will be affected by this amendment.

Comment and Response Summary

Notice of proposed rulemaking was published at 27 Pa.B. 2125 (May 3, 1997). This amendment is being adopted with no changes to the proposed rulemaking.

The Department did not receive any comments during the public comment period. No comments were received from the House or Senate Finance Committee. No comments were received from the Independent Regulatory Review Commission (IRRC).

Fiscal Impact

The Department has determined that the amendment will have no fiscal impact on the Commonwealth.

Paperwork

The amendment will not generate additional paperwork for the public or the Commonwealth.

Effectiveness/Sunset Date

The amendment will become effective upon final publication in the *Pennsylvania Bulletin*. The amendment is scheduled for review within 5 years of final publication. No sunset date has been assigned.

Contact Person

The contact person for an explanation of the final-form regulation is Anita M. Doucette, Office of Chief Counsel, Department of Revenue, Dept. 281061, Harrisburg, PA 17128-1061.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on April 23, 1997, the Department submitted a copy of the notice of proposed rulemaking, published at 27 Pa.B. 2125, to IRRC and the Chairpersons of the House and Senate Committees on Finance for review and comment. In compliance with section 5(c) of the Regulatory Review Act, the Department also provided IRRC and the Committees with copies of all comments received, as well as other documentation.

In preparing this final-form regulation, the Department has considered all comments received from IRRC, the Committees and the public.

This final-form regulation was deemed approved by the House and Senate Committees on September 23, 1998. IRRC met on September 24, 1998, and approved the final-form regulation in accordance with section 5.1(e) of the Regulatory Review Act (71 P. S. § 745.5a(e)).

Findings

The Department finds that:

(1) Public notice of intention to adopt the regulation has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The regulation is necessary and appropriate for the administration and enforcement of the authorizing statute.

Order

The Department acting under the authorizing statute, orders that:

(a) The regulations of the Department, 61 Pa. Code Chapter 117, are amended by amending § 117.18 to read as set forth in Annex A with ellipses referring to the existing text of the regulation.

(b) The Secretary of the Department shall submit this order and Annex A to the Office of General Counsel and the Office of Attorney General for approval as to form and legality as required by law.

(c) The Secretary of the Department shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(d) This order shall take effect upon publication in the *Pennsylvania Bulletin*.

ROBERT A. JUDGE, Sr.
Secretary

(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 28 Pa.B. 5189 (October 10, 1998).)

Fiscal Note: 15-380. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 61. REVENUE

PART I. DEPARTMENT OF REVENUE

Subpart B. GENERAL FUND REVENUES

ARTICLE V. PERSONAL INCOME TAX

CHAPTER 117. RETURN AND PAYMENT OF TAX

§ 117.18. Return of information as to payment in excess of \$10.

* * * * *

(c) *Pennsylvania information return.* The Pennsylvania information return shall be made in one of the following ways:

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(2) If a regulated investment company furnishes Federal Form 1099-DIV to a recipient in compliance with Federal Income Tax requirements, the Pennsylvania information return may be made by attaching or providing one of the following:

(i) A separate statement showing the ratio of Pennsylvania exempt-interest dividends paid to total ordinary dividends reported on the Federal form.

(ii) A separate statement showing other information, if the statement and Federal form contain sufficient information to enable distributees to compute the correct amount of Pennsylvania exempt-interest dividends.

(3) If a regulated investment company is not required to furnish Federal Form 1099-DIV, the Pennsylvania information return may be made by separate statement showing the amount of dividends, nontaxable distributions and Pennsylvania exempt-interest dividends paid or containing sufficient information to enable distributees to compute the amount of taxable dividend distributions and any adjustment to basis or taxable gain for the taxable year.

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[Pa.B. Doc. No. 98-1875. Filed for public inspection November 13, 1998, 9:00 a.m.]

**Title 67—
TRANSPORTATION**

**DEPARTMENT OF TRANSPORTATION
[67 PA. CODE CH. 175]**

Vehicle Equipment and Inspection

The Department of Transportation (Department), Bureau of Motor Vehicles (Bureau), by this order adopts amendments to Chapter 175 (relating to vehicle equipment and inspection). Notice of proposed rulemaking was published at 26 Pa.B. 4230 (August 31, 1996), with an invitation to submit written comments within 30 days of publication. The Department received nine comments.

Comments Received

The Department received comments from the Independent Regulatory Review Commission (IRRC), the Specialty Equipment Market Association (SEMA), Carlisle

Productions, Posies Incorporated (Posies), Hamlin's Service Center, Automotive Service Association of Pennsylvania, Incorporated (ASAP), Bayfront Auto Center, Lisa Pytlarz and representatives of the inspection station industry who attend meetings of the Safety Roundtable sponsored by the Department. At the request of SEMA and Carlisle Productions, the Department met with representatives of these organizations to discuss the comments submitted in greater detail. The following is a summary of the comments received and the Department's response.

(1) SEMA, IRRC, Posies, Incorporated, Hamlin's Service Center, ASAP and Bayfront Auto Center submitted comments regarding ornamental lighting and cargo lamps. SEMA, IRRC and Posies suggested that § 175.2 (relating to definitions) be further amended to remove requirements that ornamental lamps must be installed by the vehicle manufacturer or provided by the vehicle manufacturer. Since the Department never intended to limit equipment to that provided by vehicle manufacturers, the Department has further amended the proposed regulations to permit ornamental lamps on vehicles if the lamp, at the time of the vehicle's manufacture, was available as standard or optional equipment from the vehicle manufacturer. The Department believes this amendment addresses the commentators' concerns that only vehicle manufacturers can supply replacement or supplemental ornamental lamps.

(2) SEMA, IRRC, Hamlin's Service Center and ASAP suggested the further amendment of § 175.65(b) (relating to tires and wheels). This subsection presently requires vehicle tires to conform to the vehicle manufacturer's specifications as to size. The suggested amendment would incorporate a reference to the Federal Motor Vehicle Safety Standard which vehicle tires must meet at the time of vehicle manufacture. The commentators believed this reference would help maintain continuity between Pennsylvania regulatory requirements and Federal standards. The Department believes the burden of requiring inspection personnel to obtain and interpret these standards is overly cumbersome. In response to the concerns raised by commentators, the Department has further amended this subsection by deleting the requirement that vehicle tires conform to the vehicle manufacturer's specifications relating to tire size. Mirror provisions in §§ 175.95(b), 175.124(b) and 175.145(b) (relating to tires and wheels) have also been amended to reflect this change.

(3) SEMA, IRRC, Carlisle Productions, Bayfront Auto Center, Hamlin's Service Center and ASAP suggested § 175.65(g) be further amended to incorporate a reference to the applicable Federal Motor Vehicle Safety Standards. As previously stated, the Department does not wish to unduly burden inspection personnel by requiring them to obtain and interpret these standards. The Department contacted the commentators to further discuss incorporating references to Federal Motor Vehicle Safety Standards and explained the Department's reasoning for not wishing to do so. As a result of this discussion, all parties concurred that the Department would further amend the proposal to require tires and rims to have a load rating which is equal to or higher than that offered by the vehicle manufacturer. Mirror provisions in §§ 175.95(g) and 175.124(g) have been similarly amended to reflect this change.

IRRC also suggested that the Department consider further amending § 175.65(g) to designate parameters for the maximum size of tires and wheels which exceed the load rating needs of vehicles. The Department

believes that this provision is currently addressed in § 175.80(d)(1)(vi), (vii) and (ix) (relating to inspection procedure). These requirements, which are cause for rejection during the inspection procedure, prohibit tires which are not designated as suitable for highway use or those which extend beyond the body line or makes contact with the body or chassis. Additionally, since advances in manufacturing of tires are constantly changing, the Department is concerned that more restrictive requirements regarding load rating may unwittingly be contrary efforts to promote highway safety. Further, there is no evidence the use of tires with a disproportionately higher load rating than the vehicle requires would cause safety concerns. Therefore, the Department has not amended the proposal in response to this comment.

(4) SEMA and Carlisle Productions commented on the Department's proposed amendment of § 175.65(h), regarding spacers, which are between the wheel and the hub assemblies of a vehicle to increase wheel track (width). Carlisle Productions did not offer alternative language, but believed the Department should be more specific regarding the amount of lug thread that should remain when spacers are added to increase wheel track. SEMA suggested language that the Department believes may be burdensome for inspection personnel since the lengths of wheel lugs used in calculating thread engagement differ from vehicle to vehicle. Therefore, after further consultation with a representative from Meridan Off-Road Center, a four-wheel drive specialty shop located in western Pennsylvania, the Department is further amending the proposal to allow for a wheel spacer if it does not exceed 1/4 inch in thickness. The Department believes this best addresses the concerns of the commentators while maintaining the integrity of the thread engagement. A mirror provision appears in § 175.80(d)(1)(xxi).

(5) SEMA expressed concern with the Department's proposed amendments in §§ 175.66(f), 175.96(f) and 175.125(d) (relating to lighting and electrical systems), which requires lamps of a type used as original equipment. The commentator believed this language could be misinterpreted to prohibit after-market businesses from providing replacement lamps, thus hindering their ability to conduct business in this Commonwealth. The Department met with representatives of SEMA and Carlisle Productions to discuss their concerns. As a result of this meeting, in which all parties concurred that the language appeared to be excessively restrictive, the Department further amended the proposal to eliminate the reference to lamps "of a type used as original equipment" and replaced this phrase with "designed for that specific function." This verbiage adequately satisfied all commentators concerns relating to the after-market providers ability to supply replacement lamps.

(6) SEMA requested the Department amend § 175.66(h) to allow ornamental lamps unless they oscillate, rotate, flash or otherwise create a known safety hazard. Since flashing and revolving lights may be used only on emergency and other authorized vehicles, this type of light is not categorized with ornamental lamps. The use of these lights is addressed in Chapters 15 and 173 (relating to authorized vehicles and special operating privileges; and flashing or revolving lights on emergency and authorized vehicles). Subsection (h) has been amended to reference the relevant chapters and explain that flashing or revolving lights are not ornamental lamps. Therefore, § 175.66(h) has been further amended to clarify that a lamp not enumerated in this section, or located as described in Tables III, IV and V of this

chapter, is prohibited unless available as original equipment, thereby promoting consistency with the amended definition of "ornamental lamps" found in § 175.2. This addresses the concern discussed previously, whereby the proposal appears to restrict after-market businesses from supplying replacement or supplemental lamps. The definition of "ornamental lamps" in § 175.2, and §§ 175.96(h), 175.125(f), 175.146(h) and 175.175(h) (relating to lighting and electrical systems) was similarly amended to provide consistency and clarity throughout the chapter.

(7) SEMA, IRRC, Carlisle Productions, Hamlin's Service Center and ASAP submitted comments regarding § 175.66(l)(10) which allowed white or clear cargo lights if installed as original equipment. The commentators believed the proposal was excessively restrictive. Therefore, § 175.66(l)(10) has been further amended to clarify that white or clear cargo lamps are permitted if this type of lamp was available as original equipment. To maintain consistency throughout the chapter, this amendment also appears in § 175.96(l)(10).

(8) SEMA, Carlisle Productions, Posies, Incorporated, Hamlin's Service Center and ASAP requested the Department further amend the proposal in §§ 175.66(n), 175.96(n) and 175.146(m) and §§ 175.80(c)(6) and 175.110(c)(7) (relating to inspection procedure). These are mirror provisions that address battery fastening. The commentators believed the requirement that battery fastening mechanisms must be equivalent to those used as original equipment could hinder the ability of the after-market industry to provide replacement equipment. The Department agreed the language was excessively restrictive and therefore, further amended these sections to delete reference to equivalency to original equipment and require battery fastening devices that are specifically designed for the secure fastening of the battery.

(9) Carlisle Productions commented on the proposed amendments regarding § 175.67(d)(4) (relating to glazing) which establishes acceptable obstructions forward of the windshield of a vehicle. Carlisle Productions believed the proposed language would adversely affect existing hood scoops, both after-market and manufacturer-installed. They suggested the Department establish guidelines for the visual inspection for this type of obstruction. The Department met with representatives from Carlisle Productions and explained that the proposed amendments establish acceptable parameters by designating that any obstruction forward of the windshield may not extend more than 2 inches upward into the horizontally projected vision area. Since this area is located above any factory installed equipment which does not permit the driver to see through the lowest portion of the windshield (that is, dashboard), this does not adversely impact the use of hood scoops or other equipment which is more than 2 inches high. The Department believed it necessary to address the use of these types of obstructions, such as hood scoops and externally mounted gauges. Presently, language controlling the amount of obstructions forward of the windshield is only addressed in sections pertaining to street rods, specially constructed and reconstructed vehicles. However, the Department believes there are other types of vehicles which are equipped with potentially unsafe obstructions forward of the windshield, thus acceptable criteria is being established in the remaining subchapters. The Department's intention in incorporating the provisions of § 175.67(d)(4) was to provide consistency with similar requirements which apply to street rods, specially constructed and reconstructed vehicles. Since this language is no more restrictive than what appears in § 175.206(c) (relating to glazing), it should not

adversely affect the existing vehicle fleet. Therefore, the requested amendment has not been made.

Further, at 26 Pa.B. 4640 (September 26, 1996), the Department published final-form regulations, amending Chapter 175. The order amended the regulations regarding vehicle glazing as they relate to the use of sun screening devices or other materials and incorporated amendments to § 175.67(d) by adding a new paragraph (4). Since the final-form regulations published at 26 Pa.B. 4640 were adopted after the notice of proposed rulemaking published at 26 Pa.B. 4230, the amendment discussed previously now appears in § 175.67(d)(5). In addition, the amendment published in the notice of proposed rulemaking at 26 Pa.B. 4230 added § 175.80(a)(5)(iii). Because of amendments published as a final adoption order at 26 Pa.B. 4640, this subparagraph now appears in § 175.80(a)(5)(v).

(10) SEMA and Carlisle Productions requested additional amendments to § 175.77(f) (relating to body). Carlisle Productions commented that the proposed language was unclear as to the Department's intent. SEMA believes that the language would prohibit doors which operate in an unconventional manner, thereby hindering the ability of the after-market industry to provide equivalent replacement equipment. The Department agreed that the proposed language was excessively restrictive and has therefore further amended this section to delete reference to equivalency to original equipment and require doors which open and close securely, if so equipped. Similar amendments appear in §§ 175.107(f) and 175.127(c) (relating to body) as well as §§ 175.80(a)(4)(ii) and 175.110(a)(4)(ii) which also address doors.

(11) SEMA and Carlisle Productions requested that the Department amend the proposal in § 175.78(e) (relating to chassis) which requires that vehicles be equipped with bumpers of a type used as original equipment. The requested amendments would add language to permit the use of a "suitable replacement" for the original bumper. The commentators believe that the after-market industry is capable of providing a "suitable replacement" bumper. The Department believes that this term could be easily misinterpreted to permit vehicle owners and the after-market industry to design an impact-absorbing system in lieu of a traditional bumper. The Department is concerned that highway safety may be compromised by an extreme interpretation of this term through the use of an inferior impact-absorbing system than the bumper originally designed for use on the vehicle. Therefore, the Department has provided further definition for this term by adding language that permits, in addition to a bumper of a type used as original equipment, the use of a "suitable replacement which is equal to or greater in strength than that provided by the vehicle manufacturer." Mirror provisions appear in § 175.108(e) (relating to chassis).

(12) SEMA and Carlisle Productions commented on the proposed bumper heights located in § 175.78(e)(5)(i) which establishes minimum and maximum bumper or frame heights. The commentators believe the Department should revise minimum and maximum bumper heights to more readily accommodate vehicle owners who wish to modify their vehicles. Additionally, the commentators suggested the Department adopt requirements contained in the American Association of Motor Vehicle Administrators (AAMVA) standards. The Department has refrained from amending the proposed language since the application of some portions of the AAMVA standards may result in dangerous vehicle bumper modifications. For example,

AAMVA recommends four-wheel drive vehicles and trucks equipped with dual rear wheels be permitted a maximum front bumper height of 28 inches and a maximum rear bumper height of 31 inches. This is of particular concern due to the changes in vehicle designs, the increase in four-wheel drive passenger cars and the increased use of multipurpose passenger vehicles as personal transportation vehicles many of which are vehicles with shorter wheel bases and lower gross vehicle weight ratings than traditional trucks.

SEMA and Carlisle Productions also requested similar changes regarding bumper heights located in § 175.80(a)(8)(iii). However, since the Department deemed corresponding revisions inappropriate in § 175.78(e)(5)(i), the amendment of this paragraph is unwarranted.

The Department has further amended § 175.78(e)(5)(i) to clarify the original intent of the proposed amendment to regulate bumper or frame heights based on the gross vehicle weight rating (GVWR) of the vehicle. The Department believed this further amendment was necessary to avoid misinterpretation of the vehicle weight designations listed in this section since the proposal did not designate how these weights are determined. To clarify that these weights refer to the GVWR established by the vehicle manufacturer, the Department has further amended these regulations to include the term GVWR after each weight class listed. Mirror provisions in § 175.80(a)(8)(iii) have been similarly amended.

(13) SEMA requested the Department add language to § 175.80(a)(2)(i)(A) specifying the Federal Motor Vehicle Safety Standard that vehicle glazing must meet to successfully pass the required periodic safety inspection. The Department believes the burden of requiring inspection personnel to obtain and interpret these standards is overly cumbersome. Since these regulations require all glazing used in motor vehicles to be identified with external markings as prescribed by Federal regulations, the Department decided that incorporating a reference to this Federal Motor Vehicle Safety Standard was unnecessary.

Further, at 26 Pa.B. 4640, the Department published final-form regulations amending Chapter 175. The order amended the regulations regarding vehicle glazing as they relate to the use of sun screening devices or other materials. Since these final-form regulations were adopted after the notice of proposed rulemaking published at 26 Pa.B. 4230, the Department has withdrawn proposed amendments to §§ 175.80(a)(2)(i)(A) and (G) and 175.110(a)(2)(i)(A) and (G). Therefore, this language does not appear in the final-form regulations.

(14) The Department further amended the proposal in § 175.80(b)(4)(iv). This language establishes rejection criteria relating to antilock brake (ABS) warning lamps. This amendment was a result of research conducted by the Department and comments received from members of the Safety Inspection Roundtable after the close of the public comment period following publication of the notice of proposed rulemaking at 26 Pa.B. 4230. The Safety Inspection Roundtable is a group which meets periodically with Department representatives to discuss issues relating to Pennsylvania's vehicle inspection program. This group consists of representatives from inspection stations, new and used car dealers, consumer groups and educational facilities which have an interest in the Vehicle Equipment and Inspection Regulations. On April 14, 1998, members of the Safety Inspection Roundtable voiced concern regarding the Department's lack of clarify-

ing regulations relating to ABS malfunctions. In response to the concerns raised, the Department contacted Dave Messenger, Service Manager for Sutliff Chevrolet in Harrisburg, PA and Dan Adams, Service Manager for Model Motors Nissan in Camp Hill, PA to further discuss these concerns. Dave Messenger and Dan Adams both related that most vehicles equipped with ABS will revert to traditional braking power if the ABS malfunctions. Therefore, the Department determined that the proposed rejection criteria is insufficient since it may be unnecessary for vehicle owners to absorb the expense of diagnosing and repairing an ABS system when there is no evidence of compromised brake performance. However, the Department wished to clarify that vehicles which may not revert to normal braking function, or those that are not equipped with ABS, should be rejected for the purpose of inspection if a system warning lamp or other device indicates a malfunction of the braking system. This additional language will ensure that all braking systems will meet minimum performance criteria without unduly burdening vehicle owners financially.

(15) SEMA, Carlisle Productions, Hamlin's Service Center and ASAP expressed concern that the proposal to amend § 175.80(d)(1)(ix) would not permit the use of fender flares previously allowed by the regulations. This amendment clarified that a tire's tread could not extend beyond the wheel housing. However, the intent was to include any permissible fender flare as the commentators suggested. The Department, believing this language will help further clarify the intent of the regulations, has incorporated the suggested language in § 175.80(d)(1)(ix) and its mirror provision in § 175.110(d)(1)(xii).

(16) SEMA suggested the Department amend the proposal in § 175.80(d)(3) regarding the use of spring shackle kits. Specifically, SEMA requested the Department amend § 175.80(d)(3)(viii) to prohibit the use of spring shackle kits to lower the suspension of the front of a vehicle since this is not considered a safe practice by industry standards. The Department, agreeing that a legitimate safety concern exists, has amended § 175.80(d)(3)(viii) to reflect this change.

SEMA also requested that the Department further amend § 175.80(d)(3)(ix) to permit the use of spring shackle kits which raise the vehicle no more than 2 inches over the original equipment. This amendment was requested since the proposal was believed to be excessively restrictive and not consistent with accepted industry standards for safety. Therefore, the Department, agreeing with the commentator, has revised § 175.80(d)(3)(ix) to reflect this suggested amendment.

(17) SEMA and IRRC requested the Department further amend § 175.146(k)(6) to specify that motorcycles may be equipped with no more than four forward-projecting lamps illuminated during operation. The commentators believed that this would provide a maximum allowable number of forward-projecting lamps while allowing for increased conspicuousness for these vehicles. The Department, agreeing with the commentators' reasoning, and believing that specifying these particular lamps must be forward-projecting may help avoid possible misinterpretation of the proposal, has incorporated the suggested amendment into these final-form regulations. A mirror provision has also been amended in § 175.175(k)(6).

IRRC also commented that some vehicles are now equipped by the manufacturer with rear fog lamps. Therefore, IRRC suggested the Department address the presence of the lamps in mirror provisions of this

chapter. Therefore, the Department has amended the proposal to recognize that rear-projecting fog lamps are acceptable if available as original equipment. This amendment appears in §§ 175.66(l)(3), 175.96(l)(3), 175.146(k)(2) and 175.175(k)(2).

(18) SEMA, Hamlin's Service Center, ASAP and Posies suggested the Department consider amending the requirements contained in § 175.206(b)(1) for specially constructed and reconstructed vehicles. The commentators' proposed amendment would permit specially constructed and reconstructed vehicles to have a minimum vertical windshield height of 7 inches. In the current regulations, the 7-inch minimum applies only to street rods. Specially constructed and reconstructed vehicles currently must have a minimum vertical windshield height of 12 inches. The proposal permits a minimum vertical windshield height of between 7—12 inches if the original design of these specially constructed and reconstructed vehicles permitted a smaller windshield height. The Department realizes it may be a burden, in certain instances, for the vehicle owner to prove the original vehicle design included a windshield with a vertical height of less than 12 inches. This burden, however, is minimal when weighed against the concept that vehicle modifications allowing for less than a 12-inch vertical height windshield may compromise the integrity of the vehicle's original design. Moreover, the driver's ability to safely operate the vehicle may also be compromised because of decreased visibility on the road due to limited windshield area. Therefore, the Department has refrained from further amending this subsection to allow all specially constructed and reconstructed vehicles to have vertical windshield heights of between 7—12 inches.

Further, SEMA requested the Department similarly amend § 175.220(b)(1) (relating to inspection procedure) to maintain consistency throughout the subchapter. The Department has declined to make this change for the aforementioned reasons.

(19) SEMA, Posies and Carlisle Productions commented on § 175.209(b) (relating to chassis) and noted their opposition to the language contained in this subsection of the proposal. SEMA suggested language to further amend this subsection to allow vehicles to pass inspection without an originally equipped or designed bumper if the vehicle is designed or engineered to function properly without the bumper. The Department believes this suggested amendment would permit vehicle owners to engineer a system to absorb impact in lieu of a bumper. The Department further believes it would not be prudent for anyone but the original vehicle manufacturer to make this determination. The Department believes that allowing vehicles to operate without a bumper, if originally designed without one, is adequate and fair since the original manufacturer and their engineers originally designed the vehicle to meet Federal Motor Vehicle Safety Standards without a bumper. Therefore, the suggested amendment has not been made.

Carlisle Productions commented that owners of street rods, specially constructed and reconstructed vehicles may be financially burdened if these vehicles require modification to accommodate a bumper to comply with the proposal. They also believe that, since most of these vehicles have a lower ground clearance than many traditional vehicles, there is no highway safety concern regarding rolling over or sliding under another vehicle in the event of an accident. It appears the suggested amendment requested is to delete the amendments to § 175.209(b) in the final-form regulations. The Depart-

ment believes the proposed amendments sufficiently address this group of vehicles by further exempting these vehicles from bumper requirements if they were not originally so designed or equipped.

Carlisle Productions also commented that vehicles which previously passed inspection without a bumper should continue to do so since they were deemed safe under existing regulations. Since these vehicles were not previously exempt from bumper requirements, and should not have passed inspection without a suitable bumper, the Department believes the amendment will better address the concern of the commentator. Therefore, no amendment has been made.

Posies commented that none of these vehicles should be required to be equipped with bumpers since they believed the Department had no intent to require bumpers, even if the vehicle was originally designed or equipped with bumpers. The Department, in amending these regulations, does not intend to permit vehicles which were designed or originally equipped with bumpers to pass inspection without them. Therefore, the suggested amendment was not made.

(20) Lisa Pytlarz submitted comments regarding proposed amendments to 75 Pa.C.S. §§ 4103, 4301, 4501, 4521 and 6103. Ms. Pytlarz believed the proposed amendments would be detrimental to suppliers of after-market automotive equipment by prohibiting the use of their products in this Commonwealth. She also commented that, while she supports vehicle safety, she believes vehicle owners should be permitted to modify their vehicles without restrictions imposed by the Department. The Department, absent Legislative enactment, cannot change the provisions of 75 Pa.C.S. §§ 4103, 4301, 4501, 4521 and 6103; these sections, as referenced in the notice of proposed rulemaking published at 26 Pa.B. 4230, merely provide the authority for the Department to amend Chapter 175. It appears Ms. Pytlarz's comments related to the restrictions on vehicle modifications contained in the proposal. Although the Department does not wish to burden vehicle owners with excessive restrictions regarding vehicle modifications, the agency is charged with responsibility for establishing acceptable criteria for vehicle equipment and inspection parameters which promote highway safety. Therefore, since no specific suggested amendments were submitted, the Department did not further amend the proposal in response to this commentator.

Additional Modifications to the Proposed Rulemaking

The text of these final-form regulations contains modifications, deletions and additions, none of which enlarges the scope of these amendments as originally proposed, and thus, may be published as final rulemaking. The following represents a summary of the changes:

(1) The Department has further amended the proposal in § 175.2 to permit ornamental lamps on vehicles if the lamp, at the time of the vehicle's manufacture, was available as standard or optional equipment from the vehicle manufacturer. This amendment allows flexibility regarding where vehicle owners may obtain ornamental lamps which, although available at the time of vehicle manufacture, were not provided as original equipment.

(2) The Department has further amended § 175.65(b) which required that vehicle tires conform to the vehicle manufacturer's specifications relating to tire size. By deleting language which requires vehicles to be equipped with tires conforming to the vehicle manufacturer's specifications, this amendment provides versatility to vehicle

owners who wish to equip their vehicle with tires or rims of a size or load rating other than that specified by the vehicle manufacturer. Mirror provisions in §§ 175.95(b), 175.124(b) and 175.145(b) have also been amended to reflect this change.

(3) The Department has also further amended § 175.65(g) to require tires and rims to have a load rating which is equal to or higher than that offered by the vehicle manufacturer. Mirror provisions in §§ 175.95(g) and 175.124(g) have been similarly amended to reflect this change. This amendment will allow vehicle owners to equip their vehicle with tires or rims of a size or load rating other than that specified by the vehicle manufacturer.

(4) Section 175.65(h) has been further amended to permit a wheel spacer if it does not exceed 1/4 inch in thickness. This amendment was made as a result of suggestions received and research conducted by the Department to ensure that the integrity of the thread engagement is maintained while permitting vehicle owners who wish to add wheel spacers to do so within safe parameters.

(5) Sections 175.66(f), 175.96(f) and 175.125(d), which required lamps of a type used as original equipment, have been further amended. As a result of comments received and subsequent meetings with commentators, the Department deleted references to lamps "of a type used as original equipment" and replaced this phrase with "designed for that specific function." The Department believes this will adequately address the desire of vehicle owners to replace or supplement original lamps.

(6) Section 175.66(h) has been further amended to allow ornamental lamps unless they oscillate, rotate, flash or otherwise create a known safety hazard. Since flashing and revolving lights, addressed in Chapters 15 and 173, may be used only on emergency and other authorized vehicles, this type of light is not categorized with ornamental lamps. Therefore, subsection (h) has been amended to reference these relevant chapters and explain that flashing or revolving lights are not ornamental lamps.

Section 175.66(h) has also been further amended to clarify that a lamp not enumerated in this section is prohibited unless available as original equipment. This amendment promotes consistency with the amended definition of "ornamental lamps" found in § 175.2 and addresses the concern discussed previously, whereby the proposed regulations appear to restrict after-market businesses from supplying replacement or supplemental lamps. Sections 175.96(h), 175.125(f), 175.146(h) and 175.175(h) have been similarly amended to provide consistency and clarity throughout the chapter.

(7) Section 175.66(l)(10) has been further amended to allow the use of white or clear cargo lights which were available as original equipment by the vehicle manufacturer or those installed in a manner which directly illuminates the cargo area of a multipurpose passenger vehicle, truck or bus. This amendment addresses concerns expressed by IRRC and SEMA regarding the implied restriction imposed on the after-market automotive supply industry by eliminating the requirement that these lamps are acceptable only if they were available from the vehicle manufacturer. This will provide the after-market industry with the ability to provide replacement or supplemental cargo lights if a vehicle was not originally so equipped by the vehicle manufacturer. A mirror provision in § 175.96(l)(10) has been similarly amended.

(8) The Department further amended the proposal in § 175.66(n) to require battery fastening by requiring battery fastening mechanisms that are specifically designed for the secure fastening of the battery. This amendment eliminates the requirement that battery fastening devices must be that installed by the vehicle manufacturer. This amendment provides flexibility to vehicle owners to permit them a wider range of resources to obtain acceptable battery fastening mechanisms. Mirror provisions in §§ 175.96(n) and 175.146(m) have also been similarly amended.

(9) The Department further amended the proposal in § 175.75(b)(2) (relating to exhaust systems) to maintain consistency with the remainder of the subchapter. This amendment was a result of a comment received from a member of the House Transportation Committee after the close of the public comment period. The commentator requested that the Department amend the language to eliminate reference to "a person" as opposed to the condition of the vehicle, as used throughout the remainder of the subchapter. The paragraph has been further amended, for consistency purposes with the other paragraphs in this subsection, by deleting the word "motor" before the term "vehicle." Mirror provisions in §§ 175.105(b)(2), 175.152(b)(1) and 175.181(b)(1) (relating to exhaust systems) were also similarly amended.

(10) Section 175.77(f) has been further amended by deleting the reference to equivalency to original equipment and requiring doors which open and close securely, if the vehicle is so equipped. This amendment was made to make after-market vehicle components more readily available to vehicle owners who wish to replace or customize their vehicle doors. Similar amendments appear in §§ 175.107(f) and 175.127(c) as well as §§ 175.80(a)(4)(ii) and 175.110(a)(4)(ii) which also address doors.

(11) The Department further amended the proposal in § 175.78(e) to clarify the type of bumpers which may be used as replacement equipment. The amended language provided further definition of acceptable bumpers by adding language that permits, in addition to a bumper of a type used as original equipment, the use of a "suitable replacement which is equal to or greater in strength than that provided by the vehicle manufacturer." This amendment is intended to provide additional clarity regarding acceptable bumpers to ensure that, while providing a means for vehicle owners to replace bumpers, the integrity of the replacement is within safe parameters. A mirror provision in § 175.108(e) was similarly amended to reflect this change.

Section 175.78(e) was further amended to add clarity to the vehicle weight designations enumerated in this subsection by including the term "Gross Vehicle Weight Rating (GVWR)" after each weight designation. A mirror provision in § 175.80(a)(8)(iii) (relating to inspection procedure) was similarly amended.

Section 175.78(e)(5)(i) was also further amended, as a consequence of subsequent discussions with IRRC and SEMA, to add clarity to the heading "Maximum Height" to indicate that bumper heights should be measured using the frame as a reference point only when conditions specified in § 175.78(e)(5)(ii) apply. The Department believes this clarification will assist vehicle owners and inspection personnel in determining the appropriate measurement reference for establishing bumper heights. A mirror provision in § 175.80(a)(8)(iii) was similarly amended.

Section 175.78(e)(5)(ii) was further amended to clarify the measurement starting point for maximum height when using the frame rail as a point of reference. The proposed language has been modified to specify that front and rear height measurements should be made using the bottom edge of the foremost portion of the frame rail as a reference point. This amendment, which was a consequence of dialogue with IRRC and SEMA, provides added clarity to vehicle owners and inspection personnel regarding appropriate reference points for measuring front and rear bumper heights when these measurements are made from the frame rail. A similar amendment in § 175.80(a)(8)(iv) mirrors this amendment.

(12) The Department has further amended §§ 175.80(a)(2)(i)(A), (G) and 175.110(a)(2)(i)(A) by reverting to the original content contained in these subparagraphs. At 26 Pa.B. 4640, the Department published final-form regulations, amending Chapter 175. This order amended the regulations regarding vehicle glazing as they relate to the use of sun screening devices or other materials. Since these final-form regulations were adopted after the notice of proposed rulemaking published at 26 Pa.B. 4230, the Department has deleted proposed amendments to these sections adopted at 26 Pa.B. 4640.

(13) The Department further amended the proposal in § 175.80(b)(4)(iv). This language establishes rejection criteria relating to ABS warning lamps. The Department determined that the proposed rejection criteria was insufficient and added language to further clarify rejection criteria for all brake warning systems. This additional language will ensure that all braking systems will meet minimum performance criteria without unduly burdening vehicle owners financially.

(14) The proposed amendments to § 175.80(d)(1)(ix) have been further amended to clarify that the outer edge of the wheel housing includes fender flares, if installed. The Department also incorporated a mirror provision in § 175.110(d)(1)(xii).

(15) The Department further amended the proposal in § 175.80(d)(3) regarding the use of spring shackle kits. Section 175.80(d)(3)(viii) has been amended to prohibit the use of spring shackle kits or blocks to lower the suspension of the front of a vehicle. This amendment will establish acceptable criteria for lowering the suspension of a vehicle.

The Department further amended § 175.80(d)(3)(ix) to permit the use of spring shackle kits which raise the vehicle no more than 2 inches over the original equipment. These amendments were made to provide additional clarity regarding the acceptable use of spring shackle kits.

(16) The Department has further amended § 175.108(f) to correct a typographical error. The Department inadvertently numbered paragraph (6) as paragraph (2). This typographical error has been corrected to reflect the proper numbering sequence.

(17) The Department has further amended § 175.146(k)(6) to specify that motorcycles may be equipped with no more than four forward-projecting lamps illuminated during operation. This amendment was necessary to provide the maximum allowable lamps of this type and clarify that they must be forward-projecting. A mirror provision has also been amended in § 175.175(k)(6) to provide consistency throughout the chapter.

The Department has also further amended § 175.66(l)(3) to clarify that rear fog lamps are acceptable

if available as original vehicle equipment. This amendment is a result of vehicle manufacturers producing vehicles which are equipped with rear-projecting fog lamps. Similar amendments appear in §§ 175.96(l)(3), 175.146(k)(2) and 175.175(k)(2).

Purpose of this Chapter

The purpose of this chapter is to provide rules and procedures regarding proper equipment and safety inspection of vehicles.

Purpose of these Amendments

The purpose of these amendments is to implement the provisions of 75 Pa.C.S. §§ 4103, 4301, 4501, 4521 and 6103. For several years, the Department has received complaints regarding the need for more detailed vehicle equipment and inspection criteria to more clearly delineate the types of vehicle equipment which are acceptable in this Commonwealth. These concerns and complaints have been received from vehicle owners, inspection station owners and managers, certified inspection mechanics, as well as State and local law enforcement personnel. In addition, the increase in after-market modifications by vehicle owners and the increased availability of after-market equipment also prompted the Department to initiate the regulation process to more clearly define the types of vehicle equipment and modifications which are unacceptable or potentially dangerous.

Persons or Entities Affected

These final-form regulations affect official inspection stations; certified inspection mechanics; owners of vehicles equipped with nonconforming equipment; after-market vehicle equipment suppliers, distributors and installers; and the State Police and local law enforcement agencies.

Fiscal Impact

The Commonwealth will continue to incur some costs for printing Chapter 175 to administer the Vehicle Inspection Program. However, this publication was developed as a result of the requirements of 75 Pa.C.S. §§ 4103, 4301, 4501, 4521 and 6103. Since the printing costs associated with this publication are relatively low and since it is unknown how many copies of Chapter 175 will be requested by affected parties, the Department intends to continue to provide for these costs through existing moneys.

Owners of vehicles which have been modified and are in violation of this chapter as a result of the amendments may incur some costs to bring their vehicle into compliance with the regulations. However, due to the wide variety of vehicle modification equipment available and the fact that no statistics exist regarding vehicle modifications, the Department is unable to determine the extent of the fiscal impact to vehicle owners who must remove or alter previous vehicle equipment or related modifications to comply with the requirements of the final-form regulations.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on August 21, 1996, the Department submitted a copy of the notice of proposed rulemaking, published at 26 Pa.B. 4230, to IRRC and to the Chairpersons of the House Transportation Committee and the Senate Transportation Committee for review and comment. In compliance with section 5(b.1) of the Regulatory Review Act, the Department also provided IRRC and the Committees with copies of the comments received, as well as other documentation.

In preparing these final-form regulations, the Department has considered all comments received from IRRC, the Committees and the public.

These final-form regulations were deemed approved by the House Transportation Committee and by the Senate Transportation Committee on October 19, 1998. IRRC met on October 22, 1998, and approved these final-form regulations in accordance with section 5(c) of the Regulatory Review Act.

Sunset Provisions

The Department is not establishing a sunset date for these final-form regulations, since these final-form regulations are needed to administer provisions required under 75 Pa.C.S. (relating to the Vehicle Code). The Department, however, will continue to monitor these final-form regulations for their effectiveness.

Contact Person

The contact person is John Munafo, Manager; Field Operations; Vehicle Inspection Division; Bureau of Motor Vehicles; Riverfront Office Center; 3rd Floor; 1101 South Front Street; Harrisburg, PA 17104; (717) 783-6254.

Authority

The final-form regulations are amended under the authority contained in 75 Pa.C.S. §§ 4103, 4301, 4501, 4521 and 6103. The statutory provisions, respectively, empower the Department to promulgate vehicle equipment standards; require the Department to promulgate regulations governing safety and antipollution equipment for vehicles; and authorize the Department to promulgate regulations to implement the Vehicle Code.

Findings

The Department of Transportation finds that:

(1) Public notice of intention to amend the administrative regulations amended by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202), and the regulations promulgated thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The amendment of the regulations of the Department in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statutes.

Order

The Department, acting under the authorizing statutes, orders that:

(a) The regulations of the Department, 67 Pa. Code Chapter 175, are amended by amending §§ 175.2, 175.64—175.67, 175.75, 175.77, 175.78, 175.80, 175.91, 175.94—175.96, 175.98, 175.105, 175.107, 175.108, 175.110, 175.123—175.125, 175.127, 175.128, 175.130, 175.143—175.146, 175.152, 175.160, 175.172, 175.175, 175.181, 175.190, 175.206, 175.209 and 175.220 to read as set forth in Annex A, the ellipses referring to the existing text of regulations.

(b) The Secretary of the Department shall submit this order and Annex A to the Office of Attorney General and the Office of General Counsel for approval as to legality as required by law.

(c) The Secretary of the Department shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(d) This order shall take effect May 13, 1999.

BRADLEY L. MALLORY,
Secretary

(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 28 Pa.B. 5636 (November 7, 1998).)

Fiscal Note: Fiscal Note 18-331 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 67. TRANSPORTATION

PART I. DEPARTMENT OF TRANSPORTATION

Subpart A. VEHICLE CODE PROVISIONS

ARTICLE VII. VEHICLE CHARACTERISTICS

CHAPTER 175. VEHICLE EQUIPMENT AND INSPECTION

Subchapter A. GENERAL PROVISIONS

§ 175.2. Definitions.

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

* * * * *

Antique motor vehicle—A motor vehicle, but not a reproduction thereof, manufactured more than 25 years prior to the current year which has been maintained in or restored to a condition which is substantially in conformance with manufacturer's specifications and registered with the Department as an antique motor vehicle.

* * * * *

Cargo lamp—A lamp mounted on a multipurpose passenger vehicle, truck or bus that provides illumination to load or unload cargo.

* * * * *

Classic motor vehicle—The term as defined in 75 Pa.C.S. § 102 (relating to definitions).

* * * * *

Implement of husbandry—The term as defined in 75 Pa.C.S. § 102.

* * * * *

Ornamental lamps—Lamps not required and not located as described in Tables III, IV and V of this chapter, unless available as original equipment. Flashing or revolving lights are not ornamental lamps. Flashing or revolving lights and their use are addressed in Chapters 15 and 173 (relating to authorized vehicles and special operating privileges; and flashing or revolving lights on emergency and authorized vehicles).

* * * * *

Passenger car—The term as defined in 75 Pa.C.S. § 102.

* * * * *

Pole trailer—A trailer, including those with a variable wheelbase, attached to the towing vehicle by means of a reach or pole, or by being boomed or otherwise secured to the towing vehicle, and ordinarily used for transporting long or irregular-shaped loads, including poles, pipes or structural members capable of sustaining themselves as beams between the supporting connections.

* * * * *

Reconstructed vehicle—The term as defined in 75 Pa.C.S. § 102.

* * * * *

Registered gross weight—The term as defined in 75 Pa.C.S. § 102.

* * * * *

School bus—The term as defined in 75 Pa.C.S. § 102.

* * * * *

Subchapter E. PASSENGER CARS AND LIGHT TRUCKS

§ 175.64. Braking systems.

(a) *Condition of braking systems.* Braking systems and components shall be in safe operating condition as described in § 175.80 (relating to inspection procedure).

(b) *Service brakes.* A vehicle specified under this subchapter shall be equipped with a service brake system. See 75 Pa.C.S. § 4502 (relating to general requirements for braking systems).

(1) The service brakes shall act on all wheels upon application and shall be capable of stopping a vehicle in not more than the maximum stopping distance prescribed in Table I (relating to brake performance), except on a vehicle being transported in driveaway-towaway operation.

(2) The brake lining and brake fluids shall be of a type approved by the vehicle manufacturer or shall meet the Society of Automotive Engineers (SAE) standards in Appendix A (relating to minimum requirements for motor vehicle brake lining—SAE J998).

(3) A passenger car manufactured or assembled after June 30, 1967, and designated as a 1968 or later model shall be equipped with a service brake system of a design that rupture or failure of either the front or rear brake system will not result in the complete loss of braking function. Braking function may be obtained by hydraulic or other means through a normal brake mechanism. In the event of a rupture or failure of an actuating force component, the unaffected brakes shall be capable of applying adequate braking force to vehicle.

(4) Metal from a shoe may not contact the brake drums or rotors.

(5) Brake lines shall be approved for use as brake lines.

(c) *Parking brake system.* A vehicle specified under this subchapter shall be equipped with a parking brake system. See 75 Pa.C.S. § 4502.

(1) A parking brake system shall be adequate to hold the vehicle on a surface free from ice or snow on a 20% grade with the vehicle in neutral.

(2) The parking brakes shall be separately actuated so that failure of any part of the service brake actuation system will not diminish the vehicle's parking brake holding capability.

§ 175.65. Tires and wheels.

(a) *Condition of tires and wheels.* Tires and wheels shall be in safe operating condition as described in § 175.80 (relating to inspection procedure).

(b) *Tire standards.* A vehicle specified under this subchapter shall have tires manufactured in conformance with standards in Chapter 159 (relating to new pneumatic tires). See 75 Pa.C.S. § 4525 (relating to tire

equipment and traction surfaces). Tires with equivalent metric size designations may be used.

(c) *Radial ply tires.* A radial ply tire may not be used on the same axle with a bias or belted tire.

(d) *Different types of tires.* Tires of different types, such as one snow tire and one regular tire or bias, belted or radial tire, may not be used on the same axle except in an emergency.

(e) *Nonpneumatic tires.* A passenger car or light truck operated on highway may not be equipped with nonpneumatic tires except an antique vehicle with nonpneumatic tires if originally equipped by the manufacturer.

(f) *Ice grips or studs.* A tire may not be equipped with ice grips or tire studs or wear-resisting material which have projections exceeding 2/32 inch beyond the tread of the traction surface of the tire.

(g) *Tires and rims.* The axles of a vehicle specified under this subchapter shall be equipped with the number and type of tires and rims with a load rating equal to or higher than those offered by the manufacturer.

(h) *Spacers.* Spacers or similar devices thicker than 1/4 inch may not be installed to increase wheel track.

§ 175.66. Lighting and electrical systems.

* * * * *

(f) *Illumination except headlamps, fog lamps and auxiliary driving lamps.* A vehicle specified under this subchapter shall be equipped with parking lamps, stop lamps, tail lamps, turn signal lamps and hazard warning lamps designed for that specific function, which under normal atmospheric conditions shall be capable of being seen and distinguished during nighttime operation at a distance of 500 feet. See 75 Pa.C.S. § 4303(b)—(d).

* * * * *

(h) *Ornamental lamps.* A lamp not enumerated in this section and not located as described in Tables III, IV and V of this chapter, is prohibited unless it is available as original equipment. An illuminated sign is prohibited except on taxicabs, ambulances and trucks. Flashing or revolving lights are not ornamental lamps. Provisions relating to flashing or revolving lights are in Chapters 15 and 173 (relating to authorized vehicles and special operating privileges; and flashing or revolving lights on emergency and authorized vehicles).

* * * * *

(j) *Back-up lamps.* Back-up lamps are not permitted to be lighted when the vehicle is in forward motion. Back-up lamps shall turn off automatically when the vehicle goes forward. If the lamps do not turn off automatically, a dash indicator that lights or creates audible warning is required.

* * * * *

(l) *Auxiliary driving lamps and fog lamps.* Auxiliary driving lamps and fog lamps may be installed on a passenger vehicle or light truck if the lamps comply with the following:

* * * * *

(2) Fog lamps may not be substituted for headlamps.

(3) Auxiliary driving lamps and fog lamps shall be mounted on the front, spaced at least 20 inches apart from center to center and at a height not more than 42 inches above the level surface upon which the vehicle

stands nor lower than the lowest chassis part. Rear fog lamps, if originally installed or offered as optional equipment, are acceptable.

* * * * *

(9) In accordance with 75 Pa.C.S. § 4303(f) (relating to general lighting requirements), roof or roll bar mounted off-road lights may be installed if they are not used on a highway or trafficway and are covered with an opaque covering at all times while operating on the highway or trafficway. Vehicles equipped with roof or roll bar mounted off-road lights shall have a switch that indicates to the driver, through the use of a pilot light, that the lights are on when so switched.

(10) White or clear cargo lamps are permitted if available as original equipment or installed in a manner which expressly illuminates the cargo area of a multipurpose passenger vehicle, truck or bus.

* * * * *

(n) *Battery fastening.* A vehicle specified under this subchapter shall be equipped with a system specifically designed for the secure fastening of the battery.

§ 175.67. Glazing.

(a) *Condition of glazing.* Glazing shall meet the requirements of Chapter 161 (relating to glazing materials). See 75 Pa.C.S. § 4526 (relating to safety glass).

(b) *Safety glazing.* A vehicle specified under this subchapter shall be equipped with safety glazing in all windshields, windows and wings. The requirements of this subsection do not apply to a vehicle manufactured or assembled before January 1, 1934, if the original glazing is not cracked or discolored.

(c) *Stickers.* Stickers shall be located as follows:

(1) Truck weight classification sticker—trucks only—shall be affixed to lower left hand corner of the windshield to the immediate right of the certificate of inspection.

(2) The following stickers are authorized to be affixed to windshield or windows, as indicated:

(i) Out-of-State inspection stickers, tax stamps, road use permits or other government-related permits—municipalities and states—may be placed at the lower left or right-hand corner of the windshield.

(ii) A Delaware River Port Authority Bridge Travel Permit may be affixed to the left rear window. This permit is 2-1/4 inches by 4-1/4 inches and is an automatic triggering device for passing vehicles through toll gates on a bridge.

(iii) The suggested manufacturer's retail price sheet may be affixed to a new vehicle of a dealer. These labels are permitted only on the lower portion of a side window, as far to the rear of a vehicle as possible. When the vehicle is sold, this label shall be removed.

(d) *Obstructions.* A vehicle specified under this subchapter shall have glazing free from obstructions as described in § 175.80 (relating to inspection procedure).

(1) With the exception of materials in paragraph (4), signs, posters or other materials whose design prevents a driver from seeing through the material may not be placed on the windshield, a side wing, a side window or rear window so as to obstruct, obscure or impair the driver's clear view of the highway or an intersecting highway. Under FMVSS No. 205, these restrictions do not

apply to the rear side windows, rear wings or rear window of trucks or multipurpose passenger vehicles.

(2) With the exception of materials in paragraph (4), signs, posters or other materials whose design prevents a driver from seeing through the material may not be placed on a rear side window, rear wing or rear window of a passenger car which either covers more than 20% of the exposed portion of the windows or wings, or extends more than 3 1/2 inches above the lowest exposed portion of the windows or wings.

(3) This subsection also applies to glass etchings, except those used for vehicle identification.

(4) A sun screening device or other material which does not permit a person to see or view the inside of the vehicle is prohibited, unless otherwise permitted by FMVSS No. 205, or a certificate of exemption has been issued in compliance with § 175.265 (relating to exemption provisions). See Table X for specific requirements for vehicles subject to this subchapter. Passenger car requirements relating to the rear window are delineated by vehicle model year in Table X.

(5) Vehicles specified under this subchapter may not have an obstruction forward of the windshield which extends more than 2 inches upward into the horizontally projected vision area of the windshield with the exception of windshield wiper components.

§ 175.75. Exhaust systems.

(a) *Condition of exhaust system.* All components of the exhaust system shall be in safe operating condition as described in § 175.80 (relating to inspection procedure).

(b) *Exhaust system requirements.* A vehicle specified under this subchapter shall be constructed, equipped, maintained and operated to prevent engine exhaust gases from penetrating and collecting in any part of the vehicle occupied by the driver or a passenger, in addition to requirements of this title for an emission control system and smoke control for a diesel-powered vehicle.

(1) A vehicle specified under this subchapter shall be equipped with a muffler or other effective noise-suppressing system in good working order and in constant operation. A muffler or exhaust system may not be equipped with a cutout, bypass or similar device and a muffler may not show evidence of external repair.

(2) The exhaust system of a vehicle may not be modified in a manner which will amplify or increase noise emitted by the motor of a vehicle above the maximum level permitted by Chapter 157 (relating to established sound levels).

(3) Headers and side exhaust are permitted if the vehicle meets the requirements of this section.

(4) An exposed exhaust system shall be equipped with an adequate heat shield or protective system.

(5) An exhaust system shall extend and discharge completely to the outside edge of the vehicle body, including a truck bed, or as originally designed.

(6) A firefighting vehicle is exempt from regulations concerning exhaust systems, mufflers and noise control.

§ 175.77. Body.

(a) *Condition of body.* All items on the body shall be in safe operating condition as described in § 175.80 (relating to inspection procedure).

(b) *Fenders.* The wheels of a vehicle specified under this subchapter shall be equipped with fenders of a type used as original equipment. A tire may not come in contact with the body, fenders or chassis of the vehicle.

(c) *Hood and hood latches.* The entire motor compartment of a vehicle specified under this subchapter shall be covered by a hood. The hood shall be equipped with a double latch system to hold it in the closed position if the hood was originally so equipped.

(d) *Protruding objects.* There may be no torn metal, glass or other loose or dislocated parts protruding from the body of the vehicle.

(e) *Fender flares.* A vehicle may be equipped with fender flares not to exceed 3 inches.

(f) *Doors.* A vehicle specified under this subchapter shall be equipped with doors of a type used as original equipment. The doors shall open and close securely unless the vehicle has been manufactured or modified to the extent that there is no roof or side. Tailgates, except on vehicles where the tailgate gives access to the passenger compartment, may be replaced with wood planking, nets or other material that will prevent loss of load. Tailgates may be removed when optional equipment, for example a truck camper, is added.

§ 175.78. Chassis.

(a) *Condition of chassis.* All items on the chassis shall be in safe operating condition as described in § 175.80 (relating to inspection procedure).

(b) *Vehicle frame.* A vehicle frame shall be in solid condition.

(c) *Motor mounts.* Motor mounts may not be broken, cracked or missing.

(d) *Flooring and floor beds.* Flooring and floor beds shall be of a construction to support occupants and cargo which the vehicle is capable of carrying and may not have openings through which exhaust gases could enter passenger compartment.

(e) *Bumpers.* A vehicle specified under this subchapter shall be equipped with bumpers of a type used as original equipment, or a suitable replacement which is equal to or greater in strength than that provided by the vehicle manufacturer, securely attached to the chassis or frame. See 75 Pa.C.S. § 4536 (relating to bumpers).

(1) A bumper shall be of at least equivalent strength and mounting as the original equipment.

(2) No portion of a bumper may be broken, torn or protruding to create a hazard.

(3) A bumper may not extend beyond the body line or be longer than original equipment, whichever is greater.

(4) A wood plank bumper is permitted on a road service truck or wrecker if it is firmly attached to a regular bumper or equivalent steel backing.

(5) *Bumper height.* Bumper height shall be as follows:

(i) Some part of the main horizontal bumper bar, exclusive of any bumper guards, on passenger vehicles and light trucks shall fall within 16 inches aboveground level and may not exceed the following limits:

Vehicle Class	Maximum Height	
	Front Bumper (or Frame if any of the conditions in subparagraph (ii) apply)	Rear Bumper (or Frame if any of the conditions in subparagraph (ii) apply)
Passenger cars	22 inches	22 inches
Trucks and multipurpose passenger Vehicles		
5,000 lbs. or less GVWR	24 inches	26 inches
5,001 lbs.—7,000 lbs. GVWR	27 inches	29 inches
7,001 lbs.—9,000 lbs. GVWR	28 inches	30 inches
9,001 lbs.—11,000 lbs. GVWR	30 inches	30 inches

(ii) The front and rear height measurements shall be made to the bottom edge of the foremost portion of the frame rail, or to the original mounting brackets, whichever is lower, if one of the following apply:

(A) The bumper height, relative to the frame rail, has been altered.

(B) The vehicle was not originally equipped with a front or rear bumper.

(C) A supplemental bumper has been added.

(D) The manufacturer's specified bumper has been replaced with a bumper not identical to the manufacturer's specified bumper.

(f) *Seats.* A vehicle specified under this subchapter shall be equipped with a seat for an operator which is firmly anchored to the frame or a support.

(1) Metal springs may not protrude from the driver's seat.

(2) A seat adjusting mechanism may not move from a set position when so adjusted.

(g) *Safety belts.* A vehicle specified under this subchapter shall be equipped with safety belts of a type used as original equipment securely attached to the frame or structure. If attached to sheet metal, they shall have backing plates.

(1) Safety belt webbing may not be frayed.

(2) Belt buckles shall operate properly.

(h) *Body mounts.* Body mounts may not be broken, cracked, deteriorated or missing.

(i) *Rear wheel shields.* Trucks shall be constructed or equipped to bar water or other road surface substances thrown from rear wheels of the vehicle at tangents exceeding 22.5°, measured from the road surface, from passing in a straight line to rear of the vehicle. See 75 Pa.C.S. § 4533 (relating to rear wheel shields).

§ 175.80. Inspection procedure.

(a) *External inspection.* An external inspection shall be performed as follows:

(1) Verify ownership, legality and proof of financial responsibility. For the purpose of this subchapter, ownership and legality shall be proven by a vehicle registration card, certificate of title or manufacturer's statement of origin. Reject if one or more of the following apply:

* * * * *

(ii) When vehicle ownership and legality are demonstrated by presentation of vehicle registration card:

* * * * *

(D) The license plate lamp, if originally so equipped, does not illuminate the license plate.

* * * * *

(3) Check the windshield wiper system and reject if one or more of the following apply:

* * * * *

(v) The windshield washers, if originally so equipped, do not operate.

(4) Check the door operation, including the tailgate, and reject if one or more of the following apply:

(i) The doors, except a tailgate on a pick-up truck, are not on the vehicle if originally fitted by the manufacturer.

(ii) The doors, including the tailgate, do not open and close securely, unless the vehicle has been manufactured or modified to the extent that there is no roof or side.

(5) Check outside mirrors and reject if one or more of the following apply:

* * * * *

(v) The mirrors, if originally so equipped, are missing.

(6) Check fenders, hood and trunk lid and reject if one or more of the following apply:

(i) A fender—front or rear—has been removed.

* * * * *

(iv) The trunk lid is not present or does not close securely.

* * * * *

(7) Check the flooring and floor beds and reject if one or more of the following apply:

* * * * *

(iii) A truck is not equipped with rear wheel shields—mud flaps—as required under 75 Pa.C.S. § 4533 (relating to rear wheel shields).

* * * * *

(8) Check the bumpers and reject if one or more of the following apply:

* * * * *

(iii) Some part of the main horizontal bumper bar, exclusive of bumper guards, on passenger cars, multipurpose passenger vehicles and light trucks does not fall within 16 inches aboveground level or exceeds the following limits:

<i>Vehicle Class</i>	<i>Front Bumper (or Frame if any of the conditions in subparagraph (iv) apply)</i>	<i>Maximum Height</i>	<i>Rear Bumper (or Frame if any of the conditions in subparagraph (iv) apply)</i>
Passenger cars	22 inches		22 inches
Trucks and multipurpose passenger Vehicles			
5,000 lbs. or less GVWR	24 inches		26 inches
5,001 lbs.—7,000 lbs. GVWR	27 inches		29 inches
7,001 lbs.—9,000 lbs. GVWR	28 inches		30 inches
9,001 lbs.—11,000 lbs. GVWR	30 inches		30 inches

(iv) The front and rear height measurements shall be made to the bottom edge of the foremost portion of the frame rail, or to the original mounting brackets, whichever is lower, if one of the following apply:

(A) The bumper height, relative to the frame rail, has been altered.

(B) The vehicle was not originally equipped with a front or rear bumper.

(C) A supplemental bumper has been added.

(D) The manufacturer's specified bumper has been replaced with a bumper not identical to the manufacturer's specified bumper.

* * * * *

(9) Check the lamps and lenses and reject if one or more of the following apply:

* * * * *

(iii) The turn signal lamps do not properly indicate right or left or hold in position when so switched or do not self-cancel if originally designed to do so.

* * * * *

(vi) The lamp or filament indicated at the switch position does not light when the correct switch indicates the lamp should be on.

* * * * *

(x) The fog lamps operate with the high beams of the headlamps or are substituted for the low beams.

* * * * *

(b) *Internal inspection.* An internal inspection shall be performed as follows:

(1) Check steering column and reject if one or more of the following apply:

* * * * *

(vii) The number of turns of the steering wheel from a straight ahead tire position to the right stop is not equal to the number of turns to the left stop within a tolerance of 1/4 turn.

* * * * *

(4) Check the brake pedal and reject if one or more of the following apply:

(i) The brake pedal travel exceeds 80% of the total available travel unless originally designed to do so.

(ii) The brake pedal fades while the vehicle is stopped unless originally designed to do so.

* * * * *

(iv) A brake warning lamp or other device indicates a malfunction of the braking systems unless the vehicle is equipped with an antilock braking system (ABS) which is designed to revert to standard braking operation and no driveability deficiency or loss of braking performance is present.

* * * * *

(6) Check the seat and safety belts, if originally equipped, and reject if one or more of the following apply:

* * * * *

(iv) There is no safety belt for each seating location, if the vehicle was originally so equipped, or if seats have been added.

* * * * *

(viii) A passive seat belt restraint system is inoperative.

* * * * *

(7) Check the inside mirror and reject if one or more of the following apply:

* * * * *

(iv) The mirror, if originally so equipped, is missing.

(8) Check front windshield defroster system, if so equipped, and reject if defroster fan does not function.

(c) *Under the hood inspection.* An under the hood inspection shall be performed as follows:

* * * * *

(2) Check the motor mounts, either here or during the beneath vehicle inspection, and reject if the motor mounts are broken, cracked or missing.

* * * * *

(6) Check the battery and reject if the battery is not securely fastened with a device specifically designed for that function.

* * * * *

(d) *Beneath the vehicle inspection.* A beneath the vehicle inspection shall be performed as follows:

(1) Inspect the tires and wheels and reject if one or more of the following apply:

* * * * *

(ix) A tire's tread extends beyond the outer edge of the wheel housing inclusive of fender flares.

* * * * *

(xvi) Studded tires are in use after April 15 and before November 1.

* * * * *

(xx) A tire makes contact with the body or chassis.

(xxi) Spacers over 1/4 inch in thickness are used to increase wheel track.

(2) Inspect the steering system and reject if one or more of the following apply:

(i) Steering gear box is loose on frame.

(ii) Measured movement at the front or rear of a tire is greater than 1/4-inch. Eliminate all wheel bearing movement by applying the service brake; then, with the vehicle raised and wheels in the straight ahead position, grasp the front and rear of the tire and attempt to move the assembly right and left without moving the steering gear. Measure the movement.

(iii) The linkage components are not secured with cotter pins or other suitable devices.

(iv) The steering stops allow the tire to rub on the frame or chassis parts.

(v) The front wheels are incapable of being turned to the right and left steering stops without binding or interference.

(3) Inspect the suspension system and reject if one or more of the following apply:

* * * * *

(viii) Spring shackle kits or blocks are used to lower the suspension of the front of the vehicle.

(ix) Spring shackle kits are more than 2 inches over original equipment.

(x) Blocks are used on front axle to raise the vehicle.

(xi) Blocks used on rear axle exceed 5 inches over original equipment.

* * * * *

(5) Inspect the vehicle frame and reject if one or more of the following apply:

* * * * *

(iv) Body mounts do not hold as required.

(v) A body mount is broken, cracked, deteriorated or missing.

(vi) The difference in the body floor and the top of the frame rail exceeds 4 inches.

(6) Inspect exhaust system and reject if one or more of the following apply:

* * * * *

(viii) The exhaust does not discharge to the outside edge of the vehicle body, including a truck bed, or as originally designed.

(7) Inspect the braking system. Remove at least one front and one opposite rear wheel and reject if one or more of the following apply:

* * * * *

(e) Road test. Perform road test and reject if one or more of the following apply:

* * * * *

Subchapter F. MEDIUM AND HEAVY TRUCKS, BUSES AND SCHOOL BUSES

§ 175.91. Application of subchapter.

Equipment standards in this subchapter apply to medium and heavy trucks, buses and school buses driven on highways.

§ 175.94. Braking systems.

* * * * *

(b) *Service brakes.* Every medium and heavy truck, bus and school bus shall be equipped with a service brake system. See 75 Pa.C.S. § 4502 (relating to general requirements for braking systems).

* * * * *

(10) Brake lines shall be approved for use as brake lines.

* * * * *

§ 175.95. Tires and wheels.

(a) *Condition of tires and wheels.* Tires and wheels shall be in safe operating condition as described in § 175.110 (relating to inspection procedure).

(b) *Tire standards.* A vehicle specified under this subchapter shall have tires manufactured in conformance with standards contained in Chapter 159 (relating to new pneumatic tires). See 75 Pa.C.S. § 4525 (relating to tire equipment and traction surfaces). Tires with equivalent metric size designations may be used.

(c) *Radial ply tires.* A radial ply tire may not be used on the same axle with a bias or belted tire.

(d) *Different types of tires.* Tires of different types and sizes, such as one snow tire and one regular tire or bias, belted or radial tires, may not be used on the same axle except in an emergency.

(e) *Nonpneumatic tires.* A vehicle specified under this chapter operated on highways may not be equipped with nonpneumatic tires, except an antique vehicle with nonpneumatic tires if originally equipped by the manufacturer.

(f) *Ice grips or studs.* A tire may not be equipped with ice grips or tire studs of wear-resisting material which have projections exceeding 2/32 inch beyond the tread of the traction surface of the tire.

(g) *Tires and rims.* The axles of a vehicle specified under this subchapter shall be equipped with the number and type of tires and rims with a load rating equal to or higher than those offered by the manufacturer.

(h) *Exceptions.* Subsection (b), insofar as it requires tires to conform to the vehicle manufacturer's specifications as to tire size, and subsection (g) are not applicable if the Department has issued a permit under 75 Pa.C.S. § 4969 (relating to permit for movement of vehicles with oversize wheels and tires) authorizing the vehicle to be operated with oversize wheels and tires.

§ 175.96. Lighting and electrical systems.

* * * * *

(f) *Illumination except headlamps, fog lamps and auxiliary driving lamps.* A vehicle specified under this subchapter shall be equipped with parking lamps, stop lamps, tail lamps, turn signal lamps and hazard warning lamps designed for that specific function which, under normal atmospheric conditions, shall be capable of being seen and distinguished during nighttime operation at a distance of 500 feet. See 75 Pa.C.S. § 4303(b)—(d).

* * * * *

(h) *Ornamental lamps.* A lamp not enumerated in this section, and not located as described in Tables III—V of this chapter, is prohibited unless it is available as original equipment. An illuminated sign is prohibited except on taxicabs, ambulances and trucks. Flashing or revolving

lights are not ornamental lamps. Provisions relating to flashing or revolving lights are in Chapters 15 and 173 (relating to authorized vehicles and special operating privileges; and flashing or revolving lights on emergency and authorized vehicles).

* * * * *

(j) *Back-up lamps.* Back-up lamps are not permitted to be lighted when the vehicle is in forward motion. Back-up lamps shall turn off automatically when the vehicle goes forward. If the lamps do not turn off automatically, a dash indicator that lights or creates audible warning is required.

* * * * *

(l) *Auxiliary driving lamps and fog lamps.* Auxiliary driving lamps and fog lamps may be installed on a medium or heavy truck and bus if the lamps comply with the following:

* * * * *

(2) Fog lamps are not permitted to be substituted for headlamps.

(3) Auxiliary driving lamps and fog lamps shall be mounted on the front, spaced at least 20 inches apart from center to center and at a height not more than 42 inches above the level surface upon which the vehicle stands, nor lower than the lowest chassis part. Rear fog lamps, if originally installed or offered as optional equipment are acceptable.

* * * * *

(9) In accordance with 75 Pa.C.S. § 4303(f), roof or roll bar mounted off-road lights may be installed if they are not used on a highway or trafficway and are covered with an opaque covering at all times while operating on the highway or trafficway. Vehicles equipped with roof or roll bar mounted off-road lights shall have a switch that indicates to the driver, through the use of a pilot light, that the lights are on when so switched.

(10) White or clear cargo lamps are permitted if available as original equipment or installed in a manner which expressly illuminates the cargo area of a truck or bus.

* * * * *

(n) *Battery fastening.* A vehicle specified under this subchapter shall be equipped with a system specifically designed for the secure fastening of the battery.

§ 175.98. Mirrors.

(a) *Condition of mirrors.* Mirrors shall be in safe condition as described in § 175.110 (relating to inspection procedure).

(b) *Rearview mirrors.* A vehicle specified under this subchapter shall be equipped with at least one rearview mirror or similar device which provides the driver an unobstructed view of the highway to the rear of the vehicle for a distance of not less than 200 feet. A mirror may not be cracked, broken or discolored.

(c) *Obstruction.* On a vehicle specified under this subchapter, the rearview mirror shall be free from obstructions as described in § 175.110.

(1) A vehicle specified under this subchapter having a sign or load or another material which obstructs, obscures or impairs the driver's clear view of the highway or an intersecting highway shall have two outside rearview mirrors, one on the driver's side and one on the passenger side, each with a minimum reflective surface as follows:

<i>Required Reflective Surface</i>	<i>Gross Vehicle Weight</i>
19.5 square inches	Less than 10,001 pounds
50 square inches	Over 10,000 pounds

(2) Rear window louvers are permitted only if the vehicle has at least two outside rearview mirrors, one on the driver's side and one on the passenger's side, each with a minimum reflective surface of 19.5 square inches. This paragraph does not apply to school buses.

(3) Rearview mirrors, each with a minimum reflective surface of 19.5 square inches, shall be installed on both sides of a vehicle for which a certificate of exemption for a sun screening device or other material has been issued. A vehicle for which a certificate of exemption has been issued for medical reasons may be equipped with only a left outside rearview mirror, unless originally equipped with an outside rearview mirror on both sides of the vehicle.

(4) An object or material may not be hung from the rearview mirror and an object or material may not be hung, placed or attached in a position that materially obstructs, obscures or impairs the driver's vision through the windshield or in a manner that constitutes a safety hazard.

(5) This subsection also applies to glass etchings, except those used for vehicle identification.

(d) *Motor homes.* A motor home shall be free from obstructions as described in this subchapter.

(1) A vehicle manufactured as or permanently converted into a motor home with a GVW of 11,001 pounds or more may have windows, approved glass only, transparent screens and roll-up shades or curtains installed if the shades and curtains are securely fastened in completely opened position, to avoid covering a portion of a window, while the vehicle is being operated on the highway. Venetian blinds may not cover a window while the vehicle is operated on a highway.

(2) If a window is covered for installation of wardrobe, cupboard or other convenience, it shall be factory installed or otherwise permanently installed optional equipment or facsimile only. Two outside mirrors shall be installed to afford the operator clear view 200 feet to the rear of the vehicle.

§ 175.105. Exhaust systems.

(a) *Condition of exhaust system.* All components of the exhaust system shall be in safe operating condition as described in § 175.110 (relating to inspection procedure).

(b) *Exhaust system requirements.* A vehicle specified under this subchapter shall be constructed, equipped, maintained and operated to prevent engine exhaust gases from penetrating and collecting in any part of the vehicle occupied by the driver or a passenger, in addition to the requirements of this title for emission control systems and smoke control for a diesel-powered vehicle.

(1) A vehicle specified under this subchapter shall be equipped with a muffler or other effective noise-suppressing system in good working order and in constant operation. A muffler or exhaust system may not be equipped with a cutout, bypass or similar device, and a muffler may not show evidence of external repair.

(2) The exhaust system of a vehicle may not be modified in a manner which will amplify or increase noise emitted by the motor of a vehicle above the maximum level permitted by Chapter 157 (relating to established sound levels).

(3) Headers and side exhaust are permitted if the vehicle meets the requirements of this section.

(4) An exposed exhaust system shall be equipped with an adequate heat shield or protective system.

(5) An exhaust system shall extend and discharge completely to the outside edge of the vehicle body, including a truck bed, or as originally designed, except for the following:

(i) Heavy trucks or truck tractors. The exhaust system of every heavy truck and truck tractor shall discharge to the atmosphere at a location to the rear of the cab or, if the exhaust projects above the cab, at a location near the rear of the cab.

(ii) Gasoline powered buses, including school buses. The exhaust system of a bus powered by a gasoline engine shall discharge to the atmosphere at or within 6 inches forward of the rearmost part of the bus. Until June 15, 1998, the tailpipe of school buses may extend to, but not beyond the body limits on the left side of the school bus within 60 inches of the left rear wheel as measured from the center of the wheel axis.

(iii) Buses, including school buses, powered by fuels other than gasoline. The exhaust system of a bus using fuels other than gasoline shall discharge to the atmosphere either at or within 15 inches forward of the rearmost part of the vehicle; or to the rear of all doors or windows designed to be opened, except windows designed to be opened solely as emergency exits. Until June 15, 1998, the tailpipe of school buses may extend to, but not beyond the body limits on the left side of the school bus within 60 inches of the left rear wheel as measured from the center of the wheel axis.

(c) *Exemption.* A firefighting vehicle is exempt from this section.

§ 175.107. Body.

(a) *Condition of body.* All items on the body shall be in safe operating condition as described in § 175.110 (relating to inspection procedure).

(b) *Fenders.* The wheels of a vehicle specified under this subchapter shall be equipped with fenders of a type used as original equipment. A tire may not come in contact with the body, fenders or chassis of the vehicle, at any time.

(c) *Hood and hood latches.* The entire motor compartment of a vehicle specified under this subchapter shall be covered by a hood. The hood shall be equipped with a double latch system to hold it in the closed position if the hood was originally so equipped.

(d) *Protruding objects.* Torn metal, glass or other loose or dislocated parts may not protrude from the body of vehicle.

(e) *Fender flares.* A vehicle may be equipped with fender flares not to exceed 3 inches.

(f) *Doors.* A vehicle specified under this subchapter shall be equipped with doors of a type used as original equipment. The doors shall open and close securely unless the vehicle has been manufactured or modified to the extent that there is no roof or side. Tailgates, except on vehicles where the tailgate gives access to the passenger compartment, may be replaced with wood planking, nets or other material that will prevent loss of load. Tailgates may be removed when optional equipment, for example a truck camper, is added.

§ 175.108. Chassis.

* * * * *

(c) *Motor mounts.* The motor mounts may not be broken, cracked or missing.

* * * * *

(e) *Front bumper.* Every vehicle specified under this subchapter shall be equipped with front bumper or a suitable replacement which is equal to or greater in strength than that provided by the vehicle manufacturer, securely attached to chassis or frame. See 75 Pa.C.S. § 4536 (relating to bumpers).

* * * * *

(f) *Rear protection device.* A vehicle specified under this subchapter, except truck tractors, whose body or chassis has a rear end clearance of more than 30 inches from the ground when empty, shall be equipped with a rear bumper or rear end protection device as follows:

(1) The rear bumper or rear end protection device shall be:

(i) Within 30 inches of ground when the vehicle is empty.

(ii) Within 24 inches of another rear bumper or rear end protection device, if more than one rear bumper or rear end protection device is used.

(iii) Within 18 inches—transverse distance—of the widest part of the rear of the vehicle.

(iv) Within 24 inches of the extreme rear of the vehicle.

(v) Substantially constructed and firmly attached.

(2) Vehicles constructed and maintained so that the body, chassis or other parts of the vehicle afford the rear end protection described in paragraph (1) will be deemed to be in compliance with this subsection.

* * * * *

(h) *Rear wheel shields.* A vehicle specified under this subchapter, except a truck-tractor while towing a trailer, shall be constructed or equipped to bar water or other road surface substances thrown from the rear wheels of the vehicle or combination at tangents exceeding 22.5°, measured from the road surface, from passing in a straight line to the rear of the vehicle or combination. See 75 Pa.C.S. § 4533 (relating to rear wheel shields).

* * * * *

(l) *Body mounts.* Body mounts may not be broken, cracked, deteriorated or missing.

§ 175.110. Inspection procedure.

(a) *External inspection.* An external inspection shall be performed as follows:

* * * * *

(3) Check the windshield wiper system and reject if one or more of the following apply:

* * * * *

(v) The windshield washers, if originally so equipped, do not operate.

(4) Check the door operation, including tailgate, and reject if one or more of the following apply:

* * * * *

(ii) The doors, including the tailgate, if so equipped, do not open and close securely.

(iii) Tailgate or equivalent is not on the vehicle, unless removed for the addition of optional equipment that is present at the time of the inspection.

(5) Check the outside mirrors and reject if one or more of the following apply:

(i) A required mirror is cracked, broken, missing or discolored.

* * * * *

(9) Check the lamps and lenses and reject if one or more of the following apply:

* * * * *

(iii) The turn signal lamps do not properly indicate the right or left or hold in position when so switched or do not self-cancel if originally designed to do so.

* * * * *

(vi) The lamp or filament indicated at the switch position does not light when the correct switch indicates the lamp should be on.

* * * * *

(b) *Internal inspection.* An internal inspection shall be performed as follows:

* * * * *

(6) Check the seat and safety belts if the vehicle is so equipped and reject if one or more of the following apply:

* * * * *

(iv) There is no safety belt for each seating location, if the vehicle was originally so equipped, or if seats have been added.

* * * * *

(7) Check the inside mirror and reject if one or more of the following apply:

* * * * *

(iv) Mirror is missing, unless the vehicle is equipped with outside mirror, except on school buses.

(8) Check front windshield defroster system, if so equipped, and reject if the defroster fan does not function.

(c) *Under the hood inspection.* An under the hood inspection shall be performed as follows:

* * * * *

(2) Check the motor mounts, either here or during beneath vehicle inspection, and reject if the motor mounts are broken, cracked or missing.

* * * * *

(7) Check the battery and reject if the battery is not securely fastened with a device specifically designed for that function.

(8) Check steering gear box and reject if loose on frame.

(d) *Beneath the vehicle inspection.* A beneath the vehicle inspection shall be performed as follows:

(1) Inspect the tires and wheels and reject if one or more of the following apply:

* * * * *

(xii) A tire's tread extends beyond the outer edge of the wheel housing, inclusive of fender flares, or exceeds the manufacturer's specifications as to size.

* * * * *

(xix) Studded tires are in use after April 15 and before November 1.

* * * * *

(xxi) A tire makes contact with the body or chassis.

* * * * *

(6) Inspect the exhaust system and reject if one or more of the following apply:

(i) The vehicle has no muffler or noise suppressing system or the muffler has external repair.

* * * * *

(viii) The exhaust does not discharge to the outside edge of the vehicle body, including a truck bed, or as originally designed, except for the following:

(A) *Heavy trucks or truck tractors.* The exhaust system of every heavy truck and truck tractor shall discharge to the atmosphere at a location to the rear of the cab or, if the exhaust projects above the cab, at a location near the rear of the cab.

(B) *Gasoline powered buses, including school buses.* The exhaust system of a bus powered by a gasoline engine shall discharge to the atmosphere at or within 6 inches forward of the rearmost part of the bus. Until June 15, 1998, the tailpipe of school buses may extend to, but not beyond the body limits on the left side of the school bus within 60 inches of the left rear wheel as measured from the center of the wheel axis.

(C) *Buses, including school buses, powered by fuels other than gasoline.* The exhaust system of a bus using fuels other than gasoline shall discharge to the atmosphere either at or within 15 inches forward of the rearmost part of the vehicle; or to the rear of all doors or windows designed to be opened, except windows designed to be opened solely as emergency exits. Until June 15, 1998, the tailpipe of school buses may extend to, but not beyond the body limits on the left side of the school bus within 60 inches of the left rear wheel as measured from the center of the wheel axis.

(7) *Inspect the braking system.* At least one front and one opposite rear wheel shall be removed. Reject if one or more of the following apply:

* * * * *

(vii) The inside diameter of the drum is greater than the maximum diameter stamped on the drum or greater than .090 inch over the original drum diameter for unmarked drums less than 14 inches, or greater than .120 inch over original drum diameter for unmarked drums 14 inches or larger.

* * * * *

(8) Inspect critical body mounts and reject if one or more of the following apply:

- (i) Body mounts do not hold as required.
(ii) A body mount is broken, cracked, deteriorated or missing.

(9) Inspect the fuel system and reject if one or more of the following apply:

- (i) There is fuel leakage.
(ii) Part of the system is not securely fastened.
(iii) The system is not properly routed.

(e) *Road test.* Perform a road test and reject if one or more of the following apply:

* * * * *

**Subchapter G. RECREATIONAL, SEMI AND
UTILITY TRAILERS**

§ 175.123. Braking systems.

(a) *Condition of braking systems.* Braking systems and components shall be in safe operating condition as described in § 175.130 (relating to inspection procedure).

(b) *Service brakes.* A trailer shall be equipped with a service brake system. See 75 Pa.C.S. § 4502 (relating to general requirements for braking systems).

(1) The service brakes shall act on all wheels upon application except for the following:

(i) On interconnected dual wheels, the brakes may act upon only one wheel.

(ii) A vehicle being towed in driveaway-towaway operation.

(iii) A trailer of a gross weight not exceeding 3,000 pounds, if the gross weight of the trailer does not exceed 40% of the gross weight of the towing vehicle.

(2) The service brakes, when required, shall be capable of stopping the vehicle in not more than the maximum stopping distance prescribed in Table I.

(3) Surge or inertia type brake systems are authorized.

(4) The brake lining and brake fluids shall be of a type approved by the vehicle manufacturer or shall meet the Society of Automotive Engineers (SAE) standards (J998, January 1980)—see Appendix A (relating to minimum requirements for motor vehicle brake linings—SAE J998).

(5) Metal from the shoe may not contact the brake drums or rotors.

(6) A vehicle to which additional axles and wheels have been added shall be equipped with brakes on the additional wheels.

(7) Brake lines shall be approved for use as brake lines.

(c) *Breakaway system.* A trailer operated on a highway which is equipped with brakes or which has gross weight in excess of 3,000 pounds shall be equipped with a breakaway system which shall stop and hold the vehicle automatically upon breakaway from the towing vehicle.

(d) *Air chamber push rod.* The air chamber push rod travel may not exceed the manufacturer's specifications maximum stroke allowance. See Chart 4 (relating to brake chamber push rod travel (typical)) for a drawing of the air chamber push rod.

§ 175.124. Tires and wheels.

(a) *Condition of tires and wheels.* Tires and wheels shall be in safe operating condition as described in § 175.130 (relating to inspection procedure).

(b) *Tire standards.* A trailer shall have tires that were manufactured in conformance with standards contained in Chapter 159 (relating to new pneumatic tires). See 75 Pa.C.S. § 4525 (relating to tire equipment and traction surfaces). Tires with equivalent metric size designations may be used.

(c) *Radial ply tires.* A radial ply tire may not be used on the same axle with a bias or belted tire.

(d) *Different types of tires.* Tires of different types and sizes, such as one snow tire and one regular tire or bias, belted or radial tire, may not be used on the same axle, except in an emergency.

(e) *Nonpneumatic tires.* No trailer operated on a highway shall be equipped with nonpneumatic tires.

(f) *Ice grips or studs.* A tire may not be equipped with ice grips or tire studs of wear-resisting material which have projections exceeding 2/32 inch beyond the tread of the traction surface of the tire.

(g) *Tires and rims.* The axles of a vehicle specified under this subchapter shall be equipped with the number and type of tires and rims which have a load rating equal to or higher than those offered by the manufacturer.

§ 175.125. Lighting and electrical systems.

(a) *Condition of lamps and switches.* Every required lamp or switch shall be in safe operating condition as described in § 175.130 (relating to inspection procedure).

(b) *Lighting standards.* Lamps shall comply with Tables II—IV; Chapter 153; and 75 Pa.C.S. Chapter 43 (relating to lighting equipment).

(c) *Other required lamps.* A trailer shall have at least one red stop lamp on each side of the rear of the vehicle, which shall be illuminated immediately upon application of the service brake.

(d) *Illumination.* A trailer shall be equipped with parking lamps, stop lamps, tail lamps, turn signal lamps and hazard warning lamps designed for that specific function, which under normal atmospheric conditions, shall be capable of being seen and distinguished during nighttime operation, at a distance of 500 feet. See 75 Pa.C.S. § 4303(b)—(d) (relating to general lighting requirements).

(1) Stop lamps, turn signals and hazard warning lamps shall be visible at a distance of 100 feet during normal sunlight.

(2) Rear lamps shall be lighted whenever headlamps, fog lamps or auxiliary driving lamps are in operation.

(3) A trailer shall be equipped with hazard warning lamps, unless these lamps were not included as original equipment.

(4) The turn signals shall have a frequency of flash between 60—120 flashes per minute.

(e) *Condition and position of lamps.* Lamps shall be properly fastened; direct light properly; be of a color not contrary to regulations—see Tables II—IV (relating to required motor vehicle lighting equipment; location of required equipment; and required motor vehicle lighting equipment); and may not be so obstructed by a screen, bar, auxiliary equipment or device of any kind as to obscure, change color of or obstruct the beam.

(f) *Ornamental lamps.* A lamp not enumerated in this section, and not located as described in Tables III—V of this chapter is prohibited unless it is available as original equipment. An illuminated sign is prohibited. Flashing or revolving lights are not ornamental lamps. Provisions relating to flashing or revolving lights are located in Chapters 15 and 173 (relating to authorized vehicles and special operating privileges; and flashing or revolving lights on emergency and authorized vehicles).

(g) *Back-up lamps.* Back-up lamps, if the vehicle is so equipped, shall turn off automatically when the vehicle goes forward.

(h) *Registration plate lamp.* A registration plate lamp, if originally equipped, shall emit white light and make the registration plate visible from a distance of 50 feet to rear of the vehicle.

(i) *Exception.* A trailer that is less than 30 inches in overall width may be equipped with only one of each of the following lamps and reflective devices, located at or near its vertical centerline: tail lamps, stop lamp and rear reflex reflector.

§ 175.127. Body.

(a) *Condition of body.* All items on the body shall be in safe operating condition as described in § 175.130 (relating to inspection procedure).

(b) *Protruding objects.* A trailer may have no torn metal, glass or other loose or dislocated parts protruding from the body.

(c) *Doors.* A vehicle specified under this subchapter shall be equipped with doors of a type used as original equipment. The doors shall open and close securely. Tailgates may be replaced with wood planking, nets or other material that will prevent loss of load. Tailgates may be removed when optional equipment is added.

§ 175.128. Chassis.

(a) *Condition of chassis.* All items on the chassis shall be in safe operating condition as described in § 175.130 (relating to inspection procedure).

(b) *Vehicle frame.* The vehicle frame shall be in solid condition.

(c) *Flooring and floor beds.* Flooring and floor beds shall be of a construction that supports occupants and cargo which the vehicle is capable of carrying, and may not have any openings through which exhaust gases could enter the passenger compartment.

(d) *Rear protection device.* A trailer, except for pole trailers, whose body has a rear end clearance of more than 30 inches from the ground when empty, shall be equipped with a rear bumper or rear end protection device as follows:

(1) The rear bumper or rear end protection device shall be:

(i) Within 30 inches of ground when the vehicle is empty.

(ii) Within 24 inches of another rear bumper or rear end protection device, if more than one rear bumper or rear end protection device is used.

(iii) Within 18 inches—transverse distance—of the widest part of the rear of the vehicle.

(iv) Within 24 inches of the extreme rear of the vehicle.

(v) Substantially constructed and firmly attached.

(2) Trailers constructed and maintained so that the body, chassis or other parts of the vehicle afford the rear end protection described in paragraph (1) shall be deemed to be in compliance with this subsection.

(e) *Fender and flaps.* The wheels of a trailer originally manufactured with fenders or flaps shall be equipped with fenders or flaps of a type used as original equipment.

(f) *Rear wheel shields.* A trailer shall be constructed or equipped so as to bar water or other road surface substances thrown from the rear wheels of the vehicle or combination at tangents exceeding 22 1/2°, measured from road surface, from passing in a straight line to the rear of the vehicle or combination. See 75 Pa.C.S. § 4533 (relating to rear wheel shields).

(g) *Tire contact.* A tire may not come in contact with the body, fenders or chassis of the vehicle.

§ 175.130. Inspection procedure.

(a) *External inspection.* An external inspection of a trailer over 3,000 pounds registered gross weight shall be performed as follows:

* * * * *

(3) Check door operation, including the tailgate and reject if one or more of the following apply:

* * * * *

(iii) Tailgate or equivalent is not on the vehicle, unless removed for the addition of optional equipment that is present at the time of inspection.

(4) Check the lamps and lenses and reject if one or more of the following apply:

* * * * *

(vi) A lamp or filament indicated at the switch position does not light when the correct switch indicates the lamp should be on.

* * * * *

(c) *Beneath the vehicle inspection.* A beneath the vehicle inspection of a trailer over 3,000 pounds registered gross weight shall be performed as follows:

(1) Inspect the tires and wheels and reject if one or more of the following apply:

* * * * *

(xiv) Studded tires are in use after April 15 and before November 1.

* * * * *

(3) Inspect the braking system.

* * * * *

(ii) The brake lining from one side of each axle shall be examined.

* * * * *

Subchapter H. MOTORCYCLES

§ 175.143. Steering.

(a) *Condition of steering components.* The steering assembly and steering mechanism shall be in safe operating condition as described in § 175.160 (relating to inspection procedure).

(b) *Condition of steering.* A motorcycle shall meet the following specifications in relation to front wheel geometry:

(1) Maximum rake: 45°. Maximum trail: 14 inches positive.

(2) Minimum rake: 20°. Minimum trail: 2 inches positive.

(3) Minimum rake and minimum trail are not applicable to three-wheel motorcycles unless the third wheel is derived from a sidecar.

(c) *Steering head.* A head shall be provided with a bearing or similar device allowing the steering shaft to turn freely in rotating fashion.

(d) *Handlebars.* The handlebars or grips may not be higher than the operator's shoulder level when the operator is properly seated upon the motorcycle.

(1) The handlebars shall be of a sturdy construction adequate in size and length to provide proper leverage for steering and capable of withstanding a minimum force of 100 pounds applied to each handle grip in any direction.

(2) The handlebars shall be designed so as not to restrict front fork movement and shall be capable of vertical adjustments.

(3) The handlebar design shall provide a minimum of 18 inches between ends, after final assembly.

(4) The handlebars shall be equipped with grips of nonslip design and materials.

§ 175.144. Braking systems.

(a) *Condition of braking systems.* Braking systems and components shall be in safe operating condition as described in § 175.160 (relating to inspection procedure).

(b) *Service brakes.* A motorcycle shall be equipped with a service brake system. See 75 Pa.C.S. § 4502 (relating to general requirements for braking systems).

(1) The service brakes shall act on all wheels upon application and shall be capable of stopping the vehicle in not more than the maximum stopping distance prescribed in Table I (relating to brake performance).

(2) The service brake system shall act upon all wheels according to the vehicle manufacturer's specifications, except on a vehicle being towed in driveaway-towaway operation or side cars not originally equipped.

(3) The brake lining and brake fluids shall be of type approved by vehicle manufacturer or shall meet the Society of Automotive Engineers (SAE) standards (J998, January 1980)—Appendix A (relating to minimum requirements for motor vehicle brake linings—SAE J998).

(4) The service brake system shall be of a design that rupture or failure of either the front or rear brake system will not result in the complete loss of braking function. Braking function may be obtained by hydraulic or other means through a normal brake mechanism. In the event of a rupture or failure of actuating force component, the unaffected brakes shall be capable of applying adequate braking force to vehicle.

(5) Metal from the shoe or caliper may not contact brake drums or rotors.

(6) Brake lines shall be approved for use as brake lines.

§ 175.145. Tires and wheels.

(a) *Condition of tires and wheels.* Tires and wheels shall be in safe operating condition as described in § 175.160 (relating to inspection procedure).

(b) *Tire standards.* A motorcycle shall have tires that were manufactured in conformance with standards contained in Chapter 159 (relating to new pneumatic tires). See 75 Pa.C.S. § 4525 (relating to tire equipment and traction surfaces). Tires with equivalent metric size designations may be used.

(c) *Nonpneumatic tires.* A motorcycle operated on a highway may not be equipped with nonpneumatic tires.

(d) *Ice grips or studs.* A tire may not be equipped with ice grips or tire studs or wear-resisting material which have projections exceeding 2/32 inch beyond the tread of the traction surface of the tire.

(e) *Antique vehicle pneumatic tire exemption.* An antique vehicle may be equipped with nonpneumatic tires if originally equipped by the manufacturer.

§ 175.146. Lighting and electrical systems.

* * * * *

(h) *Ornamental lamps.* A lamp not enumerated in this section, and not located as described in Tables III—V of

this chapter, is prohibited unless it is available as original equipment. An illuminated sign is prohibited. Flashing or revolving lights are not ornamental lamps. Provisions relating to flashing or revolving lights are located in Chapters 15 and 173 (relating to authorized vehicles and special operating privileges; and flashing or revolving lights on emergency and authorized vehicles).

* * * * *

(k) *Auxiliary driving lamps and fog lamps.* Auxiliary driving lamps and fog lamps may be installed on a motorcycle if they comply with the following requirements:

* * * * *

(2) Auxiliary driving lamps and fog lamps shall be mounted on front at a height not less than 12 inches nor more than 42 inches above level surface upon which the vehicle stands. Rear fog lamps, if originally installed or offered as optional equipment, are acceptable.

* * * * *

(6) A vehicle equipped with headlamps, auxiliary driving lamps or fog lamps may not have more than four forward projecting lamps illuminated at the same time.

* * * * *

(m) *Battery fastening.* A vehicle specified under this subchapter shall be equipped with a system which is specifically designed for the secure fastening of the battery.

§ 175.152. Exhaust systems.

(a) *Condition of exhaust system.* All components of the exhaust system shall be in safe operating condition as described in § 175.160 (relating to inspection procedure).

(b) *Exhaust system requirements.* A motorcycle shall be equipped with a muffler or other effective noise-suppressing system in good working order and in constant operation. A muffler or exhaust system may not be equipped with a cutout, bypass or similar device and a muffler may not show evidence of external repair.

(1) The exhaust system of a motorcycle may not be modified in a manner which will amplify or increase noise emitted by the motor of the vehicle above the maximum level permitted by Chapter 157 (relating to established sound levels).

(2) An exposed exhaust system shall be equipped with adequate heat shield or protective system or be located to prevent contact by operator or passenger.

§ 175.160. Inspection procedure.

(a) *External inspection.* An external inspection shall be performed as follows:

* * * * *

(6) Check the lamps and lenses and reject if one or more of the following apply:

* * * * *

(v) The lamp or filament indicated at switch position does not light when the correct switch indicates the lamp should be on.

* * * * *

(b) *Internal inspection.* An internal inspection shall be performed as follows:

* * * * *

(3) Check the brake system by doing visual inspection. If the vehicle is equipped with view ports or mechanical brake wear indicators, wheels do not have to be pulled but the mechanic shall determine if lining should be replaced. Reject if one or more of the following apply:

* * * * *

(xiv) Mechanical indicator shows that pads should be replaced.

(4) Check the motor mounts and reject if motor mounts are broken, cracked or missing.

* * * * *

(c) *Beneath the vehicle inspection.* A beneath the vehicle inspection shall be performed as follows:

(1) Inspect the tires and wheels and reject if one or more of the following apply:

* * * * *

(xiii) Studded tires are in use after April 15 and before November 1.

* * * * *

(5) Inspect the exhaust system and reject if one or more of the following apply:

* * * * *

(vii) The exposed exhaust system does not have an adequate heat shield or protective system or is not located to prevent contact with riders.

* * * * *

(d) *Road test.* Perform a road test and reject if one or more of the following apply:

* * * * *

**Subchapter J. MOTOR-DRIVEN CYCLES AND
MOTORIZED PEDALCYCLES**

§ 175.172. Steering.

(a) *Condition of steering components.* The steering assembly and steering mechanism shall be in safe operating condition as described in § 175.190 (relating to inspection procedure).

(b) *Steering head.* The steering head shall be provided with a bearing or similar device allowing the steering shaft to turn freely in a rotating fashion.

(c) *Handlebars.* The handlebars or grips may not be higher than the operator's shoulder level when the operator is properly seated upon the vehicle.

(1) The handlebars shall be of sturdy construction and adequate in size and length to provide leverage for steering and shall be capable of withstanding a minimum force of 100 pounds applied to each handle grip in any direction.

(2) The handlebars shall be designed so as not to restrict front fork movement and shall be capable of vertical adjustment.

(3) The handlebar design shall provide a minimum of 18 inches between ends, after final assembly.

(4) The handlebars shall be equipped with grips of nonslip design and materials.

§ 175.175. Lighting and electrical systems.

* * * * *

(h) *Ornamental lamps.* A lamp not enumerated in this section, and not located as described in Tables III—V of this chapter, is prohibited unless it is available as original

equipment. An illuminated sign is prohibited. Flashing or revolving lights are not ornamental lamps. Provisions relating to flashing or revolving lights are located in Chapters 15 and 173 (relating to authorized vehicles and special operating privileges; and flashing or revolving lights on emergency and authorized vehicles).

* * * * *

(k) *Auxiliary driving lamps and fog lamps.* Auxiliary driving lamps and fog lamps may be installed on a motor-driven cycle or motorized pedalcycle if they comply with the following requirements:

* * * * *

(2) Auxiliary driving lamps and fog lamps shall be mounted on front at a height not less than 12 inches nor more than 42 inches above level surface upon which the vehicle stands. Rear fog lamps, if originally installed or offered as optional equipment, are acceptable.

* * * * *

(6) A vehicle equipped with headlamps, auxiliary driving lamps, or fog lamps may not have more than four forward projecting lamps illuminated at the same time.

* * * * *

§ 175.181. Exhaust systems.

(a) *Condition of exhaust system.* All components of the exhaust system shall be in safe operating condition as described in § 175.190 (relating to inspection procedure).

(b) *Exhaust system requirements.* A vehicle specified under this subchapter shall be equipped with a muffler or other effective noise-suppressing system in good working order and in constant operation. A muffler or exhaust system may not be equipped with a cutout, bypass or similar device and a muffler may not show evidence of external repair.

(1) The exhaust system of a motor-driven cycle or motorized pedalcycle may not be modified in a manner which will amplify or increase noise emitted by the motor of vehicle above the maximum level permitted by Chapter 157 (relating to established sound levels).

(2) An exposed exhaust system shall be equipped with an adequate heat shield or protective system or be located to prevent contact by the operator or passenger.

§ 175.190. Inspection procedure.

(a) *External inspection.* An external inspection of motor-driven cycles only shall be performed as follows:

* * * * *

(5) Check the lamps and lenses and reject if one or more of the following apply:

* * * * *

(v) The lamp or filament indicated at switch position does not light when the correct switch indicates the lamp should be on.

* * * * *

(c) *Beneath the vehicle inspection.* A beneath the vehicle inspection of motor-driven cycles only shall be performed as follows:

(1) Inspect the tires and wheels and reject if one or more of the following apply:

* * * * *

(xii) Studded tires are in use after April 15 and before November 1.

* * * * *

(4) Inspect the exhaust system and reject if one or more of the following apply:

* * * * *

(vi) The exposed exhaust system does not have an adequate heat shield or protective system or is not located to prevent contact with riders.

(d) *Road test.* Perform a road test and reject if one or more of the following apply:

* * * * *

Subchapter K. STREET RODS, SPECIALLY CONSTRUCTED AND RECONSTRUCTED VEHICLES

§ 175.206. Glazing.

(a) *Condition of windshield.* A windshield shall be in safe operating condition as described in §§ 175.80, 175.110, 175.130, 175.160, 175.190 and 175.220 and this subchapter.

(b) *Requirements.* Glazing shall meet following requirements:

(1) A windshield may not be less than 7 inches in vertical height on a street rod and 12 inches vertical height on reconstructed vehicles and specially constructed vehicles. If the original body configuration provided by a recognized manufacturer had a windshield of less than 12 inches, reconstructed vehicles and specially constructed vehicles may use the original windshield size, except that this size may not be less than 7 inches.

(2) A windshield and side windows or openings shall allow the driver minimum outward horizontal vision capability of 90° from each side of the vertical plane passing through the fore and aft centerline of the vehicle. This range of vision may be interrupted by window framing not exceeding 2 inches in width and windshield door post support areas not exceeding 4 inches in width.

(c) *Obstructions forward of the windshield.* A vehicle specified under this subchapter may not have obstruction forward of the windshield which extends more than 2 inches upward into the horizontally projected vision area of the windshield with the exception of the windshield wiper components.

§ 175.209. Chassis.

(a) *Condition of chassis.* All items of a chassis shall be in safe operating condition as described in this subchapter and Subchapters E—H and J.

(b) *Bumpers.* A vehicle specified under this subchapter shall be equipped with front and rear bumpers securely attached to the chassis, except when the original body configuration provided by a recognized manufacturer did not include bumpers in the design of the vehicle.

(1) Some part of the horizontal bumper of a passenger vehicle and all street rods shall fall within 12—20 inches above ground level.

(2) Some part of the horizontal bumper of a truck shall fall within 16—30 inches above ground level.

(c) *Scrub line.* A vehicle specified under this subchapter shall meet the minimum scrub line requirements. See Chart 5 (relating to scrub line).

(1) A scrub line is an imaginary surface created if lines were drawn from the bottom of the wheel rim on one side to the bottom of the tire on the other side. When lines are drawn from both sides, an "X" under the vehicle suspension is created. A suspension or chassis component may not be below the top portion of this imaginary "X."

(2) Only exhaust systems and sheet metal may extend below the scrub line.

§ 175.220. Inspection procedure.

(a) *External inspection.* An external inspection shall be performed as follows:

* * * * *

(2) Check the windshield and reject if one or more of the following apply:

* * * * *

(ii) A windshield is less than 12 inches in vertical height, or the vertical height is less than what was originally designed, on a reconstructed or specially constructed vehicle.

* * * * *

(3) Check the fenders and reject if one or more of the following apply:

* * * * *

(ii) The tire tread circumference coverage is less than 15° to the front and 75° to the rear of each tire.

* * * * *

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