

RICHARD A. "RICK" GEIST, MEMBER

144 MAIN CAPITOL, BUILDING  
PO BOX 202079  
HARRISBURG, PA 17120-2079  
PHONE: (717) 787-6419  
FAX: (717) 772-6952

GABLES OFFICE BUILDING  
1331 12TH AVENUE, SUITE 104  
ALTOONA, PA 16601  
PHONE: (814) 946-7218  
FAX: (814) 949-7915



*House of Representatives*  
COMMONWEALTH OF PENNSYLVANIA  
HARRISBURG

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COMMERCE

## COSPONSORSHIP MEMORANDUM

**TO:** All House Members

**FROM:** Rep. Richard A. Geist

**DATE:** Feb. 22, 2011

**RE:** "Local Ordinance Vehicle Code" (Prior HB 1680)

Too often, a municipal government will enact an ordinance that, if enforced, would cause confusion to the Commonwealth's motorists due to a lack of uniformity of laws. Therefore, I plan to reintroduce legislation to ensure that municipal governments, which take it upon themselves to enact ordinances contrary to the Vehicle Code, are sanctioned. This legislation is similar to HB 902 from 2007-08 Session, which passed in the House 198-2 and the same as HB 1680 last session. This language was amended in 2009 into HB 67 by a 167-28 vote.

Currently, in Section 6101 of the Vehicle Code (Title 75) we specifically permit local ordinances regarding parking to supersede the Code. However, many municipal councils and governing boards are now finding it politically expedient to consider ordinances with restrictions on cell phones and other devices. This is the tip of the iceberg. No doubt, other communities would want to set their own seat belt laws, helmet laws, removal of snow and ice from vehicles and vehicle equipment standards if we blindly ignore this trend. Currently, motorists must be able to expect that traffic laws will be the same as they travel across the Commonwealth. Section 6101 requires uniformity in our vehicle laws:

### **§ 6101. Applicability and uniformity of title.**

The provisions of this title shall be applicable and uniform throughout this Commonwealth and in all political subdivisions in this Commonwealth, and no local authority shall enact or enforce any ordinance on a matter covered by the provisions of this title unless expressly authorized.

This section provides only a \$25 fine if the municipality would be convicted of violating the Code. This is rarely if ever enforced, and does not deter local authorities from making these ill-advised ordinances. Therefore, I am proposing that we establish a penalty that requires those local governments that ignore the General Assembly's primacy in these laws to **temporarily forgo their Liquid Fuels Funding** for as long as they are in violation, and to **temporarily forego any state Capital Highway and Bridge Funds** for local projects within their borders until the offending ordinance is repealed.

If you would like to join me as a co-sponsor of this legislation, please contact Vickie at 787-6419 or e-mail to [vtrostle@pahousegop.com](mailto:vtrostle@pahousegop.com)

**PRIOR COSPONSORS (2009-10 Session):** GEIST, J. EVANS, HESS, M. KELLER, MILLER, PICKETT, PYLE, BEYER, CALTAGIRONE, CARROLL, D. COSTA, CUTLER, DENLINGER, EVERETT, GINGRICH, GROVE, HALUSKA, MELIO, MILLARD, MOUL, MURT, READSHAW, ROSS, SAYLOR, SIPTROTH, SONNEY and VULAKOVICH.