

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2556 Session of
2024

INTRODUCED BY SOLOMON, HILL-EVANS, SCHLOSSBERG, BRENNAN, PROBST,
SANCHEZ, GALLAGHER, DALEY AND GREEN, SEPTEMBER 17, 2024

REFERRED TO COMMITTEE ON JUDICIARY, SEPTEMBER 17, 2024

AN ACT

1 Amending Titles 42 (Judiciary and Judicial Procedure) and 75
2 (Vehicles) of the Pennsylvania Consolidated Statutes, in
3 other required equipment, further providing for exhaust
4 systems, mufflers and noise control; in inspection of
5 vehicles, further providing for suspension of certificates of
6 appointment; in snowmobiles and all-terrain vehicles, further
7 providing for mufflers and sound control; imposing penalties;
8 and making editorial changes.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. Section 933(a)(1)(ii) of Title 42 of the
12 Pennsylvania Consolidated Statutes is amended to read:

13 § 933. Appeals from government agencies.

14 (a) General rule.--Except as otherwise prescribed by any
15 general rule adopted pursuant to section 503 (relating to
16 reassignment of matters), each court of common pleas shall have
17 jurisdiction of appeals from final orders of government agencies
18 in the following cases:

19 (1) Appeals from Commonwealth agencies in the following
20 cases:

21 * * *

(ii) Determinations of the Department of Transportation appealable under the following provisions of Title 75 (relating to vehicles):

Section 1377 (relating to judicial review).

Section 1550 (relating to judicial review).

Section 4724(b) (relating to judicial review]
revocation, suspension, denial or nonrenewal of
certificates of appointment).

Section 7303(b) (relating to judicial review]
suspension of authorization).

Section 7503(b) (relating to judicial review).

Except as otherwise prescribed by general rules, the venue shall be in the county of the principal place of business of any salvor or messenger service, the location of any inspection station involved, the county where the arrest for a violation of 75 Pa.C.S. § 3802 (relating to driving under influence of alcohol or controlled substance) was made in appeals involving the suspension of operating privileges under 75 Pa.C.S. § 1547 (relating to chemical testing to determine amount of alcohol or controlled substance) or the residence of any individual appellant where the venue is not otherwise fixed by this sentence. In the case of a nonresident individual venue, except as otherwise prescribed by general rules, shall be in the county in which the offense giving rise to the recall, cancellation, suspension or revocation of operating privileges occurred.

* * *

Section 2. Section 4523 of Title 75 is amended by adding a subsection to read:

1 § 4523. Exhaust systems, mufflers and noise control.

2 * * *

3 (f) Unauthorized sale of modified mufflers and related
4 equipment prohibited.--

5 (1) No person shall sell, offer for sale or install for
6 the muffler or exhaust system of a motor vehicle a cut-out,
7 bypass or a similar device that amplifies or increases the
8 noise emitted by the motor or exhaust system originally
9 installed on the vehicle.

10 (2) No person shall sell, offer for sale or install a
11 motorcycle exhaust device without internal baffles, known as
12 straight pipes.

13 (3) No person shall sell, offer for sale or install a
14 motorcycle exhaust device that is intentionally designed to
15 allow for the internal baffling to be fully or partially
16 removed or interchangeable or that has been modified in a
17 manner that amplifies or increases the noise emitted by the
18 motor or exhaust system originally installed on the
19 motorcycle. This paragraph shall not apply to a motorcycle
20 manufactured or assembled before January 1, 1979.

21 (4) A person violating the provisions of this subsection
22 shall be guilty of a summary offense and, upon conviction, be
23 sentenced to pay a fine of not more than \$1,000, or to
24 undergo imprisonment for not more 30 days.

25 Section 3. Section 4724 heading, (a) and (b) of Title 75 are
26 amended to read:

27 § 4724. [Suspension] Revocation, suspension, denial or
28 nonrenewal of certificates of appointment.

29 (a) General rule.--

30 (1) The department shall supervise and inspect official

1 inspection stations and may revoke, suspend or refuse to
2 renew the certificate of appointment issued to a station or
3 may impose a monetary penalty or may issue a warning against
4 the station which it finds is not properly equipped or
5 conducted or which has violated or failed to comply with any
6 of the provisions of this chapter or regulations adopted by
7 the department.

8 (2) The department shall revoke, suspend or refuse to
9 renew the certificate of appointment for an inspection
10 station upon a third or subsequent violation, within a period
11 of 18 months, of a regulation requiring the inspection
12 station to inspect the muffler or exhaust system of a motor
13 vehicle for the purpose of compliance with section 4523
14 (relating to exhaust systems, mufflers and noise control).
15 The department shall attribute a violation of section 4523 by
16 an employee of an inspection station, garage or repair shop
17 to the station, garage or repair shop. A fine paid under
18 section 4523 shall be in addition to, but not in lieu of, a
19 monetary penalty, revocation, suspension or nonrenewal of a
20 certificate of appointment imposed under this chapter.

21 (3) A schedule of all penalties, points and suspension
22 may be established by the department by publishing a notice
23 in the Pennsylvania Bulletin until the regulations governing
24 these penalties are promulgated by the department. The
25 department shall maintain a list of all stations holding
26 certificates of appointment and of those whose certificates
27 of appointment have been revoked, suspended or not renewed.
28 Any revoked, suspended or not renewed certificate of
29 appointment and all unused certificates of inspection shall
30 be returned immediately to the department.

1 (b) Judicial review.--Any person whose mechanic certificate
2 issued under section 4726 (relating to certification of
3 mechanics) or certificate of appointment has been denied ~~[or],~~
4 revoked, suspended or not renewed or who has received a monetary
5 penalty under this chapter shall have the right to appeal to the
6 court vested with jurisdiction of such appeals by or pursuant to
7 Title 42 (relating to judiciary and judicial procedure). The
8 court shall set the matter for hearing upon 60 days' written
9 notice to the department and take testimony and examine into the
10 facts of the case and determine whether the petitioner is
11 entitled to a mechanic certificate or certificate of appointment
12 or is subject to revocation, suspension or nonrenewal or a
13 monetary penalty under the provisions of this chapter.

14 * * *

15 Section 4. Section 7743 of Title 75 is amended by adding a
16 subsection to read:

17 § 7743. Mufflers and sound control.

18 * * *

19 (d) Penalties.--A person who violates this section commits a
20 summary offense, and shall, upon conviction, be sentenced to pay
21 a fine of not more than \$1,000, or to be imprisoned for not more
22 30 days, or both.

23 Section 5. This act shall take effect in 60 days.