

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 864 Session of 2011

INTRODUCED BY GEIST, MILLER, DENLINGER, FLECK, FREEMAN, GINGRICH, GROVE, HICKERNELL, KILLION, MAJOR, MATZIE, REICHLEY, SCAVELLO, VULAKOVICH, WAGNER, SWANGER AND FABRIZIO, MARCH 1, 2011

SENATOR RAFFERTY, TRANSPORTATION, IN SENATE, AS AMENDED, OCTOBER 18, 2011

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for DEFINITIONS, FOR REQUIREMENT
3 FOR COMMERCIAL DRIVER'S LICENSE AND FOR the Pedalcycle and
4 Pedestrian Advisory Committee. ←

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. ~~Section 3571(b) and (f) of Title 75 of the~~ ←
8 ~~Pennsylvania Consolidated Statutes are amended to read:~~

9 SECTION 1. THE DEFINITION OF "EMERGENCY VEHICLE" IN SECTION ←
10 102 OF TITLE 75 OF THE PENNSYLVANIA CONSOLIDATED STATUTES IS
11 AMENDED TO READ:

12 § 102. DEFINITIONS.

13 SUBJECT TO ADDITIONAL DEFINITIONS CONTAINED IN SUBSEQUENT
14 PROVISIONS OF THIS TITLE WHICH ARE APPLICABLE TO SPECIFIC
15 PROVISIONS OF THIS TITLE, THE FOLLOWING WORDS AND PHRASES WHEN
16 USED IN THIS TITLE SHALL HAVE, UNLESS THE CONTEXT CLEARLY
17 INDICATES OTHERWISE, THE MEANINGS GIVEN TO THEM IN THIS SECTION:

1 * * *

2 "EMERGENCY VEHICLE." A COUNTY EMERGENCY MANAGEMENT VEHICLE,
3 FIRE DEPARTMENT VEHICLE, POLICE VEHICLE, SHERIFF VEHICLE,
4 AMBULANCE, ADVANCED LIFE SUPPORT SQUAD VEHICLE, BASIC LIFE
5 SUPPORT SQUAD VEHICLE, BLOOD DELIVERY VEHICLE, HUMAN ORGAN
6 DELIVERY VEHICLE, HAZARDOUS MATERIAL RESPONSE VEHICLE, ARMED
7 FORCES EMERGENCY VEHICLE, ONE VEHICLE OPERATED BY A CORONER OR
8 CHIEF COUNTY MEDICAL EXAMINER AND ONE VEHICLE OPERATED BY A
9 CHIEF DEPUTY CORONER OR DEPUTY CHIEF COUNTY MEDICAL EXAMINER
10 USED FOR ANSWERING EMERGENCY CALLS, A VEHICLE OWNED BY OR LEASED
11 TO A REGIONAL EMERGENCY MEDICAL SERVICES COUNCIL THAT IS USED AS
12 AUTHORIZED BY THE DEPARTMENT OF HEALTH TO RESPOND TO AN ACTUAL
13 OR POTENTIAL DISASTER, MASS CASUALTY SITUATION OR SUBSTANTIAL
14 THREAT TO PUBLIC HEALTH, ANY VEHICLE OWNED AND OPERATED BY THE
15 PHILADELPHIA PARKING AUTHORITY ESTABLISHED IN ACCORDANCE WITH 53
16 PA.C.S. CH. 55 (RELATING TO PARKING AUTHORITIES) AND USED IN THE
17 ENFORCEMENT OF 53 PA.C.S. CH. 57 (RELATING TO TAXICABS AND
18 LIMOUSINES IN FIRST CLASS CITIES), OR ANY OTHER VEHICLE
19 DESIGNATED BY THE STATE POLICE UNDER SECTION 6106 (RELATING TO
20 DESIGNATION OF EMERGENCY VEHICLES BY PENNSYLVANIA STATE POLICE),
21 OR A PRIVATELY OWNED VEHICLE USED IN ANSWERING AN EMERGENCY CALL
22 WHEN USED BY ANY OF THE FOLLOWING:

- 23 (1) A POLICE CHIEF AND ASSISTANT CHIEF.
- 24 (2) A FIRE CHIEF, ASSISTANT CHIEF AND, WHEN A FIRE
25 COMPANY HAS THREE OR MORE FIRE VEHICLES, A SECOND OR THIRD
26 ASSISTANT CHIEF.
- 27 (3) A FIRE POLICE CAPTAIN AND FIRE POLICE LIEUTENANT.
- 28 (4) AN AMBULANCE CORPS COMMANDER AND ASSISTANT
29 COMMANDER.
- 30 (5) A RIVER RESCUE COMMANDER AND ASSISTANT COMMANDER.

1 (6) A COUNTY EMERGENCY MANAGEMENT COORDINATOR.

2 (7) A FIRE MARSHAL.

3 (8) A RESCUE SERVICE CHIEF AND ASSISTANT CHIEF.

4 * * *

5 SECTION 2. SECTIONS 1606(B) AND 3571(B) AND (F) OF TITLE 75
6 ARE AMENDED TO READ:

7 § 1606. REQUIREMENT FOR COMMERCIAL DRIVER'S LICENSE.

8 * * *

9 (B) EXEMPTIONS.--THE FOLLOWING PERSONS ARE NOT REQUIRED TO
10 OBTAIN A COMMERCIAL DRIVER'S LICENSE IN ORDER TO DRIVE THE
11 COMMERCIAL MOTOR VEHICLE SPECIFIED:

12 (1) A PERSON WITH A COMMERCIAL DRIVER LEARNER'S PERMIT
13 WHO IS ACCOMPANIED BY THE HOLDER OF A COMMERCIAL DRIVER'S
14 LICENSE VALID FOR THE VEHICLE BEING DRIVEN.

15 (2) A PERSON IN THE SERVICE OF THE ARMED FORCES OF THE
16 UNITED STATES, INCLUDING MEMBERS OF THE RESERVES AND NATIONAL
17 GUARD ON ACTIVE DUTY; PERSONNEL ON FULL-TIME NATIONAL GUARD
18 DUTY; AND PERSONNEL ON INACTIVE NATIONAL GUARD DUTY TRAINING
19 OR PART-TIME NATIONAL GUARD TRAINING AND NATIONAL GUARD
20 MILITARY TECHNICIANS WHO ARE REQUIRED TO WEAR MILITARY
21 UNIFORMS; AND ACTIVE DUTY UNITED STATES COAST GUARD PERSONNEL
22 WHEN OPERATING COMMERCIAL MOTOR VEHICLES FOR MILITARY
23 PURPOSES.

24 (3) A PERSON WHO IS A VOLUNTEER OR PAID FIREFIGHTER WITH
25 A CLASS C LICENSE AND WHO HAS A CERTIFICATE OF AUTHORIZATION
26 FROM HIS FIRE CHIEF WHILE OPERATING A FIRE OR EMERGENCY
27 VEHICLE REGISTERED TO THE FIRE DEPARTMENT OR MUNICIPALITY.

28 (4) ANY MEMBER OF A RESCUE OR EMERGENCY SQUAD OR COUNTY
29 EMERGENCY MANAGEMENT ORGANIZATION WHO IS THE HOLDER OF A
30 CLASS C LICENSE AND WHO HAS A CERTIFICATE OF AUTHORIZATION

1 FROM THE HEAD OF THE RESCUE OR EMERGENCY SQUAD OR COUNTY
2 EMERGENCY MANAGEMENT ORGANIZATION WHILE OPERATING ANY RESCUE
3 OR EMERGENCY VEHICLE EQUIPPED WITH AUDIBLE AND VISUAL SIGNALS
4 REGISTERED TO THE RESCUE OR EMERGENCY SQUAD [OR], _____
5 MUNICIPALITY OR COUNTY.

6 (5) A DRIVER WITH A CLASS C LICENSE OPERATING A FARM
7 VEHICLE WHICH IS CONTROLLED AND OPERATED BY A FARMER AND USED
8 EXCLUSIVELY TO TRANSPORT AGRICULTURAL PRODUCTS, FARM
9 MACHINERY OR FARM SUPPLIES TO OR FROM A FARM. THE FARM
10 VEHICLE MAY NOT BE USED IN THE OPERATIONS OF A COMMON OR
11 CONTRACT CARRIER AND MAY BE USED ONLY WITHIN A RADIUS OF 150
12 MILES OF THE FARM.

13 (6) A DRIVER WITH A CLASS C LICENSE OPERATING A SCHOOL
14 BUS, SCHOOL VEHICLE OR OTHER COMMERCIAL VEHICLE AT THE
15 DIRECTION OF AUTHORIZED EMERGENCY MANAGEMENT PERSONNEL IN A
16 TIME OF DECLARED FEDERAL, STATE OR LOCAL EMERGENCY. A PERSON
17 DRIVING A SCHOOL BUS, SCHOOL VEHICLE OR OTHER COMMERCIAL
18 VEHICLE PURSUANT TO THIS PARAGRAPH SHALL NOT BE SUBJECT TO
19 SANCTIONS UNDER THE PROVISIONS OF THIS CHAPTER OR SECTION
20 3742.1 (RELATING TO ACCIDENTS INVOLVING DEATH OR PERSONAL
21 INJURY WHILE NOT PROPERLY LICENSED).

22 * * *

23 § 3571. Pedalcycle and Pedestrian Advisory Committee.

24 * * *

25 (b) Composition.--The committee shall consist of [15] 17
26 members. The members shall be as follows:

27 (1) The Secretary of Transportation, ex officio.

28 (2) The Secretary of Conservation and Natural Resources,
29 ex officio.

30 (3) The chairman and minority chairman of the

1 Transportation Committee of the Senate.

2 (4) The chairman and minority chairman of the
3 Transportation Committee of the House of Representatives.

4 [(5) Nine members of the public representing areas of
5 concern, who must have extensive experience and knowledge of
6 bicycle, pedalcycle, pedestrian and human power issues
7 throughout this Commonwealth, to be appointed by the Governor
8 as follows:

9 (i) One member representing the Bicycling Federation
10 of Pennsylvania.

11 (ii) One member representing the League of American
12 Bicyclists.

13 (iii) One member representing the United States
14 Cycling Federation.

15 (iv) One member representing a Statewide rail-trail
16 organization in this Commonwealth.

17 (v) One member representing the Eastern Paralyzed
18 Veterans Association.

19 (vi) One member representing the general public.

20 (vii) One member representing the Western
21 Pennsylvania Wheelmen.

22 (viii) One member representing the Bicycle Coalition
23 of the Delaware Valley.

24 (ix) One member representing an established
25 pedestrian advocacy group organized within this
26 Commonwealth.]

27 (5) Eleven members of the public representing various
28 bicycling or pedestrian constituencies. Each member shall
29 have relevant expertise and knowledge and shall be familiar
30 with best practices in bicycle or pedestrian policy,

1 planning, design and education. The public members shall be
2 appointed by the Governor as follows:

3 (i) Two members representing urban and suburban
4 constituencies in the Philadelphia and Pittsburgh
5 metropolitan areas.

6 (ii) One member representing Statewide
7 constituencies.

8 (iii) One member representing a metropolitan
9 planning organization or rural planning organization.

10 (iv) One member representing trail constituencies.

11 (v) One member representing pedestrian
12 constituencies.

13 (vi) One member representing senior citizen or
14 disabled constituencies.

15 (vii) One member representing children and education
16 constituencies.

17 (viii) One member representing a recreational
18 cycling club.

19 (ix) Two at-large members representing the general
20 public.

21 Each member set forth in paragraphs (1) through (4) may
22 designate an alternate to serve in his stead, and such member
23 shall notify the chairman in writing of this designation.

24 * * *

25 (f) Powers and duties.--The powers and duties of the
26 committee shall be to advise and comment on all phases of
27 [cycling] bicycling and pedestrian program activities being
28 undertaken or financially assisted by the department and
29 agencies of State government.

30 Section 2 3. This act shall take effect in 60 days.

