

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 58

Session of  
1983

INTRODUCED BY HOLL, JANUARY 17, 1983

REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,  
JANUARY 17, 1983

AN ACT

1 Amending Title 66 (Public Utilities) of the Pennsylvania  
2 Consolidated Statutes, providing for the transportation of  
3 property of unusual value, including money and securities, in  
4 armored motor vehicles.

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

7 Section 1. The definition of "common carrier by motor  
8 vehicle" in section 102 of Title 66 of the Pennsylvania  
9 Consolidated Statutes is amended by adding a paragraph to read:  
10 § 102. Definitions.

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

16 \* \* \*

17 "Common carrier by motor vehicle." Any common carrier who or  
18 which holds out or undertakes the transportation of passengers

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

11 \* \* \*

12 (10) Any person or corporation who or which uses, or  
13 furnishes for use, armored motor vehicles for the  
14 transportation of property of unusual value, including money  
15 and securities.

16 \* \* \*

17 Section 2. Paragraph (2) of the definition of "contract  
18 carrier by motor vehicle" in section 2501(b) of Title 66 is  
19 amended to read:

20 § 2501. Declaration of policy and definitions.

21 \* \* \*

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

25 \* \* \*

26 "Contract carrier by motor vehicle."

27 \* \* \*

28 (2) The term "contract carrier by motor vehicle" does  
29 not include:

30 (i) A lessor under a lease given on a bona fide sale

1 of a motor vehicle where the lessor retains or assumes no  
2 responsibility for maintenance, supervision or control of  
3 the motor vehicle so sold.

4 (ii) Any bona fide agricultural cooperative  
5 association transporting property exclusively for the  
6 members of such association on a nonprofit basis, or any  
7 independent contractor hauling exclusively for such  
8 association.

9 (iii) Any owner or operator of a farm transporting  
10 agricultural products from or farm supplies to such farm,  
11 or any independent contractor hauling agricultural  
12 products or farm supplies, exclusively, for one or more  
13 owners or operators of farms.

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

1 school district or jointure in which the school is  
2 located, or with a school district that is a member of a  
3 jointure in which the school is located if the jointure  
4 has no contracts with other persons for the  
5 transportation of students between their homes and  
6 school, and if the person maintains a copy of all  
7 contracts in the vehicle at all times, or children  
8 between their homes and Sunday school in any motor  
9 vehicle operated under contract with the school district,  
10 private school or parochial school.

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

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

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

20 (viii) Transportation by towing of wrecked or  
21 disabled motor vehicles.

22 (ix) Any person or corporation who or which  
23 furnishes transportation for any injured, ill or dead  
24 person.

25 (x) Any person or corporation who or which uses, or  
26 furnishes for use, armored motor vehicles for the  
27 transportation of property of unusual value, including  
28 money and securities.

29 Section 3. This act shall take effect in 60 days.