

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1468 Session of
1979

INTRODUCED BY DORR, LAUGHLIN AND WILSON, JUNE 6, 1979

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, JUNE 6, 1979

AN ACT

1 Amending Title 66 (Public Utilities) of the Pennsylvania
2 Consolidated Statutes, further providing an exclusion from
3 the definitions of common carrier by motor vehicle and
4 contract carrier by motor vehicle.

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

7 Section 1. The definitions of "common carrier by motor
8 vehicle" of section 102 and "contract carrier by motor vehicle"
9 in section 2501(b) of Title 66, act of November 25, 1970
10 (P.L.707, No.230), known as the Pennsylvania Consolidated
11 Statutes, added July 1, 1978 (P.L.598, No.116), are amended by
12 adding paragraphs to read:

13 § 102. Definitions.

14 Subject to additional definitions contained in subsequent
15 provisions of this part which are applicable to specific
16 provisions of this part, the following words and phrases when
17 used in this part shall have, unless the context clearly
18 indicates otherwise, the meanings given to them in this section:

19 * * *

1 "Common carrier by motor vehicle." Any common carrier who or
2 which holds out or undertakes the transportation of passengers
3 or property, or both, or any class of passengers or property,
4 between points within this Commonwealth by motor vehicle for
5 compensation, whether or not the owner or operator of such motor
6 vehicle, or who or which provides or furnishes any motor
7 vehicle, with or without driver, for transportation or for use
8 in transportation of persons or property as aforesaid, and shall
9 include common carriers by rail, water, or air, and express or
10 forwarding public utilities insofar as such common carriers or
11 such public utilities are engaged in such motor vehicle
12 operations, but does not include:

13 * * *

14 (10) Transportation furnished by a nonprofit
15 organization exclusively for members of the organization and
16 their guests.

17 * * *

18 § 2501. Declaration of policy and definitions.

19 * * *

20 (b) Definitions.--The following words and phrases when used
21 in this part shall have, unless the context clearly indicates
22 otherwise, the meanings given to them in this subsection:

23 * * *

24 "Contract carrier by motor vehicle."

25 (1) The term "contract carrier by motor vehicle"
26 includes any person or corporation who or which provides or
27 furnishes transportation of passengers or property, or both,
28 or any class of passengers or property, between points within
29 this Commonwealth by motor vehicle for compensation, whether
30 or not the owner or operator of such motor vehicle, or who or

1 which provides or furnishes, with or without drivers, any
2 motor vehicle for such transportation, or for use in such
3 transportation, other than as a common carrier by motor
4 vehicle.

5 (2) The term "contract carrier by motor vehicle" does
6 not include:

7 (i) A lessor under a lease given on a bona fide sale
8 of a motor vehicle where the lessor retains or assumes no
9 responsibility for maintenance, supervision or control of
10 the motor vehicle so sold.

11 (ii) Any bona fide agricultural cooperative
12 association transporting property exclusively for the
13 members of such association on a nonprofit basis, or any
14 independent contractor hauling exclusively for such
15 association.

16 (iii) Any owner or operator of a farm transporting
17 agricultural products from or farm supplies to such farm,
18 or any independent contractor hauling agricultural
19 products or farm supplies, exclusively, for one or more
20 owners or operators of farms.

21 (iv) Transportation of school children for school
22 purposes or to and from school sponsored extra curricular
23 activities whether as participants or spectators,
24 together with chaperons who might accompany them as
25 designated by the board of school districts not exceeding
26 five in number, or between their homes and Sunday school
27 in any motor vehicle owned by the school district,
28 private school or parochial school, or the transportation
29 of school children between their homes and school or to
30 and from school sponsored extra curricular or educational

1 activities whether as participants or spectators,
2 together with chaperons who might accompany them as
3 designated by the board of school directors not exceeding
4 five in number, if the person performing the extra
5 curricular transportation has a contract for the
6 transportation of school children between their homes and
7 school, with the private or parochial school, with the
8 school district or jointure in which the school is
9 located, or with a school district that is a member of a
10 jointure in which the school is located if the jointure
11 has no contracts with other persons for the
12 transportation of students between their homes and
13 school, and if the person maintains a copy of all
14 contracts in the vehicle at all times, or children
15 between their homes and Sunday school in any motor
16 vehicle operated under contract with the school district,
17 private school or parochial school.

18 (v) Any person or corporation who or which uses, or
19 furnishes for use, dump trucks for the transportation of
20 ashes, rubbish, excavated or road construction materials.

21 (vi) Transportation of voting machines to and from
22 polling places by any person or corporation for or on
23 behalf of any political subdivision of this Commonwealth
24 for use in any primary, general or special election.

25 (vii) Transportation of pulpwood, chemical wood, saw
26 logs or veneer logs from woodlots.

27 (viii) Transportation by towing of wrecked or
28 disabled motor vehicles.

29 (ix) Any person or corporation who or which
30 furnishes transportation for any injured, ill or dead

1 person.

2 (x) Transportation furnished by a nonprofit
3 organization exclusively for members of the organization
4 and their guests.

5 Section 2. This act shall take effect immediately.