

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## SENATE BILL

No. 1108 Session of  
2015

INTRODUCED BY SCAVELLO, RAFFERTY, STEFANO, EICHELBERGER,  
TARTAGLIONE, SCHWANK, BROOKS, BARTOLOTTA, MENSCH AND  
VULAKOVICH, JANUARY 15, 2016

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF  
REPRESENTATIVES, MAY 3, 2016

## AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, in general provisions, further providing for  
3 definitions; in licensing of drivers, further providing for  
4 classes of licenses and for examination of applicant for  
5 driver's license; in special vehicles and pedestrians,  
6 providing for certain passengers prohibited in autocycles;  
7 ~~and,~~ in accidents and accident reports, further providing for <--  
8 accident report forms and for department to compile, tabulate  
9 and analyze accident reports-; AND, IN SIZE, WEIGHT AND LOAD, <--  
10 FURTHER PROVIDING FOR PERMIT FOR MOVEMENT DURING COURSE OF  
11 MANUFACTURE.

12 The General Assembly of the Commonwealth of Pennsylvania  
13 hereby enacts as follows:

14 Section 1. The definition of "motorcycle" in section 102 of  
15 Title 75 of the Pennsylvania Consolidated Statutes is amended  
16 and the section is amended by adding a definition to read:

17 § 102. Definitions.

18 Subject to additional definitions contained in subsequent  
19 provisions of this title which are applicable to specific  
20 provisions of this title, the following words and phrases when  
21 used in this title shall have, unless the context clearly

1 indicates otherwise, the meanings given to them in this section:

2 \* \* \*

3 "Autocycle." A three-wheeled motorcycle that has a steering  
4 wheel and seating that does not require the operator to straddle  
5 or sit astride.

6 \* \* \*

7 "Motorcycle." A motor vehicle having a seat or saddle for  
8 the use of the rider and:

9 (1) designed to travel on not more than three wheels in  
10 contact with the ground; or

11 (2) designed to travel on two wheels in contact with the  
12 ground which is modified by the addition of two stabilizing  
13 wheels on the rear of the motor vehicle.

14 The term includes an autocycle.

15 \* \* \*

16 Section 2. Section 1504(c) and (d) of Title 75 are amended  
17 to read:

18 § 1504. Classes of licenses.

19 \* \* \*

20 (c) Qualifications of applicants.--

21 (1) The department shall establish by regulation the  
22 qualifications necessary for the safe operation of the  
23 various types, sizes or combinations of vehicles and the  
24 manner of examining applicants to determine their  
25 qualifications for the type or general class of license  
26 applied for.

27 (2) The qualifications for the safe operation of an  
28 autocycle shall be the same as for any single vehicle with a  
29 gross vehicle weight rating of not more than 26,000 pounds or  
30 any combination of vehicles that does not meet the definition

1 of either Class A or Class B of this section.

2 (d) Number and description of classes.--Licenses issued by  
3 the department shall be classified in the following manner:

4 (1) Class A.--A Class A license shall be issued to those  
5 persons 18 years of age or older who have demonstrated their  
6 qualifications to operate any combination of vehicles with a  
7 gross vehicle weight rating of 26,001 pounds or more,  
8 provided the gross vehicle weight rating of the vehicle or  
9 vehicles being towed is in excess of 10,000 pounds.

10 (i) The holder of a Class A license shall be deemed  
11 qualified to operate those vehicles for which a Class B  
12 or Class C license is issued.

13 (ii) Where required under this title, appropriate  
14 endorsements must be obtained.

15 (2) Class B.--A Class B license shall be issued to those  
16 persons 18 years of age or older who have demonstrated their  
17 qualifications to operate any single vehicle with a gross  
18 vehicle weight rating of 26,001 pounds or more or any such  
19 vehicle towing a vehicle having a gross vehicle weight rating  
20 of not more than 10,000 pounds.

21 (i) The holder of a Class B license shall be deemed  
22 qualified to operate those vehicles for which a Class C  
23 license is issued.

24 (ii) Where required under this title, appropriate  
25 endorsements must be obtained.

26 (3) Class C.--A Class C license shall be issued to those  
27 persons 18 years of age or older, except as provided in  
28 section 1503 (relating to persons ineligible for licensing;  
29 license issuance to minors; junior driver's license), who  
30 have demonstrated their qualifications to operate any single

1 vehicle, except those vehicles requiring a Class M  
2 qualification, with a gross vehicle weight rating of not more  
3 than 26,000 pounds or any combination of vehicles, except  
4 combination vehicles involving motorcycles, that does not  
5 meet the definition of either Class A or Class B of this  
6 section.

7 (i) Where required under this title, appropriate  
8 endorsements must be obtained.

9 (ii) Any firefighter who is the holder of a Class C  
10 license and who has a certificate of authorization from  
11 his fire chief shall be authorized to operate any fire or  
12 emergency vehicle registered to the fire department or  
13 municipality, regardless of the other requirements of  
14 this section as to the class of license required. No fire  
15 chief, fire department, including any volunteer fire  
16 company, or municipality shall be liable for any civil  
17 damages as a result of the issuance of a certificate  
18 authorized under this paragraph unless such act  
19 constituted a crime, actual fraud, actual malice or  
20 willful misconduct.

21 (iii) Any member of a rescue or emergency squad who  
22 is the holder of a Class C license and who has a  
23 certificate of authorization from the head of the rescue  
24 or emergency squad shall be authorized to operate any  
25 rescue or emergency vehicle equipped with audible and  
26 visual signals registered to the rescue or emergency  
27 squad or municipality, regardless of the other  
28 requirements of this section as to the class of license  
29 required. No head of a rescue or emergency squad, the  
30 rescue or emergency squad or municipality shall be liable

1 for any civil damages as a result of the issuance of a  
2 certificate of authorization under this paragraph unless  
3 such issuance constituted a crime, actual fraud, actual  
4 malice or willful misconduct.

5 (iv) The holder of a Class C license shall also be  
6 authorized to drive a motor-driven cycle with an  
7 automatic transmission and cylinder capacity not  
8 exceeding 50 cubic centimeters [or], a three-wheeled  
9 motorcycle equipped with an enclosed cab or an autocycle,  
10 but not a motorcycle unless the license is endorsed, as  
11 provided in this title.

12 (4) Class M.--

13 (i) A Class M license shall be issued to those  
14 persons who have demonstrated their qualifications to  
15 operate a motorcycle. A Class M license accompanied by an  
16 endorsement shall be issued to those persons who have  
17 demonstrated their qualifications to operate a motor-  
18 driven cycle. If a person is qualified to operate only a  
19 motorcycle or motor-driven cycle, he shall be issued only  
20 a Class M license or a Class M license with an  
21 endorsement, as applicable.

22 (ii) This paragraph shall not apply to an autocycle.

23 \* \* \*

24 Section 3. Section 1508 of Title 75 is amended by adding a  
25 subsection to read:

26 § 1508. Examination of applicant for driver's license.

27 \* \* \*

28 (g) Autocycles not to be used.--No applicant for a driver's  
29 license may use an autocycle for the actual demonstration of  
30 ability to exercise ordinary and reasonable control in the

1 operation of a motor vehicle of the type or class of vehicles  
2 for which the applicant desires a license to drive.

3 Section 4. Title 75 is amended by adding a section to read:  
4 § 3527. Certain passengers prohibited in autocycles.

5 No person who is operating an autocycle may permit a child  
6 who is under eight years of age to be a passenger in the  
7 autocycle if the child would be required to be secured in a  
8 passenger car as provided in section 4581 (relating to restraint  
9 systems).

10 Section 5. ~~Sections~~ SECTION 3752(a) ~~and 3753(b)~~ of Title 75 <--  
11 ~~are~~ IS amended ~~by adding a paragraph~~ to read: <--  
12 § 3752. Accident report forms.

13 (a) Form and content.--The department shall prepare and upon  
14 request supply to all law enforcement agencies and other  
15 appropriate agencies or individuals, forms for written accident  
16 reports as required in this subchapter suitable with respect to  
17 the persons required to make the reports and the purposes to be  
18 served. The written report forms shall call for sufficiently  
19 detailed information to disclose with reference to a vehicle  
20 accident the cause, conditions then existing and the persons and  
21 vehicles involved, including separate information or data on  
22 autocycles. Reports for use by the drivers and owners shall also  
23 provide for information relating to financial responsibility.

24 \* \* \*

25 SECTION 6. SECTION 3753(B) OF TITLE 75 IS AMENDED BY ADDING <--  
26 A PARAGRAPH TO READ:

27 § 3753. Department to compile, tabulate and analyze accident  
28 reports.

29 \* \* \*

30 (b) Central accident analysis system.--The department shall

1 provide accident data for analysis in selecting crash prevention  
2 programs and in evaluating the effectiveness of those programs  
3 implemented. The system shall provide an annual report to the  
4 General Assembly assessing traffic safety in Pennsylvania,  
5 including, but not limited to, an analysis of accident  
6 characteristics and mitigation strategies to reduce the  
7 potential for future accidents. In addition, the system shall be  
8 capable of providing:

9 \* \* \*

10 (7) When information or data relating to motorcycles  
11 appears or is used in the system, the information and data  
12 shall be separated from information or data relating to other  
13 types of motorcycles.

14 \* \* \*

15 SECTION 7. SECTION 4968(A.2)(4) OF TITLE 75 IS AMENDED TO <--  
16 READ:

17 § 4968. PERMIT FOR MOVEMENT DURING COURSE OF MANUFACTURE.

18 \* \* \*

19 (A.2) SPECIFICATIONS.--

20 \* \* \*

21 (4) A COMBINATION OF VEHICLES WHICH IS HAULING MILK TO  
22 OR FROM A MANUFACTURER MAY BE PERMITTED BY THE DEPARTMENT AND  
23 LOCAL AUTHORITIES TO MOVE UPON HIGHWAYS WITHIN THEIR  
24 RESPECTIVE JURISDICTIONS 24 HOURS A DAY, SEVEN DAYS A WEEK,  
25 EXCEPT DURING INCLEMENT WEATHER AS DEFINED IN DEPARTMENT  
26 REGULATIONS, IF THE GROSS WEIGHT DOES NOT EXCEED 95,000  
27 POUNDS AND THE WEIGHT OF ANY NONSTEERING AXLE DOES NOT EXCEED  
28 21,000 POUNDS. [NO] A PERMIT MAY BE ISSUED FOR THIS TYPE OF  
29 MOVEMENT UPON AN INTERSTATE HIGHWAY. AN APPLICATION TO THE  
30 DEPARTMENT FOR THE MOVEMENT OF MILK, EXCEPT FOR RAW MILK,

1       SHALL DESIGNATE THE ROUTE THE APPLICANT REQUESTS TO USE.

2           \* \* \*

3       Section ~~6~~ 8. This act shall take effect as follows: <--

4           (1) This section shall take effect immediately.

5           (2) The amendment or addition of 75 Pa.C.S. §§ 3752(a)  
6       and 3753(b) (7) shall take effect January 1, 2018.

7           (3) The remainder of this act shall take effect in 60  
8       days.