

CHAPTER 167. PORTABLE EMERGENCY WARNING DEVICES

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Authority

The provisions of this Chapter 167 issued under the Vehicle Code, 75 Pa.C.S. §§ 4103 and 4530, unless otherwise noted.

Source

The provisions of this Chapter 167 adopted October 21, 1977, effective October 22, 1977, 7 Pa.B. 3131, unless otherwise noted.

Cross References

This chapter cited in 67 Pa. Code § 171.83 (relating to portable emergency warning devices); and 67 Pa. Code § 171.138 (relating to portable emergency warning devices).

§ 167.1. Authority.

This chapter, governing approval of portable emergency warning devices, has been promulgated under 75 Pa.C.S. § 4530 (relating to portable emergency warning devices).

Source

The provisions of this § 167.1 adopted October 21, 1977, effective October 22, 1977, 7 Pa.B. 3131.

§ 167.2. Scope and application.

Except for a truck registered as a Class I or Class II, every truck, truck tractor or bus, and every motor vehicle towing a trailer shall carry three portable emergency warning devices of a type specified in § 167.3 (relating to types of warning devices), which are consistent with 49 CFR 393.95 (relating to emergency equipment on all power units).

Authority

The provisions of this § 167.2 amended under the Vehicle Code, 75 Pa.C.S. §§ 4103, 4530 and 6103.

Source

The provisions of this § 167.2 adopted October 21, 1977, effective October 22, 1977, 7 Pa.B. 3131; amended December 28, 1979, effective December 29, 1979, 9 Pa.B. 4275; amended March 18, 1988, effective March 19, 1988, 18 Pa.B. 1205. Immediately preceding text appears at serial page (56734).

Cross References

This section cited in 67 Pa. Code § 167.3 (relating to types of warning devices); and 67 Pa. Code § 167.8 (relating to display).

§ 167.3. Types of warning devices.

One of the following combinations of warning devices shall be carried on those vehicles, specified in § 167.2 (relating to scope and application), and equipped before January 1, 1974:

(1) Three liquid burning emergency flares which satisfy the requirements of SAE Standard J597, "Liquid Burning Emergency Flares", and three fuseses and two red flags.

(2) Three electric emergency lanterns which satisfy the requirements of SAE Standard J596, "Electric Emergency Lanterns", and two red flags.

(3) Three red emergency reflectors and two red flags. A red emergency reflector shall conform to the following requirements:

(i) *Reflecting elements required.* A reflector shall be composed of at least two reflecting elements or surfaces on each side, front and back. The reflecting elements, front and back, shall be approximately parallel.

(ii) *Reflecting elements to be Class A.* A reflecting element or surface shall meet the requirement for a red Class A reflector contained in the SAE Recommended Practice "Reflex Reflectors." The aggregate candlepower output of all the reflecting elements or surface in one direction shall not be less than 12 when tested in a perpendicular position with observation at 1/3° as specified in the Photometric Test contained in the above mentioned Recommended Practice.

(iii) *Reflecting surfaces, protection.* If the reflector or the reflecting elements are so designed or constructed that the reflecting surfaces would be adversely affected by dust, soot or other foreign matter or contacts with other parts of the reflector or its container, then the reflecting surfaces shall be adequately sealed within the body of the reflector.

(iv) *Reflecting surfaces to be perpendicular.* A reflector shall be so constructed that, when the reflector is properly placed, every reflecting element or surface is in a plane perpendicular to the plane of the roadway surface. Reflectors which are collapsible shall be provided with means for locking the reflector elements or surfaces in the required positions; such locking means shall be readily capable of adjustment without the use of tools or special equipment.

(v) *Reflectors, mechanical adequacy.* A reflector shall be of such weight and dimensions as to remain stationary when subjected to a 40 mile per hour wind when properly placed on a clean, dry, paved road surface. The reflector shall be so constructed as to withstand reasonable shocks without breakage.

(vi) *Reflectors, incorporation on holding device.* A set of reflectors and the reflecting elements or surfaces incorporated therein shall be adequately protected by enclosure in a box, rack or other adequate container specially designed and constructed so that the reflectors may be readily extracted for use.

(vii) *Certification.* A red emergency reflector designed and constructed to comply with these requirements shall be plainly marked with the certification of the manufacturer that it complies therewith.

(4) Three red emergency reflective triangles.

(i) *Requirements for emergency reflective triangles manufactured before January 1, 1974.* A reflector shall be a collapsible equilateral triangle, with legs not less than 17 inches long and not less than 2 inches wide. The front and back of the exposed leg surfaces shall be covered with red reflective material not less than 1/2 inch in width. The reflective surface, front and back, shall be approximately parallel. When placed in position, one point of the triangle shall be upward. The area within the sides of the triangle shall be open.

(ii) *Reflective material.* The reflecting material covering the leg of the equilateral triangle shall comply either with:

(A) The requirements for reflex-reflector elements made of red methyl-methacrylate plastic material, meeting the color, sealing, minimum candlepower, wind test, vibration test and corrosion resistance test of section 3 and 4 of Federal Specification RR-R-1185, dated November 17, 1966.

(B) The requirements for red reflective sheeting of Federal Specification L-S-300, dated September 7, 1965, except that the aggregate candlepower of the assembled triangle, in one direction, shall be not less than eight when measured at .2° divergence angle and -4° incidence angle, and not less than 80% of the candlepower specified for 1 square foot of material at all other angles shown in Table II, Reflective Intensity Values, of L-S-300.

(iii) *Reflective surfaces alignment.* A reflective triangle shall be so constructed that, when the triangle is properly placed, the reflective surfaces shall be in a plane perpendicular to the plane of the roadway surface with a permissible tolerance of plus or minus 10°. Reflective triangles which are collapsible shall be provided with means for holding the reflective surfaces within the required tolerance. The holding means shall be readily capable of adjustment without the use of tools or special equipment.

(iv) *Reflectors mechanical adequacy.* A reflective triangle shall be of such weight and dimensions as to remain stationary when subjected to a 40 mile per hour wind when properly placed on a clean, dry paved road surface. The reflective triangle shall be so constructed as to withstand reasonable shocks without breakage.

(v) *Reflectors, incorporation in holding device.* A set of reflective triangles shall be adequately protected by enclosure in a box, rack or other adequate container specially designed and constructed so that the reflectors may be readily extracted for use.

(vi) *Certification.* A red emergency reflective triangle designed and constructed to comply with this section shall be plainly marked with the certification of the manufacturer that it complies therewith.

(5) Three bidirectional emergency reflective triangles that conform to the requirements of Federal Motor Vehicle Safety Standard No. 125, section 571.125.

Source

The provisions of this § 167.3 adopted October 21, 1977, effective October 22, 1977, 7 Pa.B. 3131.

Cross References

This section cited in 67 Pa. Code § 167.2 (relating to scope and application); 67 Pa. Code § 167.4 (relating to vehicles equipped with warning devices on or after January 1, 1974); and 67 Pa. Code § 167.8 (relating to display).

§ 167.4. Vehicles equipped with warning devices on or after January 1, 1974.

(a) *Emergency reflective triangles.* Three bidirectional emergency reflective triangles that conform to the requirements of Federal Motor Vehicle Safety Standard No. 125, section 571.125.

(b) *Supplementary devices.* Fusees, liquid-burning emergency flares, and red electric lanterns that conform to § 167.3 (relating to types of warning devices) may be used to supplement the emergency reflective triangles required in subsection (a).

Source

The provisions of this § 167.4 adopted October 21, 1977, effective October 22, 1977, 7 Pa.B. 3131.

§ 167.5. Flame producing devices prohibited on certain vehicles.

Liquid-burning emergency flares, fusees, oil lanterns or a signal produced by a flame may not be carried on a motor vehicle transporting explosives, Class A or Class B; a cargo tank motor vehicle used for the transportation of flammable liq-

uids or flammable compressed gas whether loaded or empty; or a motor vehicle using compressed gas as a motor fuel.

Source

The provisions of this § 167.5 adopted October 21, 1977, effective October 22, 1977, 7 Pa.B. 3131.

§ 167.6. Requirements for fusees.

A fusee shall be adequate, reliable, capable of burning for at least 15 minutes, and shall comply with the specifications of the Bureau of Explosives, Two Pennsylvania Plaza, New York, N.Y. 10001, dated February 1969. A fusee shall be marked to show that it complies with the specifications of the Bureau of Explosives.

Source

The provisions of this § 167.6 adopted October 21, 1977, effective October 22, 1977, 7 Pa.B. 3131.

§ 167.7. Requirements for red flags.

Red flags may be not less than 12 inches square, with standards adequate to maintain the flags in an upright position.

Source

The provisions of this § 167.7 adopted October 21, 1977, effective October 22, 1977, 7 Pa.B. 3131.

§ 167.8. Display.

(a) *General.* Whenever a motor vehicle of a type referred to in § 167.2 (relating to scope and application) is disabled or stopped upon a roadway or shoulder, the driver of the stopped or disabled vehicle shall immediately flash the two front and two rear signal lamps simultaneously as a vehicular traffic hazard warning and continue the flashing until he places the warning devices of the type required under § 167.3 (relating to types of warning devices) in use on the highway. The flashing signals shall be used during the time the warning devices are picked up for storage before movement of the vehicle. The flashing lights may be used at other times while a vehicle is stopped in addition to, but not in lieu of, the warning devices of the type required under § 167.3.

(b) *Placement of warning devices.* Requirements for placement shall be as follows:

(1) *General rule.* Except, as provided in paragraph (2), whenever a vehicle is stopped or disabled upon the roadway or the shoulder for any cause other than necessary traffic stops, the driver shall as soon as possible, but in any event within 10 minutes, place the warning devices of the type required under § 167.3 in the following manner:

(i) One at the traffic side of the stopped or disabled vehicle, within 10 feet of the front or rear of the vehicle.

(ii) One at a distance of approximately 100 feet from the stopped or disabled vehicle in the center of the traffic lane or shoulder occupied by the vehicle and in the direction toward traffic approaching in that lane.

(iii) One at a distance of approximately 100 feet from the stopped or disabled vehicle in the center of the traffic lane or shoulder occupied by the vehicle and in the direction in which traffic in that lane is moving.

(2) *Special rules.* Special rules for placement shall be as follows:

(i) *Fusees.* The driver of a vehicle equipped with liquid-burning emergency flares shall first place a fusee at the location specified in paragraph (1)(iii).

(ii) *Daylight hours.* Except as provided in subparagraph (iii) during the period lighted lamps are not required, three emergency triangles shall be placed as specified in paragraph (1) or two red flags as specified in paragraph (1)(i)—(iii) and within a time of 10 minutes.

(iii) *Business or residential districts.* The placement of warning devices may not be required within the business or residential district of a municipality, except during the time lighted lamps are required by 75 Pa.C.S. § 4302 (relating to period for requiring lighted lamps) and when street or highway lighting is insufficient to make a vehicle clearly discernible at a distance of 500 feet to persons on the highway.

(iv) *Hills, curves and obstructions.* If a motor vehicle is stopped or disabled within 500 feet of a curve, crest of a hill or other obstruction to view, the driver shall place the warning signal required by § 167.3 in the direction of the obstruction to view at a distance of 100 feet to 500 feet from the stopped or disabled vehicle so as to afford ample warning to other users of the highway.

(v) *Divided or one-way roads.* If a motor vehicle is stopped or disabled upon a roadway or shoulder of a divided or one-way highway, the driver shall place the warning devices required by § 167.3, one at a distance of 200 feet and one at a distance of 100 feet in a direction toward approaching traffic in the center of the lane or shoulder occupied by the vehicle, and one at the traffic side of the vehicle within 10 feet of the vehicle.

(vi) *Leaking, flammable material.* If gasoline or other flammable liquid, or combustible liquid or gas seeps or leaks from a fuel container or a motor vehicle stopped upon a highway, no emergency warning signal producing a flame may be lighted or placed except at a distance from any liquid or gas that will assure the prevention of a fire or explosion.

Source

The provisions of this § 167.8 adopted December 15, 1978, effective December 16, 1978, 8 Pa.B. 3578.

Cross References

This section cited in 67 Pa. Code § 171.150 (relating to use of portable emergency warning devices).

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