

TITLE 9: VEHICLE CODE
DIVISION 4: EQUIPMENT OF VEHICLES

§ 4104. Brakes.

(a) Every motor vehicle operating upon the public highways shall be equipped with brakes adequate to control the movements of and to stop and hold the vehicle, including two separate means of applying braking effort, each of which means shall be effective to apply braking effort to at least two of the wheels of the vehicle. If these two separate means are connected in any way, they shall be so constructed that failure of either part of the operating mechanism shall not leave the motor vehicle without brakes on at least two wheels of the vehicle.

(b) Every motorcycle, moped and bicycle operating upon the public highways shall be equipped with at least one brake, which may be operated by either hand or foot.

(c) Except as herein provided, the service brakes upon any motor vehicle or combination of vehicles, shall be adequate to stop the vehicle or vehicles, when traveling at a speed of 20 miles per hour, within a distance of 30 feet or at a rate corresponding to such performance, on a dry, hard, approximately level stretch of highway, free from loose material, where the grade does not exceed one percent. The emergency brake shall be adequate to stop vehicle or vehicles within a distance of 55 feet when traveling at a speed of 20 miles per hour, and the emergency brake shall be adequate to hold the vehicle or vehicles stationary upon any grade upon which the vehicle is operated. When traveling at a speed of 20 miles per hour, the service brakes upon a motor vehicle equipped with two-wheel brakes only, and when permitted hereunder, shall be adequate to stop the vehicle within a distance of 40 feet, and the emergency brake shall be adequate to stop the vehicle within a distance of 55 feet.

(d) All braking distances specified in this section shall apply to all vehicles mentioned, whether the vehicles are loaded or unloaded.

(e) All brakes shall be maintained in good working order and shall be so adjusted that the braking effort is applied as equally as practicable with respect to the wheels on the opposite sides of the vehicle.

(f) It is unlawful for any person to operate a motor vehicle or a combination of vehicles upon the highways of the Commonwealth with brakes not in good working condition.

(g) It is unlawful for any person to operate a motor vehicle without the required number of brakes in good working condition. The owner or operator of any motor vehicle, who is notified by an employee of the department that the brake or brakes on the vehicle are improperly adjusted, or are unsafe or unfit, or in need of correction, adjustment, or repairs, shall be allowed 48 hours within which to correct, adjust, or repair the brakes to conform with the requirements of this division, and if the correction, adjustment or repair is not satisfactorily made, or excused by unavailability of parts, a traffic citation shall be issued and the vehicle may not be operated until the correction, adjustment or repair is completed; provided, that when service and emergency brakes applied together will not stop a motor vehicle or combination of vehicles within distances defined in this

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division, or hold a motor vehicle or combination of vehicles stationary on any grade upon which operated, the owner or operator may be required to make temporary correction, adjustment, or repairs before being permitted to proceed with the motor vehicle or combination of vehicles.

(h) Every motor vehicle which is not in combination with any other vehicle and every vehicle at the end of a combination of vehicles shall at all times be equipped with brake lights mounted on the rear of the vehicle. Brake lights shall be activated upon application of the foot brake and the hand control head for air, vacuum, or electric brakes. In addition, all brake lights may be activated by a mechanical device designed to function only upon sudden release of the accelerator while the vehicle is in motion. This device shall meet requirements established by the bureau.

Source: PL 3-61, § 1 (§ 404).