

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, YEWIC, YOUNGBLOOD, TRELLO, HASAY, ROBERTS, HANNA, SCHULER, PIPPY, COLEMAN, STEELMAN, WATERS, BENNINGHOFF AND S. MILLER, MAY 8, 2001

SENATOR THOMPSON, APPROPRIATIONS, IN SENATE, RE-REPORTED AS AMENDED, NOVEMBER 20, 2002

AN ACT

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

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

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

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

1 ~~TO READ:~~

2 SECTION 1. SECTIONS 1377(B), 1504(D)(4), 1505(C), 1510(B), <—
3 1515, 1786(D) AND (E)(2) AND 3524 OF TITLE 75 OF THE
4 PENNSYLVANIA CONSOLIDATED STATUTES ARE AMENDED TO READ:

5 § 1377. JUDICIAL REVIEW.

6 * * *

7 (B) DOCUMENTATION.--

8 (1) IN ANY PROCEEDING UNDER THIS SECTION, DOCUMENTS
9 RECEIVED BY THE DEPARTMENT FROM A COURT OR FROM AN INSURANCE
10 COMPANY SHALL BE ADMISSIBLE INTO EVIDENCE TO SUPPORT THE
11 DEPARTMENT'S CASE. IN ADDITION, IF THE DEPARTMENT RECEIVES
12 INFORMATION FROM A COURT BY MEANS OF ELECTRONIC TRANSMISSION
13 OR FROM AN INSURANCE COMPANY WHICH IS COMPLYING WITH ITS
14 OBLIGATION UNDER SUBCHAPTER H OF CHAPTER 17 (RELATING TO
15 PROOF OF FINANCIAL RESPONSIBILITY) BY MEANS OF ELECTRONIC
16 TRANSMISSION, IT MAY CERTIFY THAT IT HAS RECEIVED THE
17 INFORMATION BY MEANS OF ELECTRONIC TRANSMISSION, AND THAT
18 CERTIFICATION SHALL BE PRIMA FACIE PROOF OF THE ADJUDICATION
19 AND FACTS CONTAINED IN SUCH AN ELECTRONIC TRANSMISSION.

20 (2) IN A PROCEEDING RELATING TO THE SUSPENSION OF THE
21 REGISTRATION OF A MOTOR VEHICLE IMPOSED UNDER SECTION 1786
22 (RELATING TO REQUIRED FINANCIAL RESPONSIBILITY), THE
23 DEPARTMENT'S CERTIFICATION OF ITS RECEIPT OF DOCUMENTS OR
24 ELECTRONIC TRANSMISSION FROM AN INSURANCE COMPANY INFORMING
25 THE DEPARTMENT THAT THE PERSON'S COVERAGE HAS LAPSED, BEEN
26 CANCELED OR TERMINATED SHALL ALSO CONSTITUTE PRIMA FACIE
27 PROOF THAT THE LAPSE, CANCELLATION OR TERMINATION OF THE
28 POLICY OF INSURANCE DESCRIBED IN THE ELECTRONIC TRANSMISSION
29 WAS EFFECTIVE UNDER THE LAWS OF THIS COMMONWEALTH.

30 § 1504. CLASSES OF LICENSES.

1 * * *

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

4 * * *

5 (4) CLASS M.--A CLASS M LICENSE SHALL BE ISSUED TO THOSE
6 PERSONS WHO HAVE DEMONSTRATED THEIR QUALIFICATIONS TO OPERATE
7 A MOTORCYCLE, INCLUDING SUCCESSFUL COMPLETION BY PERSONS 16
8 OR 17 YEARS OF AGE OF THE PROGRAM UNDER SECTION 7911
9 (RELATING TO MOTORCYCLE SAFETY EDUCATION PROGRAM).

10 THIS PROVISION MAY BE WAIVED WHEN APPLICATION IS ACCOMPANIED ←
11 BY A FORM PRESCRIBED BY THE DEPARTMENT AND SIGNED AND
12 NOTARIZED FROM THE APPLICANT'S PARENT OR LEGAL GUARDIAN
13 STATING THAT THE COURSE WAS NOT AVAILABLE TO THE APPLICANT
14 WITHIN A REASONABLE GEOGRAPHIC LOCATION OR THAT LOCAL COURSES
15 OFFERED HAD BEEN FILLED FOR THE UPCOMING YEAR. A CLASS M
16 LICENSE ACCOMPANIED BY AN ENDORSEMENT SHALL BE ISSUED TO
17 THOSE PERSONS WHO HAVE DEMONSTRATED THEIR QUALIFICATIONS TO
18 OPERATE A MOTOR-DRIVEN CYCLE. IF A PERSON IS QUALIFIED TO
19 OPERATE ONLY A MOTORCYCLE OR MOTOR-DRIVEN CYCLE, HE SHALL BE
20 ISSUED ONLY A CLASS M LICENSE OR A CLASS M LICENSE WITH AN
21 ENDORSEMENT, AS APPLICABLE.

22 * * *

23 § 1505. LEARNERS' PERMITS.

24 * * *

25 (C) OPERATION OF MOTORCYCLE.--A MOTORCYCLE LEARNER'S PERMIT
26 ENTITLES THE PERSON TO WHOM IT IS ISSUED TO OPERATE A MOTORCYCLE
27 ONLY BETWEEN SUNRISE AND SUNSET AND, EXCEPT FOR A DRIVER
28 LICENSED TO DRIVE ANOTHER CLASS OF VEHICLE, ONLY WHILE UNDER THE
29 INSTRUCTION AND IMMEDIATE SUPERVISION OF A LICENSED MOTORCYCLE
30 OPERATOR. MOTORCYCLE LEARNERS SHALL NOT CARRY ANY PASSENGER

1 OTHER THAN AN INSTRUCTOR PROPERLY LICENSED TO OPERATE A
2 MOTORCYCLE. A MOTORCYCLE LEARNER'S PERMIT SHALL NOT BE ISSUED TO
3 A PERSON 16 OR 17 YEARS OF AGE WHO HAS NOT SUCCESSFULLY
4 COMPLETED THE PROGRAM UNDER SECTION 7911 (RELATING TO MOTORCYCLE
5 SAFETY EDUCATION PROGRAM).

6 * * *

7 § 1510. ISSUANCE AND CONTENT OF DRIVER'S LICENSE. <—

8 * * *

9 (B) IDENTIFICATION CARD.--THE DEPARTMENT SHALL, UPON PAYMENT
10 OF THE REQUIRED FEE, ISSUE AN IDENTIFICATION CARD TO ANY PERSON
11 WHO HAS MADE APPLICATION THEREFOR IN SUCH MANNER AS THE
12 DEPARTMENT SHALL PRESCRIBE OR WHOSE DRIVER'S LICENSE HAS BEEN
13 SURRENDERED TO THE DEPARTMENT BECAUSE OF A SUSPENSION OR
14 REVOCATION OF AN OPERATING PRIVILEGE UNDER THIS OR ANY OTHER
15 TITLE. NO MINIMUM AGE IS REQUIRED TO QUALIFY FOR ISSUANCE OF AN
16 IDENTIFICATION CARD. THE IDENTIFICATION CARD SHALL HAVE
17 SUBSTANTIALLY THE SAME CONTENT AS A DRIVER'S LICENSE BUT SHALL
18 CLEARLY INDICATE THAT IT IS NOT A DRIVER'S LICENSE. UPON FAILURE
19 OF ANY PERSON TO PASS ANY EXAMINATION REQUIRED UNDER SECTION
20 1514 (RELATING TO EXPIRATION AND RENEWAL OF DRIVERS' LICENSES),
21 THE DEPARTMENT SHALL, WHERE APPROPRIATE, ISSUE A COMPLIMENTARY
22 IDENTIFICATION CARD AS AN EXPRESSION OF GRATITUDE FOR YEARS OF
23 SAFE DRIVING. THE CARD SHALL ONLY BE ISSUED UPON RECEIPT OF THE
24 PERSON'S DRIVER'S LICENSE.

25 * * *

26 § 1515. NOTICE OF CHANGE OF NAME OR ADDRESS.

27 (A) DRIVER'S LICENSE.--WHENEVER ANY PERSON AFTER APPLYING
28 FOR OR RECEIVING A DRIVER'S LICENSE MOVES FROM THE ADDRESS NAMED
29 IN THE APPLICATION OR IN THE DRIVER'S LICENSE ISSUED OR WHEN THE
30 NAME OF A LICENSEE IS CHANGED SUCH PERSON SHALL, WITHIN 15 DAYS

1 THEREAFTER, NOTIFY THE DEPARTMENT [IN WRITING] OF THE OLD AND
2 NEW ADDRESSES OR OF SUCH FORMER AND NEW NAMES AND OF THE NUMBER
3 OF ANY LICENSE THEN HELD BY THE PERSON. THE DEPARTMENT SHALL BE
4 NOTIFIED OF A CHANGE OF NAME IN WRITING.

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

13 § 1786. REQUIRED FINANCIAL RESPONSIBILITY. <—

14 * * *

15 (D) SUSPENSION OF REGISTRATION AND OPERATING PRIVILEGE.--

16 (1) THE DEPARTMENT OF TRANSPORTATION SHALL SUSPEND THE
17 REGISTRATION OF A VEHICLE FOR A PERIOD OF THREE MONTHS IF IT
18 DETERMINES THE REQUIRED FINANCIAL RESPONSIBILITY WAS NOT
19 SECURED AS REQUIRED BY THIS CHAPTER AND SHALL SUSPEND THE
20 OPERATING PRIVILEGE OF THE OWNER OR REGISTRANT FOR A PERIOD
21 OF THREE MONTHS IF THE DEPARTMENT DETERMINES THAT THE OWNER
22 OR REGISTRANT HAS OPERATED OR PERMITTED THE OPERATION OF THE
23 VEHICLE WITHOUT THE REQUIRED FINANCIAL RESPONSIBILITY. THE
24 OPERATING PRIVILEGE SHALL NOT BE RESTORED UNTIL THE
25 RESTORATION FEE FOR OPERATING PRIVILEGE PROVIDED BY SECTION
26 1960 (RELATING TO REINSTATEMENT OF OPERATING PRIVILEGE OR
27 VEHICLE REGISTRATION) IS PAID.

28 (2) WHENEVER THE DEPARTMENT REVOKES OR SUSPENDS THE
29 REGISTRATION OF ANY VEHICLE UNDER THIS CHAPTER, THE
30 DEPARTMENT SHALL NOT RESTORE THE REGISTRATION UNTIL THE

1 VEHICLE OWNER FURNISHES PROOF OF FINANCIAL RESPONSIBILITY IN
2 A MANNER DETERMINED BY THE DEPARTMENT AND SUBMITS AN
3 APPLICATION FOR REGISTRATION TO THE DEPARTMENT, ACCOMPANIED
4 BY THE FEE FOR RESTORATION OF REGISTRATION PROVIDED BY
5 SECTION 1960. THIS SUBSECTION SHALL NOT APPLY IN THE
6 FOLLOWING CIRCUMSTANCES:

7 [(1)] (I) THE OWNER OR REGISTRANT PROVES TO THE
8 SATISFACTION OF THE DEPARTMENT THAT THE LAPSE IN FINANCIAL
9 RESPONSIBILITY COVERAGE WAS FOR A PERIOD OF LESS THAN 31 DAYS
10 AND THAT THE OWNER OR REGISTRANT DID NOT OPERATE OR PERMIT
11 THE OPERATION OF THE VEHICLE DURING THE PERIOD OF LAPSE IN
12 FINANCIAL RESPONSIBILITY.

13 [(2)] (II) THE OWNER OR REGISTRANT IS A MEMBER OF THE
14 ARMED SERVICES OF THE UNITED STATES, THE OWNER OR REGISTRANT
15 HAS PREVIOUSLY HAD THE FINANCIAL RESPONSIBILITY REQUIRED BY
16 THIS CHAPTER, FINANCIAL RESPONSIBILITY HAD LAPSED WHILE THE
17 OWNER OR REGISTRANT WAS ON TEMPORARY, EMERGENCY DUTY AND THE
18 VEHICLE WAS NOT OPERATED DURING THE PERIOD OF LAPSE IN
19 FINANCIAL RESPONSIBILITY. THE EXEMPTION GRANTED BY THIS
20 PARAGRAPH SHALL CONTINUE FOR 30 DAYS AFTER THE OWNER OR
21 REGISTRANT RETURNS FROM DUTY AS LONG AS THE VEHICLE IS NOT
22 OPERATED UNTIL THE REQUIRED FINANCIAL RESPONSIBILITY HAS BEEN
23 ESTABLISHED.

24 [(3)] (III) THE INSURANCE COVERAGE HAS TERMINATED OR
25 FINANCIAL RESPONSIBILITY HAS LAPSED SIMULTANEOUSLY WITH OR
26 SUBSEQUENT TO EXPIRATION OF A SEASONAL REGISTRATION, AS
27 PROVIDED IN SECTION 1307(A.1) (RELATING TO PERIOD OF
28 REGISTRATION).

29 (3) AN OWNER WHOSE VEHICLE REGISTRATION HAS BEEN
30 SUSPENDED UNDER THIS SUBSECTION SHALL HAVE THE SAME RIGHT OF

1 APPEAL UNDER SECTION 1377 (RELATING TO JUDICIAL REVIEW) AS
2 PROVIDED FOR IN CASES OF THE SUSPENSION OF VEHICLE
3 REGISTRATION FOR OTHER PURPOSES. THE FILING OF THE APPEAL
4 SHALL ACT AS A SUPERSEDEAS, AND THE SUSPENSION SHALL NOT BE
5 IMPOSED UNTIL DETERMINATION OF THE MATTER AS PROVIDED IN
6 SECTION 1377. THE COURT'S SCOPE OF REVIEW IN AN APPEAL FROM A
7 VEHICLE REGISTRATION SUSPENSION SHALL BE LIMITED TO
8 DETERMINING WHETHER:

9 (I) THE VEHICLE IS REGISTERED OR OF A TYPE THAT IS
10 REQUIRED TO BE REGISTERED UNDER THIS TITLE; AND

11 (II) THERE HAS BEEN EITHER NOTICE TO THE DEPARTMENT
12 OF A LAPSE, TERMINATION OR CANCELLATION IN THE FINANCIAL
13 RESPONSIBILITY COVERAGE AS REQUIRED BY LAW FOR THAT
14 VEHICLE OR THAT THE OWNER, REGISTRANT OR DRIVER WAS
15 REQUESTED TO PROVIDE PROOF OF FINANCIAL RESPONSIBILITY TO
16 THE DEPARTMENT, A POLICE OFFICER OR ANOTHER DRIVER AND
17 FAILED TO DO SO. NOTICE TO THE DEPARTMENT OF THE LAPSE,
18 TERMINATION OR CANCELLATION OR THE FAILURE TO PROVIDE THE
19 REQUESTED PROOF OF FINANCIAL RESPONSIBILITY SHALL CREATE
20 A PRESUMPTION THAT THE VEHICLE LACKED THE REQUISITE
21 FINANCIAL RESPONSIBILITY. THIS PRESUMPTION MAY BE
22 OVERCOME BY PRODUCING CLEAR AND CONVINCING EVIDENCE THAT
23 THE VEHICLE WAS INSURED AT ALL RELEVANT TIMES.

24 (4) WHERE AN OWNER OR REGISTRANT'S OPERATING PRIVILEGE
25 HAS BEEN SUSPENDED UNDER THIS SUBSECTION, THE OWNER OR
26 REGISTRANT SHALL HAVE THE SAME RIGHT OF APPEAL UNDER SECTION
27 1550 (RELATING TO JUDICIAL REVIEW) AS PROVIDED FOR IN CASES
28 OF SUSPENSION FOR OTHER REASON. THE COURT'S SCOPE OF REVIEW
29 IN AN APPEAL FROM AN OPERATING PRIVILEGE SUSPENSION SHALL BE
30 LIMITED TO DETERMINING WHETHER:

1 (I) THE VEHICLE WAS REGISTERED OR OF A TYPE REQUIRED
2 TO BE REGISTERED UNDER THIS TITLE; AND

3 (II) THE OWNER OR REGISTRANT OPERATED OR PERMITTED
4 THE OPERATION OF THE SAME VEHICLE WHEN IT WAS NOT COVERED
5 BY FINANCIAL RESPONSIBILITY. THE FACT THAT AN OWNER,
6 REGISTRANT OR OPERATOR OF THE MOTOR VEHICLE FAILED TO
7 PROVIDE COMPETENT EVIDENCE OF INSURANCE, OR THE FACT THAT
8 THE DEPARTMENT RECEIVED NOTICE OF A LAPSE, TERMINATION OR
9 CANCELLATION OF INSURANCE FOR THE VEHICLE, SHALL CREATE A
10 PRESUMPTION THAT THE VEHICLE LACKED THE REQUISITE
11 FINANCIAL RESPONSIBILITY. THIS PRESUMPTION MAY BE
12 OVERCOME BY PRODUCING CLEAR AND CONVINCING EVIDENCE THAT
13 THE VEHICLE WAS INSURED AT THE TIME THAT IT WAS DRIVEN.

14 (5) AN ALLEGED LAPSE, CANCELLATION OR TERMINATION OF A
15 POLICY OF INSURANCE BY AN INSURER MAY ONLY BE CHALLENGED BY
16 REQUESTING REVIEW BY THE INSURANCE COMMISSIONER PURSUANT TO
17 ARTICLE XX OF THE ACT OF MAY 17, 1921 (P.L.682, NO.284),
18 KNOWN AS THE INSURANCE COMPANY LAW OF 1921. PROOF THAT A
19 TIMELY REQUEST HAS BEEN MADE TO THE INSURANCE COMMISSIONER
20 FOR SUCH A REVIEW SHALL ACT AS A SUPERSEDEAS, STAYING THE
21 SUSPENSION OF REGISTRATION OR OPERATING PRIVILEGE UNDER THIS
22 SECTION PENDING A DETERMINATION PURSUANT TO SECTION 2009(A)
23 OF THE INSURANCE COMPANY LAW OF 1921, OR, IN THE EVENT THAT
24 FURTHER REVIEW AT A HEARING IS REQUESTED BY EITHER PARTY, A
25 FINAL ORDER PURSUANT TO SECTION 2009(I) OF THE INSURANCE
26 COMPANY LAW OF 1921.

27 (E) OBLIGATIONS UPON LAPSE, TERMINATION OR CANCELLATION OF
28 FINANCIAL RESPONSIBILITY.--

29 * * *

30 (2) AN INSURER WHO HAS ISSUED A CONTRACT OF MOTOR

1 VEHICLE LIABILITY INSURANCE, OR ANY APPROVED SELF-INSURANCE
2 ENTITY, SHALL NOTIFY THE DEPARTMENT IN A TIMELY MANNER AND IN
3 A METHOD PRESCRIBED BY THE DEPARTMENT'S REGULATIONS. UPON
4 REQUEST OF AN OWNER OR REGISTRANT IN THE CASE OF AN APPEAL
5 BROUGHT BY AN OWNER OR REGISTRANT FOR SUSPENSION UNDER THIS
6 SECTION, AN INSURER SHALL PROVIDE A COPY OF THE NOTICE OF
7 CANCELLATION OR A COPY OF THE INSURER'S FILING PROCEDURES
8 WITH PROOF THAT THE NOTICE WAS WRITTEN IN THE NORMAL COURSE
9 OF BUSINESS AND PLACED IN THE NORMAL COURSE OF MAILING. THE
10 DEPARTMENT SHALL NOT BE REQUIRED TO PRODUCE SUCH COPY OR ANY
11 OTHER PROOF THAT NOTICE OF TERMINATION, LAPSE OR CANCELLATION
12 WAS PROVIDED TO THE OWNER OR REGISTRANT IN ORDER TO SATISFY
13 THE BURDEN OF PROOF IN A PROCEEDING UNDER THIS SECTION.

14 * * *

15 § 3524. Footrests and [handlebars] handhold.

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

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

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

23 § 3526. Lighted lamp requirements for motorcycles.

24 Notwithstanding the provisions of section 4302 (relating to
25 periods for requiring lighted lamps), the operator of a
26 motorcycle, manufactured during or after 1973, upon a highway
27 shall display the lighted head lamps and other lamps and
28 illuminating devices required under Chapter 43 (relating to
29 lighting equipment) at all times.

30 Section 3. Section 4302 of Title 75 is amended by adding a

1 subsection to read:

2 § 4302. Periods for requiring lighted lamps.

3 * * *

4 (c) Applicability.--This section shall not apply to
5 motorcycles.

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

8 § 4901. Scope and application of chapter.

9 * * *

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

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

17 (2) the movement is escorted by the Pennsylvania State
18 Police, extra-duty Pennsylvania State Police or department
19 personnel [while any provision of this title is being
20 contravened]. If WHEN the movement is escorted by extra-duty <—
21 Pennsylvania State Police or department personnel, the
22 following shall apply:

23 (i) Approval must be obtained from the Pennsylvania
24 State Police OR THE DEPARTMENT FOR THE USE OF THEIR <—
25 RESPECTIVE PERSONNEL.

26 (ii) The permittee shall bear the expense TOTAL <—
27 COSTS of escorting the movement.

28 ~~(iii) Extra duty Pennsylvania State Police and~~ <—
29 ~~department personnel shall be immune from civil or~~
30 ~~criminal liability arising from escorting a movement in~~

1 ~~accordance with this paragraph.~~

2 * * *

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

9 Section 5. This act shall take effect ~~in 60 days.~~ <—

10 AS FOLLOWS: <—

11 (1) THIS SECTION SHALL TAKE EFFECT IMMEDIATELY.

12 (2) THE AMENDMENT OF 75 PA.C.S. § 1504(D)(4) SHALL TAKE
13 EFFECT IN 180 DAYS.

14 (3) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT IN 60
15 DAYS.