

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 864 Session of 2011

INTRODUCED BY GEIST, MILLER, DENLINGER, FLECK, FREEMAN, GINGRICH, GROVE, HICKERNELL, KILLION, MAJOR, MATZIE, REICHLEY, SCAVELLO, VULAKOVICH, WAGNER, SWANGER AND FABRIZIO, MARCH 1, 2011

SENATOR CORMAN, APPROPRIATIONS, IN SENATE, RE-REPORTED AS AMENDED, JUNE 28, 2012

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for DEFINITIONS, FOR REQUIREMENT ←
3 FOR COMMERCIAL DRIVER'S LICENSE AND FOR the Pedalcycle and
4 Pedestrian Advisory Committee.

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

7 Section 1. Section 3571(b) and (f) of Title 75 of the ←
8 Pennsylvania Consolidated Statutes are amended to read:

9 SECTION 1. THE DEFINITION OF "EMERGENCY VEHICLE" IN SECTION ←
10 102 OF TITLE 75 OF THE PENNSYLVANIA CONSOLIDATED STATUTES IS
11 AMENDED TO READ:

12 § 102. DEFINITIONS.

13 SUBJECT TO ADDITIONAL DEFINITIONS CONTAINED IN SUBSEQUENT
14 PROVISIONS OF THIS TITLE WHICH ARE APPLICABLE TO SPECIFIC
15 PROVISIONS OF THIS TITLE, THE FOLLOWING WORDS AND PHRASES WHEN
16 USED IN THIS TITLE SHALL HAVE, UNLESS THE CONTEXT CLEARLY
17 INDICATES OTHERWISE, THE MEANINGS GIVEN TO THEM IN THIS SECTION:

1 * * *

2 ~~"EMERGENCY VEHICLE." A COUNTY EMERGENCY MANAGEMENT VEHICLE,~~
3 ~~FIRE DEPARTMENT VEHICLE, POLICE VEHICLE, SHERIFF VEHICLE,~~
4 ~~AMBULANCE, ADVANCED LIFE SUPPORT SQUAD VEHICLE, BASIC LIFE~~
5 ~~SUPPORT SQUAD VEHICLE, BLOOD DELIVERY VEHICLE, HUMAN ORGAN~~
6 ~~DELIVERY VEHICLE, HAZARDOUS MATERIAL RESPONSE VEHICLE, ARMED~~
7 ~~FORCES EMERGENCY VEHICLE, ONE VEHICLE OPERATED BY A CORONER OR~~
8 ~~CHIEF COUNTY MEDICAL EXAMINER AND ONE VEHICLE OPERATED BY A~~
9 ~~CHIEF DEPUTY CORONER OR DEPUTY CHIEF COUNTY MEDICAL EXAMINER~~
10 ~~USED FOR ANSWERING EMERGENCY CALLS, A VEHICLE OWNED BY OR LEASED~~
11 ~~TO A REGIONAL EMERGENCY MEDICAL SERVICES COUNCIL THAT IS USED AS~~
12 ~~AUTHORIZED BY THE DEPARTMENT OF HEALTH TO RESPOND TO AN ACTUAL~~
13 ~~OR POTENTIAL DISASTER, MASS CASUALTY SITUATION OR SUBSTANTIAL~~
14 ~~THREAT TO PUBLIC HEALTH, ANY VEHICLE OWNED AND OPERATED BY THE~~
15 ~~PHILADELPHIA PARKING AUTHORITY ESTABLISHED IN ACCORDANCE WITH 53~~
16 ~~PA.C.S. CH. 55 (RELATING TO PARKING AUTHORITIES) AND USED IN THE~~
17 ~~ENFORCEMENT OF 53 PA.C.S. CH. 57 (RELATING TO TAXICABS AND~~
18 ~~LIMOUSINES IN FIRST CLASS CITIES), OR ANY OTHER VEHICLE~~
19 ~~DESIGNATED BY THE STATE POLICE UNDER SECTION 6106 (RELATING TO~~
20 ~~DESIGNATION OF EMERGENCY VEHICLES BY PENNSYLVANIA STATE POLICE),~~
21 ~~OR A PRIVATELY OWNED VEHICLE USED IN ANSWERING AN EMERGENCY CALL~~
22 ~~WHEN USED BY ANY OF THE FOLLOWING:~~

23 ~~(1) A POLICE CHIEF AND ASSISTANT CHIEF.~~

24 ~~(2) A FIRE CHIEF, ASSISTANT CHIEF AND, WHEN A FIRE~~
25 ~~COMPANY HAS THREE OR MORE FIRE VEHICLES, A SECOND OR THIRD~~
26 ~~ASSISTANT CHIEF.~~

27 ~~(3) A FIRE POLICE CAPTAIN AND FIRE POLICE LIEUTENANT.~~

28 ~~(4) AN AMBULANCE CORPS COMMANDER AND ASSISTANT~~
29 ~~COMMANDER.~~

30 ~~(5) A RIVER RESCUE COMMANDER AND ASSISTANT COMMANDER.~~

1 ~~(6) A COUNTY EMERGENCY MANAGEMENT COORDINATOR.~~

2 ~~(7) A FIRE MARSHAL.~~

3 ~~(8) A RESCUE SERVICE CHIEF AND ASSISTANT CHIEF.~~

4 ~~* * *~~

5 ~~SECTION 2. SECTIONS 1606(B) AND 3571(B) AND (F) OF TITLE 75~~
6 ~~ARE AMENDED TO READ:~~

7 ~~§ 1606. REQUIREMENT FOR COMMERCIAL DRIVER'S LICENSE.~~

8 ~~* * *~~

9 ~~(B) EXEMPTIONS. THE FOLLOWING PERSONS ARE NOT REQUIRED TO~~
10 ~~OBTAIN A COMMERCIAL DRIVER'S LICENSE IN ORDER TO DRIVE THE~~
11 ~~COMMERCIAL MOTOR VEHICLE SPECIFIED:~~

12 ~~(1) A PERSON WITH A COMMERCIAL DRIVER LEARNER'S PERMIT~~
13 ~~WHO IS ACCOMPANIED BY THE HOLDER OF A COMMERCIAL DRIVER'S~~
14 ~~LICENSE VALID FOR THE VEHICLE BEING DRIVEN.~~

15 ~~(2) A PERSON IN THE SERVICE OF THE ARMED FORCES OF THE~~
16 ~~UNITED STATES, INCLUDING MEMBERS OF THE RESERVES AND NATIONAL~~
17 ~~GUARD ON ACTIVE DUTY; PERSONNEL ON FULL TIME NATIONAL GUARD~~
18 ~~DUTY; AND PERSONNEL ON INACTIVE NATIONAL GUARD DUTY TRAINING~~
19 ~~OR PART TIME NATIONAL GUARD TRAINING AND NATIONAL GUARD~~
20 ~~MILITARY TECHNICIANS WHO ARE REQUIRED TO WEAR MILITARY~~
21 ~~UNIFORMS; AND ACTIVE DUTY UNITED STATES COAST GUARD PERSONNEL~~
22 ~~WHEN OPERATING COMMERCIAL MOTOR VEHICLES FOR MILITARY~~
23 ~~PURPOSES.~~

24 ~~(3) A PERSON WHO IS A VOLUNTEER OR PAID FIREFIGHTER WITH~~
25 ~~A CLASS C LICENSE AND WHO HAS A CERTIFICATE OF AUTHORIZATION~~
26 ~~FROM HIS FIRE CHIEF WHILE OPERATING A FIRE OR EMERGENCY~~
27 ~~VEHICLE REGISTERED TO THE FIRE DEPARTMENT OR MUNICIPALITY.~~

28 ~~(4) ANY MEMBER OF A RESCUE OR EMERGENCY SQUAD OR COUNTY~~
29 ~~EMERGENCY MANAGEMENT ORGANIZATION WHO IS THE HOLDER OF A~~
30 ~~CLASS C LICENSE AND WHO HAS A CERTIFICATE OF AUTHORIZATION~~

1 ~~FROM THE HEAD OF THE RESCUE OR EMERGENCY SQUAD OR COUNTY~~
2 ~~EMERGENCY MANAGEMENT ORGANIZATION WHILE OPERATING ANY RESCUE~~
3 ~~OR EMERGENCY VEHICLE EQUIPPED WITH AUDIBLE AND VISUAL SIGNALS~~
4 ~~REGISTERED TO THE RESCUE OR EMERGENCY SQUAD [OR],~~
5 ~~MUNICIPALITY OR COUNTY.~~

6 ~~(5) A DRIVER WITH A CLASS C LICENSE OPERATING A FARM~~
7 ~~VEHICLE WHICH IS CONTROLLED AND OPERATED BY A FARMER AND USED~~
8 ~~EXCLUSIVELY TO TRANSPORT AGRICULTURAL PRODUCTS, FARM~~
9 ~~MACHINERY OR FARM SUPPLIES TO OR FROM A FARM. THE FARM~~
10 ~~VEHICLE MAY NOT BE USED IN THE OPERATIONS OF A COMMON OR~~
11 ~~CONTRACT CARRIER AND MAY BE USED ONLY WITHIN A RADIUS OF 150~~
12 ~~MILES OF THE FARM.~~

13 ~~(6) A DRIVER WITH A CLASS C LICENSE OPERATING A SCHOOL~~
14 ~~BUS, SCHOOL VEHICLE OR OTHER COMMERCIAL VEHICLE AT THE~~
15 ~~DIRECTION OF AUTHORIZED EMERGENCY MANAGEMENT PERSONNEL IN A~~
16 ~~TIME OF DECLARED FEDERAL, STATE OR LOCAL EMERGENCY. A PERSON~~
17 ~~DRIVING A SCHOOL BUS, SCHOOL VEHICLE OR OTHER COMMERCIAL~~
18 ~~VEHICLE PURSUANT TO THIS PARAGRAPH SHALL NOT BE SUBJECT TO~~
19 ~~SANCTIONS UNDER THE PROVISIONS OF THIS CHAPTER OR SECTION~~
20 ~~3742.1 (RELATING TO ACCIDENTS INVOLVING DEATH OR PERSONAL~~
21 ~~INJURY WHILE NOT PROPERLY LICENSED).~~

22 * * *

23 SECTION 1. SECTION 3571(B) AND (F) OF TITLE 75 OF THE
24 PENNSYLVANIA CONSOLIDATED STATUTES ARE AMENDED TO READ:

25 § 3571. Pedalcycle and Pedestrian Advisory Committee.

26 * * *

27 (b) Composition.--The committee shall consist of [15] 17
28 members. The members shall be as follows:

29 (1) The Secretary of Transportation, ex officio.

30 (2) The Secretary of Conservation and Natural Resources,



1 ex officio.

2 (3) The chairman and minority chairman of the
3 Transportation Committee of the Senate.

4 (4) The chairman and minority chairman of the
5 Transportation Committee of the House of Representatives.

6 [(5) Nine members of the public representing areas of
7 concern, who must have extensive experience and knowledge of
8 bicycle, pedalcycle, pedestrian and human power issues
9 throughout this Commonwealth, to be appointed by the Governor
10 as follows:

11 (i) One member representing the Bicycling Federation
12 of Pennsylvania.

13 (ii) One member representing the League of American
14 Bicyclists.

15 (iii) One member representing the United States
16 Cycling Federation.

17 (iv) One member representing a Statewide rail-trail
18 organization in this Commonwealth.

19 (v) One member representing the Eastern Paralyzed
20 Veterans Association.

21 (vi) One member representing the general public.

22 (vii) One member representing the Western
23 Pennsylvania Wheelmen.

24 (viii) One member representing the Bicycle Coalition
25 of the Delaware Valley.

26 (ix) One member representing an established
27 pedestrian advocacy group organized within this
28 Commonwealth.]

29 (5) Eleven members of the public representing various
30 bicycling or pedestrian constituencies. Each member shall

1 have relevant expertise and knowledge and shall be familiar
2 with best practices in bicycle or pedestrian policy,
3 planning, design and education. The public members shall be
4 appointed by the Governor as follows:

5 (i) Two members representing urban and suburban
6 constituencies in the Philadelphia and Pittsburgh
7 metropolitan areas.

8 (ii) One member representing Statewide
9 constituencies.

10 (iii) One member representing a metropolitan
11 planning organization or rural planning organization.

12 (iv) One member representing trail constituencies.

13 (v) One member representing pedestrian
14 constituencies.

15 (vi) One member representing senior citizen or
16 disabled constituencies.

17 (vii) One member representing children and education
18 constituencies.

19 (viii) One member representing a recreational
20 cycling club.

21 (ix) Two at-large members representing the general
22 public.

23 Each member set forth in paragraphs (1) through (4) may
24 designate an alternate to serve in his stead, and such member
25 shall notify the chairman in writing of this designation.

26 * * *

27 (f) Powers and duties.--The powers and duties of the
28 committee shall be to advise and comment on all phases of
29 [cycling] bicycling and pedestrian program activities being
30 undertaken or financially assisted by the department and

1 agencies of State government.

2 Section ~~2~~ ~~3~~ 2. This act shall take effect in 60 days.

