

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 498 Session of  
1989

INTRODUCED BY WILT, SCANLON, SALVATORE, ANDREZESKI AND MADIGAN,  
FEBRUARY 10, 1989

AS REPORTED FROM COMMITTEE ON TRANSPORTATION, HOUSE OF  
REPRESENTATIVES, AS AMENDED, DECEMBER 4, 1989

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, PROVIDING FOR COMMERCIAL DRIVERS; FURTHER PROVIDING <—  
3 FOR BUSES, FOR EXEMPTIONS FROM LICENSING, FOR CLASSES OF  
4 LICENSES, FOR SCHOOL BUS DRIVERS, FOR ISSUANCE AND CONTENT OF  
5 DRIVER'S LICENSE, FOR REVOCATION OR SUSPENSION OF OPERATING  
6 PRIVILEGE, FOR SCHEDULE OF CONVICTIONS AND POINTS, FOR  
7 SURRENDER OF LICENSE, FOR CHEMICAL TESTING TO DETERMINE  
8 AMOUNT OF ALCOHOL OR CONTROLLED SUBSTANCE, FOR JUDICIAL  
9 REVIEW, FOR VIOLATIONS CONCERNING LICENSES, FOR DRIVING UNDER  
10 FOREIGN LICENSE DURING SUSPENSION OR REVOCATION; authorizing  
11 dealers of motor carrier vehicles and designated agents of  
12 the Department of Transportation to be agents for the  
13 Department of Revenue for certain purposes relating to the  
14 motor carrier road tax identification marker; and further <—  
15 providing for penalties for operation of certain vehicles  
16 without required identification markers, FOR RECKLESS <—  
17 DRIVING, FOR DRIVING UNDER THE INFLUENCE OF ALCOHOL OR  
18 CONTROLLED SUBSTANCE, FOR ENFORCEMENT AGREEMENTS AND FOR  
19 REPORTS BY COURTS; AND PROVIDING FOR CARELESS DRIVING.

20 The General Assembly of the Commonwealth of Pennsylvania  
21 hereby enacts as follows:

22 ~~Section 1. Section 2102(c) of Title 75 of the Pennsylvania~~ <—  
23 ~~Consolidated Statutes is amended to read:~~

24 SECTION 1. THE DEFINITIONS OF "BUS," "PASSENGER CAR" AND <—  
25 "SCHOOL BUS" IN SECTION 102 OF TITLE 75 OF THE PENNSYLVANIA

1 CONSOLIDATED STATUTES ARE AMENDED AND THE SECTION IS AMENDED BY  
2 ADDING A DEFINITION TO READ:

3 § 102. DEFINITIONS.

4 SUBJECT TO ADDITIONAL DEFINITIONS CONTAINED IN SUBSEQUENT  
5 PROVISIONS OF THIS TITLE WHICH ARE APPLICABLE TO SPECIFIC  
6 PROVISIONS OF THIS TITLE, THE FOLLOWING WORDS AND PHRASES WHEN  
7 USED IN THIS TITLE SHALL HAVE, UNLESS THE CONTEXT CLEARLY  
8 INDICATES OTHERWISE, THE MEANINGS GIVEN TO THEM IN THIS SECTION:

9 \* \* \*

10 "BUS."

11 [(1) AT ALL TIMES PRIOR TO JULY 1, 1986, A MOTOR VEHICLE  
12 DESIGNED FOR CARRYING MORE THAN TEN PASSENGERS, EXCLUSIVE OF  
13 THE DRIVER, AND USED FOR THE TRANSPORTATION OF PERSONS AND A  
14 MOTOR VEHICLE, OTHER THAN A TAXICAB, DESIGNED AND USED FOR  
15 THE TRANSPORTATION OF PERSONS FOR COMPENSATION.

16 (2) ON AND AFTER JULY 1, 1986, A MOTOR VEHICLE DESIGNED  
17 FOR CARRYING MORE THAN TEN PERSONS, INCLUDING THE DRIVER, AND  
18 USED FOR THE TRANSPORTATION OF PERSONS AND A MOTOR VEHICLE,  
19 OTHER THAN A TAXICAB, DESIGNED AND USED FOR THE  
20 TRANSPORTATION OF PERSONS FOR COMPENSATION. THE TERM DOES NOT  
21 INCLUDE A VEHICLE OWNED BY A NATURAL PERSON WHICH IS USED  
22 SOLELY FOR NONCOMMERCIAL PURPOSES, OR A VEHICLE USED IN A  
23 RIDESHARING ARRANGEMENT, AS DEFINED IN THE ACT OF DECEMBER  
24 14, 1982 (P.L.1211, NO.279), ENTITLED "AN ACT PROVIDING FOR  
25 RIDESHARING ARRANGEMENTS AND PROVIDING THAT CERTAIN LAWS  
26 SHALL BE INAPPLICABLE TO RIDESHARING ARRANGEMENTS." ]

27 (1) A MOTOR VEHICLE DESIGNED TO TRANSPORT 16 OR MORE  
28 PASSENGERS, INCLUDING THE DRIVER; AND

29 (2) A MOTOR VEHICLE, OTHER THAN A TAXICAB, DESIGNED TO  
30 TRANSPORT NOT MORE THAN 15 PASSENGERS, INCLUDING THE DRIVER,

1 AND USED FOR THE TRANSPORTATION OF PERSONS FOR COMPENSATION.  
2 THE TERM DOES NOT INCLUDE A VEHICLE USED IN A RIDESHARING  
3 ARRANGEMENT, AS DEFINED IN THE ACT OF DECEMBER 14, 1982  
4 (P.L.1211, NO.279), ENTITLED "AN ACT PROVIDING FOR  
5 RIDESHARING ARRANGEMENTS AND PROVIDING THAT CERTAIN LAWS  
6 SHALL BE INAPPLICABLE TO RIDESHARING ARRANGEMENTS," OR A  
7 SCHOOL BUS.

8 \* \* \*

9 "PASSENGER CAR." A MOTOR VEHICLE, EXCEPT A MOTORCYCLE,  
10 DESIGNED FOR CARRYING [TEN] NO MORE THAN FIFTEEN PASSENGERS [OR  
11 LESS], INCLUDING THE DRIVER, AND PRIMARILY USED FOR THE  
12 TRANSPORTATION OF PERSONS.

13 \* \* \*

14 "SCHOOL BUS." A MOTOR VEHICLE WHICH [COMPLIES WITH THE COLOR  
15 AND LIGHTING IDENTIFICATION REQUIREMENTS OF SECTION 4552  
16 (RELATING TO GENERAL REQUIREMENTS FOR SCHOOL BUSES).]:

17 (1) IS DESIGNED AND USED TO CARRY 11 PASSENGERS OR MORE,  
18 INCLUDING THE DRIVER;

19 (2) IS USED FOR THE TRANSPORTATION OF PREPRIMARY,  
20 PRIMARY OR SECONDARY SCHOOL STUDENTS, PERSONNEL OR CHAPERONES  
21 TO SUCH SCHOOLS OR SCHOOL-RELATED ACTIVITIES FROM HOME, OR  
22 FROM SUCH SCHOOLS OR SCHOOL-RELATED ACTIVITIES TO HOME.

23 "SCHOOL VEHICLE." A MOTOR VEHICLE, EXCEPT A MOTORCYCLE,  
24 DESIGNED FOR CARRYING NO MORE THAN TEN PASSENGERS, INCLUDING THE  
25 DRIVER, AND USED FOR THE TRANSPORTATION OF PREPRIMARY, PRIMARY  
26 OR SECONDARY SCHOOL STUDENTS WHILE REGISTERED BY OR UNDER  
27 CONTRACT TO A SCHOOL DISTRICT OR PRIVATE OR PAROCHIAL SCHOOL.  
28 THE TERM INCLUDES VEHICLES HAVING CHARTERED, GROUP AND PARTY  
29 RIGHTS UNDER THE PENNSYLVANIA PUBLIC UTILITY COMMISSION AND USED  
30 FOR THE TRANSPORTATION OF SCHOOL CHILDREN.

1 \* \* \*

2 SECTION 2. SECTIONS 1501(C), 1502(1), 1504(D), 1509 HEADING  
3 AND (A), 1510(A), 1532(B)(1), 1535(A), 1540(B) AND (C), 1547(D),  
4 1550, 1571(A)(1) AND (4) AND 1573 OF TITLE 75 ARE AMENDED TO  
5 READ:

6 § 1501. DRIVERS REQUIRED TO BE LICENSED.

7 \* \* \*

8 (C) LIMITATION ON NUMBER OF LICENSES.--NO PERSON SHALL  
9 RECEIVE A DRIVER'S LICENSE UNLESS AND UNTIL THE PERSON  
10 SURRENDERS TO THE DEPARTMENT ALL VALID LICENSES IN THE PERSON'S  
11 POSSESSION ISSUED BY THIS OR ANY OTHER STATE. ALL SURRENDERED  
12 LICENSES ISSUED BY ANOTHER STATE SHALL BE RETURNED TO THAT  
13 STATE, TOGETHER WITH INFORMATION THAT THE PERSON IS LICENSED IN  
14 THIS COMMONWEALTH. NO PERSON SHALL BE PERMITTED TO HAVE MORE  
15 THAN ONE VALID DRIVER'S LICENSE ISSUED BY THIS OR ANY OTHER  
16 STATE AT ANY TIME. A NONRESIDENT WHO HOLDS A NONRESIDENT  
17 COMMERCIAL DRIVER'S LICENSE ISSUED BY THE COMMONWEALTH UNDER  
18 CHAPTER 16 (RELATING TO COMMERCIAL DRIVERS) SHALL BE PERMITTED  
19 TO HAVE A REGULAR DRIVER'S LICENSE ISSUED BY THE COUNTRY OF HIS  
20 RESIDENCE.

21 \* \* \*

22 § 1502. PERSONS EXEMPT FROM LICENSING.

23 THE FOLLOWING PERSONS ARE NOT REQUIRED TO OBTAIN A DRIVER'S  
24 LICENSE UNDER THIS CHAPTER:

25 (1) ANY EMPLOYEE OF THE FEDERAL GOVERNMENT WHILE  
26 OPERATING A MOTOR VEHICLE OWNED BY OR LEASED TO THE FEDERAL  
27 GOVERNMENT AND BEING OPERATED ON OFFICIAL BUSINESS UNLESS THE  
28 EMPLOYEE IS REQUIRED BY THE FEDERAL GOVERNMENT OR ANY AGENCY  
29 THEREOF TO HAVE A STATE DRIVER'S LICENSE. THIS EXEMPTION  
30 SHALL NOT APPLY TO THE OPERATION OF COMMERCIAL MOTOR

1 VEHICLES, AS DEFINED IN CHAPTER 16 (RELATING TO COMMERCIAL  
2 DRIVERS).

3 \* \* \*

4 § 1504. CLASSES OF LICENSES.

5 \* \* \*

6 (D) NUMBER AND DESCRIPTION OF CLASSES.--LICENSES ISSUED BY  
7 THE DEPARTMENT SHALL BE CLASSIFIED IN THE FOLLOWING MANNER:

8 [(1) CLASS 1.--A CLASS 1 LICENSE SHALL BE ISSUED TO  
9 THOSE PERSONS WHO HAVE DEMONSTRATED THEIR QUALIFICATIONS TO  
10 OPERATE A SINGLE VEHICLE NOT IN EXCESS OF 30,000 POUNDS  
11 REGISTERED GROSS WEIGHT OR ANY SUCH VEHICLE TOWING A TRAILER  
12 NOT IN EXCESS OF 10,000 POUNDS GROSS WEIGHT. ANY FIREMAN WHO  
13 IS THE HOLDER OF A CLASS 1 LICENSE AND WHO HAS A CERTIFICATE  
14 OF AUTHORIZATION FROM HIS FIRE CHIEF SHALL BE AUTHORIZED TO  
15 OPERATE ANY VEHICLE REGISTERED TO THE FIRE DEPARTMENT  
16 REGARDLESS OF THE OTHER REQUIREMENTS OF THIS SECTION AS TO  
17 THE CLASS OF LICENSE REQUIRED. THE HOLDER OF A CLASS 1  
18 LICENSE SHALL ALSO BE AUTHORIZED TO DRIVE A MOTORIZED  
19 PEDALCYCLE OR A THREE-WHEELED MOTORCYCLE EQUIPPED WITH AN  
20 ENCLOSED CAB. THE HOLDER OF A CLASS 1 LICENSE SHALL NOT BE  
21 DEEMED QUALIFIED TO OPERATE BUSES, SCHOOL BUSES OR  
22 MOTORCYCLES UNLESS THE LICENSE IS ENDORSED AS PROVIDED IN  
23 THIS SECTION.

24 (2) CLASS 2.--A CLASS 2 LICENSE SHALL BE ISSUED TO THOSE  
25 PERSONS OVER 18 YEARS OF AGE WHO HAVE DEMONSTRATED THEIR  
26 QUALIFICATIONS TO OPERATE A SINGLE VEHICLE OF OVER 30,000  
27 POUNDS REGISTERED GROSS WEIGHT OR ANY BUS OR ANY SUCH VEHICLE  
28 TOWING A TRAILER NOT IN EXCESS OF 10,000 POUNDS GROSS WEIGHT.  
29 THE HOLDER OF A CLASS 2 LICENSE SHALL BE DEEMED QUALIFIED TO  
30 OPERATE THOSE VEHICLES FOR WHICH A CLASS 1 LICENSE IS ISSUED,

1 BUT NOT SCHOOL BUSES OR MOTORCYCLES UNLESS THE LICENSE IS  
2 ENDORSED AS PROVIDED IN THIS SECTION.

3 (3) CLASS 3.--A CLASS 3 LICENSE SHALL BE ISSUED TO THOSE  
4 PERSONS OVER 18 YEARS OF AGE WHO HAVE DEMONSTRATED THEIR  
5 QUALIFICATIONS TO OPERATE A VEHICLE WHILE IN COMBINATION WITH  
6 OR TOWING A TRAILER IN EXCESS OF 10,000 POUNDS GROSS WEIGHT.  
7 THE HOLDER OF A CLASS 3 LICENSE SHALL BE DEEMED QUALIFIED TO  
8 OPERATE THOSE VEHICLES FOR WHICH A CLASS 1 OR CLASS 2 LICENSE  
9 IS ISSUED, BUT NOT SCHOOL BUSES OR MOTORCYCLES UNLESS THE  
10 LICENSE IS ENDORSED AS PROVIDED IN THIS SECTION.

11 (4) CLASS 4.--PERSONS WHO HAVE QUALIFIED TO OPERATE  
12 SCHOOL BUSES IN ACCORDANCE WITH THIS TITLE AND THE RULES AND  
13 REGULATIONS PROMULGATED AND ADOPTED BY THE DEPARTMENT SHALL  
14 HAVE THE QUALIFICATION ENDORSED ON THE LICENSE ON THE LICENSE  
15 AS PROVIDED IN THIS SECTION.

16 (5) CLASS 5.--THOSE PERSONS WHO HAVE DEMONSTRATED THEIR  
17 QUALIFICATIONS TO OPERATE A MOTORCYCLE, SHALL HAVE THAT  
18 QUALIFICATION ENDORSED ON ONE OF THE BASIC CLASSES OF LICENSE  
19 DESCRIBED IN THIS SECTION. IF A PERSON IS QUALIFIED ONLY TO  
20 OPERATE A MOTORCYCLE HE SHALL BE ISSUED A LICENSE WITH ONLY  
21 THAT QUALIFICATION ENDORSED ON THE LICENSE.

22 (6) CLASS 6.--THOSE PERSONS WHO HAVE DEMONSTRATED THEIR  
23 QUALIFICATIONS TO OPERATE A MOTOR-DRIVEN CYCLE OR MOTORIZED  
24 PEDALCYCLE SHALL HAVE THAT QUALIFICATION ENDORSED ON ONE OF  
25 THE BASIC CLASSES OF LICENSE DESCRIBED IN THIS SECTION. IF A  
26 PERSON IS QUALIFIED ONLY TO OPERATE A MOTOR-DRIVEN CYCLE OR  
27 MOTORIZED PEDALCYCLE HE SHALL BE ISSUED A LICENSE WITH ONLY  
28 THAT QUALIFICATION ENDORSED ON THE LICENSE.]

29 (1) CLASS A.--A CLASS A LICENSE SHALL BE ISSUED TO THOSE  
30 PERSONS 18 YEARS OF AGE OR OLDER WHO HAVE DEMONSTRATED THEIR

1 QUALIFICATIONS TO OPERATE ANY COMBINATION OF VEHICLES WITH A  
2 GROSS VEHICLE WEIGHT RATING OF 26,001 POUNDS OR MORE,  
3 PROVIDED THE GROSS VEHICLE WEIGHT RATING OF THE VEHICLE OR  
4 VEHICLES BEING TOWED IS IN EXCESS OF 10,000 POUNDS, OR ANY  
5 COMBINATION OF VEHICLES WITH A GROSS COMBINATION VEHICLE  
6 WEIGHT RATING OF NOT MORE THAN 26,000 POUNDS, PROVIDED THE  
7 GROSS VEHICLE WEIGHT RATING OF THE VEHICLE OR VEHICLES BEING  
8 TOWED IS IN EXCESS OF 10,000 POUNDS, IN WHICH CASE THE  
9 LICENSE WILL BE RESTRICTED TO SUCH COMBINATIONS.

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 WHO HAVE DEMONSTRATED THEIR QUALIFICATIONS TO OPERATE ANY  
30 SINGLE VEHICLE WITH A GROSS VEHICLE WEIGHT RATING OF NOT MORE

1 THAN 26,000 POUNDS OR ANY SUCH VEHICLE TOWING A VEHICLE WITH  
2 A GROSS VEHICLE WEIGHT RATING OF NOT MORE THAN 10,000 POUNDS.

3 (I) WHERE REQUIRED UNDER THIS TITLE, APPROPRIATE  
4 ENDORSEMENTS MUST BE OBTAINED.

5 (II) ANY FIREFIGHTER WHO IS THE HOLDER OF A CLASS C  
6 LICENSE AND WHO HAS A CERTIFICATE OF AUTHORIZATION FROM  
7 HIS FIRE CHIEF SHALL BE AUTHORIZED TO OPERATE ANY FIRE OR  
8 EMERGENCY VEHICLE REGISTERED TO THE FIRE DEPARTMENT,  
9 REGARDLESS OF THE OTHER REQUIREMENTS OF THIS SECTION AS  
10 TO THE CLASS OF LICENSE REQUIRED.

11 (III) THE HOLDER OF A CLASS C LICENSE SHALL ALSO BE  
12 AUTHORIZED TO DRIVE A MOTORIZED PEDALCYCLE OR A THREE-  
13 WHEELED MOTORCYCLE EQUIPPED WITH AN ENCLOSED CAB, BUT NOT  
14 A MOTORCYCLE UNLESS THE LICENSE IS ENDORSED, AS PROVIDED  
15 IN THIS TITLE.

16 (4) CLASS M.--A CLASS M LICENSE SHALL BE ISSUED TO THOSE  
17 PERSONS WHO HAVE DEMONSTRATED THEIR QUALIFICATIONS TO OPERATE  
18 A MOTORCYCLE OR MOTOR-DRIVEN CYCLE. IF A PERSON IS QUALIFIED  
19 TO OPERATE ONLY A MOTORCYCLE OR MOTOR-DRIVEN CYCLE, HE SHALL  
20 BE ISSUED A CLASS M LICENSE ONLY.

21 \* \* \*

22 § 1509. QUALIFICATIONS FOR [CLASS 4 LICENSE] SCHOOL BUS DRIVER  
23 ENDORSEMENT.

24 (A) SCHOOL BUS DRIVER REQUIREMENTS.--NO PERSON SHALL BE  
25 ISSUED [A CLASS 4 LICENSE] AN ENDORSEMENT TO OPERATE A SCHOOL  
26 BUS UNLESS THE PERSON:

27 (1) HAS SUCCESSFULLY COMPLETED A COURSE OF INSTRUCTION  
28 AS PROVIDED IN SUBSECTION (C);

29 (2) HAS SATISFACTORILY PASSED AN ANNUAL PHYSICAL  
30 EXAMINATION TO BE GIVEN BY THE PHYSICIAN FOR THE SCHOOL



DISTRICT BY WHICH THE PERSON IS EMPLOYED[ ; AND], IN  
ACCORDANCE WITH RULES AND REGULATIONS PROMULGATED AND ADOPTED  
BY THE DEPARTMENT;

(3) IS 18 YEARS OF AGE OR OLDER[.]; AND

(4) IS QUALIFIED TO OPERATE SCHOOL BUSES IN ACCORDANCE  
WITH THIS TITLE AND THE RULES AND REGULATIONS PROMULGATED AND  
ADOPTED BY THE DEPARTMENT.

\* \* \*

§ 1510. ISSUANCE AND CONTENT OF DRIVER'S LICENSE.

(A) GENERAL RULE.--THE DEPARTMENT SHALL, UPON PAYMENT OF THE  
REQUIRED FEE, ISSUE TO EVERY QUALIFIED APPLICANT A DRIVER'S  
LICENSE INDICATING THE TYPE OR GENERAL CLASS OF VEHICLES THE  
LICENSEE IS AUTHORIZED TO DRIVE AND ANY ENDORSEMENTS OR  
RESTRICTIONS, WHICH LICENSE SHALL CONTAIN A DISTINGUISHING  
NUMBER ASSIGNED BY THE DEPARTMENT TO THE LICENSEE, THE [SOCIAL  
SECURITY] SOCIAL SECURITY NUMBER OF THE LICENSEE, THE ACTUAL  
NAME, DATE OF BIRTH, RESIDENCE ADDRESS, A COLOR PHOTOGRAPH OR  
PHOTOGRAPHIC FACSIMILE OF THE LICENSEE, SUCH OTHER INFORMATION  
AS MAY BE REQUIRED BY THE DEPARTMENT, AND EITHER A FACSIMILE OF  
THE SIGNATURE OF THE LICENSEE OR A SPACE UPON WHICH THE LICENSEE  
SHALL WRITE HIS USUAL SIGNATURE WITH PEN AND INK. PERSONAL  
MEDICAL DATA AND OTHER INFORMATION FOR USE IN AN EMERGENCY MAY  
BE INCLUDED AS A PART OF THE LICENSE. INFORMATION OTHER THAN  
THAT REQUIRED TO IDENTIFY THE LICENSEE, THE DISTINGUISHING  
NUMBER AND THE CLASS OF LICENSE ISSUED MAY BE INCLUDED IN  
MICRODATA FORM. NO DRIVER'S LICENSE SHALL BE VALID UNTIL IT HAS  
BEEN SIGNED BY THE LICENSEE.

\* \* \*

§ 1532. REVOCATION OR SUSPENSION OF OPERATING PRIVILEGE.

\* \* \*

(B) SUSPENSION.--

(1) THE DEPARTMENT SHALL SUSPEND THE OPERATING PRIVILEGE OF ANY DRIVER FOR SIX MONTHS UPON RECEIVING A CERTIFIED RECORD OF THE DRIVER'S CONVICTION OF ANY OFFENSE UNDER THE FOLLOWING PROVISIONS:

SECTION 3367 (RELATING TO RACING ON HIGHWAYS).

SECTION 3733 (RELATING TO FLEEING OR ATTEMPTING TO ELUDE POLICE OFFICER).

SECTION 3734 (RELATING TO DRIVING WITHOUT LIGHTS TO AVOID IDENTIFICATION OR ARREST).

SECTION 3736 (RELATING TO RECKLESS DRIVING).

SECTION 3743 (RELATING TO ACCIDENTS INVOLVING DAMAGE TO ATTENDED VEHICLE OR PROPERTY).

\* \* \*

§ 1535. SCHEDULE OF CONVICTIONS AND POINTS.

(A) GENERAL RULE.--A POINT SYSTEM FOR DRIVER EDUCATION AND CONTROL IS HEREBY ESTABLISHED WHICH IS RELATED TO OTHER PROVISIONS FOR USE, SUSPENSION AND REVOCATION OF THE OPERATING PRIVILEGE AS SPECIFIED UNDER THIS TITLE. EVERY DRIVER LICENSED IN THIS COMMONWEALTH WHO IS CONVICTED OF ANY OF THE FOLLOWING OFFENSES SHALL BE ASSESSED POINTS AS OF THE DATE OF VIOLATION IN ACCORDANCE WITH THE FOLLOWING SCHEDULE:

SECTION NUMBER	OFFENSE	POINTS
1512	VIOLATION OF RESTRICTION ON DRIVER'S LICENSE.	2
1571	VIOLATION CONCERNING LICENSE.	3
3102	FAILURE TO OBEY POLICEMAN OR AUTHORIZED PERSON.	2
3112(A)(3)(I)	FAILURE TO STOP FOR A RED LIGHT.	3
3114(A)(1)	FAILURE TO STOP FOR A FLASHING	

1		RED LIGHT.	3
2	3302	FAILURE TO YIELD HALF OF ROADWAY	
3		TO ONCOMING VEHICLE.	3
4	3303	IMPROPER PASSING.	3
5	3304	OTHER IMPROPER PASSING.	3
6	3305	OTHER IMPROPER PASSING.	3
7	3306(A)(1)	OTHER IMPROPER PASSING.	4
8	3306(A)(2)	OTHER IMPROPER PASSING.	3
9	3306(A)(3)	OTHER IMPROPER PASSING.	3
10	3307	OTHER IMPROPER PASSING.	3
11	3310	FOLLOWING TOO CLOSELY.	3
12	3321	FAILURE TO YIELD TO DRIVER ON THE	
13		RIGHT AT INTERSECTION.	3
14	3322	FAILURE TO YIELD TO ONCOMING	
15		DRIVER WHEN MAKING LEFT TURN.	3
16	3323(B)	FAILURE TO STOP FOR STOP SIGN.	3
17	3323(C)	FAILURE TO YIELD AT YIELD SIGN.	3
18	3324	FAILURE TO YIELD WHEN ENTERING OR	
19		CROSSING ROADWAY BETWEEN INTER-	
20		SECTIONS.	3
21	3332	IMPROPER TURNING AROUND.	3
22	3341	FAILURE TO STOP FOR FLASHING RED	
23		LIGHTS OR GATE AT RAILROAD	
24		CROSSING.	3
25	3344	FAILURE TO STOP WHEN ENTERING FROM	
26		ALLEY, DRIVEWAY OR BUILDING.	3
27	3345(A)	FAILURE TO STOP FOR SCHOOL BUS	
28		WITH FLASHING RED LIGHTS.	5
29		(AND 60 DAYS SUSPENSION)	
30	3361	DRIVING TOO FAST FOR CONDITIONS.	2

1	3362	EXCEEDING MAXIMUM SPEED.--OVER LIMIT:	
2		6-10	2
3		11-15	3
4		16-25	4
5		26-30	5
6		31-OVER	5
7		(AND DEPARTMENTAL HEARING	
8		AND SANCTIONS PROVIDED	
9		UNDER SECTION 1538(D))	
10	3365(B)	EXCEEDING SPECIAL SPEED LIMIT	
11		IN SCHOOL ZONE.	3
12	3365(C)	EXCEEDING SPECIAL SPEED LIMIT	
13		FOR TRUCKS ON DOWNGRADES.	3
14	3542(A)	FAILURE TO YIELD TO PEDESTRIAN IN	
15		CROSSWALK.	2
16	3547	FAILURE TO YIELD TO PEDESTRIAN ON	
17		SIDEWALK.	3
18	3549(A)	FAILURE TO YIELD TO BLIND	
19		PEDESTRIAN.	3
20	3702	IMPROPER BACKING.	3
21	3714	[RECKLESS] <u>CARELESS</u> DRIVING.	3
22	3745	LEAVING SCENE OF ACCIDENT	
23		INVOLVING PROPERTY DAMAGE ONLY.	4
24	* * *		
25	§ 1540.	SURRENDER OF LICENSE.	
26	* * *		
27	(B)	SUSPENSION [OR], REVOCATION <u>OR DISQUALIFICATION</u> OF	
28		OPERATING PRIVILEGE.--UPON THE SUSPENSION OR REVOCATION OF THE	
29		OPERATING PRIVILEGE <u>OR THE DISQUALIFICATION OF THE COMMERCIAL</u>	
30		<u>OPERATING PRIVILEGE</u> OF ANY PERSON BY THE DEPARTMENT, THE	

1 DEPARTMENT SHALL FORTHWITH NOTIFY THE PERSON IN WRITING AT THE  
2 ADDRESS OF RECORD TO SURRENDER HIS DRIVER'S LICENSE TO THE  
3 DEPARTMENT FOR THE TERM OF SUSPENSION [OR], REVOCATION OR  
4 DISQUALIFICATION. THE SUSPENSION [OR], REVOCATION OR  
5 DISQUALIFICATION SHALL BE EFFECTIVE UPON A DATE DETERMINED BY  
6 THE DEPARTMENT OR THE DATE OF SURRENDER OF THE LICENSE TO THE  
7 DEPARTMENT IF THAT DATE IS SUBSEQUENT TO THE DEPARTMENT'S NOTICE  
8 TO SURRENDER THE LICENSE, WHICHEVER OCCURS FIRST. UPON SURRENDER  
9 OF THE LICENSE, THE DEPARTMENT SHALL ISSUE A RECEIPT SHOWING THE  
10 DATE THAT IT RECEIVED THE LICENSE.

11 (C) SEIZURE OF REVOKED [AND], SUSPENDED, CANCELED OR  
12 DISQUALIFIED LICENSES.--THE DEPARTMENT MAY DELEGATE AUTHORITY TO  
13 ANY AUTHORIZED [DEPARTMENT] COMMONWEALTH EMPLOYEE, MEMBER OF THE  
14 PENNSYLVANIA STATE POLICE OR LOCAL POLICE OFFICER TO SEIZE THE  
15 DRIVER'S LICENSE OF ANY PERSON WHEN THE OPERATING PRIVILEGE OF  
16 THAT PERSON HAS BEEN REVOKED [OR], SUSPENDED, CANCELED OR  
17 DISQUALIFIED AND HIS DRIVER'S LICENSE HAS BEEN ORDERED TO BE  
18 SURRENDERED BY A COURT OR DISTRICT ATTORNEY OR BY THE  
19 DEPARTMENT. THE DEPARTMENT SHALL, BY REGULATION, PRESCRIBE THE  
20 MANNER OF SELECTING THE COMMONWEALTH EMPLOYEES AND [STATE AND]  
21 LOCAL POLICE OFFICERS TO SEIZE THE DRIVERS' LICENSES.

22 § 1547. CHEMICAL TESTING TO DETERMINE AMOUNT OF ALCOHOL OR  
23 CONTROLLED SUBSTANCE.

24 \* \* \*

25 (D) PRESUMPTIONS FROM AMOUNT OF ALCOHOL.--IF CHEMICAL  
26 TESTING OF A PERSON'S BREATH, BLOOD OR URINE SHOWS:

27 (1) THAT THE AMOUNT OF ALCOHOL BY WEIGHT IN THE BLOOD OF  
28 THE PERSON TESTED IS 0.05% OR LESS, IT SHALL BE PRESUMED THAT  
29 THE PERSON TESTED WAS NOT UNDER INFLUENCE OF ALCOHOL AND THE  
30 PERSON SHALL NOT BE CHARGED WITH ANY VIOLATION UNDER SECTION

3731(A)(1) OR (4) (RELATING TO DRIVING UNDER INFLUENCE OF  
ALCOHOL OR CONTROLLED SUBSTANCE), OR, IF THE PERSON WAS SO  
CHARGED PRIOR TO THE TEST, THE CHARGE SHALL BE VOID AB  
INITIO. THIS FACT SHALL NOT GIVE RISE TO ANY PRESUMPTION  
CONCERNING A VIOLATION OF SECTION 3731(A)(2) OR (3) OR (1).

(2) THAT THE AMOUNT OF ALCOHOL BY WEIGHT IN THE BLOOD OF  
THE PERSON TESTED IS IN EXCESS OF 0.05% BUT LESS THAN 0.10%,  
THIS FACT SHALL NOT GIVE RISE TO ANY PRESUMPTION THAT THE  
PERSON TESTED WAS OR WAS NOT UNDER THE INFLUENCE OF ALCOHOL,  
BUT THIS FACT MAY BE CONSIDERED WITH OTHER COMPETENT EVIDENCE  
IN DETERMINING WHETHER THE PERSON WAS OR WAS NOT UNDER THE  
INFLUENCE OF ALCOHOL. THIS PROVISION SHALL NOT NEGATE THE  
PROVISIONS OF SECTION 3731(I).

(3) THAT THE AMOUNT OF ALCOHOL BY WEIGHT IN THE BLOOD OF  
THE PERSON TESTED IS 0.10% OR MORE, THIS FACT MAY BE  
INTRODUCED INTO EVIDENCE IF THE PERSON IS CHARGED WITH  
VIOLATING SECTION 3731.

\* \* \*

§ 1550. JUDICIAL REVIEW.

(A) GENERAL RULE.--ANY PERSON DENIED A DRIVER'S LICENSE OR  
WHOSE OPERATING PRIVILEGE HAS BEEN RECALLED, CANCELED, SUSPENDED  
[OR], REVOKED OR DISQUALIFIED BY THE DEPARTMENT SHALL HAVE THE  
RIGHT TO APPEAL TO THE COURT VESTED WITH JURISDICTION OF SUCH  
APPEALS BY OR PURSUANT TO TITLE 42 (RELATING TO JUDICIARY AND  
JUDICIAL PROCEDURE).

(B) SUPERSEDEAS.--[THE]

(1) IN THE CASE OF A RECALL, SUSPENSION, CANCELLATION OR  
REVOCATION, THE FILING OF THE PETITION SHALL OPERATE AS A  
SUPERSEDEAS, AND NO RECALL, SUSPENSION, CANCELLATION OR  
REVOCATION SHALL BE IMPOSED AGAINST SUCH PERSON UNTIL FINAL

1 DETERMINATION OF THE MATTER.

2 (2) IN THE CASE OF A DISQUALIFICATION OF THE COMMERCIAL  
3 OPERATING PRIVILEGE, THE DRIVER MAY PETITION TO THE COURT OF  
4 COMMON PLEAS OF HIS COUNTY OF RESIDENCE, WHICH COURT MAY  
5 GRANT A SUPERSEDEAS EX PARTE UPON A SHOWING OF REASONABLE  
6 LIKELIHOOD OF SUCCESSFUL PROSECUTION OF THE APPEAL.

7 (C) PROCEEDINGS OF COURT.--THE COURT SHALL SET THE MATTER  
8 FOR HEARING UPON 30 DAYS WRITTEN NOTICE TO THE DEPARTMENT AND  
9 DETERMINE WHETHER THE PETITIONER IS IN FACT THE PERSON WHOSE  
10 OPERATING PRIVILEGE IS SUBJECT TO THE RECALL, SUSPENSION,  
11 CANCELLATION [OR], REVOCATION OR DISQUALIFICATION.

12 § 1571. VIOLATIONS CONCERNING LICENSES.

13 (A) OFFENSES DEFINED.--IT IS UNLAWFUL FOR ANY PERSON:

14 (1) TO EXHIBIT OR CAUSE OR PERMIT TO BE EXHIBITED OR  
15 HAVE IN POSSESSION ANY RECALLED, CANCELED, SUSPENDED,  
16 REVOKED, DISQUALIFIED, FICTITIOUS OR FRAUDULENTLY ALTERED  
17 DRIVER'S LICENSE.

18 \* \* \*

19 (4) TO FAIL OR REFUSE TO SURRENDER TO THE DEPARTMENT  
20 UPON LAWFUL DEMAND A RECALLED, CANCELED, SUSPENDED, REVOKED,  
21 DISQUALIFIED, FICTITIOUS OR FRAUDULENTLY ALTERED DRIVER'S  
22 LICENSE.

23 \* \* \*

24 § 1573. [DRIVING UNDER] DISPLAYING A FOREIGN LICENSE DURING  
25 SUSPENSION OR REVOCATION.

26 [ANY] (A) OFFENSE DEFINED.--IT IS UNLAWFUL FOR ANY RESIDENT  
27 OR NONRESIDENT WHOSE OPERATING PRIVILEGE TO DRIVE A MOTOR  
28 VEHICLE IN THIS COMMONWEALTH HAS BEEN RECALLED, CANCELED,  
29 SUSPENDED [OR], REVOKED OR DISQUALIFIED AS PROVIDED IN THIS  
30 TITLE SHALL NOT [DRIVE A MOTOR VEHICLE IN THIS COMMONWEALTH

1 UNDER] DISPLAY A LICENSE OR PERMIT ISSUED BY ANY OTHER  
2 JURISDICTION OR OTHERWISE DURING THE SUSPENSION OR AFTER THE  
3 RECALL, CANCELLATION [OR], REVOCATION OR DISQUALIFICATION UNTIL  
4 [A NEW DRIVER'S LICENSE IS OBTAINED WHEN AND AS PERMITTED UNDER  
5 THIS CHAPTER.] THE INDIVIDUAL'S OPERATING PRIVILEGE HAS BEEN  
6 RESTORED BY THE DEPARTMENT.

7 (B) DISPLAY OF REGULAR LICENSE.--

8 (1) A RESIDENT OF THIS COMMONWEALTH WHO HOLDS A  
9 COMMERCIAL DRIVER'S LICENSE ISSUED BY THIS COMMONWEALTH UNDER  
10 CHAPTER 16 (RELATING TO COMMERCIAL DRIVERS) SHALL BE  
11 PERMITTED TO DISPLAY A REGULAR DRIVER'S LICENSE ISSUED BY THE  
12 DEPARTMENT IN THE EVENT THAT THE RESIDENT'S COMMERCIAL  
13 DRIVER'S LICENSE IS DISQUALIFIED.

14 (2) A NONRESIDENT WHO HOLDS A COMMERCIAL DRIVER'S  
15 LICENSE ISSUED BY A STATE OTHER THAN THIS COMMONWEALTH SHALL  
16 BE PERMITTED TO DISPLAY A REGULAR DRIVER'S LICENSE ISSUED BY  
17 THAT PERSON'S STATE OF RESIDENCE IN THE EVENT THAT THE  
18 NONRESIDENT'S COMMERCIAL DRIVER'S LICENSE IS DISQUALIFIED.

19 (3) A NONRESIDENT WHO HOLDS A NONRESIDENT COMMERCIAL  
20 DRIVER'S LICENSE ISSUED BY THIS COMMONWEALTH UNDER CHAPTER 16  
21 SHALL BE PERMITTED TO DISPLAY A REGULAR DRIVER'S LICENSE  
22 ISSUED BY THE NONRESIDENT'S COUNTRY IN THE EVENT THAT THE  
23 PERSON'S NONRESIDENT COMMERCIAL DRIVER'S LICENSE IS  
24 DISQUALIFIED.

25 (C) PENALTY.--ANY PERSON VIOLATING THE PROVISIONS OF THIS  
26 SECTION COMMITS A SUMMARY OFFENSE AND SHALL, UPON CONVICTION, BE  
27 SENTENCED TO PAY A FINE OF \$200. THIS PENALTY SHALL BE IN  
28 ADDITION TO ANY OTHER PENALTIES IMPOSED UNDER THIS TITLE.

29 SECTION 3. TITLE 75 IS AMENDED BY ADDING A CHAPTER TO READ:

30 CHAPTER 16



COMMERCIAL DRIVERS

SEC.

1601. SHORT TITLE OF CHAPTER.

1602. PURPOSE AND CONSTRUCTION OF CHAPTER.

1603. DEFINITIONS.

1604. NOTIFICATION REQUIREMENTS FOR DRIVERS.

1605. EMPLOYER RESPONSIBILITIES.

1606. REQUIREMENT FOR COMMERCIAL DRIVER'S LICENSE.

1607. COMMERCIAL DRIVER'S LICENSE QUALIFICATION STANDARDS.

1608. NONRESIDENT CDL.

1609. APPLICATION FOR COMMERCIAL DRIVER'S LICENSE.

1610. COMMERCIAL DRIVER'S LICENSE.

1611. DISQUALIFICATION.

1612. COMMERCIAL DRIVERS PROHIBITED FROM OPERATING WITH ANY

ALCOHOL IN SYSTEM.

1613. IMPLIED CONSENT REQUIREMENTS FOR COMMERCIAL MOTOR VEHICLE

DRIVERS.

1614. NOTIFICATION OF TRAFFIC CONVICTIONS.

1615. AUTHORITY TO ENTER AGREEMENTS.

1616. RECIPROCITY.

1617. FEES.

1618. FINES EXEMPT FROM JUDICIAL COMPUTER ACCOUNT.

§ 1601. SHORT TITLE OF CHAPTER.

THIS CHAPTER SHALL BE KNOWN AND MAY BE CITED AS THE UNIFORM

COMMERCIAL DRIVER'S LICENSE ACT.

§ 1602. PURPOSE AND CONSTRUCTION OF CHAPTER.

(A) PURPOSE.--THE PURPOSE OF THIS CHAPTER IS TO IMPLEMENT  
THE COMMERCIAL MOTOR VEHICLE SAFETY ACT OF 1986 (PUBLIC LAW 99-  
570, 49 U.S.C. APP. § 2701 ET SEQ.) AND REDUCE OR PREVENT  
COMMERCIAL MOTOR VEHICLE ACCIDENTS, FATALITIES AND INJURIES BY:

(1) PERMITTING COMMERCIAL DRIVERS TO HOLD ONLY ONE  
DRIVER'S LICENSE.

(2) DISQUALIFYING COMMERCIAL DRIVERS WHO HAVE COMMITTED  
CERTAIN SERIOUS TRAFFIC VIOLATIONS, OR OTHER SPECIFIED  
OFFENSES.

(3) STRENGTHENING LICENSING AND TESTING STANDARDS.

(B) CONSTRUCTION.--THIS CHAPTER IS A REMEDIAL LAW AND SHALL  
BE LIBERALLY CONSTRUED TO PROMOTE THE PUBLIC HEALTH, SAFETY AND  
WELFARE. TO THE EXTENT THAT THIS CHAPTER CONFLICTS WITH OTHER  
DRIVER LICENSING PROVISIONS, THIS CHAPTER PREVAILS. WHERE THIS  
CHAPTER IS SILENT, THE GENERAL DRIVER LICENSING PROVISIONS  
APPLY.

§ 1603. DEFINITIONS.

THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS CHAPTER  
SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE  
CONTEXT CLEARLY INDICATES OTHERWISE:

"COMMERCIAL DRIVER'S LICENSE" OR "CDL." A DRIVER'S LICENSE  
ISSUED IN ACCORDANCE WITH THE REQUIREMENTS OF THIS CHAPTER  
AUTHORIZING A PERSON 18 YEARS OF AGE OR OLDER TO DRIVE A CLASS  
OF COMMERCIAL MOTOR VEHICLE.

"COMMERCIAL DRIVER'S LICENSE INFORMATION SYSTEM" OR "CDLIS."  
THE INFORMATION SYSTEM ESTABLISHED PURSUANT TO THE COMMERCIAL  
MOTOR VEHICLE SAFETY ACT OF 1986 (PUBLIC LAW 99-570, 49 U.S.C.  
APP. § 2701 ET SEQ.) TO SERVE AS A CLEARINGHOUSE FOR LOCATING  
INFORMATION RELATED TO THE LICENSING AND IDENTIFICATION OF  
COMMERCIAL MOTOR VEHICLE DRIVERS.

"COMMERCIAL DRIVER LEARNER'S PERMIT." A PERMIT ISSUED  
PURSUANT TO SECTION 1607(D) (RELATING TO COMMERCIAL DRIVER'S  
LICENSE QUALIFICATION STANDARDS).

"COMMERCIAL MOTOR VEHICLE." A MOTOR VEHICLE DESIGNED OR USED

1 TO TRANSPORT PASSENGERS OR PROPERTY:

2 (1) IF THE VEHICLE HAS A GROSS VEHICLE WEIGHT RATING OF  
3 26,001 OR MORE POUNDS OR SUCH LESSER RATING AS THE DEPARTMENT  
4 SHALL ADOPT UNDER THE PROVISIONS OF SECTION 6103(C) (RELATING  
5 TO PROMULGATION OF RULES AND REGULATIONS BY DEPARTMENT), AS  
6 DETERMINED BY FEDERAL REGULATION AND PUBLISHED BY THE  
7 DEPARTMENT AS A NOTICE IN THE PENNSYLVANIA BULLETIN;

8 (2) IF THE VEHICLE IS DESIGNED TO TRANSPORT 16 OR MORE  
9 PASSENGERS, INCLUDING THE DRIVER;

10 (3) IF THE VEHICLE IS A SCHOOL BUS; OR

11 (4) IF THE VEHICLE IS TRANSPORTING HAZARDOUS MATERIALS  
12 AND IS REQUIRED TO BE PLACARDED IN ACCORDANCE WITH DEPARTMENT  
13 REGULATIONS.

14 THE TERM DOES NOT INCLUDE AN IMPLEMENT OF HUSBANDRY, OR  
15 MOTORIZED CONSTRUCTION EQUIPMENT, INCLUDING, BUT NOT LIMITED TO,  
16 MOTORSCRAPERS, BACKHOES, MOTORGRADERS, COMPACTORS, EXCAVATORS,  
17 TRACTORS, TRENCHERS AND BULLDOZERS, OR ANY MOTOR HOME OR  
18 RECREATIONAL TRAILER USED FOR TEMPORARY LIVING QUARTERS AND  
19 OPERATED SOLELY FOR PERSONAL USE.

20 "CONTROLLED SUBSTANCE." ANY SUBSTANCE SO DEFINED OR  
21 CLASSIFIED UNDER:

22 (1) THE ACT OF APRIL 14, 1972 (P.L.233, NO.64), KNOWN AS  
23 THE CONTROLLED SUBSTANCE, DRUG, DEVICE AND COSMETIC ACT.

24 (2) SECTION 102(6) OF THE CONTROLLED SUBSTANCE ACT  
25 (PUBLIC LAW 91-513 § 21 U.S.C. 802(6)).

26 (3) SCHEDULES I THROUGH V OF 21 CFR PART 1308.

27 (4) ANY REVISIONS TO PARAGRAPHS (2) OR (3) WHICH ARE  
28 PUBLISHED BY THE DEPARTMENT AS NOTICES IN THE PENNSYLVANIA  
29 BULLETIN.

30 "DISQUALIFICATION." A PROHIBITION AGAINST DRIVING A

1 COMMERCIAL MOTOR VEHICLE.

2 "EMPLOYER." ANY PERSON, INCLUDING THE UNITED STATES, A STATE  
3 OR A POLITICAL SUBDIVISION OF A STATE, WHO OWNS OR LEASES A  
4 COMMERCIAL MOTOR VEHICLE, OR ASSIGNS A PERSON TO DRIVE A  
5 COMMERCIAL MOTOR VEHICLE.

6 "FELONY." AN OFFENSE UNDER STATE OR FEDERAL LAW WHICH IS  
7 PUNISHABLE BY DEATH OR IMPRISONMENT EXCEEDING ONE YEAR.

8 "FOREIGN JURISDICTION." ANY JURISDICTION OTHER THAN A STATE  
9 OF THE UNITED STATES.

10 "NONRESIDENT CDL." A COMMERCIAL DRIVER'S LICENSE ISSUED BY A  
11 STATE TO AN INDIVIDUAL WHO RESIDES IN A FOREIGN JURISDICTION.

12 "OUT-OF-SERVICE ORDER." A TEMPORARY PROHIBITION AGAINST  
13 DRIVING A COMMERCIAL MOTOR VEHICLE.

14 "SERIOUS TRAFFIC VIOLATION:"

15 (1) EXCESSIVE SPEEDING AS DEFINED BY THE UNITED STATES  
16 SECRETARY OF TRANSPORTATION BY REGULATION AND PUBLISHED BY  
17 THE DEPARTMENT AS A NOTICE IN THE PENNSYLVANIA BULLETIN.

18 (2) RECKLESS DRIVING.

19 (3) ANY OFFENSE UNDER THIS TITLE RELATING TO MOTOR  
20 VEHICLE TRAFFIC CONTROL ARISING IN CONNECTION WITH AN  
21 ACCIDENT RESULTING IN DEATH TO ANY PERSON.

22 (4) ANY VIOLATION OF SECTION 3326 (RELATING TO DUTY OF  
23 DRIVER IN CONSTRUCTION AND MAINTENANCE AREAS) OR 3365(C)  
24 (RELATING TO SPECIAL SPEED LIMITATIONS).

25 (5) ANY OTHER OFFENSES DEFINED BY THE UNITED STATES  
26 SECRETARY OF TRANSPORTATION AS SERIOUS TRAFFIC VIOLATIONS AND  
27 PUBLISHED BY THE DEPARTMENT AS A NOTICE IN THE PENNSYLVANIA  
28 BULLETIN.

29 "STATE." A STATE OF THE UNITED STATES OR THE DISTRICT OF  
30 COLUMBIA.

"UNITED STATES." THE FIFTY STATES AND THE DISTRICT OF  
COLUMBIA.

§ 1604. NOTIFICATION REQUIREMENTS FOR DRIVERS.

(A) NOTIFICATION OF CONVICTIONS.--A DRIVER OF A COMMERCIAL  
MOTOR VEHICLE HOLDING A DRIVER'S LICENSE ISSUED BY THIS  
COMMONWEALTH WHO IS CONVICTED OF VIOLATING A FEDERAL OR STATE  
LAW OR LOCAL ORDINANCE RELATING TO MOTOR VEHICLE TRAFFIC CONTROL  
IN THIS OR ANY OTHER STATE OR ANY FEDERAL, PROVINCIAL,  
TERRITORIAL OR MUNICIPAL LAW RELATING TO MOTOR VEHICLE TRAFFIC  
CONTROL IN CANADA, OTHER THAN PARKING VIOLATIONS, SHALL NOTIFY  
HIS EMPLOYER, IN WRITING, OF THE CONVICTION WITHIN 30 DAYS OF  
THE DATE OF CONVICTION.

(B) NOTIFICATION OF SUSPENSIONS, REVOCATIONS, CANCELLATIONS  
AND DISQUALIFICATIONS.--EACH DRIVER OF A COMMERCIAL MOTOR  
VEHICLE WHOSE OPERATING PRIVILEGE IS SUSPENDED, REVOKED OR  
CANCELED BY ANY STATE, WHO LOSES THE PRIVILEGE TO DRIVE A  
COMMERCIAL MOTOR VEHICLE IN ANY STATE FOR ANY PERIOD OR WHO IS  
DISQUALIFIED FROM DRIVING A COMMERCIAL MOTOR VEHICLE FOR ANY  
PERIOD, SHALL NOTIFY HIS EMPLOYER OF THAT FACT BEFORE THE END OF  
THE BUSINESS DAY FOLLOWING THE DAY THE DRIVER RECEIVED NOTICE OF  
THE SUSPENSION, REVOCATION, CANCELLATION, LOSS OR  
DISQUALIFICATION.

(C) NOTIFICATION OF PREVIOUS EMPLOYMENT.--

(1) EACH PERSON WHO APPLIES FOR EMPLOYMENT AS A  
COMMERCIAL MOTOR VEHICLE DRIVER SHALL PROVIDE THE EMPLOYER,  
AT THE TIME OF THE APPLICATION FOR EMPLOYMENT, WITH THE  
FOLLOWING INFORMATION FOR THE TEN YEARS PRECEDING THE DATE OF  
APPLICATION:

(I) A LIST OF THE NAMES AND ADDRESSES OF THE  
APPLICANT'S PREVIOUS EMPLOYERS FOR WHICH THE APPLICANT

1 WAS A DRIVER OF A COMMERCIAL MOTOR VEHICLE.

2 (II) THE DATES BETWEEN WHICH THE APPLICANT DROVE FOR  
3 EACH EMPLOYER.

4 (III) THE REASON FOR LEAVING THAT EMPLOYER.

5 (2) THE APPLICANT SHALL CERTIFY THAT ALL INFORMATION  
6 FURNISHED IS TRUE AND COMPLETE.

7 (3) AN EMPLOYER MAY REQUIRE AN APPLICANT TO PROVIDE  
8 ADDITIONAL AND LEGALLY PERMITTED INFORMATION.

9 (D) PENALTIES.--

10 (1) ANY PERSON WHO VIOLATES SUBSECTION (A) OR (C)  
11 COMMITS A SUMMARY OFFENSE AND SHALL, UPON CONVICTION, BE  
12 SENTENCED TO PAY A FINE OF \$100.

13 (2) ANY PERSON WHO VIOLATES SUBSECTION (B) COMMITS A  
14 SUMMARY OFFENSE AND SHALL, UPON CONVICTION, BE SENTENCED TO  
15 PAY A FINE OF \$200.

16 § 1605. EMPLOYER RESPONSIBILITIES.

17 (A) REQUIREMENTS.--EACH EMPLOYER SHALL REQUIRE THE APPLICANT  
18 TO PROVIDE THE INFORMATION SPECIFIED IN SECTION 1604(C)  
19 (RELATING TO NOTIFICATION REQUIREMENTS FOR DRIVERS). EACH  
20 EMPLOYER SHALL INFORM THE APPLICANT THAT THE INFORMATION HE  
21 PROVIDES IN ACCORDANCE WITH SECTION 1604(C) MAY BE USED, AND THE  
22 APPLICANT'S PREVIOUS EMPLOYERS MAY BE CONTACTED FOR THE PURPOSE  
23 OF INVESTIGATING THE APPLICANT'S WORK HISTORY.

24 (B) PROHIBITIONS.--NO EMPLOYER SHALL KNOWINGLY ALLOW,  
25 REQUIRE, PERMIT OR AUTHORIZE A DRIVER TO DRIVE A COMMERCIAL  
26 MOTOR VEHICLE DURING ANY PERIOD:

27 (1) IN WHICH:

28 (I) THE DRIVER'S LICENSE WAS SUSPENDED, REVOKED OR  
29 CANCELED BY A STATE;

30 (II) THE DRIVER HAS LOST THE PRIVILEGE TO DRIVE A

COMMERCIAL MOTOR VEHICLE IN A STATE;

(III) THE DRIVER HAS BEEN DISQUALIFIED FROM DRIVING  
A COMMERCIAL MOTOR VEHICLE;

(IV) THE DRIVER IS NOT LICENSED TO DRIVE A  
COMMERCIAL VEHICLE; OR

(V) THE DRIVER IS NOT QUALIFIED BY REQUIRED CLASS OR  
ENDORSEMENT TO OPERATE THE COMMERCIAL VEHICLE BEING  
DRIVEN; OR

(2) IN WHICH THE DRIVER HAS MORE THAN ONE DRIVER'S  
LICENSE.

(C) TEST VEHICLES.--EACH EMPLOYER SHALL PROVIDE A  
REPRESENTATIVE VEHICLE TO ANY EMPLOYEE REQUIRED TO TAKE THE  
SKILLS TEST UNDER SECTION 1607 (RELATING TO COMMERCIAL DRIVER'S  
LICENSE QUALIFICATION STANDARDS).

(D) TEST DATES.--AN EMPLOYER SHALL PROVIDE A COMMERCIAL  
DRIVER THE NECESSARY TIME OFF FOR A DRIVER TO TAKE THE REQUIRED  
KNOWLEDGE EXAM AND SKILLS TEST WHEN THE TESTS HAVE BEEN  
SCHEDULED.

(E) PENALTIES.--ANY PERSON WHO VIOLATES ANY PROVISION OF  
THIS SECTION COMMITS A SUMMARY OFFENSE AND SHALL, UPON  
CONVICTION, BE SENTENCED TO PAY A FINE OF \$1,000.

§ 1606. REQUIREMENT FOR COMMERCIAL DRIVER'S LICENSE.

(A) WHEN REQUIRED.--NO PERSON, EXCEPT THOSE SPECIFICALLY  
EXEMPTED IN SUBSECTION (B), SHALL DRIVE A COMMERCIAL MOTOR  
VEHICLE UNLESS THE PERSON HAS BEEN ISSUED AND IS IN IMMEDIATE  
POSSESSION OF A VALID COMMERCIAL DRIVER'S LICENSE AND APPLICABLE  
ENDORSEMENTS VALID FOR THE VEHICLE HE IS DRIVING.

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

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

4           (2) A PERSON IN THE SERVICE OF THE ARMED FORCES OF THE  
5 UNITED STATES, INCLUDING MEMBERS OF THE RESERVES AND NATIONAL  
6 GUARD ON ACTIVE DUTY; PERSONNEL ON FULL-TIME NATIONAL GUARD  
7 DUTY; AND PERSONNEL ON INACTIVE NATIONAL GUARD DUTY TRAINING  
8 OR PART-TIME NATIONAL GUARD TRAINING AND NATIONAL GUARD  
9 MILITARY TECHNICIANS WHO ARE REQUIRED TO WEAR MILITARY  
10 UNIFORMS AND ARE SUBJECT TO THE UNIFORM CODE OF MILITARY  
11 JUSTICE WHEN OPERATING EQUIPMENT OWNED OR OPERATED BY THE  
12 DEPARTMENT OF DEFENSE.

13           (3) A PERSON WHO IS A VOLUNTEER OR PAID FIREFIGHTER WITH  
14 A CLASS C LICENSE AND WHO HAS A CERTIFICATE OF AUTHORIZATION  
15 FROM HIS FIRE CHIEF WHILE OPERATING A FIRE OR EMERGENCY  
16 VEHICLE REGISTERED TO THE FIRE DEPARTMENT.

17           (4) A DRIVER WITH A NONCOMMERCIAL CLASS C LICENSE  
18 OPERATING A FARM VEHICLE WHICH IS CONTROLLED AND OPERATED BY  
19 A FARMER AND USED EXCLUSIVELY TO TRANSPORT AGRICULTURAL  
20 PRODUCTS, FARM MACHINERY OR FARM SUPPLIES TO OR FROM A FARM  
21 OWNED OR OPERATED BY THE OWNER OF THE FARM VEHICLE. THE FARM  
22 VEHICLE MAY NOT BE USED IN THE OPERATIONS OF A COMMON OR  
23 CONTRACT CARRIER AND MAY BE USED ONLY WITHIN A RADIUS OF 150  
24 MILES OF THE FARM.

25 (C) PROHIBITIONS.--

26           (1) NO PERSON SHALL DRIVE A COMMERCIAL MOTOR VEHICLE  
27 DURING ANY PERIOD IN WHICH:

28               (I) HIS PRIVILEGE TO DRIVE A COMMERCIAL MOTOR  
29 VEHICLE IN A STATE HAS BEEN REMOVED FOR ANY REASON,

30 INCLUDING DISQUALIFICATION, UNTIL THE PERSON'S COMMERCIAL



1 OPERATING PRIVILEGE HAS BEEN RESTORED;

2 (II) HIS OPERATING PRIVILEGE IS SUSPENDED, REVOKED,  
3 CANCELED OR RECALLED UNTIL THE PERSON'S OPERATING  
4 PRIVILEGE HAS BEEN RESTORED; OR

5 (III) HE HAS BEEN PLACED UNDER AN OUT-OF-SERVICE  
6 ORDER.

7 (2) NO PERSON WHO OPERATES A COMMERCIAL MOTOR VEHICLE  
8 SHALL AT ANY TIME HAVE MORE THAN ONE COMMERCIAL DRIVER'S  
9 LICENSE.

10 (D) PENALTIES.--

11 (1) EXCEPT AS PROVIDED IN PARAGRAPH (6), A PERSON WHO  
12 VIOLATES SUBSECTION (A) COMMITS A SUMMARY OFFENSE AND SHALL,  
13 UPON CONVICTION, BE SENTENCED TO PAY A FINE OF \$500. EXCEPT  
14 THAT, IF THE PERSON CHARGED FURNISHES SATISFACTORY PROOF OF  
15 HAVING HELD A COMMERCIAL DRIVER'S LICENSE VALID ON THE LAST  
16 DAY OF THE PRECEDING DRIVER'S LICENSE PERIOD AND NO MORE THAN  
17 60 DAYS HAS ELAPSED FROM THE LAST DATE OF RENEWAL, THE FINE  
18 SHALL BE \$100. EXCEPT AS PROVIDED IN PARAGRAPH (6), EVERY  
19 PERSON CONVICTED OF A SECOND OR SUBSEQUENT VIOLATION OF  
20 SUBSECTION (A), SHALL BE SENTENCED TO PAY A FINE OF NOT LESS  
21 THAN \$500 NOR MORE THAN \$1500.

22 (2) A PERSON WHO DRIVES A COMMERCIAL MOTOR VEHICLE WHILE  
23 SUBJECT TO DISQUALIFICATION COMMITS A SUMMARY OFFENSE AND  
24 SHALL, UPON CONVICTION, BE SENTENCED TO PAY A FINE OF \$500.  
25 EVERY PERSON CONVICTED OF A SECOND OR SUBSEQUENT VIOLATION OF  
26 DRIVING A COMMERCIAL MOTOR VEHICLE WHILE SUBJECT TO  
27 DISQUALIFICATION SHALL BE SENTENCED TO PAY A FINE OF NOT LESS  
28 THAN \$500 NOR MORE THAN \$1,500.

29 (3) A PERSON WHO DRIVES A COMMERCIAL MOTOR VEHICLE WHILE  
30 SUBJECT TO DISQUALIFICATION UNDER SECTION 1611(B) OR (E)

1 (RELATING TO DISQUALIFICATION) COMMITS A SUMMARY OFFENSE AND  
2 SHALL, UPON CONVICTION, BE SENTENCED TO PAY A FINE OF \$1,000  
3 OR TO IMPRISONMENT FOR SIX MONTHS, OR BOTH.

4 (4) A PERSON WHO DRIVES A COMMERCIAL MOTOR VEHICLE IN  
5 VIOLATION OF AN OUT-OF-SERVICE ORDER ISSUED UNDER SECTION  
6 1612 (RELATING TO COMMERCIAL DRIVERS PROHIBITED FROM  
7 OPERATING WITH ANY ALCOHOL IN SYSTEM) COMMITS A SUMMARY  
8 OFFENSE AND SHALL, UPON CONVICTION, BE SENTENCED TO PAY A  
9 FINE OF \$1,000.

10 (5) A PERSON WHO DRIVES A COMMERCIAL MOTOR VEHICLE IN  
11 VIOLATION OF AN OUT-OF-SERVICE ORDER (OTHER THAN AN OUT-OF-  
12 SERVICE ORDER ISSUED UNDER SECTION 1612) COMMITS A SUMMARY  
13 OFFENSE AND SHALL, UPON CONVICTION, BE SENTENCED TO PAY A  
14 FINE OF \$500.

15 (6) A PERSON CHARGED WITH VIOLATING SUBSECTION (A)  
16 COMMITS A SUMMARY OFFENSE AND SHALL, UPON CONVICTION, PAY A  
17 FINE OF \$100 IN LIEU OF THE FINE AND DISQUALIFICATION UNDER  
18 PARAGRAPH (1) IF THE PERSON PRODUCES AT THE OFFICE OF THE  
19 ISSUING AUTHORITY WITHIN FIVE DAYS OF THE VIOLATION:

20 (I) A COMMERCIAL DRIVER'S LICENSE VALID IN THIS  
21 COMMONWEALTH AT THE TIME OF THE VIOLATION; OR

22 (II) IF THE COMMERCIAL DRIVER'S LICENSE IS LOST,  
23 STOLEN, DESTROYED OR ILLEGIBLE, EVIDENCE THAT THE DRIVER  
24 WAS LICENSED AT THE TIME OF THE VIOLATION AND THAT  
25 APPLICATION FOR A DUPLICATE LICENSE HAD BEEN MADE AT THE  
26 TIME OF THE VIOLATION.

27 (7) A PERSON WHO DRIVES A COMMERCIAL MOTOR VEHICLE IN  
28 VIOLATION OF SUBSECTION (C)(1)(II) COMMITS A SUMMARY OFFENSE  
29 AND SHALL, UPON CONVICTION, BE SENTENCED TO PAY A FINE OF  
30 \$1,000.

1           (8) A PERSON WHO DRIVES A COMMERCIAL MOTOR VEHICLE IN  
2 VIOLATION OF SUBSECTION (C)(2) COMMITS A SUMMARY OFFENSE AND  
3 SHALL, UPON CONVICTION, BE SENTENCED TO PAY A FINE OF \$1,000.

4           (E) CONVICTIONS AND FINES CUMULATIVE.--ANY VIOLATIONS  
5 BROUGHT UNDER THIS SECTION AND FINES IMPOSED UNDER THIS SECTION  
6 SHALL BE IN ADDITION TO VIOLATIONS BROUGHT AND FINES IMPOSED  
7 UNDER ANY OTHER SECTIONS OF THIS TITLE.

8 § 1607. COMMERCIAL DRIVER'S LICENSE QUALIFICATION STANDARDS.

9           (A) TESTING.--

10           (1) THE COMMONWEALTH SHALL DEVELOP ONE KNOWLEDGE TEST  
11 FOR EACH CLASS AND FOR EACH ENDORSEMENT FOR DRIVING A  
12 COMMERCIAL MOTOR VEHICLE WHICH COMPLIES WITH MINIMUM FEDERAL  
13 STANDARDS ESTABLISHED BY FEDERAL REGULATION AND ALL OTHER  
14 REQUIREMENTS OF THE COMMERCIAL MOTOR VEHICLE SAFETY ACT OF  
15 1986 (PUBLIC LAW 99-570, 49 U.S.C. APP. § 2701, ET SEQ.).

16           (2) NO PERSON SHALL BE ISSUED A COMMERCIAL DRIVER'S  
17 LICENSE UNLESS THE PERSON IS A RESIDENT OF THIS COMMONWEALTH  
18 AND HAS PASSED A KNOWLEDGE AND SKILLS TEST FOR DRIVING A  
19 COMMERCIAL MOTOR VEHICLE WHICH COMPLIES WITH MINIMUM FEDERAL  
20 STANDARDS ESTABLISHED BY FEDERAL REGULATION, ALL OTHER  
21 REQUIREMENTS OF THE COMMERCIAL MOTOR VEHICLE SAFETY ACT OF  
22 1986 (PUBLIC LAW 99-570, 49 U.S.C. APP. § 2701 ET SEQ.) AND  
23 OTHER REQUIREMENTS IMPOSED UNDER FEDERAL REGULATION WHICH ARE  
24 PUBLISHED BY THE DEPARTMENT AS A NOTICE IN THE PENNSYLVANIA  
25 BULLETIN, AS WELL AS ALL REQUIREMENTS OF THIS TITLE OR STATE  
26 REGULATION. THE TESTS SHALL BE PRESCRIBED AND CONDUCTED BY  
27 THE DEPARTMENT OR ITS AGENTS.

28           (3) THE DEPARTMENT MAY AUTHORIZE A PERSON, INCLUDING AN  
29 AGENCY OF THIS OR ANOTHER STATE, AN EMPLOYER, A PRIVATE  
30 INSTITUTION, ASSOCIATION OR DRIVER TRAINING SCHOOL, OR A

1 DEPARTMENT, AGENCY OR INSTRUMENTALITY OF LOCAL GOVERNMENT TO  
2 ADMINISTER THE SKILLS TEST SPECIFIED BY THIS SECTION,  
3 PROVIDED:

4 (I) THE TEST IS THE SAME AS THAT WHICH WOULD  
5 OTHERWISE BE ADMINISTERED BY THE DEPARTMENT.

6 (II) THE THIRD PARTY HAS ENTERED INTO AN AGREEMENT  
7 WITH THE DEPARTMENT.

8 (4) THIRD PARTY CONTRACTS SHALL EXPIRE JUNE 30, 1992,  
9 AND NO THIRD PARTY TESTING SHALL OCCUR AFTER JUNE 30, 1992.

10 (5) AS A RESULT OF THIS LEGISLATION, NO LAYOFFS SHALL  
11 OCCUR IN THE CLASSIFICATION KNOWN AS DRIVER'S LICENSE  
12 EXAMINER.

13 (6) THE DEPARTMENT SHALL PROVIDE APPLICANTS FOR  
14 COMMERCIAL DRIVER'S LICENSES WITH THE CHOICE OF SELECTING A  
15 KNOWLEDGE TEST ADMINISTERED IN EITHER A WRITTEN OR AN ORAL  
16 FORMAT. EXCEPT FOR EXAMINATIONS ADMINISTERED TO INTERSTATE  
17 DRIVERS SUBJECT TO THE LANGUAGE REQUIREMENTS OF 49 CFR 391.11  
18 (RELATING TO QUALIFICATION OF DRIVERS), THE DEPARTMENT SHALL  
19 ADMINISTER THE KNOWLEDGE TESTS IN THE ENGLISH LANGUAGE. A  
20 DRIVER REQUESTING AN ORAL VERSION OF THE KNOWLEDGE TEST MUST  
21 SCHEDULE FOR THE EXAMINATION AT A TESTING SITE AUTHORIZED BY  
22 THE DEPARTMENT. THE DEPARTMENT SHALL DEVELOP AND UTILIZE  
23 ALTERNATE TESTING FORMATS TO AVOID DISCRIMINATION AGAINST  
24 DRIVERS WITH LIMITED LITERACY AND VERBAL COMPREHENSION  
25 SKILLS.

26 (7) UPON FAILURE OF THE KNOWLEDGE TEST, THE DEPARTMENT  
27 SHALL PROVIDE APPLICANTS FOR COMMERCIAL DRIVER'S LICENSES  
28 WITH THE CHOICE OF SELECTING A KNOWLEDGE TEST ADMINISTERED IN  
29 EITHER A WRITTEN OR AN ORAL FORMAT. EXCEPT FOR EXAMINATIONS  
30 ADMINISTERED TO INTERSTATE DRIVERS SUBJECT TO THE LANGUAGE

1        REQUIREMENTS OF 49 CFR 391.11 (RELATING TO QUALIFICATION OF  
2        DRIVERS), THE DEPARTMENT SHALL ADMINISTER THE KNOWLEDGE TESTS  
3        IN THE ENGLISH LANGUAGE. THE DEPARTMENT SHALL DEVELOP AND  
4        UTILIZE ALTERNATE TESTING FORMATS TO AVOID DISCRIMINATION  
5        AGAINST DRIVERS WITH LIMITED LITERACY AND VERBAL  
6        COMPREHENSION SKILLS.

7        (B)    WAIVER OF TEST.--THE DEPARTMENT SHALL WAIVE THE SKILLS  
8        TEST SPECIFIED IN THIS SECTION FOR A COMMERCIAL DRIVER'S LICENSE  
9        APPLICANT WHO MEETS THE REQUIREMENTS OF FEDERAL REGULATIONS. IF  
10       PERMITTED BY FEDERAL REGULATION, THE DEPARTMENT'S WAIVER  
11       PROCEDURES MAY WAIVE THE WRITTEN TEST REQUIREMENT FOR A  
12       COMMERCIAL DRIVER'S LICENSE APPLICANT HOLDING A VALID CLASS 2, 3  
13       OR 4 LICENSE.

14       (C)    LIMITATIONS ON ISSUANCE OF LICENSE.--A COMMERCIAL  
15       DRIVER'S LICENSE OR COMMERCIAL DRIVER LEARNER'S PERMIT SHALL NOT  
16       BE ISSUED TO A PERSON WHILE THE PERSON IS SUBJECT TO A  
17       DISQUALIFICATION FROM DRIVING A COMMERCIAL MOTOR VEHICLE OR  
18       WHILE THE PERSON'S DRIVER'S LICENSE IS SUSPENDED, REVOKED OR  
19       CANCELED IN ANY STATE; NOR SHALL A COMMERCIAL DRIVER'S LICENSE  
20       BE ISSUED TO A PERSON WHO HAS A COMMERCIAL DRIVER'S LICENSE  
21       ISSUED BY ANY OTHER STATE UNLESS THE PERSON FIRST SURRENDERS ALL  
22       SUCH LICENSES, WHICH SHALL BE RETURNED TO THE ISSUING STATE FOR  
23       CANCELLATION.

24       (D)    COMMERCIAL DRIVER LEARNER'S PERMIT.--THE DEPARTMENT  
25       SHALL ISSUE A COMMERCIAL DRIVER LEARNER'S PERMIT IN ACCORDANCE  
26       WITH SECTION 1505 (RELATING TO LEARNERS' PERMITS). A COMMERCIAL  
27       DRIVER LEARNER'S PERMIT IS REQUIRED FOR THE ADDITION OF  
28       ENDORSEMENTS AND THE REMOVAL OF RESTRICTIONS ESTABLISHED UNDER  
29       THIS CHAPTER, INCLUDING THOSE ESTABLISHED BY REGULATION.

30       § 1608.    NONRESIDENT CDL.

1 (A) ISSUANCE OF NONRESIDENT CDL.--THE DEPARTMENT MAY ISSUE A  
2 NONRESIDENT CDL TO A RESIDENT OF A FOREIGN JURISDICTION IF THE  
3 UNITED STATES SECRETARY OF TRANSPORTATION HAS DETERMINED THAT  
4 THE COMMERCIAL MOTOR VEHICLE TESTING AND LICENSING STANDARDS IN  
5 THE FOREIGN JURISDICTION DO NOT MEET THE TESTING STANDARDS  
6 ESTABLISHED IN FEDERAL REGULATIONS.

7 (1) THE WORD "NONRESIDENT" SHALL APPEAR ON THE FACE OF  
8 THE NONRESIDENT CDL.

9 (2) AN APPLICANT SHALL SURRENDER ANY NONRESIDENT CDL  
10 ISSUED BY ANOTHER STATE.

11 (3) PRIOR TO ISSUING A NONRESIDENT CDL, THE DEPARTMENT  
12 SHALL ESTABLISH THE PRACTICAL CAPABILITY OF REVOKING,  
13 SUSPENDING OR CANCELING THE NONRESIDENT CDL AND DISQUALIFYING  
14 THE COMMERCIAL MOTOR VEHICLE DRIVING PRIVILEGE OF THAT  
15 PERSON.

16 (B) OTHER PROVISIONS APPLICABLE.--ALL PROVISIONS OF THIS  
17 CHAPTER APPLICABLE TO THE COMMERCIAL DRIVER'S LICENSE FOR A  
18 RESIDENT OF THIS COMMONWEALTH, EXCEPT THE RESIDENCY REQUIREMENT,  
19 AND ALL PROVISIONS OF THIS TITLE APPLICABLE TO DRIVERS' LICENSES  
20 SHALL BE APPLICABLE TO A NONRESIDENT CDL.

21 § 1609. APPLICATION FOR COMMERCIAL DRIVER'S LICENSE.

22 (A) CONTENTS OF APPLICATION.--THE APPLICATION FOR A  
23 COMMERCIAL DRIVER'S LICENSE OR COMMERCIAL DRIVERS LEARNER'S  
24 PERMIT SHALL INCLUDE THE FOLLOWING:

25 (1) THE FULL NAME AND CURRENT RESIDENTIAL ADDRESS OF THE  
26 PERSON.

27 (2) A PHYSICAL DESCRIPTION OF THE PERSON, INCLUDING SEX,  
28 HEIGHT AND EYE COLOR.

29 (3) DATE OF BIRTH.

30 (4) THE APPLICANT'S SOCIAL SECURITY NUMBER.

1           (5) THE PERSON'S SIGNATURE.

2           (6) CERTIFICATIONS, INCLUDING THOSE REQUIRED BY FEDERAL  
3 REGULATIONS.

4           (7) ANY OTHER INFORMATION REQUIRED BY THE DEPARTMENT.

5       (B) CHANGE OF NAME OR ADDRESS.--WHENEVER ANY PERSON, AFTER  
6 APPLYING FOR OR RECEIVING A COMMERCIAL DRIVER'S LICENSE OR  
7 COMMERCIAL DRIVER LEARNER'S PERMIT, MOVES FROM THE ADDRESS NAMED  
8 IN THE APPLICATION OR IN THE DRIVER'S LICENSE OR LEARNER'S  
9 PERMIT ISSUED, OR WHEN THE NAME OF THE LICENSEE OR PERMITTEE IS  
10 CHANGED, SUCH PERSON SHALL WITHIN 15 DAYS MAKE APPLICATION FOR A  
11 DUPLICATE LICENSE. THE DUPLICATE SHALL BE ISSUED UPON PAYMENT OF  
12 THE REQUIRED FEE AND RETURN OF THE ORIGINAL, OR PREVIOUS  
13 DUPLICATE, LICENSE.

14       (C) NEW RESIDENTS.--NO PERSON WHO IS A RESIDENT OF THIS  
15 COMMONWEALTH FOR 30 DAYS SHALL DRIVE A COMMERCIAL MOTOR VEHICLE  
16 UNDER THE AUTHORITY OF A COMMERCIAL DRIVER'S LICENSE ISSUED BY  
17 ANOTHER JURISDICTION.

18 § 1610. COMMERCIAL DRIVER'S LICENSE.

19       (A) CONTENT OF LICENSE.--THE COMMERCIAL DRIVER'S LICENSE  
20 SHALL INDICATE "COMMERCIAL DRIVER'S LICENSE" OR "CDL" AND SHALL  
21 INCLUDE, BUT NOT BE LIMITED TO, THE FOLLOWING INFORMATION:

22           (1) THE NAME AND RESIDENTIAL ADDRESS OF THE PERSON.

23           (2) THE PERSON'S COLOR PHOTOGRAPH OR PHOTOGRAPHIC  
24 FACSIMILE.

25           (3) A PHYSICAL DESCRIPTION OF THE PERSON, INCLUDING SEX,  
26 HEIGHT AND EYE COLOR.

27           (4) DATE OF BIRTH.

28           (5) THE LICENSE NUMBER ASSIGNED BY THE DEPARTMENT.

29           (6) THE PERSON'S SIGNATURE OR A FACSIMILE OF THAT  
30 SIGNATURE.

1           (7) THE CLASS OR TYPE OF COMMERCIAL MOTOR VEHICLE OR  
2 VEHICLES WHICH THE PERSON IS AUTHORIZED TO DRIVE, TOGETHER  
3 WITH ANY ENDORSEMENTS OR RESTRICTIONS.

4       (B) CLASSIFICATIONS, ENDORSEMENTS AND RESTRICTIONS.--

5           (1) COMMERCIAL DRIVERS' LICENSES MAY BE ISSUED WITH THE  
6 FOLLOWING CLASSIFICATIONS, ENDORSEMENTS AND RESTRICTIONS. THE  
7 HOLDER OF A VALID COMMERCIAL DRIVER'S LICENSE MAY DRIVE ALL  
8 VEHICLES IN THE CLASS FOR WHICH THAT LICENSE IS ISSUED AND  
9 ALL LESSER CLASSES OF VEHICLES EXCEPT MOTORCYCLES. VEHICLES  
10 REQUIRING AN ENDORSEMENT MAY NOT BE DRIVEN UNLESS THE PROPER  
11 ENDORSEMENT APPEARS ON THE LICENSE.

12          (2) THE FOLLOWING CODES SHALL BE USED AS REQUIRED TO  
13 DESCRIBE THE COMMERCIAL DRIVER'S LICENSE ENDORSEMENTS AND  
14 RESTRICTIONS. ADDITIONAL ENDORSEMENTS AND RESTRICTIONS MAY BE  
15 ADDED BY REGULATION FOR USE ON THE COMMERCIAL DRIVER'S  
16 LICENSE:

17           H - AUTHORIZES THE DRIVER TO OPERATE A VEHICLE  
18               TRANSPORTING HAZARDOUS MATERIALS.

19           L - RESTRICTS THE DRIVER TO VEHICLES NOT EQUIPPED  
20               WITH AIRBRAKES.

21           N - AUTHORIZES DRIVING TANK VEHICLES.

22           P - AUTHORIZES DRIVING VEHICLES CARRYING PASSENGERS.

23           S - AUTHORIZES THE DRIVER TO OPERATE A SCHOOL BUS.

24           T - AUTHORIZES DRIVING DOUBLE AND TRIPLE TRAILERS.

25           X - REPRESENTS A COMBINATION OF HAZARDOUS MATERIALS  
26               AND TANK VEHICLE ENDORSEMENTS.

27       (C) APPLICANT RECORD CHECK.--BEFORE ISSUING A COMMERCIAL  
28 DRIVER'S LICENSE, THE DEPARTMENT SHALL OBTAIN DRIVING RECORD  
29 INFORMATION THROUGH THE COMMERCIAL DRIVER'S LICENSE INFORMATION  
30 SYSTEM AND THE NATIONAL DRIVER REGISTER.



(D) NOTIFICATION OF LICENSE ISSUANCE.--WHEN THE DEPARTMENT HAS ELECTRONIC ACCESS, BUT NO LATER THAN MARCH 31, 1992, THE DEPARTMENT, WITHIN TEN DAYS AFTER ISSUING A COMMERCIAL DRIVER'S LICENSE, SHALL NOTIFY THE COMMERCIAL DRIVER'S LICENSE INFORMATION SYSTEM OF THAT FACT, PROVIDING ALL INFORMATION REQUIRED TO ENSURE IDENTIFICATION OF THE PERSON.

(E) LICENSE RENEWAL PROCEDURES.--WHEN APPLYING FOR RENEWAL OF A COMMERCIAL DRIVER'S LICENSE, THE APPLICANT MUST COMPLETE THE APPLICATION FORM REQUIRED BY SECTION 1609(A) (RELATING TO APPLICATION FOR COMMERCIAL DRIVER'S LICENSE), PROVIDING CURRENT AND VALID INFORMATION AND REQUIRED CERTIFICATIONS. IF THE APPLICANT WISHES TO RETAIN A HAZARDOUS MATERIALS ENDORSEMENT, THE WRITTEN TEST FOR A HAZARDOUS MATERIALS ENDORSEMENT MUST BE TAKEN AND PASSED.

§ 1611. DISQUALIFICATION.

(A) DISQUALIFICATION FOR FIRST VIOLATION OF CERTAIN OFFENSES.--UPON RECEIPT OF A CERTIFIED COPY OF CONVICTION, THE DEPARTMENT SHALL, IN ADDITION TO ANY OTHER PENALTIES IMPOSED UNDER THIS TITLE, DISQUALIFY ANY PERSON FROM DRIVING A COMMERCIAL MOTOR VEHICLE FOR A PERIOD OF ONE YEAR FOR THE FIRST VIOLATION OF:

(1) SECTION 3731(I) (RELATING TO DRIVING UNDER THE INFLUENCE OF ALCOHOL OR CONTROLLED SUBSTANCE);

(2) SECTION 3742 (RELATING TO ACCIDENTS INVOLVING DEATH OR PERSONAL INJURY), WHERE THE VIOLATION OCCURRED WHILE THE PERSON WAS DRIVING A COMMERCIAL MOTOR VEHICLE;

(3) SECTION 3743 (RELATING TO ACCIDENTS INVOLVING DAMAGE TO ATTENDED VEHICLE OR PROPERTY), WHERE THE VIOLATION OCCURRED WHILE THE PERSON WAS DRIVING A COMMERCIAL MOTOR VEHICLE;

1           (4) SECTION 3745 (RELATING TO ACCIDENTS INVOLVING DAMAGE  
2 TO UNATTENDED VEHICLE OR PROPERTY), WHERE THE VIOLATION  
3 OCCURRED WHILE THE PERSON WAS DRIVING A COMMERCIAL MOTOR  
4 VEHICLE;

5           (5) ANY FELONY IN THE COMMISSION OF WHICH A COURT  
6 DETERMINES A COMMERCIAL MOTOR VEHICLE WAS ESSENTIALLY  
7 INVOLVED, EXCEPT AS DESCRIBED IN SUBSECTION (E); OR

8           (6) SECTION 1606(C) (RELATING TO REQUIREMENT FOR  
9 COMMERCIAL DRIVER'S LICENSE), WHILE THEIR DRIVING PRIVILEGE  
10 IS SUSPENDED, REVOKED, CANCELED OR RECALLED OR WHILE SUBJECT  
11 TO DISQUALIFICATION OR IN VIOLATION OF AN OUT-OF-SERVICE  
12 ORDER.

13       (B) DISQUALIFICATION FOR OFFENSE WHILE CARRYING HAZARDOUS  
14 MATERIALS.--THE DEPARTMENT SHALL DISQUALIFY ANY PERSON FROM  
15 DRIVING A COMMERCIAL MOTOR VEHICLE FOR THREE YEARS IF ANY OF THE  
16 OFFENSES IN SUBSECTION (A) OCCURRED WHILE TRANSPORTING A  
17 HAZARDOUS MATERIAL REQUIRED TO BE PLACARDED.

18       (C) DISQUALIFICATION FOR TWO VIOLATIONS OF CERTAIN  
19 OFFENSES.--THE DEPARTMENT SHALL DISQUALIFY FOR LIFE ANY PERSON  
20 CONVICTED OF TWO OR MORE VIOLATIONS OF ANY OF THE OFFENSES  
21 SPECIFIED IN SUBSECTION (A), OR ANY COMBINATION OF THOSE  
22 OFFENSES, ARISING FROM TWO OR MORE SEPARATE AND DISTINCT  
23 INCIDENTS. ONLY OFFENSES COMMITTED AFTER THE EFFECTIVE DATE OF  
24 THIS CHAPTER MAY BE CONSIDERED IN APPLYING THIS SUBSECTION.

25       (D) MITIGATION OF DISQUALIFICATION FOR LIFE.--THE DEPARTMENT  
26 MAY ISSUE REGULATIONS ESTABLISHING GUIDELINES, INCLUDING  
27 CONDITIONS, UNDER WHICH A DISQUALIFICATION FOR LIFE UNDER  
28 SUBSECTION (B) MAY BE REDUCED TO A PERIOD OF NOT LESS THAN TEN  
29 YEARS, IF SUCH REDUCTIONS ARE PERMITTED BY FEDERAL REGULATIONS.

30       (E) DISQUALIFICATION FOR CONTROLLED SUBSTANCE OFFENSES.--THE

1 DEPARTMENT SHALL DISQUALIFY ANY PERSON FROM DRIVING A COMMERCIAL  
2 MOTOR VEHICLE FOR LIFE WHO IS CONVICTED OF USING A COMMERCIAL  
3 MOTOR VEHICLE IN THE COMMISSION OF ANY FELONY INVOLVING THE  
4 MANUFACTURE, DISTRIBUTION OR DISPENSING OF A CONTROLLED  
5 SUBSTANCE, OR POSSESSION WITH INTENT TO MANUFACTURE, DISTRIBUTE  
6 OR DISPENSE A CONTROLLED SUBSTANCE. THERE SHALL BE NO EXCEPTIONS  
7 OR REDUCTIONS TO THIS DISQUALIFICATION FOR LIFE.

8 (F) DISQUALIFICATION FOR FAILURE TO HAVE CDL.--THE  
9 DEPARTMENT SHALL DISQUALIFY ANY PERSON FROM DRIVING A COMMERCIAL  
10 MOTOR VEHICLE FOR SIX MONTHS UPON RECEIVING A CERTIFIED RECORD  
11 OF THE PERSON'S CONVICTION OF VIOLATING SECTION 1606(A), EXCEPT  
12 AS PROVIDED IN SECTION 1606(D)(6).

13 (G) DISQUALIFICATION FOR SERIOUS TRAFFIC OFFENSES.--THE  
14 DEPARTMENT SHALL DISQUALIFY ANY PERSON FROM DRIVING A COMMERCIAL  
15 MOTOR VEHICLE FOR A PERIOD OF 60 DAYS IF CONVICTED OF TWO  
16 SERIOUS TRAFFIC VIOLATIONS, OR 120 DAYS IF CONVICTED OF THREE  
17 SERIOUS TRAFFIC VIOLATIONS, COMMITTED IN A COMMERCIAL MOTOR  
18 VEHICLE ARISING FROM SEPARATE AND DISTINCT INCIDENTS OCCURRING  
19 WITHIN A THREE-YEAR PERIOD.

20 (H) CONVICTION IN FEDERAL COURT OR ANOTHER STATE.--FOR  
21 PURPOSES OF THE PROVISIONS OF THIS SECTION, A COPY OF A  
22 CERTIFIED RECORD OF CONVICTION OR A COPY OF A CERTIFIED RECORD  
23 OF ADMINISTRATIVE ADJUDICATION FROM A FEDERAL COURT OR ANOTHER  
24 STATE FOR AN OFFENSE ESSENTIALLY SIMILAR TO THOSE OFFENSES WHICH  
25 WOULD RESULT IN DISQUALIFICATION IN THIS SECTION SHALL BE  
26 TREATED BY THE DEPARTMENT AS IF THE CONVICTION HAD OCCURRED IN  
27 THIS COMMONWEALTH.

28 (I) SURRENDER OF LICENSE.--UPON THE DISQUALIFICATION OF THE  
29 COMMERCIAL DRIVING PRIVILEGE OF A PERSON, THE LICENSE SHALL BE  
30 SURRENDERED AS PROVIDED IN SECTION 1540 (RELATING TO SURRENDER

1 OF LICENSE).

2 (J) UPDATING DRIVING RECORD.--AFTER SUSPENDING, REVOKING,  
3 RECALLING OR CANCELING A COMMERCIAL DRIVER'S LICENSE, THE  
4 DEPARTMENT SHALL UPDATE ITS RECORDS TO REFLECT THAT ACTION.  
5 AFTER SUSPENDING, REVOKING, RECALLING OR CANCELING A COMMERCIAL  
6 DRIVING PRIVILEGE ISSUED BY ANOTHER STATE, THE DEPARTMENT SHALL  
7 NOTIFY THE LICENSING AUTHORITY OF THE STATE WHICH ISSUED THE  
8 COMMERCIAL DRIVER'S LICENSE OR NONRESIDENT COMMERCIAL DRIVER'S  
9 LICENSE.

10 § 1612. COMMERCIAL DRIVERS PROHIBITED FROM OPERATING WITH ANY  
11 ALCOHOL IN SYSTEM.

12 (A) OFFENSE DEFINED.--NOTWITHSTANDING ANY OTHER PROVISION OF  
13 THIS TITLE, A PERSON SHALL NOT DRIVE, OPERATE OR BE IN PHYSICAL  
14 CONTROL OF A COMMERCIAL MOTOR VEHICLE WHILE HAVING ANY ALCOHOL  
15 IN HIS SYSTEM.

16 (B) PENALTY.--A PERSON WHO VIOLATES SUBSECTION (A) COMMITS A  
17 SUMMARY OFFENSE AND SHALL, UPON CONVICTION, BE SENTENCED TO PAY  
18 A FINE OF \$100. A PERSON WHO DRIVES, OPERATES OR IS IN PHYSICAL  
19 CONTROL OF A COMMERCIAL MOTOR VEHICLE WHILE HAVING ALCOHOL IN  
20 HIS SYSTEM OR WHO REFUSES TO TAKE A TEST TO DETERMINE HIS  
21 ALCOHOL CONTENT AS PROVIDED BY SECTION 1613 (RELATING TO IMPLIED  
22 CONSENT REQUIREMENTS FOR COMMERCIAL MOTOR VEHICLE DRIVERS) SHALL  
23 BE PLACED OUT OF SERVICE FOR 24 HOURS.

24 § 1613. IMPLIED CONSENT REQUIREMENTS FOR COMMERCIAL MOTOR  
25 VEHICLE DRIVERS.

26 (A) IMPLIED CONSENT.--A PERSON WHO DRIVES A COMMERCIAL MOTOR  
27 VEHICLE IN THIS COMMONWEALTH IS DEEMED TO HAVE GIVEN CONSENT TO  
28 TAKE A TEST OR TESTS OF THE PERSON'S BREATH, BLOOD OR URINE FOR  
29 THE PURPOSE OF DETERMINING THE PERSON'S ALCOHOL CONCENTRATION OR  
30 THE PRESENCE OF OTHER CONTROLLED SUBSTANCES.

1 (B) TESTS ORDERED BY POLICE OFFICER.--A TEST OR TESTS MAY BE  
2 ADMINISTERED AT THE DIRECTION OF A POLICE OFFICER WHO, AFTER  
3 STOPPING OR DETAINING THE COMMERCIAL MOTOR VEHICLE DRIVER, HAS  
4 REASONABLE GROUNDS TO BELIEVE THAT THE DRIVER WAS DRIVING A  
5 COMMERCIAL MOTOR VEHICLE WHILE HAVING ANY ALCOHOL IN HIS SYSTEM.

6 (C) WARNING AGAINST REFUSAL.--A PERSON REQUESTED TO SUBMIT  
7 TO A TEST AS PROVIDED IN SUBSECTION (A) SHALL BE WARNED BY THE  
8 POLICE OFFICER REQUESTING THE TEST THAT REFUSAL TO SUBMIT TO THE  
9 TEST WILL RESULT IN THE PERSON'S BEING DISQUALIFIED FROM  
10 OPERATING A COMMERCIAL MOTOR VEHICLE UNDER SUBSECTION (E).

11 (D) REPORT ON TEST REFUSAL.--IF THE PERSON REFUSES TESTING,  
12 THE POLICE OFFICER SHALL SUBMIT A SWORN REPORT TO THE DEPARTMENT  
13 CERTIFYING THAT THE TEST WAS REQUESTED PURSUANT TO SUBSECTION  
14 (A) AND THAT THE PERSON REFUSED TO SUBMIT TO TESTING.

15 (E) DISQUALIFICATION FOR REFUSAL.--UPON RECEIPT OF THE SWORN  
16 REPORT OF A POLICE OFFICER SUBMITTED UNDER SUBSECTION (D), THE  
17 DEPARTMENT SHALL DISQUALIFY THE DRIVER FROM DRIVING A COMMERCIAL  
18 MOTOR VEHICLE FOR A PERIOD OF ONE YEAR.

19 (F) APPEAL OF DISQUALIFICATION.--ANY HOLDER OF A COMMERCIAL  
20 DRIVER'S LICENSE WHO IS DISQUALIFIED UNDER THE PROVISIONS OF  
21 THIS SECTION FROM DRIVING A COMMERCIAL MOTOR VEHICLE SHALL HAVE  
22 THE SAME RIGHT OF APPEAL AS PROVIDED FOR IN CASES OF SUSPENSION.

23 § 1614. NOTIFICATION OF TRAFFIC CONVICTIONS.

24 AFTER RECEIVING A REPORT OF THE CONVICTION OF ANY HOLDER OF A  
25 COMMERCIAL DRIVER'S LICENSE ISSUED BY ANOTHER STATE FOR  
26 VIOLATION OF CHAPTER 15, 16, 17, 31, 33 OR 37 COMMITTED IN A  
27 COMMERCIAL MOTOR VEHICLE, THE DEPARTMENT SHALL NOTIFY THE DRIVER  
28 LICENSING AUTHORITY IN THE LICENSING STATE OF THE CONVICTION.

29 § 1615. AUTHORITY TO ENTER AGREEMENTS.

30 THE DEPARTMENT MAY ENTER INTO OR MAKE AGREEMENTS,

1 ARRANGEMENTS OR DECLARATIONS TO CARRY OUT THE PROVISIONS OF THIS  
2 CHAPTER.

3 § 1616. RECIPROCITY.

4 NOTWITHSTANDING ANY LAW TO THE CONTRARY, A PERSON MAY DRIVE A  
5 COMMERCIAL MOTOR VEHICLE IF THE PERSON HAS A COMMERCIAL DRIVER'S  
6 LICENSE ISSUED BY ANY STATE, OR ANY PROVINCE OR TERRITORY OF  
7 CANADA IN ACCORDANCE WITH THE MINIMUM FEDERAL STANDARDS FOR THE  
8 ISSUANCE OF COMMERCIAL MOTOR VEHICLE DRIVERS' LICENSES, IF THE  
9 PERSON'S OPERATING PRIVILEGE IS NOT SUSPENDED, REVOKED OR  
10 CANCELED AND IF THE PERSON IS NOT DISQUALIFIED FROM DRIVING A  
11 COMMERCIAL MOTOR VEHICLE OR SUBJECT TO AN OUT-OF-SERVICE ORDER.

12 § 1617. FEES.

13 FEES RELATING TO COMMERCIAL DRIVERS' LICENSES TO BE COLLECTED  
14 BY THE DEPARTMENT UNDER THIS CHAPTER SHALL BE IN ADDITION TO ANY  
15 OTHER FEES IMPOSED UNDER THE PROVISIONS OF THIS TITLE AND ARE AS  
16 FOLLOWS:

17 (1) THE ANNUAL FEE FOR A COMMERCIAL DRIVER'S LICENSE  
18 DESIGNATION SHALL BE \$10.

19 (2) IN ADDITION TO ANY OTHER RESTORATION FEE REQUIRED BY  
20 THIS TITLE, AN ADDITIONAL RESTORATION FEE OF \$50 SHALL BE  
21 ASSESSED AND COLLECTED BEFORE REINSTATING A COMMERCIAL  
22 DRIVER'S OPERATING PRIVILEGE FOLLOWING A SUSPENSION OR  
23 REVOCATION UNDER THIS TITLE OR DISQUALIFICATION UNDER THIS  
24 CHAPTER.

25 (3) IF THE COMMERCIAL DRIVING PRIVILEGE OF A DRIVER IS  
26 DISQUALIFIED, A CLASS C NONCOMMERCIAL OR M LICENSE, IF THE  
27 DRIVER POSSESSES THE MOTORCYCLE QUALIFICATION, MAY BE  
28 OBTAINED UPON PAYMENT OF THE FEES ASSOCIATED WITH OBTAINING A  
29 DUPLICATE LICENSE.

30 § 1618. FINES EXEMPT FROM JUDICIAL COMPUTER ACCOUNT.

1 ALL FINES AND PENALTIES IMPOSED BY THIS CHAPTER SHALL BE  
2 DEPOSITED INTO THE MOTOR LICENSE FUND AND SHALL NOT BE SUBJECT  
3 TO THE PROVISIONS OF 42 PA.C.S. § 3733 (RELATING TO DEPOSITS  
4 INTO ACCOUNT).

5 SECTION 4. SECTION 2102(C) OF TITLE 75 IS AMENDED TO READ:

6 § 2102. Identification markers required.

7 \* \* \*

8 (c) Issuance of markers.--

9 (1) Identification markers shall be issued on a 12-month  
10 basis, effective April 1 of each year, and shall be valid  
11 through the next succeeding March 31; however, enforcement of  
12 this section shall not become effective until April 15 of  
13 each year as to motor carrier vehicles displaying the  
14 previous year's identification marker.

15 (2) The Department of Revenue shall have the power and  
16 may designate dealers of motor carrier vehicles, the  
17 department and designated agents of the department located  
18 within this Commonwealth to act as agents for the Department  
19 of Revenue for the purpose of collecting the fee under  
20 subsection (b), processing the necessary papers and issuing a  
21 temporary permit to authorize the operation of a motor  
22 carrier vehicle pending issuance of a permanent  
23 identification marker by the department.

24 \* \* \*

25 Section ~~2~~ 5. Section 2103 of Title 75 is amended by adding a <—  
26 subsection to read:

27 § 2103. False statements and penalties.

28 \* \* \*

29 (a.1) Operation without identification marker.--

30 Notwithstanding the provisions of subsection (b), any person who

1 violates section 2102(d) (relating to identification markers  
2 required) and who can adequately establish an absence of knowing  
3 and willful intent shall be guilty of a summary offense and  
4 shall be sentenced to pay a fine of \$25.

5 \* \* \*

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

7 ~~(1) Section 1 (section 2102) of this act shall take~~  
8 ~~effect in 180 days.~~

9 ~~(2) The remainder of this act shall take effect in 60~~  
10 ~~days.~~

11 SECTION 6. SECTION 3714 OF TITLE 75 IS AMENDED TO READ: <—

12 § 3714. [RECKLESS] CARELESS DRIVING.

13 ANY PERSON WHO DRIVES A VEHICLE IN CARELESS DISREGARD FOR THE  
14 SAFETY OF PERSONS OR PROPERTY IS GUILTY OF [RECKLESS] CARELESS  
15 DRIVING, A SUMMARY OFFENSE.

16 SECTION 7. SECTION 3731 OF TITLE 75 IS AMENDED BY ADDING A  
17 SUBSECTION TO READ:

18 § 3731. DRIVING UNDER INFLUENCE OF ALCOHOL OR CONTROLLED  
19 SUBSTANCE.

20 \* \* \*

21 (I) DRIVING A COMMERCIAL MOTOR VEHICLE WHILE UNDER THE  
22 INFLUENCE OF ALCOHOL OR CONTROLLED SUBSTANCE.--A PERSON SHALL  
23 NOT DRIVE, OPERATE OR BE IN PHYSICAL CONTROL OF THE MOVEMENT OF  
24 ANY COMMERCIAL VEHICLE WHILE:

25 (1) UNDER THE INFLUENCE OF ALCOHOL;

26 (2) UNDER THE INFLUENCE OF ANY CONTROLLED SUBSTANCE AS  
27 DEFINED IN SECTION 1603 (RELATING TO DEFINITIONS);

28 (3) UNDER THE COMBINED INFLUENCE OF ALCOHOL AND ANY  
29 CONTROLLED SUBSTANCE; OR

30 (4) THE AMOUNT OF ALCOHOL BY WEIGHT IN THE PERSON'S



1     BLOOD IS 0.04% OR MORE.

2     SECTION 8.   TITLE 75 IS AMENDED BY ADDING A SECTION TO READ:

3     § 3736.   RECKLESS DRIVING.

4     (A)   GENERAL RULE.--ANY PERSON WHO DRIVES ANY VEHICLE IN  
5     WILLFUL OR WANTON DISREGARD FOR THE SAFETY OF PERSONS OR  
6     PROPERTY IS GUILTY OF RECKLESS DRIVING.

7     (B)   PENALTY.--ANY PERSON WHO VIOLATES THIS SECTION COMMITS A  
8     SUMMARY OFFENSE AND SHALL, UPON CONVICTION, BE SENTENCED TO PAY  
9     A FINE OF \$200.

10    SECTION 9.   SECTION 6146 OF TITLE 75 IS AMENDED TO READ:

11    § 6146.   ENFORCEMENT AGREEMENTS.

12    THE SECRETARY MAY ENTER INTO AGREEMENTS RELATING TO  
13    ENFORCEMENT OF THIS TITLE, INCLUDING, BUT NOT LIMITED TO[, ]:

14       (1)   THE DRIVER LICENSE COMPACT AND ANY OTHER   AGREEMENTS  
15       TO NOTIFY ANY STATE OF VIOLATIONS INCURRED BY RESIDENTS OF  
16       THAT STATE[, ];

17       (2)   AGREEMENTS TO SUSPEND OR REVOKE THE OPERATING  
18       PRIVILEGE OF PENNSYLVANIA LICENSED DRIVERS WHO ARE CONVICTED  
19       IN FEDERAL COURT OR IN ANOTHER STATE OF ANY OFFENSE  
20       ESSENTIALLY SIMILAR TO THOSE ENUMERATED IN [SUBCHAPTER B OF  
21       CHAPTER 37 (RELATING TO SERIOUS TRAFFIC OFFENSES) AND]  
22       SECTION 1532(A) AND (B) (RELATING TO SUSPENSION OR REVOCATION  
23       OF OPERATING PRIVILEGE);

24       (3)   AGREEMENTS TO DISQUALIFY THE COMMERCIAL DRIVING  
25       PRIVILEGE OF PENNSYLVANIA-LICENSED DRIVERS CONVICTED IN  
26       FEDERAL COURT OR IN ANOTHER STATE OF OFFENSES ESSENTIALLY  
27       SIMILAR TO THOSE RESULTING IN DISQUALIFICATION UNDER SECTION  
28       1611 (RELATING TO DISQUALIFICATION);

29       (4)   AGREEMENTS TO ESTABLISH PROCEDURES FOR THE SEIZURE  
30       OF SUSPENDED, REVOKED OR DISQUALIFIED DRIVERS' LICENSES OF

1 RESIDENTS OF OTHER STATES; AND

2 (5) AGREEMENTS TO TAKE MEASURES TO ASSURE TAKING OF  
3 CHEMICAL TESTS OF BREATH, BLOOD OR URINE AND PAYMENT OF FINES  
4 OR ATTENDANCE AT HEARINGS BY PERSONS CHARGED WITH THESE OR  
5 OTHER VIOLATIONS.

6 SECTION 10. SECTION 6323(2) OF TITLE 75 IS AMENDED AND THE  
7 SECTION IS AMENDED BY ADDING A PARAGRAPH TO READ:

8 § 6323. REPORTS BY COURTS.

9 SUBJECT TO ANY INCONSISTENT PROCEDURES AND STANDARDS RELATING  
10 TO REPORTS AND TRANSMISSION OF FUNDS PRESCRIBED PURSUANT TO  
11 TITLE 42 (RELATING TO JUDICIARY AND JUDICIAL PROCEDURE):

12 \* \* \*

13 (2) A RECORD OF THE JUDGMENT SHALL ALSO BE FORWARDED TO  
14 THE DEPARTMENT UPON CONVICTION OR ACQUITTAL OF A PERSON OF A  
15 FELONY, A MISDEMEANOR OF THE FIRST DEGREE OR A MISDEMEANOR OF  
16 THE SECOND DEGREE IN THE COMMISSION OF WHICH THE JUDGE  
17 DETERMINES THAT A MOTOR VEHICLE WAS ESSENTIALLY INVOLVED.

18 \* \* \*

19 (4) THE RECORD OF JUDGMENT REQUIRED TO BE SENT TO THE  
20 DEPARTMENT BY SUBSECTIONS (1) AND (2) SHALL INDICATE IF THE  
21 VEHICLE DRIVEN BY THE PERSON WAS A COMMERCIAL MOTOR VEHICLE.

22 SECTION 11. SECTION 6501(A) OF TITLE 75 IS AMENDED AND THE  
23 SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:

24 § 6501. DEFINITION OF CONVICTION.

25 (A) GENERAL RULE.--FOR THE PURPOSES OF THIS TITLE, A  
26 CONVICTION INCLUDES A PLEA OF GUILTY, A PLEA OF NOLO CONTENDERE,  
27 A FINDING OF GUILTY BY A COURT OR ADMINISTRATIVE PROCEEDING, AN  
28 ADJUDICATION OF DELINQUENCY BY A COURT OR AN UNVACATED  
29 FORFEITURE OF BAIL OR COLLATERAL DEPOSITED TO SECURE A  
30 DEFENDANT'S APPEARANCE IN COURT.

1       \* \* \*

2       (C) CERTIFIED RECORD OF CONVICTIONS.--FOR THE PURPOSE OF  
3 THIS TITLE, A CERTIFIED RECORD OF CONVICTION INCLUDES A  
4 CERTIFIED RECORD OF CONVICTION FROM ANY FEDERAL OR STATE COURT  
5 AND A CERTIFIED RECORD OF ADMINISTRATIVE ADJUDICATION FROM ANY  
6 STATE. THESE RECORDS OR COPIES OF THESE RECORDS SHALL BE  
7 ADMISSIBLE IN ANY COURT OF LAW WITHOUT ANY NEED FOR FURTHER  
8 DOCUMENTATION.

9       SECTION 12. (A) FOR PURPOSES OF 75 PA.C.S. § 1606(A)  
10 (RELATING TO REQUIREMENT FOR COMMERCIAL DRIVER'S LICENSE), A  
11 DRIVER WITH A VALID DRIVER'S LICENSE ENDORSED WITH CLASS 2, 3 OR  
12 4 SHALL BE CONSIDERED A COMMERCIAL DRIVER UNTIL SUCH TIME AS  
13 ESTABLISHED BY REGULATION.

14       (B) THE DEPARTMENT OF TRANSPORTATION SHALL REQUIRE  
15 APPLICANTS WITH VALID CLASS 2, 3 OR 4 LEARNERS' PERMITS ISSUED  
16 PRIOR TO THE EFFECTIVE DATE OF THIS ACT TO TAKE THE EXAMINATIONS  
17 REQUIRED BY THIS ACT.

18       (C) THE DEPARTMENT SHALL SEND TO A DRIVER HOLDING A VALID  
19 CLASS 2, 3 OR 4 LICENSE ISSUED BY THE DEPARTMENT WHICH EXPIRES  
20 BEFORE APRIL 1, 1992, AN APPLICATION FOR A COMMERCIAL DRIVER'S  
21 LICENSE WITH HIS LICENSE RENEWAL SO THAT HE MAY OBTAIN A  
22 COMMERCIAL DRIVER'S LICENSE UNDER THIS ACT UPON SUCCESSFULLY  
23 MEETING THE REQUIREMENTS OF 75 PA.C.S. § 1607 (RELATING TO  
24 COMMERCIAL DRIVER'S LICENSE QUALIFICATION STANDARDS) AND PAYMENT  
25 OF THE REQUIRED FEES. A DRIVER WITH A VALID CLASS 3 LICENSE  
26 ISSUED BY THE DEPARTMENT SHALL BE ELIGIBLE TO MAKE APPLICATION  
27 FOR A CLASS A, B OR C COMMERCIAL DRIVER'S LICENSE. EXCEPT AS  
28 PROVIDED ELSEWHERE IN THIS SECTION, A DRIVER WITH A VALID CLASS  
29 2 OR 4 LICENSE ISSUED BY THE DEPARTMENT SHALL BE ELIGIBLE TO  
30 MAKE APPLICATION FOR A CLASS B OR C COMMERCIAL DRIVER'S LICENSE.

1 IF A DRIVER HAS NOT PASSED THE COMMERCIAL DRIVER'S LICENSE TEST  
2 BY THE DATE ESTABLISHED BY THE DEPARTMENT, HIS CLASS 2, 3 OR 4  
3 LICENSE SHALL BE VALID ONLY AS A CLASS C NONCOMMERCIAL LICENSE  
4 AS DEFINED IN 75 PA.C.S. § 1504(D)(3) (RELATING TO CLASSES OF  
5 LICENSES).

6 (D) THE DEPARTMENT SHALL SEND TO A DRIVER HOLDING A VALID  
7 CLASS 2, 3 OR 4 DRIVER'S LICENSE ISSUED BY THE DEPARTMENT WHICH  
8 EXPIRES AFTER APRIL 1, 1992, AN APPLICATION FOR A COMMERCIAL  
9 DRIVER'S LICENSE WHICH SHALL INDICATE THAT HIS CLASS 2, 3 OR 4  
10 LICENSE SHALL EXPIRE ON A DATE ESTABLISHED BY THE DEPARTMENT. A  
11 DRIVER WITH A VALID CLASS 3 LICENSE ISSUED BY THE DEPARTMENT  
12 SHALL BE ELIGIBLE TO MAKE APPLICATION FOR A CLASS A, B OR C  
13 COMMERCIAL DRIVER'S LICENSE. A DRIVER WITH A VALID CLASS 2 OR 4  
14 LICENSE ISSUED BY THE DEPARTMENT SHALL BE ELIGIBLE TO MAKE  
15 APPLICATION FOR A CLASS B OR C COMMERCIAL DRIVER'S LICENSE.  
16 EXCEPT AS PROVIDED ELSEWHERE IN THIS SECTION, IF A DRIVER HAS  
17 NOT PASSED THE COMMERCIAL DRIVER'S LICENSE TEST BY THE DATE  
18 ESTABLISHED BY THE DEPARTMENT, HIS CLASS 2, 3 OR 4 LICENSE SHALL  
19 BE VALID ONLY AS A CLASS C NONCOMMERCIAL LICENSE AS DEFINED IN  
20 75 PA.C.S. § 1504(D)(3) (RELATING TO CLASSES OF LICENSES). UPON  
21 MEETING THE REQUIREMENTS OF 75 PA.C.S. § 1607 AND PAYMENT OF THE  
22 APPROPRIATE FEES, THE DRIVER SHALL BE ISSUED A COMMERCIAL  
23 DRIVER'S LICENSE.

24 (E) A DRIVER WITH A VALID CLASS 2, 3 OR 4 LICENSE ISSUED BY  
25 THE DEPARTMENT, WHO FAILS THREE TIMES, OR DOES NOT PASS BY THE  
26 DATE ESTABLISHED BY THE DEPARTMENT, THE DRIVING SKILLS TESTS  
27 REQUIRED FOR A COMMERCIAL DRIVER'S LICENSE UNDER 75 PA.C.S. §  
28 1607, MUST MAKE AN APPLICATION FOR A COMMERCIAL LEARNER'S PERMIT  
29 IN ORDER TO OBTAIN A COMMERCIAL DRIVER'S LICENSE; AND THE CLASS  
30 2, 3 OR 4 LICENSE SHALL BE RATED ONLY AS A CLASS C LICENSE AS

1   DEFINED IN 75 PA.C.S. § 1504(D)(3) (RELATING TO CLASSES OF  
2   LICENSES).

3       (F)   A DRIVER WITH A VALID CLASS 2, 3 OR 4 LICENSE ISSUED BY  
4   THE DEPARTMENT WHO IS NOT REQUIRED BY THE DEPARTMENT TO TAKE, OR  
5   PASSES BY THE DATE ESTABLISHED BY THE DEPARTMENT, THE DRIVING  
6   SKILLS TEST REQUIRED FOR A COMMERCIAL DRIVER'S LICENSE UNDER 75  
7   PA.C.S. § 1607 (RELATING TO COMMERCIAL DRIVER'S LICENSE  
8   QUALIFICATION STANDARDS) AND WHO HAS TAKEN THE KNOWLEDGE TESTS  
9   UNDER 75 PA.C.S. § 1607 THREE TIMES BUT FOR THE THIRD TIME FAILS  
10  TO PASS THE KNOWLEDGE TESTS BY THE DATE ESTABLISHED BY THE  
11  DEPARTMENT SHALL BE PERMITTED TO EXTEND THE OPPORTUNITY TO TAKE  
12  THE COMMERCIAL DRIVER'S LICENSE KNOWLEDGE TESTS FOR ADDITIONAL  
13  TESTING PERIODS OF 120 DAYS OR UNTIL MARCH 31, 1992, WHICHEVER  
14  OCCURS FIRST, UPON PAYMENT OF A \$15 TEST EXTENSION FEE FOR EACH  
15  ADDITIONAL EXTENSION. THE DRIVER'S CLASS 2, 3 OR 4 LICENSE SHALL  
16  REMAIN VALID FOR THE TEST-EXTENSION PERIOD. IF THE DRIVER FAILS  
17  TO REQUEST AN EXTENSION UNDER THIS SUBSECTION OR FAILS TO PASS  
18  THE KNOWLEDGE TEST BY MARCH 31, 1992, THE CLASS 2, 3 OR 4  
19  LICENSE SHALL BE VALID ONLY AS A CLASS C NONCOMMERCIAL LICENSE  
20  AS DEFINED IN 75 PA.C.S. § 1504(D)(3).

21       (G)   A DRIVER HOLDING A VALID CLASS 1 DRIVER'S LICENSE ISSUED  
22  BY THE DEPARTMENT WHICH EXPIRES AFTER NOVEMBER 1, 1990, SHALL BE  
23  CONSIDERED TO BE A CLASS C NONCOMMERCIAL DRIVER UNTIL EXPIRATION  
24  OF THE LICENSE.

25       (H)   A DRIVER HOLDING A VALID CLASS 5 OR 6 DRIVER'S LICENSE  
26  ISSUED BY THE DEPARTMENT WHICH EXPIRES AFTER NOVEMBER 1, 1990,  
27  SHALL BE CONSIDERED TO BE A CLASS M DRIVER UNTIL THE EXPIRATION  
28  OF THE LICENSE.

29       SECTION 13.   THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

30           (1)   SECTION 3 (SECTIONS 1604(D), 1605(C), 1606(C) AND

1 (D), 1611, 1612 AND 1613) OF THIS ACT SHALL TAKE EFFECT APRIL  
2 1, 1992.

3 (2) SECTION 3 (SECTION 1607) OF THIS ACT SHALL TAKE  
4 EFFECT IMMEDIATELY.

5 (3) SECTION 3 (SECTION 1610(C)) OF THIS ACT SHALL TAKE  
6 EFFECT WHEN THE DEPARTMENT OF TRANSPORTATION HAS ACCESS TO  
7 THE COMMERCIAL DRIVER'S LICENSE INFORMATION SYSTEM, BUT NO  
8 LATER THAN APRIL 1, 1992.

9 (4) SECTION 4 (SECTION 2102) OF THIS ACT SHALL TAKE  
10 EFFECT IN 180 DAYS.

11 (5) SECTION 5 (SECTION 2103) OF THIS ACT SHALL TAKE  
12 EFFECT IN 60 DAYS.

13 (6) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT NOVEMBER  
14 1, 1990.