
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 422 Session of
2017

INTRODUCED BY ARGALL, GREENLEAF, VULAKOVICH AND RAFFERTY,
FEBRUARY 27, 2017

REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,
FEBRUARY 27, 2017

AN ACT

1 Amending Title 66 (Public Utilities) of the Pennsylvania
2 Consolidated Statutes, in contract carrier by motor vehicle
3 and broker, further providing for declaration of policy and
4 definitions and for regulation and classification of contract
5 carrier and broker.

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

8 Section 1. Section 2501(b) of Title 66 of the Pennsylvania
9 Consolidated Statutes, amended November 4, 2016 (P.L.1222,
10 No.164), is amended to read:

11 § 2501. Declaration of policy and definitions.

12 * * *

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

16 "Broker." Any person or corporation not included in the term
17 "motor carrier" and not a bona fide employee or agent of any
18 such carrier, or group of such carriers, who or which, as
19 principal or agent, sells or offers for sale any transportation

1 by a motor carrier, or the furnishing, providing, or procuring
2 of facilities therefor, or negotiates for, or holds out by
3 solicitation, advertisement, or otherwise, as one who sells,
4 provides, furnishes, contracts, or arranges for such
5 transportation, or the furnishing, providing, or procuring of
6 facilities therefor, other than as a motor carrier directly or
7 jointly, or by arrangement with another motor carrier, and who
8 does not assume custody as a carrier. The term does not include
9 a transportation network company or a transportation network
10 company driver.

11 "Contract carrier by motor vehicle."

12 (1) The term "contract carrier by motor vehicle"
13 includes [any]:

14 (i) Any person or corporation who or which provides
15 or furnishes transportation of passengers or property, or
16 both, or any class of passengers or property, between
17 points within this Commonwealth by motor vehicle for
18 compensation, whether or not the owner or operator of
19 such motor vehicle, or who or which provides or
20 furnishes, with or without drivers, any motor vehicle for
21 such transportation, or for use in such transportation,
22 other than as a common carrier by motor vehicle.

23 (ii) Any person or corporation who or which provides
24 or furnishes transportation of household property between
25 residential dwellings within this Commonwealth by motor
26 vehicle for compensation, owns or operates the motor
27 vehicle and provides or furnishes a driver of the motor
28 vehicle for the transportation or for use in the
29 transportation.

30 (2) The term "contract carrier by motor vehicle" does

1 not include:

2 (i) A lessor under a lease given on a bona fide sale
3 of a motor vehicle where the lessor retains or assumes no
4 responsibility for maintenance, supervision or control of
5 the motor vehicle so sold.

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

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

16 (iv) Transportation of school children for school
17 purposes or to and from school-related activities whether
18 as participants or spectators, with their chaperones, or
19 between their homes and Sunday school in any motor
20 vehicle owned by the school district, private school or
21 parochial school, or the transportation of school
22 children between their homes and school or to and from
23 school-related activities whether as participants or
24 spectators, with their chaperones, if the person
25 performing the school-related transportation has a
26 contract for the transportation of school children
27 between their homes and school, with the private or
28 parochial school, with the school district or jointure in
29 which the school is located, or with a school district
30 that is a member of a jointure in which the school is

1 located if the jointure has no contracts with other
2 persons for the transportation of students between their
3 homes and school, and if the person maintains a copy of
4 all contracts in the vehicle at all times, or children
5 between their homes and Sunday school in any motor
6 vehicle operated under contract with the school district,
7 private school or parochial school. Each school district
8 shall adopt regulations regarding the number of
9 chaperones to accompany students in connection with
10 school-related activities.

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) A transportation network company or a
26 transportation network company driver.

27 Section 2. Section 2502(b) of Title 66 is amended to read:

28 § 2502. Regulation and classification of contract carrier and
29 broker.

30 * * *

1 (b) Classification.--

2 (1) The commission may from time to time establish such
3 classifications of contract carriers by motor vehicle, or
4 brokers, as the special nature of the service of such
5 carriers or brokers shall require and as deemed necessary or
6 desirable in the public interest.

7 (2) The commission shall establish a separate
8 classification for contract carriers by motor vehicle within
9 paragraph (1)(ii) of the definition of "contract carrier by
10 motor vehicle" in section 2501(b) (relating to declaration of
11 policy and definitions). The commission shall require that a
12 contract carrier by motor vehicle classified under this
13 paragraph must be domiciled in this Commonwealth.
14 Section 3. This act shall take effect in 60 days.