

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1553 Session of
2001

INTRODUCED BY CIVERA, T. ARMSTRONG, M. BAKER, BARLEY, BARRAR, BELFANTI, CALTAGIRONE, CAPPELLI, CREIGHTON, CRUZ, DALEY, DALLY, DERMODY, DeWEESE, FEESE, FICHTER, FLEAGLE, FORCIER, GEIST, GODSHALL, HARHAI, HARHART, HESS, HORSEY, HUTCHINSON, KELLER, KREBS, LaGROTTA, LAUGHLIN, LEH, LESCOVITZ, McCALL, McILHATTAN, McNAUGHTON, METCALFE, NICKOL, PALLONE, PETRARCA, PHILLIPS, READSHAW, ROHRER, ROONEY, ROSS, SAINATO, SANTONI, SATHER, SAYLOR, SHANER, S. H. SMITH, SOLOBAY, STERN, R. STEVENSON, T. STEVENSON, SURRA, E. Z. TAYLOR, THOMAS, WALKO, WANSACZ, WOJNAROSKI, YEWCIC, YOUNGBLOOD, TRELLO, HASAY, ROBERTS, HANNA, SCHULER, PIPPY, COLEMAN, STEELMAN, WATERS, BENNINGHOFF AND S. MILLER, MAY 8, 2001

SENATOR MADIGAN, TRANSPORTATION, IN SENATE, AS AMENDED,
OCTOBER 9, 2002

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for CLASSES OF LICENSES, FOR <—
3 LEARNERS' PERMITS, FOR NOTICE OF CHANGE OF NAME OR ADDRESS
4 AND FOR, footrests and handlebars on motorcycles; providing
5 for lighted lamp requirements for motorcycles; and further
6 providing for periods for requiring lighted lamps and for
7 scope and application of provisions relating to size, weight
8 and load.

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

11 ~~Section 1. Section 3524 of Title 75 of the Pennsylvania~~ <—
12 ~~Consolidated Statutes is amended to read:~~

13 SECTION 1. SECTIONS 1504(D)(4), 1505(C), 1515 AND 3524 OF <—
14 TITLE 75 OF THE PENNSYLVANIA CONSOLIDATED STATUTES ARE AMENDED
15 TO READ:

1 § 1504. CLASSES OF LICENSES.

2 * * *

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

5 * * *

6 (4) CLASS M.--A CLASS M LICENSE SHALL BE ISSUED TO THOSE
7 PERSONS WHO HAVE DEMONSTRATED THEIR QUALIFICATIONS TO OPERATE
8 A MOTORCYCLE, INCLUDING SUCCESSFUL COMPLETION BY PERSONS 16
9 OR 17 YEARS OF AGE OF THE PROGRAM UNDER SECTION 7911
10 (RELATING TO MOTORCYCLE SAFETY EDUCATION PROGRAM). A CLASS M
11 LICENSE ACCOMPANIED BY AN ENDORSEMENT SHALL BE ISSUED TO
12 THOSE PERSONS WHO HAVE DEMONSTRATED THEIR QUALIFICATIONS TO
13 OPERATE A MOTOR-DRIVEN CYCLE. IF A PERSON IS QUALIFIED TO
14 OPERATE ONLY A MOTORCYCLE OR MOTOR-DRIVEN CYCLE, HE SHALL BE
15 ISSUED ONLY A CLASS M LICENSE OR A CLASS M LICENSE WITH AN
16 ENDORSEMENT, AS APPLICABLE.

17 * * *

18 § 1505. LEARNERS' PERMITS.

19 * * *

20 (C) OPERATION OF MOTORCYCLE.--A MOTORCYCLE LEARNER'S PERMIT
21 ENTITLES THE PERSON TO WHOM IT IS ISSUED TO OPERATE A MOTORCYCLE
22 ONLY BETWEEN SUNRISE AND SUNSET AND, EXCEPT FOR A DRIVER
23 LICENSED TO DRIVE ANOTHER CLASS OF VEHICLE, ONLY WHILE UNDER THE
24 INSTRUCTION AND IMMEDIATE SUPERVISION OF A LICENSED MOTORCYCLE
25 OPERATOR. MOTORCYCLE LEARNERS SHALL NOT CARRY ANY PASSENGER
26 OTHER THAN AN INSTRUCTOR PROPERLY LICENSED TO OPERATE A
27 MOTORCYCLE. A MOTORCYCLE LEARNER'S PERMIT SHALL NOT BE ISSUED TO
28 A PERSON 16 OR 17 YEARS OF AGE WHO HAS NOT SUCCESSFULLY
29 COMPLETED THE PROGRAM UNDER SECTION 7911 (RELATING TO MOTORCYCLE
30 SAFETY EDUCATION PROGRAM).

1 * * *

2 § 1515. NOTICE OF CHANGE OF NAME OR ADDRESS.

3 (A) DRIVER'S LICENSE.--WHENEVER ANY PERSON AFTER APPLYING
4 FOR OR RECEIVING A DRIVER'S LICENSE MOVES FROM THE ADDRESS NAMED
5 IN THE APPLICATION OR IN THE DRIVER'S LICENSE ISSUED OR WHEN THE
6 NAME OF A LICENSEE IS CHANGED SUCH PERSON SHALL, WITHIN 15 DAYS
7 THEREAFTER, NOTIFY THE DEPARTMENT [IN WRITING] OF THE OLD AND
8 NEW ADDRESSES OR OF SUCH FORMER AND NEW NAMES AND OF THE NUMBER
9 OF ANY LICENSE THEN HELD BY THE PERSON. THE DEPARTMENT SHALL BE
10 NOTIFIED OF A CHANGE OF NAME IN WRITING.

11 (B) IDENTIFICATION CARD.--WHENEVER ANY PERSON AFTER APPLYING
12 FOR OR RECEIVING A DEPARTMENT-ISSUED IDENTIFICATION CARD MOVES
13 FROM THE ADDRESS NAMED IN THE APPLICATION OR IDENTIFICATION CARD
14 ISSUED OR WHEN THE NAME OF A CARDHOLDER IS CHANGED SUCH PERSON
15 SHALL, WITHIN 15 DAYS THEREAFTER, NOTIFY THE DEPARTMENT OF THE
16 OLD AND NEW ADDRESSES OR OF SUCH FORMER AND NEW NAMES AND OF THE
17 NUMBER OF ANY IDENTIFICATION CARD THEN HELD BY THE PERSON. THE
18 DEPARTMENT SHALL BE NOTIFIED OF A CHANGE OF NAME IN WRITING.

19 § 3524. Footrests and [handlebars] handhold.

20 [(a) Passengers.--]Any motorcycle carrying a passenger,
21 other than in a sidecar or enclosed cab, shall be equipped with
22 footrests and handhold for the passenger.

23 [(b) Height of handlebars.--No person shall operate any
24 motorcycle with handlebars above shoulder-height of the operator
25 while properly seated upon the motorcycle.]

26 Section 2. Title 75 is amended by adding a section to read:

27 § 3526. Lighted lamp requirements for motorcycles.

28 Notwithstanding the provisions of section 4302 (relating to
29 periods for requiring lighted lamps), the operator of a
30 motorcycle, manufactured during or after 1973, upon a highway

1 shall display the lighted head lamps and other lamps and
2 illuminating devices required under Chapter 43 (relating to
3 lighting equipment) at all times.

4 Section 3. Section 4302 of Title 75 is amended by adding a
5 subsection to read:

6 § 4302. Periods for requiring lighted lamps.

7 * * *

8 (c) Applicability.--This section shall not apply to
9 motorcycles.

10 Section 4. Section 4901(c) of Title 75 is amended and the
11 section is amended by adding a subsection to read:

12 § 4901. Scope and application of chapter.

13 * * *

14 (c) Permit authorizing prohibited movement.--If an
15 overweight or oversize movement cannot be made in any other
16 feasible manner, the permit may authorize the movement to be
17 made in contravention to any provision of this title provided
18 that:

19 (1) the department or local authority determines that
20 the movement is in the public interest; and

21 (2) the movement is escorted by the Pennsylvania State
22 Police, extra-duty Pennsylvania State Police or department
23 personnel [while any provision of this title is being
24 contravened]. If the movement is escorted by extra-duty
25 Pennsylvania State Police or department personnel, the
26 following shall apply:

27 (i) Approval must be obtained from the Pennsylvania
28 State Police.

29 (ii) The permittee shall bear the expense of
30 escorting the movement.

1 (iii) Extra-duty Pennsylvania State Police and
2 department personnel shall be immune from civil or
3 criminal liability arising from escorting a movement in
4 accordance with this paragraph.

5 * * *

6 (e) Definition.--As used in this section, the term "extra-
7 duty Pennsylvania State Police" means sworn members of the
8 Pennsylvania State Police assigned, on a voluntary basis, to
9 perform work outside of their regularly scheduled shift on an
10 overtime basis, to a detail that is the exclusive activity to be
11 performed during the shift assignment.

12 Section 5. This act shall take effect in 60 days.