



## **Bureau of Air Quality**

### **ACT 124: DEFINITIONS**

*The following section provides definitions for terms used in Act 124 and in this document. The terms are 1) defined fully in Section 2 of the act itself (35 P.S. §4602), 2) defined in the act by referencing Pennsylvania Vehicle Code definitions found in 75 Pa.C.S. § 102 or Code of Federal Regulations definitions, or 3) used in Act 124 or this document but not defined in Act 124. A source reference is given for each definition.*

1. “Bus.” (As defined in Act 124, by reference to 75 Pa.C.S.A. §102.)
  - (1) A motor vehicle designed to transport 16 or more passengers, including the driver; or
  - (2) a motor vehicle, other than a taxicab or limousine, designed to transport not more than 15 passengers, including the driver, and used for the transportation of persons for compensation.

The term does not include a vehicle used in a ridesharing arrangement, as defined in the act of December 14, 1982 (P.L. 1211, No. 279), entitled "An act providing for ridesharing arrangements and providing that certain laws shall be inapplicable to ridesharing arrangements," or a school bus.

2. “Bus depot.” (As defined in Act 124.)

A location where buses are routinely kept overnight, including any garage structure or outdoor bus parking area or both.
3. “Department.” (As defined in Act 124.)

The Department of Environmental Protection of the Commonwealth
4. “Diesel-powered.” (As defined in Act 124.)

A type of engine that has operating characteristics significantly similar to the theoretical diesel combustion cycle.
5. “Emergency vehicle.” (As defined in 75 Pa.C.S.A. §102.)

A fire department vehicle, police vehicle, sheriff vehicle, ambulance, blood delivery vehicle, human organ delivery vehicle, hazardous material response vehicle, armed forces emergency vehicle, one vehicle operated by a coroner or chief county medical examiner and one vehicle operated by a chief deputy coroner or deputy chief county medical examiner used for answering emergency calls, any vehicle owned and operated by the Philadelphia Parking Authority established in accordance with 53 Pa.C.S. Ch. 55 (relating to parking authorities)

and used in the enforcement of 53 Pa.C.S. Ch. 57 (relating to taxicabs and limousines in first class cities), or any other vehicle designated by the State Police under [75 Pa.C.S.A.] section 6106 (relating to designation of emergency vehicles by Pennsylvania State Police), or a privately owned vehicle used in answering an emergency call when used by any of the following:

- (1) A police chief and assistant chief.
- (2) A fire chief, assistant chief and, when a fire company has three or more fire vehicles, a second or third assistant chief.
- (3) A fire police captain and fire police lieutenant.
- (4) An ambulance corps commander and assistant commander.
- (5) A river rescue commander and assistant commander.
- (6) A county emergency management coordinator.
- (7) A fire marshal.
- (8) A rescue service chief and assistant chief.

6. “Farm equipment.” (As defined in Act 124, by reference to 75 Pa.C.S.A. §102.)  
A vehicle that is specifically designed and manufactured for and used exclusively in agriculture to plant, seed, cultivate, harvest or apply soil nutrients, fertilizers or chemicals. The term also includes any other vehicle determined by the department [of Transportation] to be farm equipment.
7. “Farm vehicle.” (As defined in Act 124, by reference to 75 Pa.C.S.A. §102.)  
A truck or truck tractor determined by the Department of Transportation to be used exclusively for agricultural purposes.
8. “Highway.” (As defined in Act 124, by reference to 49 CFR 390.5.)  
Any road, street, or way, whether on public or private property, open to public travel. “Open to public travel” means that the road section is available, except during scheduled periods, extreme weather or emergency conditions, passable by four-wheel standard passenger cars, and open to the general public for use without restrictive gates, prohibitive signs, or regulation other than restrictions based on size, weight, or class of registration. Toll plazas of public toll roads are not considered restrictive gates.
9. “Idle reduction technology.” (As defined in Act 124.)  
Any device or system of devices that is installed on a motor vehicle subject to this act and is designed to provide it those services, such as heat, air conditioning and electricity, that would otherwise require the operation of the main drive engine while the motor vehicle is temporarily parked or remains stationary.

10. "Idling." (As defined in Act 124.)  
Operation of the main propulsion engine of a motor vehicle while the vehicle is stationary.

11. "Implement of husbandry." (As defined in Act 124, by reference to 75 Pa.C.S.A. §102.)  
Farm equipment that meets all of the following criteria:

- (1) Is equipped with pneumatic tires except if prohibited by religious beliefs.
- (2) Is infrequently operated or moved upon highways.
- (3) Is used in agriculture for any of the following purposes:
  - (i) performance of agriculture production or harvesting activities for the farmer's agricultural operations; or
  - (ii) transportation of agricultural products or agricultural supplies for the benefit of the farmer's agricultural operations.

The term also includes earthmoving equipment and any other vehicle determined by the department [of Transportation] to be an implement of husbandry.

12. "Motor home." (As defined in Act 124, by reference to 75 Pa.C.S.A. §102.)  
A motor vehicle designed or adapted for use as a mobile dwelling or office, except a motor vehicle equipped with a truck-camper.

13. "Motor Vehicle." (As defined in Act 124, by reference to 75 Pa.C.S.A. §102.)  
A vehicle which is self-propelled except an electric personal assistive mobility device or a vehicle which is propelled solely by human power.

14. "School bus." (As defined in Act 124, by reference to 75 Pa.C.S.A. §102.)  
A motor vehicle which:

- (1) is designed to carry 11 passengers or more, including the driver; and
- (2) is used for the transportation of preprimary, primary or secondary school students to or from public, private or parochial schools or events related to such schools or school-related activities.

The term does not include a motor vehicle used to transport preprimary, primary or secondary school students to or from public, private or parochial schools or events related to such schools or school-related activities, which is designed to carry 11 to 15 passengers, including the driver, and which is registered in this Commonwealth as a bus prior to March 1, 1993, or a motor vehicle which is designed to carry 11 to 15 passengers, including the driver, and which was titled to any public, private or parochial school on or before March 1, 1993, and which is registered to that public, private or parochial school in this Commonwealth as a bus prior to September 15, 1993.

15. "School vehicle." (As defined in Act 124, by reference to 75 Pa.C.S.A. §102.)  
A motor vehicle, except a motorcycle, designed for carrying no more than ten passengers, including the driver, and used for the transportation of preprimary, primary or secondary school students while registered by or under contract to a school district or private or parochial school. The term includes vehicles having chartered, group and party rights under the Pennsylvania Public Utility Commission and used for the transportation of school children.
  
16. "Stationary idle reduction technology." (As defined in Act 124.)  
Equipment that transforms power from the electric grid for the purpose of delivering usable electric power, heat or air conditioning to a motor vehicle for the purpose of reducing main engine idling.
  
17. "Utility service vehicle." (As defined by the Department, for purposes of enforcement by the Department.)  
A vehicle used in the furtherance of repairing, maintaining, or operating any structures or any other physical facilities necessary for the delivery of public utility services, including the furnishing of electric, gas, water, sanitary sewer, telephone, and television cable or community antenna service.
  
18. "Vehicle." (As defined in Act 124, by reference to 75 Pa.C.S.A. §102.)  
Every device in, upon or by which any person or property is or may be transported or drawn upon a highway, except devices used exclusively upon rails or tracks. The term does not include a self-propelled wheel chair or an electrical mobility device operated by and designed for the exclusive use of a person with a mobility-related disability.