
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 850 Session of
2005

INTRODUCED BY ORIE, ERICKSON, COSTA AND RAFFERTY,
SEPTEMBER 8, 2005

REFERRED TO TRANSPORTATION, SEPTEMBER 8, 2005

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for medical advisory board, for
3 reports on mental or physical disabilities and for
4 determination of incompetency; and providing for a civil
5 penalty.

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

8 Section 1. Section 1517 of Title 75 of the Pennsylvania
9 Consolidated Statutes is amended to read:

10 § 1517. Medical Advisory Board.

11 (a) Membership.--There shall be a Medical Advisory Board
12 consisting of 13 members appointed by the secretary. The board
13 shall be composed of an authorized representative from the
14 Department of Transportation, [Department of Justice,
15 Governor's] Office of Attorney General, Pennsylvania Advisory
16 Council on Drug and Alcohol Abuse, Department of Health,
17 Pennsylvania State Police and professionals as follows: One
18 neurologist, one doctor of cardiovascular disease, one doctor of
19 internal medicine, one general practitioner, one

1 ophthalmologist, one psychiatrist, one orthopedic surgeon and
2 one optometrist.

3 (b) Duties.--The board may advise the department and review
4 regulations proposed by the department concerning physical and
5 mental criteria including vision standards relating to the
6 licensing of drivers under the provisions of this chapter. The
7 board shall identify testing standards to be used in determining
8 physical and mental criteria and shall publish the standards in
9 the Pennsylvania Bulletin.

10 Section 2. Section 1518(a) of Title 75 is amended and the
11 section is amended by adding a subsection to read:

12 § 1518. Reports on mental or physical disabilities or
13 disorders.

14 (a) Definition of disorders and disabilities.--The Medical
15 Advisory Board shall define disorders [characterized by lapses]
16 which cause an altered level of consciousness or other mental or
17 physical disabilities affecting the ability of a person to drive
18 safely for the purpose of the reports required by this section.

19 * * *

20 (f.1) Penalty.--Any medical personnel or institution head
21 who fails to make a report as required by this section shall pay
22 a civil penalty of \$1,000.

23 * * *

24 Section 3. Section 1519(a) of Title 75 is amended to read:

25 § 1519. Determination of incompetency.

26 (a) General rule.--The department, having cause to believe
27 that a licensed driver or applicant may not be physically or
28 mentally qualified to be licensed, [may] shall require the
29 applicant or driver to undergo one or more of the examinations
30 authorized under this subchapter in order to determine the

1 competency of the person to drive. The department may require
2 the person to be examined by a physician, a certified registered
3 nurse practitioner, a physician assistant or a licensed
4 psychologist designated by the department or may require the
5 person to undergo an examination by a physician, a certified
6 registered nurse practitioner, a physician assistant or a
7 licensed psychologist of the person's choice. If the department
8 designates the physician, a certified registered nurse
9 practitioner, a physician assistant or licensed psychologist,
10 the licensed driver or applicant may, in addition, cause a
11 written report to be forwarded to the department by a physician,
12 a certified registered nurse practitioner, a physician assistant
13 or a licensed psychologist of the driver's or applicant's
14 choice. Vision qualifications may be determined by an
15 optometrist or ophthalmologist. The department shall appoint one
16 or more qualified persons who shall consider all medical reports
17 and testimony in order to determine the competency of the driver
18 or the applicant to drive.

19 * * *

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

21 § 1519.1. Persons taking medication.

22 Any person who has been medically advised to take medication
23 that could alter the level of consciousness of the person,
24 affecting the ability of the person to drive safely, shall be
25 reexamined by their physician at least once every four months.

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