

**CHAPTER 229. INTERSTATE MOTOR CARRIER SAFETY
REQUIREMENTS**

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Authority

The provisions of this Chapter 229 issued under the Vehicle Code, 75 Pa.C.S. § 6103, unless otherwise noted.

Source

The provisions of this Chapter 229 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210, unless otherwise noted.

Subchapter A. GENERAL

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§ 229.1. General information and requirements.

(a) *Purpose.* This chapter prescribes the minimum requirements and qualifications for drivers, vehicles and other matters relating to the interstate operation

of commercial motor vehicles. Much of this chapter incorporates by reference provisions of 49 CFR Parts 390—397. Appropriate parts may be obtained from the following:

(1) United States Government Printing Office, Book Store, Room 118, Federal Building, 1000 Liberty Avenue, Pittsburgh, Pennsylvania 15222, (412) 644-2721.

(2) United States Government Printing Office, Book Store, 100 North 7th Street, Robert Morris Building, Philadelphia, Pennsylvania 19103, (215) 597-0677.

(3) United States Superintendent of Documents, United States Government Printing Office, Washington, D.C. 20402, (202) 655-4000.

(b) *Application.*

(1) Every motor carrier and its officers, drivers, agents, employes and representatives involved in, or related to, the transportation of interstate commerce shall comply with this chapter and shall take measures as are necessary to insure compliance.

(2) Officers, agents, representatives, drivers and employes of motor carriers involved or concerned with the management, maintenance, operation or driving of vehicles engaged in interstate commerce shall be conversant with and knowledgeable of the rules in this chapter.

(c) *Title and name changes.* In order to reconcile differences between this chapter and the incorporated sections of Federal regulations and to effectuate their joint enforcement, the following words and phrases will be substituted for the language of the Federal regulations as follows:

A reference to the Department of Transportation means the Pennsylvania Department of Transportation.

(d) *Forms and documents.* References to forms in the Federal regulations incorporated by reference will be replaced by the appropriate forms prescribed by the Department of Transportation.

Source

The provisions of this § 229.1 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; amended July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial pages (111337) to (111338).

§ 229.2. Scope.

(a) Except as otherwise provided, this chapter applies to vehicles, including motor vehicles and combinations of vehicles, and drivers of motor vehicles engaged in interstate commerce if the registered gross weight of the vehicle or combination of vehicles exceeds 17,000 pounds.

(b) This chapter applies to motor carriers of property or passengers, whether common carriers, contract carriers or private carriers, involved in interstate commerce.

(c) This chapter does not apply to systematic inspections of drivers of or vehicle types as follows:

- (1) Farm trucks not required to be registered.
- (2) Special mobile equipment.
- (3) Implements of husbandry.

Source

The provisions of this § 229.2 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111338).

§ 229.3. Definitions.

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

Bus—A motor vehicle as defined in 75 Pa.C.S. § 102 (relating to definitions).

Business district—The term as defined in 75 Pa.C.S. § 102.

Department—The Department of Transportation of the Commonwealth.

Driveaway-towaway operation—49 CFR 390.5 (relating to definitions) incorporated by reference.

Driver—49 CFR 390.5 incorporated by reference.

Full trailer—The term as defined in 75 Pa.C.S. § 102.

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

Interstate commerce—Trade, traffic or transportation of property or persons by highway between a place within this Commonwealth and a place in another state or between a place in one state and a place in another state with transportation by highway through this Commonwealth.

Lightweight vehicle—A motor vehicle, other than a vehicle that is being used to transport passengers for hire; or a vehicle that is being used to transport hazardous materials of a type or quantity that requires the vehicle to be marked or placarded under 49 CFR 177.823 (relating to marking and placarding motor vehicles) that was one of the following:

(i) Manufactured on or after January 1, 1972, and has a manufacturer's gross vehicle weight rating of 17,000 pounds or less, in the case of a single vehicle, or a manufacturer's gross combination weight rating of 17,000 pounds or less, in the case of an articulated vehicle.

(ii) Manufactured before January 1, 1972, and has a gross weight including its load and the gross weight of a vehicle being towed by the motor vehicle of 17,000 pounds or less.

Motor carrier—49 CFR 390.5 incorporated by reference.

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

Pole trailer—49 CFR 390.5 incorporated by reference.

Qualified Commonwealth employe—A Commonwealth employe designated by the Department who is authorized to inspect vehicles, drivers, documents, equipment and loads, or cargo as provided in 75 Pa.C.S. §§ 4704 and 8302 (relating to inspection by police or department personnel; and powers and duties of department).

Radar detector—49 CFR 390.5 (relating to definitions) incorporated by reference.

Residence district—The term as defined in 75 Pa.C.S. § 102.

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

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

Truck tractor—49 CFR 390.5 (relating to definitions) incorporated by reference.

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

Source

The provisions of this § 229.3 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; amended July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223; amended June 24, 1994, effective June 25, 1994, 24 Pa.B. 3128. Immediately preceding text appears at serial pages (161111) to (161112).

§ 229.4. General applicability.

49 CFR 390.3 (relating to general applicability) incorporated by reference.

Source

The provisions of this § 229.4 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; amended July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111340).

§ 229.5. Vehicles used for purposes other than as defined.

49 CFR 390.33 (relating to vehicles used for purposes other than as defined) incorporated by reference.

Source

The provisions of this § 229.5 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; amended July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111340).

§ 229.6. Motor carrier to require observance of driver regulations.

49 CFR 390.11 (relating to motor carrier to require observance of driver regulations) incorporated by reference.

Source

The provisions of this § 229.6 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; amended July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111340).

§ 229.7. Aiding or abetting violations.

49 CFR 390.13 (relating to aiding or abetting violations) incorporated by reference.

Source

The provisions of this § 229.7 adopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223.

§ 229.8. Additional equipment and accessories.

49 CFR 390.19 (relating to additional equipment and accessories) incorporated by reference.

Source

The provisions of this § 229.8 adopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223.

§ 229.9. Marking of motor vehicles.

49 CFR 390.21 (relating to marking of commercial motor vehicles) incorporated by reference.

Source

The provisions of this § 229.9 adopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223.

§ 229.10. Relief from hours-of-service regulations—disasters.

49 CFR 390.23 (relating to relief from hours-of-service regulations—disasters) incorporated by reference.

Source

The provisions of this § 229.10 adopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223.

§ 229.11. Copies of records or documents.

49 CFR 390.31 (relating to copies of records or documents) incorporated by reference.

Source

The provisions of this § 229.11 adopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223.

§ 229.12. Certificates, reports and records: falsification, reproduction or alteration.

49 CFR 390.35 (relating to certificates, reports, and records: falsification, reproduction, or alteration) incorporated by reference.

Source

The provisions of this § 229.12 adopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223.

§ 229.13. Violation and penalty.

49 CFR 390.37 (relating to violation and penalty) incorporated by reference.

Source

The provisions of this § 229.13 adopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223.

Subchapter B. QUALIFICATIONS OF DRIVERS

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- 229.85. Intrastate drivers of vehicles transporting combustible liquids.

GENERAL

§ 229.21. Scope of this part; additional qualifications; duties of carrier-drivers.

49 CFR 391.1 (relating to scope of the rules in this part; additional qualifications; duties of carrier-drivers) incorporated by reference.

Source

The provisions of this § 229.21 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111341).

§ 229.22. General exemptions.

49 CFR 391.2(a)—(c) (relating to general exemptions) incorporated by reference.

Source

The provisions of this § 229.22 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; amended July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111341).

§ 229.23. [Reserved].

Source

The provisions of this § 229.23 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; reserved July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111342).

§ 229.24. [Reserved].

Source

The provisions of this § 229.24 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; reserved July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111342).

§ 229.25. [Reserved].

Source

The provisions of this § 229.25 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; reserved July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111342).

QUALIFICATION AND DISQUALIFICATION OF DRIVERS

§ 229.31. Qualifications of drivers.

49 CFR 391.11 (relating to qualifications of drivers) incorporated by reference.

Source

The provisions of this § 229.31 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111342).

§ 229.32. Disqualification of drivers.

49 CFR 391.15 (relating to disqualification of driver) incorporated by reference.

Source

The provisions of this § 229.32 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111342).

BACKGROUND AND CHARACTER

§ 229.41. Application for employment.

49 CFR 391.21 (relating to application for employment) incorporated by reference.

Source

The provisions of this § 229.41 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111342).

§ 229.42. Investigation and inquiries.

49 CFR 391.23 (relating to investigation and inquiries) incorporated by reference.

Source

The provisions of this § 229.42 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111342).

§ 229.43. Annual review of driving record.

49 CFR 391.25 (relating to annual review of driving record) incorporated by reference.

Source

The provisions of this § 229.43 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111342).

§ 229.44. Record of violations.

49 CFR 391.27 (relating to record of violations) incorporated by reference.

Source

The provisions of this § 229.44 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111342).

EXAMINATIONS AND TESTS

§ 229.51. Road test.

49 CFR 391.31 (relating to road test) incorporated by reference.

Source

The provisions of this § 229.51 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111343).

§ 229.52. Equivalent of road test.

49 CFR 391.33 (relating to equivalent of road test) incorporated by reference.

Source

The provisions of this § 229.52 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111343).

§ 229.53. Written examination.

49 CFR 391.35 (relating to written examination) incorporated by reference.

Source

The provisions of this § 229.53 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111343).

§ 229.54. Equivalent of written examination.

49 CFR 391.37 (relating to equivalent of written examination) incorporated by reference.

Source

The provisions of this § 229.54 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111343).

PHYSICAL QUALIFICATIONS AND EXAMINATIONS**§ 229.61. Physical qualifications for drivers.**

49 CFR 391.41 (relating to physical qualifications for drivers) incorporated by reference.

Source

The provisions of this § 229.61 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111343).

§ 229.62. Medical examination; certificate of physical examination.

49 CFR 391.43 (relating to medical examination; certificate of physical examination) incorporated by reference.

Source

The provisions of this § 229.62 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111343).

§ 229.63. Persons who must be medically examined and certified.

49 CFR 391.45 (relating to persons who must be medically examined and certified) incorporated by reference.

Source

The provisions of this § 229.63 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111343).

§ 229.64. Resolution of conflicts of medical evaluation.

49 CFR 391.47 (relating to resolution of conflicts of medical evaluation) incorporated by reference.

Source

The provisions of this § 229.64 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111343).

§ 229.65. Waiver of certain physical defects.

49 CFR 391.49 (relating to waiver of certain physical defects) incorporated by reference.

Source

The provisions of this § 229.65 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111343).

§ 229.66. Controlled substances testing.

49 CFR 391.81—391.123 (relating to controlled substances testing) incorporated by reference.

Authority

The provisions of this § 229.66 issued under the Vehicle Code, 75 Pa.C.S. §§ 4704 and 6103.

Source

The provisions of this § 229.66 adopted October 14, 1994, effective October 15, 1994, 24 Pa.B. 5234.

FILES AND RECORDS

§ 229.71. Driver qualification files.

49 CFR 391.51 (relating to driver qualification files) incorporated by reference.

Source

The provisions of this § 229.71 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111344).

LIMITED EXEMPTIONS

§ 229.81. Drivers who were regularly employed before January 1, 1971.

49 CFR 391.61 (relating to drivers who were regularly employed before January 1, 1971) incorporated by reference.

Source

The provisions of this § 229.81 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111344).

§ 229.82. Intermittent, casual or occasional drivers.

49 CFR 391.63 (relating to intermittent, casual, or occasional drivers) incorporated by reference.

Source

The provisions of this § 229.82 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111344).

§ 229.83. Drivers furnished by other motor carriers.

49 CFR 391.65 (relating to drivers furnished by other motor carriers) incorporated by reference.

Source

The provisions of this § 229.83 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111344).

§ 229.84. Drivers of articulated-combination-farm vehicles.

49 CFR 391.67 (relating to drivers of articulated (combination) farm vehicles) incorporated by reference.

Source

The provisions of this § 229.84 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111344).

§ 229.85. Intrastate drivers of vehicles transporting combustible liquids.

49 CFR 391.71 (relating to intrastate drivers of vehicles transporting combustible liquids) incorporated by reference.

Source

The provisions of this § 229.85 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111344).

Subchapter C. DRIVING OF MOTOR VEHICLES

GENERAL

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- 229.180. Sleeper berth, occupation.
- 229.181. Radar detectors; use or possession, or both.

GENERAL

§ 229.101. Scope of this part.

49 CFR 392.1 (relating to scope of the rules in this part) incorporated by reference.

Source

The provisions of this § 229.101 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; amended July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111346).

§ 229.102. Applicable operating rules.

49 CFR 392.2 (relating to applicable operating rules) incorporated by reference.

Source

The provisions of this § 229.102 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111346).

§ 229.103. Ill or fatigued operator.

49 CFR 392.3 (relating to ill or fatigued operator) incorporated by reference.

Source

The provisions of this § 229.103 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111346).

§ 229.104. Drugs and other substances.

49 CFR 392.4 (relating to drugs and other substances) incorporated by reference.

Source

The provisions of this § 229.104 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; amended July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111347).

§ 229.105. Intoxicating beverage.

49 CFR 392.5 (relating to intoxicating beverage) incorporated by reference.

Source

The provisions of this § 229.105 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111347).

§ 229.106. Schedule to conform with speed limits.

49 CFR 392.6 (relating to schedules to conform with speed limits) incorporated by reference.

Source

The provisions of this § 229.106 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111347).

§ 229.107. Equipment, inspection and use.

49 CFR 392.7 (relating to equipment, inspection and use) incorporated by reference.

Source

The provisions of this § 229.107 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111347).

§ 229.108. Emergency equipment, inspection and use.

49 CFR 392.8 (relating to emergency equipment, inspection and use) incorporated by reference.

Source

The provisions of this § 229.108 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111347).

§ 229.109. Safe loading.

49 CFR 392.9 (relating to safe loading) incorporated by reference.

Source

The provisions of this § 229.109 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111347).

§ 229.110. Corrective lenses to be worn.

49 CFR 392.9a (relating to corrective lenses to be worn) incorporated by reference.

Source

The provisions of this § 229.110 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111347).

§ 229.111. Hearing aid to be worn.

49 CFR 392.9b (relating to hearing aid to be worn) incorporated by reference.

Source

The provisions of this § 229.111 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111347).

DRIVING OF VEHICLES**§ 229.121. Railroad grade crossings; stopping required.**

49 CFR 392.10 (relating to railroad grade crossings; stopping required) incorporated by reference.

Source

The provisions of this § 229.121 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111347).

§ 229.122. Railroad grade crossings; slowing down required.

49 CFR 392.11 (relating to railroad grade crossings; slowing down required) incorporated by reference.

Source

The provisions of this § 229.122 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111347).

§ 229.123. Drawbridges; stopping of buses.

49 CFR 392.12 (relating to drawbridges; stopping of buses) incorporated by reference.

Source

The provisions of this § 229.123 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111348).

§ 229.124. Drawbridges; slowing down of other vehicles.

49 CFR 392.13 (relating to drawbridges; slowing down of other vehicles) incorporated by reference.

Source

The provisions of this § 229.124 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111348).

§ 229.125. Hazardous conditions; extreme caution.

49 CFR 392.14 (relating to hazardous conditions; extreme caution) incorporated by reference.

Source

The provisions of this § 229.125 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111348).

§ 229.126. Required and prohibited use of turn signals.

49 CFR 392.15 (relating to required and prohibited use of turn signals) incorporated by reference.

Source

The provisions of this § 229.126 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111348).

§ 229.127. Use of seat belts.

49 CFR 392.16 (relating to use of seat belts) incorporated by reference.

Source

The provisions of this § 229.127 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111348).

§ 229.128. Slow moving vehicles; hazard warning signal flashers.

49 CFR 392.18 (relating to slow moving vehicles; hazard warning signal flashers) incorporated by reference.

Source

The provisions of this § 229.128 adopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223.

STOPPED VEHICLES

§ 229.131. Unattended vehicles; precautions.

49 CFR 392.20 (relating to unattended vehicles; precautions) incorporated by reference.

Source

The provisions of this § 229.131 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111348).

§ 229.132. Stopped vehicles not to interfere with other traffic.

49 CFR 392.21 (relating to stopped vehicles not to interfere with other traffic) incorporated by reference.

Source

The provisions of this § 229.132 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111348).

§ 229.133. Emergency signals; stopped vehicles.

49 CFR 392.22 (relating to emergency signals; stopped vehicles) incorporated by reference.

Source

The provisions of this § 229.133 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111348).

§ 229.134. Emergency signals; flame producing.

49 CFR 392.24 (relating to emergency signals; flame-producing) incorporated by reference.

Source

The provisions of this § 229.134 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111348).

§ 229.135. Emergency signals; dangerous cargoes.

49 CFR 392.25 (relating to emergency signals; dangerous cargoes) incorporated by reference.

Source

The provisions of this § 229.135 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111348).

USE OF LIGHTED LAMPS AND REFLECTORS

§ 229.141. Lighted lamps; moving vehicles.

49 CFR 392.30 (relating to lighted lamps; moving vehicles) incorporated by reference.

Source

The provisions of this § 229.141 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111349).

§ 229.142. Lighted lamps; stopped or parked vehicles.

49 CFR 392.31 (relating to lighted lamps; stopped or parked vehicles) incorporated by reference.

Source

The provisions of this § 229.142 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111349).

§ 229.143. Upper and lower headlamp beams.

49 CFR 392.32 (relating to upper and lower headlamp bases) incorporated by reference.

Source

The provisions of this § 229.143 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111349).

§ 229.144. Obscured lamps or reflectors.

49 CFR 392.33 (relating to obscured lamps or reflectors) incorporated by reference.

Source

The provisions of this § 229.144 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111349).

**ACCIDENTS AND LICENSE REVOCATION;
DUTIES OF DRIVER**

§ 229.151. All accidents.

49 CFR 392.40 (relating to all accidents) incorporated by reference.

Source

The provisions of this § 229.151 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111349).

§ 229.152. Striking unattended vehicle.

49 CFR 392.41 (relating to striking unattended vehicle) incorporated by reference.

Source

The provisions of this § 229.152 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111349).

§ 229.153. Notification of license revocation.

49 CFR 392.42 (relating to notification of license revocation) incorporated by reference.

Source

The provisions of this § 229.153 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111349).

FUELING PRECAUTIONS

§ 229.161. Ignition of fuel; prevention.

49 CFR 392.50 (relating to ignition of fuel; prevention) incorporated by reference.

Source

The provisions of this § 229.161 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111349).

§ 229.162. Reserve fuel.

49 CFR 392.51 (relating to reserve fuel) incorporated by reference.

Source

The provisions of this § 229.162 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111349).

§ 229.163. Buses; fueling.

49 CFR 392.52 (relating to buses; fueling) incorporated by reference.

Source

The provisions of this § 229.163 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111350).

PROHIBITED PRACTICES

§ 229.171. Unauthorized persons not to be transported.

49 CFR 392.60 (relating to unauthorized persons not to be transported) incorporated by reference.

Source

The provisions of this § 229.171 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111350).

§ 229.172. Driving by unauthorized persons.

49 CFR 392.61 (relating to driving by unauthorized persons) incorporated by reference.

Source

The provisions of this § 229.172 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111350).

§ 229.173. Bus driver; distraction.

49 CFR 392.62 (relating to bus driver; distraction) incorporated by reference.

Source

The provisions of this § 229.173 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111350).

§ 229.174. Towing or pushing loaded buses.

49 CFR 392.63 (relating to towing or pushing loaded buses) incorporated by reference.

Source

The provisions of this § 229.174 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111350).

§ 229.175. Riding within closed vehicles without proper exits.

49 CFR 392.64 (relating to riding within closed vehicles without proper exits) incorporated by reference.

Source

The provisions of this § 229.175 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111350).

§ 229.176. Sleeper berth; transfer to or from.

49 CFR 392.65 (relating to sleeper berth; transfer to or from) incorporated by reference.

Source

The provisions of this § 229.176 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111350).

§ 229.177. Carbon monoxide; use of vehicle when detected.

49 CFR 392.66 (relating to carbon monoxide; use of vehicle when detected) incorporated by reference.

Source

The provisions of this § 229.177 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111350).

§ 229.178. Heater, flame-producing; on vehicle in motion.

49 CFR 392.67 (relating to heater, flame-producing; on vehicle in motion) incorporated by reference.

Source

The provisions of this § 229.178 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111350).

§ 229.179. Motive power not to be disengaged.

49 CFR 392.68 (relating to motive power not to be disengaged) incorporated by reference.

Source

The provisions of this § 229.179 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111350).

§ 229.180. Sleeper berth, occupation.

49 CFR 392.69 (relating to sleeper berth, occupation) incorporated by reference.

Source

The provisions of this § 229.180 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111351).

§ 229.181. Radar detectors; use or possession, or both.

49 CFR 392.71 (relating to radar detectors; use and/or possession) incorporated by reference.

Source

The provisions of this § 229.181 adopted June 24, 1994, effective June 25, 1994, 24 Pa.B. 3128.

Notes of Decisions*Search and Seizure*

Warrantless seizure of a radar detector would have been permissible under the plain view doctrine when the officer, who responded to a dispatch informing him of an accident and who approached a truck involved in the accident to assure that the emergency brake was set, viewed the radar detector on the truck's dashboard from his lawful vantage point outside of the truck; the seizure was not rendered impermissible because it was delayed until a time when the truck was impounded. *Commonwealth v. Petroll*, 738 A.2d 993 (Pa. 1999).

**Subchapter D. PARTS AND ACCESSORIES
NECESSARY FOR SAFE OPERATION****GENERAL**

Sec.

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- 229.192. Additional equipment and accessories.
- 229.193. Definitions.

229-22

**LIGHTING DEVICES, REFLECTORS AND
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- 229.321. Frames.
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GENERAL

§ 229.191. Scope of this part.

49 CFR 393.1 (relating to scope of the rules in this part) incorporated by reference.

Source

The provisions of this § 229.191 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; amended July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111353).

§ 229.192. Additional equipment and accessories.

49 CFR 393.3 (relating to additional equipment and accessories) incorporated by reference.

Source

The provisions of this § 229.192 adopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223.

§ 229.193. Definitions.

49 CFR 393.5 (relating to definitions) incorporated by reference.

Source

The provisions of this § 229.193 adopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223.

**LIGHTING DEVICES, REFLECTORS AND
ELECTRICAL EQUIPMENT**

§ 229.201. Lamps operable.

49 CFR 393.9 (relating to lamps operable) incorporated by reference.

Source

The provisions of this § 229.201 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111354).

§ 229.202. Lighting devices and reflectors.

49 CFR 393.11 (relating to lighting devices and reflectors) incorporated by reference.

Source

The provisions of this § 229.202 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; amended July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111354).

§ 229.203. [Reserved].

Source

The provisions of this § 229.203 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; reserved July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111354).

§ 229.204. [Reserved].

Source

The provisions of this § 229.204 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; reserved July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111354).

§ 229.205. [Reserved].

Source

The provisions of this § 229.205 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; reserved July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111354).

§ 229.206. [Reserved].

Source

The provisions of this § 229.206 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; reserved July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111354).

§ 229.207. [Reserved].

Source

The provisions of this § 229.207 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; reserved July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111354).

§ 229.208. Lamps and reflectors—combinations in driveway-towaway operation.

49 CFR 393.17 (relating to lamps and reflectors—combinations in driveway-towaway operation) incorporated by reference.

Source

The provisions of this § 229.208 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111354).

§ 229.209. [Reserved].

Source

The provisions of this § 229.209 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; reserved July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111354).

§ 229.210. Requirements for turn signaling systems.

49 CFR 393.19 (relating to requirements for turn signaling systems) incorporated by reference.

Source

The provisions of this § 229.210 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111354).

§ 229.211. Clearance lamps to indicate extreme width and height.

49 CFR 393.20 (relating to clearance lamps to indicate extreme width and height) incorporated by reference.

Source

The provisions of this § 229.211 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111355).

§ 229.212. Combination of lighting devices and reflectors.

49 CFR 393.22 (relating to combination of lighting devices and reflectors) incorporated by reference.

Source

The provisions of this § 229.212 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; corrected September 19, 1986, effective August 30, 1986, 16 Pa.B. 3514; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111355).

§ 229.213. Lighting devices to be electric.

49 CFR 393.23 (relating to lighting devices to be electric) incorporated by reference.

Source

The provisions of this § 229.213 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; corrected September 19, 1986, effective August 30, 1986, 16 Pa.B. 3514; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111355).

§ 229.214. Requirements for head lamps and auxiliary road lighting lamps.

49 CFR 393.24 (relating to requirements for head lamps and auxiliary road lighting lamps) incorporated by reference.

Source

The provisions of this § 229.214 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; corrected September 19, 1986, effective August 30, 1986, 16 Pa.B. 3214; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111355).

§ 229.215. Requirement for lamps other than headlamps.

49 CFR 393.25 (relating to requirement for lamps other than headlamps) incorporated by reference.

Source

The provisions of this § 229.215 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; corrected September 19, 1986, effective August 30, 1986, 16 Pa.B. 3214; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111355).

§ 229.216. Requirements for reflectors.

49 CFR 393.26 (relating to requirements for reflectors) incorporated by reference.

Source

The provisions of this § 229.216 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; corrected September 19, 1986, effective August 30, 1986, 16 Pa.B. 3214; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111355).

§ 229.217. Wiring specifications.

49 CFR 393.27 (relating to wiring specifications) incorporated by reference.

Source

The provisions of this § 229.217 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; corrected September 19, 1986, effective August 30, 1986, 16 Pa.B. 3214; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111356).

§ 229.218. Wiring to be protected.

49 CFR 393.28 (relating to wiring to be protected) incorporated by reference.

Source

The provisions of this § 229.218 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; corrected September 19, 1986, effective August 30, 1986, 16 Pa.B. 3214; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111356).

§ 229.219. Grounds.

49 CFR 393.29 (relating to grounds) incorporated by reference.

Source

The provisions of this § 229.219 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; corrected September 19, 1986, effective August 30, 1986, 16 Pa.B. 3214; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111356).

§ 229.220. Battery installation.

49 CFR 393.30 (relating to battery installation) incorporated by reference.

Source

The provisions of this § 229.220 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; corrected September 19, 1986, effective August 30, 1986, 16 Pa.B. 3214; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111356).

§ 229.221. Overload protective devices.

49 CFR 393.31 (relating to overload protective devices) incorporated by reference.

Source

The provisions of this § 229.221 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; corrected September 19, 1986, effective August 30, 1986, 16 Pa.B. 3214; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111356).

§ 229.222. Detachable electrical connections.

49 CFR 393.32 (relating to detachable electrical connections) incorporated by reference.

Source

The provisions of this § 229.222 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; corrected September 19, 1986, effective August 30, 1986, 16 Pa.B. 3214; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111356).

§ 229.223. Wiring installation.

49 CFR 393.33 (relating to wiring, installation) incorporated by reference.

Source

The provisions of this § 229.223 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; corrected September 19, 1986, effective August 30, 1986, 16 Pa.B. 3214; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (116057).

BRAKES**§ 229.231. Required brake systems.**

49 CFR 393.40 (relating to required brake systems) incorporated by reference.

Source

The provisions of this § 229.231 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (116057).

§ 229.232. Parking brake system.

49 CFR 393.41 (relating to parking brake system) incorporated by reference.

Source

The provisions of this § 229.232 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (116057).

§ 229.233. Brakes required on all wheels.

49 CFR 393.42 (relating to brakes required on all wheels) incorporated by reference.

Source

The provisions of this § 229.233 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; amended by the amendment of Federal regulations effective April 28, 1987, see 17 Pa.B. 1306 (March 28, 1987); readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (116057).

§ 229.234. Breakaway and emergency braking.

49 CFR 393.43 (relating to breakaway and emergency braking) incorporated by reference.

Source

The provisions of this § 229.234 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (116057).

§ 229.235. Front brake lines, protection.

49 CFR 393.44 (relating to front brake lines, protection) incorporated by reference.

Source

The provisions of this § 229.235 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (116057).

§ 229.236. Brake tubing and hose, adequacy.

49 CFR 393.45 (relating to brake tubing and hose, adequacy) incorporated by reference.

Source

The provisions of this § 229.236 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (116057).

§ 229.237. Brake tubing and hose connections.

49 CFR 393.46 (relating to brake tubing and hose connections) incorporated by reference.

Source

The provisions of this § 229.237 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (116057).

§ 229.238. Brake lining.

49 CFR 393.47 (relating to brake lining) incorporated by reference.

Source

The provisions of this § 229.238 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (116057).

§ 229.239. Brakes to be operative.

49 CFR 393.48 (relating to brakes to be operative) incorporated by reference.

Source

The provisions of this § 229.239 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (116058).

§ 229.240. Single valve to operate all brakes.

49 CFR 393.49 (relating to single valve to operate all brakes) incorporated by reference.

Source

The provisions of this § 229.240 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (116058).

§ 229.241. Reservoirs required.

49 CFR 393.50 (relating to reservoirs required) incorporated by reference.

Source

The provisions of this § 229.241 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (116058).

§ 229.242. Warning devices and gauges.

49 CFR 393.51 (relating to warning devices and gauges) incorporated by reference.

Source

The provisions of this § 229.242 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; amended July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (116058).

§ 229.243. Brake performance.

49 CFR 393.52 (relating to brake performance) incorporated by reference.

Source

The provisions of this § 229.243 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (116058).

Notes of Decisions*Search and Seizure*

The police lacked a reasonable basis to conduct a seizure and search of a driver's logbook, a bank bag, which contained toll receipts, and a brown bag, which contained shipping invoices and other documents, where, in view of the fact that the police had detained the driver and were planning to impound his tractor-trailer, the police had already taken a potentially dangerous vehicle and driver off the road. *Commonwealth v. Petroll*, 738 A.2d 993 (Pa. 1999).

GLAZING AND WINDOW CONSTRUCTION**§ 229.251. Glazing in specified openings.**

49 CFR 393.60 (relating to glazing in specified openings) incorporated by reference.

Source

The provisions of this § 229.251 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (116058).

§ 229.252. Window construction.

49 CFR 393.61 (relating to window construction) incorporated by reference.

Source

The provisions of this § 229.252 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (116058).

§ 229.253. Window obstructions.

49 CFR 393.62 (relating to window obstructions) incorporated by reference.

Source

The provisions of this § 229.253 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (116058).

§ 229.254. Windows, markings.

49 CFR 393.63 (relating to windows, markings) incorporated by reference.

Source

The provisions of this § 229.254 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (116058).

FUEL SYSTEMS

§ 229.261. All fuel systems.

49 CFR 393.65 (relating to all fuel systems) incorporated by reference.

Source

The provisions of this § 229.261 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111359).

§ 229.262. Liquid fuel tanks.

49 CFR 393.67 (relating to liquid fuel tanks) incorporated by reference.

Source

The provisions of this § 229.262 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111359).

§ 229.263. Liquified petroleum gas systems.

49 CFR 393.69 (relating to liquified petroleum gas systems) incorporated by reference.

Source

The provisions of this § 229.263 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111359).

COUPLING DEVICES AND TOWING METHODS

§ 229.271. Coupling devices and towing methods, except for driveaway-towaway operations.

49 CFR 393.70 (relating to coupling devices and towing methods, except for driveaway-towaway operations) incorporated by reference.

Source

The provisions of this § 229.271 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111359).

§ 229.272. Coupling devices and towing methods, driveaway-towaway operations.

49 CFR 393.71 (relating to coupling devices and towing methods, driveaway-towaway operations) incorporated by reference.

Source

The provisions of this § 229.272 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111359).

MISCELLANEOUS PARTS AND ACCESSORIES

§ 229.281. Tires.

49 CFR 393.75 (relating to tires) incorporated by reference except that vehicles permitted to operate with oversize wheels and tires under 75 Pa.C.S. § 4969 (relating to permit for movement of vehicles with oversize wheels and tires) are not subject to the requirements of this section.

Source

The provisions of this § 229.281 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111359).

§ 229.282. Sleeper berths.

49 CFR 393.76 (relating to sleeper berths) incorporated by reference.

Source

The provisions of this § 229.282 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111359).

§ 229.283. Heaters.

49 CFR 393.77 (relating to heaters) incorporated by reference.

Source

The provisions of this § 229.283 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111359).

§ 229.284. Windshield wipers.

49 CFR 393.78 (relating to windshield wipers) incorporated by reference.

Source

The provisions of this § 229.284 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111359).

§ 229.285. Defrosting device.

49 CFR 393.79 (relating to defrosting device) incorporated by reference.

Source

The provisions of this § 229.285 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111360).

§ 229.286. Rear-vision mirrors.

49 CFR 393.80 (relating to rear-vision mirrors) incorporated by reference.

Source

The provisions of this § 229.286 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111360).

§ 229.287. Horn.

49 CFR 393.81 (relating to horn) incorporated by reference.

Source

The provisions of this § 229.287 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111360).

§ 229.288. Speedometer.

49 CFR 393.82 (relating to speedometer) incorporated by reference.

Source

The provisions of this § 229.288 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111360).

§ 229.289. Exhaust system location.

(a) *Exhaust system of a motor vehicle.* No part of the exhaust system of a motor vehicle may be located that would be likely to result in burning, charring or damaging the electrical wiring, the fuel supply or a combustible part of the motor vehicle.

(b) *Exhaust system of a bus.* The exhaust system of a bus powered by a gasoline engine shall discharge to the atmosphere at an outside edge of the vehicle. The exhaust system of a bus powered by other than a gasoline engine shall discharge to the atmosphere at an outside edge of the vehicle.

(c) *Exhaust system of a truck or truck tractor.* The exhaust system of a truck or 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.

Source

The provisions of this § 229.289 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111360).

§ 229.290. Floors.

49 CFR 393.84 (relating to floors) incorporated by reference.

Source

The provisions of this § 229.290 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111360).

§ 229.291. Rear-end protection.

49 CFR 393.86 (relating to rear-end protection) incorporated by reference.

Source

The provisions of this § 229.291 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111360).

§ 229.292. Flags on projecting loads.

49 CFR 393.87 (relating to flags on projecting loads) incorporated by reference.

Source

The provisions of this § 229.292 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111360).

§ 229.293. Television receivers.

49 CFR 393.88 (relating to television receivers) incorporated by reference.

Source

The provisions of this § 229.293 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111360).

§ 229.294. Buses, driveshaft protection.

49 CFR 393.89 (relating to buses, driveshaft protection) incorporated by reference.

Source

The provisions of this § 229.294 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111361).

§ 229.295. Buses, standee line or bar.

49 CFR 393.90 (relating to buses, standee line or bar) incorporated by reference.

Source

The provisions of this § 229.295 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111361).

§ 229.296. Buses, aisle seats prohibited.

49 CFR 393.91 (relating to buses, aisle seats prohibited) incorporated by reference.

Source

The provisions of this § 229.296 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111361).

§ 229.297. Buses, marking emergency doors.

49 CFR 393.92 (relating to buses, marking emergency doors) incorporated by reference.

Source

The provisions of this § 229.297 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111361).

§ 229.298. Seats, seat belts assemblies and seat belt assembly anchorages.

49 CFR 393.93 (a), (b) and (c) (relating to seats, seat belt assemblies and seat belt assembly anchorages) incorporated by reference.

Source

The provisions of this § 229.298 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111361).

§ 229.299. Vehicle interior noise levels.

49 CFR 393.94 (relating to vehicle interior noise levels) incorporated by reference.

Source

The provisions of this § 229.299 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111361).

EMERGENCY EQUIPMENT

§ 229.301. Emergency equipment on all power units.

49 CFR 393.95 (relating to emergency equipment on all power units) incorporated by reference.

Source

The provisions of this § 229.301 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111361).

**PROTECTION AGAINST SHIFTING OR
FALLING CARGO**

§ 229.311. General rules for protection against shifting or falling cargo.

49 CFR 393.100 (relating to general rules for protection against shifting or falling cargo) incorporated by reference.

Source

The provisions of this § 229.311 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111361).

§ 229.312. Securement systems.

49 CFR 393.102 (relating to securement systems) incorporated by reference.

Source

The provisions of this § 229.312 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111361).

§ 229.313. Blocking and bracing.

49 CFR 393.104 (relating to blocking and bracing) incorporated by reference.

Source

The provisions of this § 229.313 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111362).

§ 229.314. Front-end structure.

49 CFR 393.106 (relating to front-end structure) incorporated by reference.

Source

The provisions of this § 229.314 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111362).

**FRAMES, CAB AND BODY COMPONENTS,
WHEELS, STEERING AND SUSPENSION SYSTEMS**

§ 229.321. Frames.

49 CFR 393.201 (relating to frames) incorporated by reference.

Source

The provisions of this § 229.321 adopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223.

§ 229.322. Cab and body components.

49 CFR 393.203 (relating to cab and body components) incorporated by reference.

Source

The provisions of this § 229.322 adopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223.

§ 229.323. Wheels.

49 CFR 393.205 (relating to wheels) incorporated by reference.

Source

The provisions of this § 229.323 adopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223.

§ 229.324. Suspension systems.

49 CFR 393.207 (relating to suspension systems) incorporated by reference.

Source

The provisions of this § 229.324 adopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223.

§ 229.325. Steering wheel systems.

49 CFR 393.209 (relating to steering wheel systems) incorporated by reference.

Source

The provisions of this § 229.325 adopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223.

Subchapter E. HOURS OF SERVICE OF DRIVERS

GENERAL

Sec.
229.331. Definitions.

DRIVERS SERVICE TIME

- 229.341. Maximum driving and on-duty time.
- 229.342. Travel time.
- 229.343. Driver's record of duty status.
- 229.344. Adverse driving conditions.
- 229.345. Emergency conditions.
- 229.346. Relief from regulations.
- 229.347. Drivers declared out-of-service.
- 229.348. Automatic on-board recording devices.

GENERAL

§ 229.331. Definitions.

49 CFR 395.2 (relating to definitions) incorporated by reference.

Source

The provisions of this § 229.331 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111362).

DRIVERS SERVICE TIME

§ 229.341. Maximum driving and on-duty time.

49 CFR 395.3 (a)—(d) and (f) (relating to maximum driving and on-duty time) incorporated by reference.

Source

The provisions of this § 229.341 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; amended July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111362).

§ 229.342. Travel time.

49 CFR 395.7 (relating to travel time) incorporated by reference.

Source

The provisions of this § 229.342 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111363).

§ 229.343. Driver's record of duty status.

49 CFR 395.8 (relating to driver's record of duty status) incorporated by reference.

Source

The provisions of this § 229.343 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111363).

§ 229.344. Adverse driving conditions.

49 CFR 395.10 (relating to adverse driving conditions) incorporated by reference.

Source

The provisions of this § 229.344 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111363).

§ 229.345. Emergency conditions.

49 CFR 395.11 (relating to emergency conditions) incorporated by reference.

Source

The provisions of this § 229.345 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111363).

§ 229.346. Relief from regulations.

49 CFR 395.12 (relating to relief from regulations) incorporated by reference.

Source

The provisions of this § 229.346 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111363).

§ 229.347. Drivers declared out-of-service.

(a) *Authorization.* Upon finding at the time and place of examination, that a driver has violated the driver out-of-service criteria as set forth in §§ 229.431 and 229.432 (relating to application; and adoption of Federal standards) a qualified Commonwealth employe or a State Police officer that is involved in a systematic vehicle inspection program or that has probable cause to believe that a driver is not in compliance with the driver out-of-service criteria as set forth in §§ 229.431 and 229.432 is authorized to declare a driver out of service and to notify the motor carrier of that declaration.

(b) *Responsibilities of motor carriers.*

(1) No motor carrier may:

(i) Require or permit a driver who has been declared out-of-service to operate a motor vehicle until that driver may lawfully do so under this chapter.

(ii) Require a driver, who has been declared out-of-service for failure to prepare a record of duty status, to operate a motor vehicle until that driver has been off duty for 8 consecutive hours and is in compliance with this chapter. The consecutive 8 hours off-duty period may include sleeper berth time.

(2) A motor carrier shall complete the "Motor Carrier Certification of Action Taken" portion of the "Driver Vehicle Compliance Report" form and deliver the copy of the report either personally or by mail to the address shown on the form within 15 days following the date of examination. If the motor carrier mails the form, delivery is made on the date it is postmarked.

(c) *Responsibilities of the driver.*

(1) No driver, who has been declared out of service, may operate a motor vehicle until that driver may lawfully do so under this chapter.

(2) No driver, who has been declared out of service for failing to prepare a record of duty status, may operate a motor vehicle until the driver has been off duty for 8 consecutive hours and is in compliance with this chapter.

(3) A driver, who has been declared out of service, shall, within 24 hours thereafter, deliver or mail the copy of the "Driver-Vehicle Compliance Report" to a person or place designated by the motor carrier to receive it.

(4) This section does not alter the hazardous materials requirements in § 229.384 (relating to attendance and surveillance of motor vehicles).

Source

The provisions of this § 229.347 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial pages (111363) to (111364).

§ 229.348. Automatic on-board recording devices.

49 CFR 395.15 (relating to automatic on-board recording devices) incorporated by reference.

Source

The provisions of this § 229.348 adopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223.

Subchapter F. INSPECTION, REPAIR AND MAINTENANCE

Sec.

- 229.361. Inspection, repair and maintenance.
- 229.362. Lubrication.
- 229.363. Unsafe operations forbidden.
- 229.364. Inspection of motor carrier vehicles in operation.
- 229.365. Driver vehicle inspection reports.
- 229.366. Driver inspection.
- 229.367. Driveaway-towaway operations, inspections.
- 229.368. Periodic inspection.
- 229.369. Inspector qualifications.
- 229.370. Periodic inspection recordkeeping requirements.
- 229.371. Equivalent to periodic inspection.

§ 229.361. Inspection, repair and maintenance.

49 CFR 396.3 (relating to inspection, repair, and maintenance) incorporated by reference.

Source

The provisions of this § 229.361 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111364).

§ 229.362. Lubrication.

49 CFR 396.5 (relating to lubrication) incorporated by reference.

Source

The provisions of this § 229.362 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111364).

§ 229.363. Unsafe operations forbidden.

49 CFR 396.7 (relating to unsafe operations forbidden) incorporated by reference.

Source

The provisions of this § 229.363 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111364).

§ 229.364. Inspection of motor carrier vehicles in operation.

(a) *Inspection of vehicles involved in interstate commerce.* As provided in 75 Pa.C.S. § 4704 (relating to inspection by police or department personnel) qualified Commonwealth employes, State Police officers and local police officers are authorized to inspect motor carrier vehicles involved in interstate commerce.

(b) *Prescribed inspection report.* The Driver-Vehicle Compliance Report will be used to record results of motor vehicle inspections conducted by personnel authorized in subsection (a).

(c) *Motor vehicles declared out-of-service.*

(1) Personnel authorized by subsection (a) shall declare and mark out-of-service motor vehicles which, by reason of mechanical condition or loading, would likely cause an accident or a breakdown. An out-of-service sticker approved by the Department of Transportation shall be used to mark vehicles out-of-service. The criteria to be used in placing a motor vehicle out of service is contained in §§ 229.451 and 229.452 (relating to application; and adoption of Federal standards).

(2) No motor carrier may require or permit a person to operate, nor may a person operate a motor vehicle declared and marked "out-of-service" until repairs required by the out-of-service notice have been satisfactorily completed. The term "operate" includes towing the vehicle, except that vehicles marked out-of-service may be towed away by means of a vehicle using a crane or hoist. A vehicle combination consisting of an emergency towing vehicle and an out-of-service vehicle may not be operated unless the combination meets the performance requirements of this subchapter, except for those conditions noted on the Driver-Vehicle Compliance Report.

(3) No person may remove the out-of-service sticker from a motor vehicle prior to completion of repairs required by the out-of-service notice.

(4) The person completing the repairs required by the out-of-service notice shall sign the "Certification of Repairman" under the terms prescribed, entering the name of the shop or garage and the date and time the repairs were

completed. If the driver completed the repairs, the driver shall sign and complete the "Certification of Repairman".

(d) *Motor carrier disposition.*

(1) Upon arrival at the next terminal or facility, the driver of a motor carrier vehicle receiving an inspection report shall deliver it to the motor carrier. If the driver is not scheduled to arrive at a terminal or facility of the motor carrier operating the vehicle within 24 hours, the driver shall immediately mail the report to the motor carrier.

(2) Motor carriers shall examine the report. Violations or defects noted thereon shall be corrected.

(3) Within 15 days following the date of the inspection, the motor carrier shall:

(i) Complete the "Motor Carrier Certification of Action Taken" under the terms prescribed thereon.

(ii) Return the completed report to the Department of Transportation at the address shown thereon.

Source

The provisions of this § 229.364 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial pages (111365) to (111366).

Notes of Decisions

Search and Seizure

The police lacked a reasonable basis to conduct a seizure and search of a driver's logbook, a bank bag, which contained toll receipts, and a brown bag, which contained shipping invoices and other documents, where, in view of the fact that the police had detained the driver and were planning to impound his tractor-trailer, the police had already taken a potentially dangerous vehicle and driver off the road. *Commonwealth v. Petroll*, 738 A.2d 993 (Pa. 1999).

§ 229.365. Driver vehicle inspection reports.

49 CFR 396.11 (relating to driver vehicle inspection reports) incorporated by reference.

Source

The provisions of this § 229.365 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111366).

Cross References

This section cited in 67 Pa. Code § 179.10 (relating to general conditions).

§ 229.366. Driver inspection.

49 CFR 396.13 (relating to driver inspection) incorporated by reference.

Source

The provisions of this § 229.366 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111366).

§ 229.367. Driveaway-towaway operations, inspections.

49 CFR 396.15 (relating to driveaway-towaway operations, inspections) incorporated by reference.

Source

The provisions of this § 229.367 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111366).

§ 229.368. Periodic inspection.

49 CFR 396.17 (relating to periodic inspection) incorporated by reference.

Source

The provisions of this § 229.368 adopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223.

§ 229.369. Inspector qualifications.

49 CFR 396.19 (relating to inspector qualifications) incorporated by reference.

Source

The provisions of this § 229.369 adopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223.

§ 229.370. Periodic inspection recordkeeping requirements.

49 CFR 396.21 (relating to periodic inspection recordkeeping requirements) incorporated by reference.

Source

The provisions of this § 229.370 adopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223.

§ 229.371. Equivalent to periodic inspection.

49 CFR 396.23 (relating to equivalent to periodic inspection) incorporated by reference.

Source

The provisions of this § 229.371 adopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223.

**Subchapter G. TRANSPORTATION OF HAZARDOUS MATERIALS;
DRIVING AND PARKING RULES**

Sec.

- 229.381. Application of the rules in the subchapter.
- 229.382. Compliance with Federal motor carrier safety regulations.
- 229.383. State and local laws, ordinances and regulations.
- 229.384. Attendance and surveillance of motor vehicles.
- 229.385. Parking.
- 229.386. Routes.
- 229.387. Fires.
- 229.388. Smoking.
- 229.389. Fueling.
- 229.390. Tires.

229.391. Instructions and documents.
229.392. [Reserved].

§ 229.381. Application of the rules in the subchapter.

49 CFR 397.1 (relating to application of the rules in this part) incorporated by reference.

Source

The provisions of this § 229.381 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111366).

§ 229.382. Compliance with Federal motor carrier safety regulations.

49 CFR 397.2 (relating to compliance with Federal motor carrier safety regulations) incorporated by reference.

Source

The provisions of this § 229.382 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111366).

§ 229.383. State and local laws, ordinances and regulations.

49 CFR 397.3 (relating to state and local laws, ordinances, and regulations) incorporated by reference.

Source

The provisions of this § 229.383 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111367).

§ 229.384. Attendance and surveillance of motor vehicles.

49 CFR 397.5 (relating to attendance and surveillance of motor vehicles) incorporated by reference.

Source

The provisions of this § 229.384 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111367).

Cross References

This section cited in 67 Pa. Code § 229.347 (relating to attendance and surveillance of motor vehicles).

§ 229.385. Parking.

49 CFR 397.7 (relating to parking) incorporated by reference.

Source

The provisions of this § 229.385 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111367).

§ 229.386. Routes.

49 CFR 397.9 (relating to routes) incorporated by reference.

Source

The provisions of this § 229.386 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111367).

§ 229.387. Fires.

49 CFR 397.11 (relating to fires) incorporated by reference.

Source

The provisions of this § 229.387 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111367).

§ 229.388. Smoking.

49 CFR 397.13 (relating to smoking) incorporated by reference.

Source

The provisions of this § 229.388 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111367).

§ 229.389. Fueling.

49 CFR 397.15 (relating to fueling) incorporated by reference.

Source

The provisions of this § 229.389 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111367).

§ 229.390. Tires.

49 CFR 397.17 (relating to tires) incorporated by reference.

Source

The provisions of this § 229.390 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111367).

§ 229.391. Instructions and documents.

49 CFR 397.19 (relating to instructions and documents) incorporated by reference.

Source

The provisions of this § 229.391 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111367).

§ 229.392. [Reserved].

Source

The provisions of this § 229.392 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; reserved July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111367).

Subchapter H. STATEMENTS OF POLICY

Sec.

229.411. Adoption of Interpretations of Federal Motor Carrier Safety Regulations, Federal Highway Administration, United States Department of Transportation.

§ 229.411. Adoption of Interpretations of Federal Motor Carrier Safety Regulations, Federal Highway Administration, United States Department of Transportation.

The Department hereby adopts, as statements of policy, interpretations of the Federal Motor Carrier Safety Regulations; Parts 390—397 published at 42 Fed. Reg. 60078 (1977) and Part 396 published at 45 Fed. Reg. 46425 (1980).

Source

The provisions of this § 229.411 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111368).

Subchapter I. DRIVER OUT-OF-SERVICE CRITERIA

Sec.

229.431. Application.

229.432. Adoption of Federal standards.

§ 229.431. Application.

In determining whether a driver of a motor carrier vehicle will be placed out-of-service under 75 Pa.C.S. § 4704(c) (relating to inspection by police or depart-

ment personnel), State Police and qualified Commonwealth employees will use the criteria set forth in this subchapter.

Source

The provisions of this § 229.431 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111368).

Cross References

This section cited in 67 Pa. Code § 229.347 (relating to drivers declared out-of-service).

§ 229.432. Adoption of Federal standards.

(a) The driver out-of-service criteria contained in Part I of Appendix A of the Federal Highway Administration's *North American Uniform Out-of-Service Criteria* are incorporated by reference under 45 Pa.C.S. § 727(9) (relating to matter not required to be published), upon approval of the Legislative Reference Bureau.

(b) The *North American Uniform Out-of-Service Criteria* may be obtained by contacting: Department of Transportation, Motor Carrier Safety Division, Center for Highway Safety, Room 215 Transportation and Safety Building, Harrisburg, Pennsylvania 17120, (717) 787-7445.

Source

The provisions of this § 229.432 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; amended July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (111368).

Cross References

This section cited in 67 Pa. Code § 229.347 (relating to drivers declared out-of-service).

Subchapter J. VEHICLE OUT-OF-SERVICE CRITERIA

Sec.

- 229.451. Application.
- 229.452. Adoption of Federal standards.
- 229.453. Additional standards.

§ 229.451. Application.

In determining whether motor carrier vehicles will be placed out-of-service under 75 Pa.C.S. § 4704(c) (relating to inspection by police or department personnel), police officers and qualified Commonwealth employees will use the criteria set forth in this subchapter.

Source

The provisions of this § 229.451 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (134657).

Cross References

This section cited in 67 Pa. Code § 229.364 (relating to inspection of motor carrier vehicles in operation).

§ 229.452. Adoption of Federal standards.

(a) The vehicle out-of-service criteria contained in Parts II and III of Appendix A of the Federal Highway Administration's *North American of Uniform Out-of-Service Criteria* are incorporated by reference under 45 Pa.C.S. § 727(9) (relating to matter not required to be published), upon approval of the Legislative Reference Bureau, with the following exceptions:

- (1) 1.a.(6)(c) (relating to brake lining).
- (2) 1.b.(3)(c) (relating to steering axle brake lining).
- (3) 3.(3) (relating to bus exhaust).

(b) The *North American Uniform Out-of-Service Criteria* may be obtained by contacting: Department of Transportation, Motor Carrier Safety Division, Center for Highway Safety, 215 Transportation and Safety Building, Harrisburg, Pennsylvania 17120, (717) 787-7445.

Source

The provisions of this § 229.452 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; amended July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223; corrected August 2, 1991, effective July 20, 1991, 21 Pa.B. 3421. Immediately preceding text appears at serial pages (134657) to (134658).

Cross References

This section cited in 67 Pa. Code § 229.364 (relating to inspection of motor carrier vehicles in operation).

§ 229.453. Additional standards.

The following additional vehicle out-of-service criteria shall apply:

- (1) A vehicle's brake linings or pads shall be declared out-of-service if:
 - (i) Bonded linings are less than 2/32 inches at thinnest point.
 - (ii) Riveted linings are less than 1/32 inches above rivet head at thinnest point.
 - (iii) Bolted lining is worn to less than 1/8 inch at center of shoe.
- (2) A bus shall be declared out-of-service if the exhaust system is leaking or not discharging at an outside edge of the vehicle.
- (3) A vehicle shall be declared out-of-service if a tire is marked "Not for Highway Use" or otherwise marked and having like meaning, except vehicles

permitted to operate with oversize wheels and tires under 75 Pa.C.S. § 4969 (relating to permit for movement of vehicles with oversize wheels and tires).

Source

The provisions of this § 229.453 adopted August 29, 1986, effective August 30, 1986, 16 Pa.B. 3210; readopted July 19, 1991, effective July 20, 1991, 21 Pa.B. 3223. Immediately preceding text appears at serial page (134658).

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