

## AMENDMENTS TO HOUSE BILL NO. 2296

Sponsor: SENATOR K. WARD

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1 Amend Bill, page 1, lines 2 and 3, by striking out "in  
2 commercial drivers, further providing for" in line 2 and all of  
3 line 3 and inserting

4 in general provisions, further providing for definitions; in  
5 licensing of drivers, further providing for learners'  
6 permits, for examination of applicant for driver's license  
7 and for restrictions on drivers' licenses; in commercial  
8 drivers, further providing for notification requirements for  
9 drivers, for requirement for commercial driver's license, for  
10 commercial driver's license qualification standards and for  
11 disqualification; and in fees, further providing for  
12 exemption of persons, entities and vehicles from fees.

13 Amend Bill, page 1, lines 6 through 8, by striking out all of  
14 said lines and inserting

15 Section 1. Section 102 of Title 75 of the Pennsylvania  
16 Consolidated Statutes is amended by adding definitions 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  
22 indicates otherwise, the meanings given to them in this section:

23 \* \* \*

24 "Certified driver rehabilitation specialist." An experienced  
25 practitioner in the field of driver rehabilitation training who,  
26 through successful completion of a formal certification  
27 examination, has proven their capacity to provide driver  
28 rehabilitation services.

29 "Certified driving instructor." An individual who is  
30 certified by the Department of Education to teach the safe  
31 operation of motor vehicles.

32 \* \* \*

33 "Low-vision rehabilitation specialist." An individual who  
34 has been trained and certified regarding bioptic telescopes by  
35 an appropriate training program as approved by the department.

1 The term includes an occupational therapist with specialty  
2 certification in low vision, a certified orientation and  
3 mobility specialist, a certified low-vision therapist, a teacher  
4 of visually impaired students, an optometrist, ophthalmologist  
5 and other eye care practitioner.

6 \* \* \*

7 Section 2. Sections 1505, 1508 and 1512 of Title 75 are  
8 amended by adding subsections to read:  
9 § 1505. Learners' permits.

10 \* \* \*

11 (h) Requirements for a bioptic telescope learner's permit.--  
12 An individual with visual acuity less than 20/100 combined  
13 visual acuity but at least 20/200 visual acuity in the best  
14 corrected eye shall be eligible to apply for a bioptic telescope  
15 learner's permit provided the individual meets the following:

16 (1) The applicant is given a complete vision  
17 examination, including plotted visual fields, and meets the  
18 visual requirements necessary for bioptic telescope driving.

19 (2) The applicant has color vision sufficient to respond  
20 correctly to the presence of, or changes in, traffic light  
21 color, pavement markings, road signs, turn indicators, brake  
22 lights, emergency flashers or the presence of other road  
23 users, including emergency vehicles, as determined by a  
24 qualified health care provider.

25 (3) The applicant provides proof of having a  
26 prescription bioptic telescope lens system in the applicant's  
27 physical possession for at least three months, and a  
28 statement of successful completion of at least 10 hours of  
29 front seat passenger-in-car instruction while wearing a  
30 bioptic telescope by a low-vision rehabilitation  
31 professional.

32 (4) The applicant provides a letter of enrollment with a  
33 low-vision rehabilitation professional.

34 (5) Bioptic telescope correction is no greater than a 6X  
35 telescope and firmly fixed in the glasses or attached  
36 permanently to the bridge of the frame.

37 (i) Issuance of bioptic telescope learner's permit.--

38 (1) Upon application by an eligible individual, the  
39 department shall issue a bioptic telescope learner's permit  
40 authorizing the permittee to drive only while wearing a  
41 bioptic telescope lens and during 30 minutes after sunrise  
42 through 30 minutes before sunset only.

43 (2) The bioptic telescope learner's permit shall be  
44 valid for 12 months.

45 (j) Authorization to test for driver's license with bioptic  
46 telescopes.--The following shall apply:

47 (1) Before an individual with a bioptic telescope  
48 learner's permit may take the examination for a driver's  
49 license, the individual must:

50 (i) Obtain a minimum of 20 hours of behind-the-wheel  
51 driver training using a bioptic telescope with a

1 certified driving instructor or certified driver  
2 rehabilitation specialist knowledgeable in the use of a  
3 bioptic telescope for driving.

4 (ii) After completion of the training under  
5 subparagraph (i), complete a minimum of 45 hours of  
6 observed driving hours with a licensed driver who is at  
7 least 21 years of age. The driving under this paragraph  
8 must include five hours of adverse weather driving.

9 (iii) After completion of the training and driving  
10 under subparagraphs (i) and (ii), the permittee must be  
11 reevaluated by a low-vision rehabilitation professional.  
12 Based on the reevaluation, the low-vision rehabilitation  
13 specialist may recommend the department schedule the  
14 permittee for an on-road driving examination administered  
15 by the department.

16 (2) Paragraph (1)(ii) may be waived for experienced  
17 drivers with stable visual acuity and fields of vision and a  
18 clean driving record based on the recommendation of a low-  
19 vision rehabilitation professional.

20 § 1508. Examination of applicant for driver's license.

21 \* \* \*

22 (b.1) Issuance of bioptic telescope driver's license to  
23 licensed nonresident.

24 (1) A driver wishing to transfer the driver's out-of-  
25 state bioptic telescope driver's license to this Commonwealth  
26 must satisfy all the bioptic telescope-related requirements  
27 in section 1505 (relating to learners' permits).

28 (2) The department may grant a waiver of the  
29 requirements under paragraph (1), provided the following  
30 conditions are met:

31 (i) The individual shows proof of at least three  
32 years of experience driving with a valid bioptic  
33 telescope driver's license.

34 (ii) The individual shows proof of a clean driving  
35 record for the previous three years prior to application  
36 for a driver's license in this Commonwealth with bioptic  
37 telescope restrictions.

38 (3) The individual has been assessed by a low-vision  
39 rehabilitation professional. The low-vision rehabilitation  
40 professional must determine whether the individual  
41 demonstrates the appropriate skills to operate a motor  
42 vehicle safely while using bioptic telescopes.

43 \* \* \*

44 § 1512. Restrictions on drivers' licenses.

45 \* \* \*

46 (c) Bioptic telescope restrictions.--After an individual  
47 meets the bioptic telescope learner's permit requirements and  
48 successfully passes a driver's examination administered by the  
49 department, the individual may be issued a restricted license  
50 with the following restrictions:

51 (1) The individual's driving privilege is limited to

1 roads other than freeways.

2 (2) The individual's driving privilege is limited to  
3 passenger vehicles weighing no more than 10,000 pounds and  
4 excludes operation of a motorcycle.

5 (3) If determined by the department or low-vision  
6 rehabilitation professional to be appropriate, the  
7 individual's driving privilege may be limited to driving  
8 within a limited radius of the individual's residence.

9 (4) If the individual has visual acuity of less than  
10 20/50 vision using bioptic telescope lenses while driving,  
11 the individual may drive in daylight hours only.

12 (5) If the applicant has visual acuity of 20/40 or  
13 better vision using bioptic telescope lenses while driving,  
14 the individual may apply for nighttime driving after one year  
15 provided:

16 (i) the individual has committed no violations of  
17 this title and had no accidents reported during that  
18 year; and

19 (ii) the individual is reevaluated by a certified  
20 driving instructor or certified driver rehabilitation  
21 specialist knowledgeable in the use of bioptic telescopes  
22 for driving, and the instructor or specialist recommends  
23 allowing nighttime driving.

24 (6) A violation of a condition or limitation in this  
25 subsection shall result in the recall of the bioptic  
26 telescope license. An annual review of the individual's  
27 accident and violation history shall be conducted by the  
28 department. The bioptic telescope license may be recalled if  
29 the department determines that the individual was involved in  
30 an at-fault accident or convicted of two moving violations  
31 committed within a one-year period. A bioptic telescope  
32 licensee shall be subject to an annual vision assessment to  
33 determine whether the licensee's vision continues to meet the  
34 bioptic telescope-related vision standards in section 1505  
35 (relating to learners' permits).

36 Section 3. Section 1604(a) and (d) of Title 75 are amended  
37 and the section is amended by adding a subsection to read:

38 Amend Bill, page 3, line 11, by striking out all of said line  
39 and inserting

40 Section 4. Section 1606(b) of Title 75 is amended by adding  
41 a paragraph to read:

42 § 1606. Requirement for commercial driver's license.

43 \* \* \*

44 (b) Exemptions.--The following persons are not required to  
45 obtain a commercial driver's license in order to drive the  
46 commercial motor vehicle specified:

47 \* \* \*

48 (8) The following shall apply:

49 (i) A driver who is 18 years of age or older and

1 employed by a political subdivision may operate a  
2 commercial motor vehicle within the boundaries of the  
3 political subdivision for the purpose of removing snow or  
4 ice from a roadway by plowing, sanding or salting, if:

5 (A) the properly licensed employee who  
6 ordinarily operates a commercial motor vehicle for  
7 the purpose of removing snow or ice from a roadway by  
8 plowing, sanding or salting is unable to operate the  
9 vehicle; or

10 (B) the political subdivision determines that a  
11 snow or ice emergency exists that requires additional  
12 assistance.

13 (ii) The driver must have a certificate of  
14 authorization from the head of the political subdivision  
15 while operating the commercial motor vehicle. An  
16 individual operating a commercial motor vehicle under  
17 this paragraph shall not be subject to sanctions under  
18 the provisions of this chapter or section 3742.1  
19 (relating to accidents involving death or personal injury  
20 while not properly licensed).

21 \* \* \*

22 Section 5. Section 1607(c) of Title 75 is amended by adding  
23 a paragraph, subsection (d)(4) is amended and the subsection is  
24 amended by adding paragraphs to read:

25 § 1607. Commercial driver's license qualification standards.

26 \* \* \*

27 (c) Limitations on issuance of license.--

28 \* \* \*

29 (4) A person must complete training as prescribed by 49  
30 CFR Part 380 (relating to special training requirements)  
31 before taking the knowledge test for a hazardous materials  
32 endorsement for the first time.

33 (d) Commercial driver learner's permit.--

34 \* \* \*

35 (4) A commercial driver learner's permit shall be valid  
36 for a period of [180 days from the date of issuance and may  
37 be renewed for an additional period of up to 180 days] one  
38 year from the date of issuance without having to retake the  
39 general and endorsement knowledge tests.

40 \* \* \*

41 (12) A person must complete training as prescribed by 49  
42 CFR Part 380 before taking the skills test for a Class A or  
43 Class B commercial driver's license for the first time.

44 (13) A person must complete training as prescribed by 49  
45 CFR Part 380 before taking the skills test for a passenger  
46 (P) or school bus (S) endorsement for the first time.

47 (14) The requirements of paragraphs (12) and (13) do not  
48 apply to an individual who obtained a commercial driver  
49 learner's permit before February 7, 2020, or a later date as  
50 permitted by Federal regulation, if the individual obtains a  
51 commercial driver's license before the commercial driver

1 learner's permit or commercial driver learner's permit  
2 renewal expires.

3 (15) The department shall waive the knowledge test  
4 specified under this section, subject to the limitations in  
5 49 CFR 383.77, for an applicant who meets all the  
6 requirements for a waiver under 49 CFR 383.77(a).

7 \* \* \*

8 Section 6. Sections 1611 and 1901 of Title 75 are amended by  
9 adding subsections to read:

10 § 1611. Disqualification.

11 \* \* \*

12 (q) Human trafficking.--The department shall disqualify an  
13 individual from operating a commercial motor vehicle for life  
14 upon receiving a record of conviction of using a commercial  
15 motor vehicle in commission of a felony involving an act or  
16 practice of a severe form of trafficking in persons, as defined  
17 under section 103 of the Victims of Trafficking and Violence  
18 Protection Act of 2000 (Public Law 106-386, 114 Stat. 1464).

19 § 1901. Exemption of persons, entities and vehicles from fees.

20 \* \* \*

21 (b.1) Identification card fees.--No fee shall be charged for  
22 an initial or renewal identification card, including for a  
23 photograph required for an initial or renewal identification  
24 card, to an individual who affirms in writing that the  
25 individual is:

26 (1) homeless, as defined on the effective date of this  
27 subsection in section 103 of the McKinney-Vento Homeless  
28 Assistance Act (Public Law 100-77, 42 U.S.C. § 11302);

29 (2) a resident of this Commonwealth; and

30 (3) aware of the prohibitions on unsworn falsification  
31 to authorities set forth in 18 Pa.C.S. § 4904 (relating to  
32 unsworn falsification to authorities).

33 \* \* \*

34 Section 7. This act shall take effect as follows:

35 (1) The following provisions shall take effect in 60  
36 days:

37 (i) The amendment of 75 Pa.C.S. § 1604(a) and (d).

38 (ii) The amendment of 75 Pa.C.S. § 1607(d) (15).

39 (iii) The addition of 75 Pa.C.S. § 1901(b.1).

40 (2) The following provisions shall take effect in six  
41 months:

42 (i) The amendment of 75 Pa.C.S. § 1607(d) (4).

43 (ii) The addition of 75 Pa.C.S. § 1611(q).

44 (3) The following provisions shall take effect in 10  
45 months:

46 (i) The amendment of 75 Pa.C.S. § 102.

47 (ii) The amendment of 75 Pa.C.S. § 1505.

48 (iii) The amendment of 75 Pa.C.S. § 1508.

49 (iv) The amendment of 75 Pa.C.S. § 1512.

50 (4) The following shall take effect January 1, 2022:

51 (i) The addition of 75 Pa.C.S. § 1607(c) (4).

1                   (ii) The addition of 75 Pa.C.S. § 1607(d) (12), (13)  
2                   and (14).  
3                   (5) The reminder of this act shall take effect  
4                   immediately.