



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
COMMONWEALTH KEYSTONE BUILDING
400 NORTH STREET
HARRISBURG, PENNSYLVANIA 17120
<http://www.puc.pa.gov>

August 12, 2024

A-6427338
A-2024-3050601

LHC TRANSPORT SERVICES LLC
239 4TH AVENUE SUITE 1401
PITTSBURGH PA 15222

DATE OF DEPOSIT

AUG 23 2024

RE: Application of LHC Transport Services LLC

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

To Whom It May Concern:

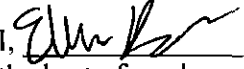
On August 7, 2024, the application of LHC Transport Services LLC, at A-2024-3050601, as a motor carrier was accepted for filing and docketed with the Public Utility Commission. In order for the Commission to proceed with the application, additional information is required.

Please forward the information to the Secretary of the Commission at the following address **within ten (10) working days** from the date of this letter.

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, Pennsylvania 17120

ALL Parties to proceedings pending before the Commission are advised to open and use an e-filing account through the Commission's website. If a filing contains confidential or proprietary material, the filing is required to be submitted by overnight delivery.

Your answers should be verified per 52 Pa Code § 1.36. Accordingly, you must provide the following statement with your responses:


I, , hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief, and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

The blank should be filled in with the name of the appropriate company representative, and the signature of that representative should follow the statement.

Failure to comply with this request within 10 working days from the date of this letter will result in the denial of the application.

Please direct any questions to David Canzoneri, Bureau of Technical Utility Services at (717) 346-9738. Faxed or emailed filings are not accepted.

Sincerely,



Rosemary Chiavetta
Secretary

Enclosure

DATE OF DEPOSIT

AUG 23 2024

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Docket No. A-2024-3050601
LHC Transport Services LLC

Request for Information

- 1.) In your answer to question #10 of the application, you stated that you intend "to transport people who are physically and intellectually disabled, whose personal convictions prevent them from owning and operating motor vehicles from points [in] Berks County to [points in] counties in Philadelphia, Montgomery, Delaware and Bucks.
 - a. Do you plan on transporting only physically, intellectually, and developmentally disabled people from sects like the Amish (people whose personal convictions prevent them from owning and operating motor vehicles), because the territory and service that you provided would allow you only to do the above.
 - i. If not, do you intend to transport the general public, or just limited to certain people. If limiting, please define who you are limiting your services to.
 - b. Are you planning on transporting these individuals (the general public, or otherwise) in general paratransit service, or are you limiting yourself just to non-emergency medical transportation?
 - c. Is it your intention to only pick up individuals in Berks County and transport them to places in the Counties of Bucks, Delaware, Montgomery, and the City and County of Philadelphia?
 - i. If so, do you plan on also dropping off in Berks County, or just picking up?
 - ii. Do you plan on picking up in any other county other than that of Berks County?
 - d. If Certificated, please know that you can only transport the individuals identified, and the places specifically mentioned as points of origination and termination approved by the Commission. Any person not granted by your certificate will not be able to be transported. And you will not be able to drop off or pick up in any territory not granted by your certificate.
- 2.) You failed to adequately answer all aspects of question #5 of the Verified Statement of Applicant. Please review Title 52 Pa Code §29.501-509 Driver Regulations to see what is required of motor carriers.
 - a. Age Restrictions;
 - i. What if any age restrictions will you have for intended drivers? Please provide a policy on the age of drivers that complies with the regulations mentioned above.
 - b. Your system for conducting criminal background checks;
 - i. How often will the criminal background checks be conducted?
 - ii. What type of things in their criminal background check would disqualify them from employment?
 - iii. How will you maintain records (record retention) of the criminal background checks performed?

- c. Your system for conducting driver license/history checks;
 - i. How often will these checks be performed?
 - ii. How will you maintain records (record retention) of such checks?
- 3.) In question #7 of the Verified Statement of Applicant you are asked to describe your vehicle safety program. You stated that vehicles would undergo periodic vehicle maintenance every 30 days, but failed to identify what exactly that would entail. Do you plan on conducting any pre/post trip inspections, and if so, what would they entail? Also, you failed to provide your system for ensuring your vehicles will continuously comply with applicable Pennsylvania vehicle equipment standards (67 Pa. Code, Chapter 175.) Please provide the aforementioned information.
- 4.) In your Statement of Financial Position, you list \$1,000 worth of motor vehicle equipment. Is this a vehicle, because no vehicle was listed in question #6 of the Verified Statement of Applicant? Please explain this discrepancy. Please note the Statement of Financial Position is to only include assets and liabilities in the name of the LLC, as such we are requesting a new Statement of Financial Position, if the assets and liabilities has changed.

**PLEASE ANSWER THESE QUESTIONS THOROUGHLY ON A
SEPARATE SHEET OF PAPER**

LHC Transport Services LLC

Docket No. A-2024-3050601

- 1.) #10. A, B, C, D: LHC Transport plan services plan to limit transport to persons who are physically disabled persons and intellectual persons in paratransit points of counties of Philadelphia, Bucks, Montgomery, and Bucks counties to points of Pennsylvania and return.
- 2.) Please see attached Driver Safety Plan for Age Restrictions, criminal background checks and record retention.
- 3.) Question #7: The vehicle would undergo periodic vehicle maintenance every 30 days that would entail below. These checks are performed pre and post inspection. These vehicle equipment standards for continuously complying with the 67 Pa. Code, Chapter 175.

PRE/POST INSPECTION AND USED EVERY 30 DAYS

Engine:

- Air filter housing: Secure mounting, cover in place.
- Windshield washer fluid reservoir: No leaks, proper fluid level.
- Turbocharger: No oil or exhaust leaks.

- Engine air ductwork: No cuts, clamps secured.
- Alternator: Mounting secured, no broken or loose wire.
- Accessory drive belt: Not cracked or frayed.
- Air conditioner compressor: Secure mounting.

Brakes:

- Brake drum: No cracks.
- Brake lining: No cracks or damage.
- Slack adjuster: Proper angle to the brake chamber, clevis and cotter pin intact.
- Brake air line: No bulges or cuts, fitting tight.
- Brake chamber: Mounting bolts secured; band clamp secured.

Wheels:

- Tire: ABCs (abrasions, bulges, cuts), pressure = 120 PSI, tread depth = 4/32 min (DOT).
- Wheel: Not cracked or bent.
- Oil seal (outer): Not leaking.
- Valve cap: Not missing.

Additional Checks:

- Mirrors: Secure mounting, no broken glass.
- Doors: No damage, glass not broken, hinges secured, opens and closes well.
- Lights and turn signals: Working, not cracked.
- Steps: Mounted, secured to skirting.
- Battery box: Secure mounting, cover latched.
- Fuel cap/tank: Gasket in place, vent in place, chain secures the cap to the tank.

Front of Vehicle:

- Clearance lights: Not broken, working properly.
- Registration: Not missing, readable.
- Document box: Not missing or loose.
- Placard holder: Not broken or missing rivets.
- Tracking device: No cracks or collision damage.

Side of Vehicle:

- Clearance light: Not broken, operational.
- Bottom light: Not cracked, no collision damage, no missing bolts.
- Landing gear: Legs straight, no broken welds in bracing, sand pads secured and clean handle in cradle.
- Reflector tape: Clean.
- Side panels: No holes or cuts, no missing rivets.

Rear of Vehicle:

- Reflector tape: Clean.
- Lights: Not broken or missing, operational.
- Splash guard: Brackets and guard secured.
- License plate: Secure and clean, light is working.
- Bumper: Not damaged, no broken welds.

- Door hooks: Not loose, no missing bolts.
- Hinges: Not cracked, no missing bolts on both sides.
- Door seals: No separation, no rubber tubing sticking out.

Gauges/inside the Vehicle:

- Fuel: Matches visual when looking in the tank.
- Def level: Maintain a minimum of one light bar.
- Oil pressure: 25-50 PSI.
- Speedometer: 0-60 MPH.
- Air pressure: 90-120 PSI.

VEHICLE EQUIPMENT STANDARDS AS FOLLOWS BELOW:

**LHC Transportation complies with the vehicle equipment standards below.
Here is the attached rule book that the company abides by.**

Steering: All vehicles will undergo vehicle equipment standards related to steering.

(a) *Condition of steering components.* The steering assembly and steering mechanism shall be in safe operating condition as described in § 175.80 (relating to inspection procedure).

(b) *Steering wheel.* The steering wheel, except if specially designed for handicapped drivers, shall be equivalent to original equipment in material strength and have a minimum outside diameter of 13 inches.

Braking systems: All Vehicles will undergo braking systems vehicle equipment standards relating to braking systems.

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

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

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

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

(3) A passenger car manufactured or assembled after June 30, 1967, and designated as a 1968 or later model shall be equipped with a service brake system of a design that rupture or failure of either the front or rear brake system will not result in the complete loss of braking function.

Braking function may be obtained by hydraulic or other means through a normal brake mechanism. In the event of a rupture or failure of an actuating force component, the unaffected brakes shall be capable of applying adequate braking force to vehicle.

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

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

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

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

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

Tires and wheels.

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

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

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

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

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

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

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

Lighting and electrical systems.

(a) *Condition of lamps and switches.* Every required lamp or switch shall be in safe operating condition as described in § 175.80 (relating to inspection procedure).

(b) *Lighting standards.* A lamp shall comply with vehicle lighting equipment requirements of this title. See Tables II—IV; Chapter 153 and 75 Pa.C.S. § 4301.

(c) *Headlamp system.* A vehicle specified under this subchapter which is driven on highway shall have a two- or four-headlamp system. See 75 Pa.C.S. § 4303(a) (relating to general lighting requirements).

(1) Both lamps in the two-headlamp system shall be of Type II construction consisting of high beam and low beam. One lamp shall be located on each side of front of motor vehicle.

(2) In the four-headlamp system, two lamps shall be of Type II construction and two lamps shall be of Type I construction. Type I lamps consist of a high beam only. One of each type shall be located on each side of the front of the motor vehicle.

(3) The headlamp low beam minimum candlepower shall not be less than 7,500.

(4) The headlamp high beam minimum candlepower shall not be less than 10,000.

(5) A headlamp shall be aimed to comply with inspection procedure of this subchapter.

(6) A vehicle specified under this subchapter shall be equipped with manual dimmer switch conveniently located for use by the driver while in normal operating position. An automatic dimming device may be used in addition to the manual switch.

(7) A vehicle specified under this subchapter shall be equipped with a beam indicator, which shall be lighted whenever the high beam of light from the headlamp is in use and shall not otherwise be lighted. An indicator shall be located so that when lighted it is readily visible without glare to operator of vehicle.

(d) *Total candlepower.* The total candlepower for headlamps and auxiliary lamps shall not exceed 150,000.

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

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

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

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

(3) A vehicle specified under this subchapter shall be equipped with hazard warning lamps unless the lamps were not included as original equipment.

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

(g) *Condition and position of lamps.* Lamps shall be properly fastened; direct light properly; be of a color not contrary to Tables II—IV; and not be so obstructed by a screen, bar, auxiliary equipment or a device as to obscure, change the color of or obstruct beam.

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

(i) [Reserved].

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

(k) *Registration plate lamp.* If the vehicle was originally so equipped, the registration plate lamp shall emit white light and make the registration plate

visible from distance of 50 feet to the rear of the vehicle.

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

(1) Auxiliary driving lamps may not be substituted for headlamps. Auxiliary driving lamps may only be used with high headlamp beams.

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

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

(4) Auxiliary driving lamps and fog lamps shall be aimed when the vehicle and lamp assembly are in the straight ahead position with the beam not above horizontal centerline of lamp at 25 feet.

(5) A vehicle specified under this subchapter may have only one pair of approved auxiliary driving lamps and fog lamps.

(6) Auxiliary driving lamps and fog lamps may not be placed in front of a required lamp.

(7) Auxiliary driving lamps may not be used on snowplows as a substitute for headlamps obscured by blade. A substitute for headlamps used on the vehicle shall be complete, approved headlamps having both high and low beams.

(8) Snowplow lamps shall be installed as follows:

(i) These lamps shall be wired through a double throw switch so that both sets of lights will not operate at same time.

(ii) Snowplow lamps shall be aimed so that the high intensity beam does not project to the left of the extreme left side of the vehicle nor higher than the center of the lamp at a distance of 25 feet in front of the vehicle. In no case shall the high intensity portion of a beam be higher than

42 inches above the level upon which the vehicle stands at a distance of 75 feet ahead. Lamps shall be spaced at a distance of not less than 20 inches apart and shall be symmetrically located on each side of the vehicle centerline.

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

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

(11) Guidance laser systems used during highway maintenance operations, such as line painting and snow plowing, are authorized if they comply with 21 CFR 1040.10 (relating to laser products) for Class IIIa laser products and Occupational Health and Safety Administration Standard 1926.54 and are installed and operated in accordance with manufacturer's requirements. Guidance laser systems may not emit red or blue light visible to other motorists.

(m) *Antique vehicle lighting exemption.* An antique vehicle, if operated exclusively between the hours of sunrise to sunset and not during periods of reduced visibility or insufficient illumination, is exempt from requirements of this section except requirements pertaining to stop lamps.

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

Notes of Decisions

Position of Lamps

The facts sufficed to give the police officer reasonable suspicion that the motorist's vehicle violated the Motor Vehicle Code's directive that all vehicles must conform to the Department of Transportation's regulations, which limit to 4 inches the distance a headlight may deviate from center, where the evidence established, among other damage, that the motorist's headlights were askew approximately 6 inches, a deviation first noticed by the officer from about a football field's length away and confirmed when he slowly drove by the motorist at close range. *Commonwealth v. Hynes*, 730 A.2d 960 (Pa. Super. 1999).

Glazing.

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

(b) *Safety glazing.* A vehicle specified under this subchapter shall be equipped with safety glazing in all windshields, windows and wings. The requirements of this subsection do not apply

to a vehicle manufactured or assembled before January 1, 1934, if the original glazing is not cracked or discolored.

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

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

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

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

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

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

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

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

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

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

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

Mirrors.

(a) *Condition of mirrors.* Mirrors shall be in safe operating condition as described in § 175.80 (relating to inspection procedure).

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

(c) *Obstructions.* On a vehicle specified under this subchapter, a rearview mirror shall be free from obstructions as described in § 175.80.

(1) A vehicle specified under this subchapter having a sign, load or material which obstructs, obscures or impairs the driver's clear view of the highway or an intersecting highway shall have two outside rearview mirrors, one on the driver's side and one on the passenger's side, each with a minimum reflective surface of 19.5 square inches.

(2) Rear window louvers are permitted only if the vehicle has at least two outside rearview mirrors, one on the driver's side and one on the passenger's side, each with minimum reflective surfaces of 19.5 square inches.

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

(4) No object or material may be hung from the rearview mirror and no object or material may be hung, placed or attached in a position so as to materially obstruct, obscure or impair the driver's vision through the windshield or constitute a safety hazard.

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

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

(1) A vehicle manufactured as or permanently converted into a motor home with a GVW of 11,000 pounds or less may have windows—approved glass only—transparent screens and roll-up shades or curtains installed if the shades and curtains are securely fastened in the completely opened position to avoid covering a portion of window while the vehicle is being operated on the highway. Venetian blinds may not cover a window while the vehicle is operated on the highway.

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

Windshield wipers.

(a) *Condition of windshield wipers.* A wiper system shall be in safe operating condition as described in § 175.80 (relating to inspection procedure).

(b) *Cleaning.* A vehicle specified under this subchapter shall be equipped with a wiper system capable of cleaning rain, snow and other moisture from windshield and constructed so as to be

operated by a switch conveniently located for use by the driver while in normal operating position.

(1) Wipers shall operate as specified by the manufacturer or a minimum of 45 cycles per minute if not specified.

(2) A vehicle specified under this subchapter originally equipped with two wiper blades and two wiper arms—driver and passenger side—shall have them in place and in good working order.

Fuel systems.

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

(b) *Fuel system requirements.* The fuel system components shall be leakproof and shall be fastened securely to the vehicle with fasteners designed for that purpose.

(c) *Accelerator operation.* An accelerator control system shall return the engine throttle to the idle position when the operator removes the actuating force from the accelerator control.

(d) *Filler cap.* A fuel system shall be equipped with a filler cap.

(e) *Alternate fuel systems.* See Subchapter M (relating to alternate fuel systems and controls).

Odometers.

A vehicle specified under this subchapter, except a motor vehicle at least 25 years old, shall have an operating odometer calibrated to indicate total miles or kilometers driven.

Exhaust systems.

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

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

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

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

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

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

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

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

Horns and warning devices.

(a) *Condition of horns and warning devices.* All components of a horn or warning device shall be in safe operating condition as described in § 175.80 (relating to inspection procedure).

(b) *Horn and warning device requirements.* A vehicle specified under this subchapter shall have a horn or other warning device which is audible under normal conditions at a distance of not less than 200 feet. No vehicle shall be equipped with a siren, bell, whistle or similar device emitting an unreasonably loud or harsh sound except emergency vehicles and vehicles equipped with an anti-theft device.

Source

The provisions of this § 175.76 adopted October 29, 1982, effective February 1, 1983, 12 Pa.B. 3862; corrected November 12, 1982, effective February 1, 1983, 12 Pa.B. 3947; amended December 30, 1983, effec

§ 175.77. Body.

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

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

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

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

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

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

Chassis.

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

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

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

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

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

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

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

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

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

(5) Some part of the main horizontal bumper bar on passenger vehicles shall fall within 16-20 inches above ground level.

(6) Some part of the main horizontal bumper bar on multipurpose passenger vehicles and light trucks shall fall within 16-30 inches above ground level.

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

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

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

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

(1) Safety belt webbing may not be frayed.

(2) Belt buckles shall operate properly.

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

§ 175.80. *Inspection procedure.*

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

(1) Verify ownership, legality and proof of financial responsibility. For the purpose of this subchapter, ownership and legality shall be proven by a vehicle registration card, certificate of title or manufacturer's statement of origin. When a vehicle being held for resale is presented for inspection by a dealer licensed to sell vehicles in this Commonwealth, a VIN-specific auction slip or VIN-specific secure power of attorney evidencing the dealership's acquisition of the vehicle, or both, may be presented instead of a vehicle registration card, certificate of title or manufacturer's statement of origin. Reject if one or more of the following apply:

(i) When vehicle ownership and legality are demonstrated by presentation of certificate of title, manufacturer's statement of origin, VIN-specific auction slip or VIN-specific secure power of attorney:

(A) The VIN is not in agreement with the certificate of title, manufacturer's statement of origin, VIN-specific auction slip or VIN-specific secure power of attorney. Exception: If only one digit is incorrect or two digits are transposed, and the owner provides evidence that the appropriate Department form has been completed to correct the error or transposition.

(B) The license plate is hanging loosely from its mounting bracket.

(C) The license plate is obscured so that the numbers cannot be identified.

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

(ii) Acceptable proof of financial responsibility is not provided. For the purpose of this chapter, financial responsibility shall be proven by one of the following documents:

(A) A valid financial responsibility identification card issued in accordance with 31 Pa. Code (relating to insurance).

(B) The declaration page of a valid insurance policy.

(C) A valid self-insurance identification card.

(D) A valid binder of insurance issued by an insurance company licensed to sell motor vehicle liability insurance in this Commonwealth.

(E) A valid insurance policy issued by an insurance company licensed to sell motor vehicle liability insurance in this Commonwealth.

(2) Check glazing.

(i) Reject if any of the following apply:

(A) Approved safety glazing is not used in every windshield, window and wing.

(B) A sign, poster or other material whose design prevents a driver from seeing through the material, obstructs, obscures or impairs the driver's clear view of the highway or an intersecting highway. Under FMVSS No. 205, this restriction does not apply to the rear side windows, rear wings or rear window of trucks or multi-purpose passenger vehicles

(C) A sign, poster or other material, whose design prevents a driver from seeing through the material, extends more than 3 1/2 inches from the lowest exposed portion of the rear window, rear side windows or rear wings of a passenger car.

(D) A vehicle displays a sticker other than those prescribed under § 175.67(c) (relating to glazing), or displays a parking sticker in a location described in § 175.67(d).

(E) Glass is shattered or broken or has exposed sharp edges.

(F) The windshield is removed.

(G) There are defects in an acute area of the windshield—center of the critical area on the driver's side of the vehicle directly in the driver's normal line of vision, 8 1/2 inches wide and 5 1/2 inches high—or discolorations or hazardous cracks to the front, right, left or rear of the driver which would interfere with the driver's vision.

(H) Glass etchings, except those used for vehicle identification, are on the windshield or front side windows.

(I) Glass etchings extend more than 3 1/2 inches from the lowest exposed portion of rear window, rear side windows or rear wings.

(ii) This paragraph does not prohibit the use of a product or material along the top edge of a windshield as long as the product or material is transparent and does not encroach upon the AS-1 portion of the windshield as provided by FMVSS No. 205, and the product or material is not more than 3 inches from the top of the windshield.

(3) Check the windshield wiper system and reject if any of the following apply:

(i) The wipers do not operate as specified by manufacturer, or 45 cycles per minute if not specified.

(ii) The wiper blades are torn or smear or streak windshield after five cycles.

(iii) There is only one wiper where two are required.

(iv) The wipers do not return to the rest position.

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

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

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

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

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

(i) The mirror is cracked, broken or discolored.

(ii) The mirror will not hold adjustment.

(iii) A vehicle does not have rearview mirrors as originally equipped by the manufacturer.

(iv) Outside rearview mirrors, with a minimum reflective surface as described in § 175.68 (relating to mirrors), are not installed on both sides of the vehicle if a certificate of exemption for a sun screening device or other material has been issued by the Department. See § 175.264 (relating to mirrors). A vehicle for which a certificate of exemption has been issued for medical reasons may be equipped with only a left outside rearview mirror, unless originally equipped with an outside rearview mirror on both sides of the vehicle.

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

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

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

(ii) The fenders are not of a type and size used as original equipment.

(iii) The hood does not cover the entire motor compartment or cannot be fully closed.

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

(v) The fender flares exceed 3 inches in width.

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

(i) They are not in a condition to support the occupants and cargo.

(ii) The floor pan is rusted through so as to cause hazard to occupants or to permit exhaust gases to enter passenger compartment.

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

(i) The bumper, if required as original equipment, is not on the vehicle.

(ii) The bumpers are not firmly attached to the frame or chassis.

(iii) Some part of the main horizontal bumper bar on passenger vehicles does not fall within 16-20 inches above ground level.

(iv) Some part of the main horizontal bumper bar on multipurpose passenger vehicles and light trucks does not fall within 16-30 inches above ground.

#4. Statement of Financial Position:

\$1,000 worth of motor vehicle equipment is equipment such as GPS system trackers and does not pertain to a vehicle to correct this discrepancy.

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