

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1108 Session of
2015

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

REFERRED TO TRANSPORTATION, JANUARY 15, 2016

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in general provisions, further providing for
3 definitions; in licensing of drivers, further providing for
4 classes of licenses and for examination of applicant for
5 driver's license; in special vehicles and pedestrians,
6 providing for certain passengers prohibited in autocycles;
7 and, in accidents and accident reports, further providing for
8 accident report forms and for department to compile, tabulate
9 and analyze accident reports.

10 The General Assembly of the Commonwealth of Pennsylvania
11 hereby enacts as follows:

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

15 § 102. Definitions.

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

21 * * *

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

4 * * *

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

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

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

12 The term includes an autocycle.

13 * * *

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

16 § 1504. Classes of licenses.

17 * * *

18 (c) Qualifications of applicants.--

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

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

30 (d) Number and description of classes.--Licenses issued by

1 the department shall be classified in the following manner:

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

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

11 (ii) Where required under this title, appropriate
12 endorsements must be obtained.

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

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

22 (ii) Where required under this title, appropriate
23 endorsements must be obtained.

24 (3) Class C.--A Class C license shall be issued to those
25 persons 18 years of age or older, except as provided in
26 section 1503 (relating to persons ineligible for licensing;
27 license issuance to minors; junior driver's license), who
28 have demonstrated their qualifications to operate any single
29 vehicle, except those vehicles requiring a Class M
30 qualification, with a gross vehicle weight rating of not more

1 than 26,000 pounds or any combination of vehicles, except
2 combination vehicles involving motorcycles, that does not
3 meet the definition of either Class A or Class B of this
4 section.

5 (i) Where required under this title, appropriate
6 endorsements must be obtained.

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

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

1 such issuance constituted a crime, actual fraud, actual
2 malice or willful misconduct.

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

10 (4) Class M.--

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

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

21 * * *

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

24 § 1508. Examination of applicant for driver's license.

25 * * *

26 (g) Autocycles not to be used.--No applicant for a driver's
27 license may use an autocycle for the actual demonstration of
28 ability to exercise ordinary and reasonable control in the
29 operation of a motor vehicle of the type or class of vehicles
30 for which the applicant desires a license to drive.

1 Section 4. Title 75 is amended by adding a section to read:

2 § 3527. Certain passengers prohibited in autocycles.

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

8 Section 5. Sections 3752(a) and 3753(b) of Title 75 are
9 amended by adding a paragraph to read:

10 § 3752. Accident report forms.

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

22 * * *

23 § 3753. Department to compile, tabulate and analyze accident
24 reports.

25 * * *

26 (b) Central accident analysis system.--The department shall
27 provide accident data for analysis in selecting crash prevention
28 programs and in evaluating the effectiveness of those programs
29 implemented. The system shall provide an annual report to the
30 General Assembly assessing traffic safety in Pennsylvania,

1 including, but not limited to, an analysis of accident
2 characteristics and mitigation strategies to reduce the
3 potential for future accidents. In addition, the system shall be
4 capable of providing:

5 * * *

6 (7) When information or data relating to motorcycles
7 appears or is used in the system, the information and data
8 shall be separated from information or data relating to other
9 types of motorcycles.

10 * * *

11 Section 6. This act shall take effect as follows:

12 (1) This section shall take effect immediately.

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

15 (3) The remainder of this act shall take effect in 60
16 days.