

**CHAPTER 193. AUTHORIZATION TO USE HIGHWAYS POSTED
DUE TO TRAFFIC CONDITIONS**

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Authority

The provisions of this Chapter 193 issued under the Vehicle Code, 75 Pa.C.S. §§ 4902(c) and (f) and 6103, unless otherwise noted.

Source

The provisions of this Chapter 193 adopted August 20, 1982, effective August 21, 1982, 12 Pa.B. 2801, unless otherwise noted.

Cross References

This chapter cited in 67 Pa. Code § 190.1 (relating to purpose).

§ 193.1. Purpose and authority.

(a) *Purpose.* This chapter regulates the use of highways posted under 75 Pa.C.S. § 4902(b) (relating to restrictions on use of highways and bridges) by vehicles or combinations having a gross weight in excess of the posted weight limit or a physical dimension in excess of the posted size restriction.

(b) *Authority.* This chapter is promulgated under authority of 75 Pa.C.S. §§ 4902(c) and (f) (relating to restrictions on use of highways and bridges), and 6103 (relating to promulgation of rules and regulations by department) and shall apply to all highways posted under authority of 75 Pa.C.S. § 4902(b).

§ 193.2. Definitions.

Words and terms used in this chapter shall have the same meanings as they have in 75 Pa.C.S. (relating to vehicle code), except the following words and terms have the meanings indicated:

Exempt vehicles—The following vehicles are exempt vehicles:

- (i) Emergency vehicles.
- (ii) School buses operating on regular routes.
- (iii) Vehicles and combinations of governmental agencies and utilities or their contractors engaged in construction, maintenance or utility operations on or along a posted highway or in a location which can be reached only by a posted highway.

Local authorities—State agencies other than the Department, and county, municipal, and other boards or bodies having authority to enact restrictions relating to traffic; the term includes colleges, universities, public or private schools, and public or historical parks.

Local traffic—Vehicles and combinations going to or coming from a residence, commercial or industrial establishment, or farm located on or within the immediate vicinity of a posted highway or which can only be reached by a posted highway.

Over-posted-size vehicle or combination—A vehicle or combination including its load with a physical dimension—such as length, width, height, turning radius or vehicle underclearance—in excess or in violation of the posted highway size restriction.

Over-posted-weight vehicle or combination—A vehicle or combination having a gross weight in excess of the posted highway weight restriction.

Pilot car—A convoying vehicle provided by the permittee in order to warn the traveling public of an over-posted-weight or over-posted-size vehicle or combination, which may be slow moving or travelling in other than the normal traffic lane.

Posted highway—A highway which has signs erected in accordance with 75 Pa.C.S. § 4902 (relating to restrictions on use of highways and bridges), indicating the maximum weight or size of vehicles or combinations that are permitted on the highway. The term includes bridges on the posted highway unless specifically exempted by the posting authority.

Posting authority—The Department as to State-designated highways, and local authorities as to other posted highways.

§ 193.3. Permitted use of posted highways.

(a) *General rule.* The posting authority may permit over-posted-weight or over-posted-size local traffic to use a highway posted under 75 Pa.C.S. § 4902(b) (relating to restrictions on use of highways and bridges) if it determines that the vehicle or combination is unlikely to create a hazard due to the driver's thorough knowledge of the hazardous traffic conditions or other safety factors which are the basis for the restriction.

(b) *Number of trips.* The permit may authorize a single trip, or an unlimited number of trips during a 12-month period.

(c) *Liability.* The permittee shall be liable for damage to the posted highway as well as personal injury or property damage, and shall provide the insurance or security the posting authority may require to guarantee payment of any damage to persons and property who or which may be injured as a result of the permitted use.

(d) *Restrictions.* When permitting use of a posted highway, the posting authority may stipulate one or more restrictions including, but not limited to, the following:

- (1) Special vehicle stopping locations.
- (2) Maximum speed or special gearing, or both.
- (3) Special inspection of brakes, tires, steering mechanism and coupling devices.

- (4) One or more pilot cars.
- (5) The use of traffic control persons to regulate and control other traffic.
- (6) Specific days of the week, days of the year or time of day when approval is not authorized.
- (e) *Possession of permit.* The permit authorizing an over-posted-weight or over-posted-size vehicle or combination to use a posted highway is valid only when carried in the vehicle or combination and the restrictions on the permit are satisfied.
- (f) *Exempt vehicles.* Exempt vehicles may exceed weight and size restrictions posted under 75 Pa.C.S. § 4902(b) on a highway without a permit unless the posting authority notifies the owner, lessee or registrant of the vehicle to the contrary.

§ 193.4. Application procedure and administrative fees.

(a) *Application procedure.* All inquiries regarding the issuance of permits discussed in this chapter should be made to the appropriate Engineering District Office for State-designated highways as indicated in Appendix A to Chapter 191 (relating to authorization to use bridges posted due to condition of bridge) and to the appropriate local authorities for other highways. A separate application shall be required for each posted highway section and for each vehicle or combination.

(b) *Administrative fee.* An administrative fee will be charged for the issuance of each permit discussed in this chapter and a check for the applicable fee shall be included with the application. For State-designated highways, the fee shall be \$15 for a single trip—once in each direction—or \$50 for an unlimited number of trips during a 12-month period. Fees for permits to use highways under the jurisdiction of local authorities may not be greater than those charged by the Department.

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