

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2092 Session of 2014

INTRODUCED BY M. K. KELLER, MAHER, AUMENT, CAUSER, CUTLER, DENLINGER, GABLER, GIBBONS, GROVE, HAHN, HARHAI, C. HARRIS, HICKERNELL, KAUFFMAN, KNOWLES, MILLARD, STERN, TALLMAN, HARHART, SWANGER, GINGRICH, GRELL, SAYLOR, GODSHALL, MURT, WATSON, SCAVELLO, DUNBAR, EVERETT, BROOKS, SCHLEGEL CULVER, CALTAGIRONE AND BIZZARRO, MARCH 19, 2014

AS AMENDED ON THIRD CONSIDERATION, IN SENATE, OCTOBER 7, 2014

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in general provisions, further providing for
3 definitions; IN LICENSING OF DRIVERS, FURTHER PROVIDING FOR <--
4 EXAMINATION OF APPLICANT FOR DRIVER'S LICENSE; and in
5 commercial drivers, further providing for requirement for
6 commercial driver's license.

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

9 Section 1. Section 102 of Title 75 of the Pennsylvania
10 Consolidated Statutes is amended by adding definitions to read:

11 § 102. Definitions.

12 Subject to additional definitions contained in subsequent
13 provisions of this title which are applicable to specific
14 provisions of this title, the following words and phrases when
15 used in this title shall have, unless the context clearly
16 indicates otherwise, the meanings given to them in this section:

17 * * *

1 "Air-mile." A nautical mile, which is equivalent to 6,076
2 feet. For purposes of this title, 150 air-miles are equivalent
3 to 172.6 miles.

4 * * *

5 "Covered farm vehicle." A motor vehicle with a State-issued
6 designation as a farm vehicle, including a motor vehicle
7 operated in combination, which is:

8 (1) operated by a farmer or by a family member or
9 employee of the farmer;

10 (2) used to transport agricultural commodities,
11 livestock, farm machinery or farm supplies to or from a farm;

12 (3) not used in for-hire motor carrier operations; and

13 (4) not transporting hazardous materials that require a
14 placard.

15 * * *

16 "For-hire motor carrier operations." The transportation of
17 goods or passengers for compensation.

18 * * *

19 SECTION 2. SECTION 1508 OF TITLE 75 IS AMENDED BY ADDING <--
20 SUBSECTIONS TO READ:

21 § 1508. EXAMINATION OF APPLICANT FOR DRIVER'S LICENSE.

22 * * *

23 (E) THIRD-PARTY TESTING.--THE DEPARTMENT MAY AUTHORIZE A
24 THIRD PARTY TO ADMINISTER THE PORTION OF THE EXAMINATION THAT
25 DEMONSTRATES THE APPLICANT'S ABILITY TO EXERCISE ORDINARY AND
26 REASONABLE CONTROL IN THE OPERATION OF A MOTOR VEHICLE OF THE
27 TYPE OR CLASS OF VEHICLES FOR WHICH THE APPLICANT DESIRES A
28 LICENSE TO DRIVE. THIRD-PARTY PROVIDERS SHALL ONLY ADMINISTER
29 EXAMS REQUIRED IN THIS SECTION IF:

30 (1) THE TEST IS THE SAME TEST AS THAT WHICH WOULD

1 OTHERWISE BE ADMINISTERED BY THE DEPARTMENT.

2 (2) THE THIRD PARTY HAS ENTERED INTO AN AGREEMENT WITH
3 THE DEPARTMENT, AND THE AGREEMENT HAS NOT BEEN TERMINATED BY
4 THE DEPARTMENT.

5 (F) LAYOFFS.--NO LAYOFFS SHALL OCCUR IN THE CLASSIFICATIONS
6 KNOWN AS DRIVER LICENSE EXAMINER, DRIVER LICENSE EXAMINER
7 ASSISTANT AND DRIVER LICENSE CENTER SUPERVISOR AS A RESULT OF
8 THIRD-PARTY TESTING UNDER SUBSECTION (E).

9 Section ~~2~~ 3. Section 1606(b) (5) of Title 75 is amended and <--
10 the subsection is amended by adding a paragraph to read:

11 § 1606. Requirement for commercial driver's license.

12 * * *

13 (b) Exemptions.--The following persons are not required to
14 obtain a commercial driver's license in order to drive the
15 commercial motor vehicle specified:

16 * * *

17 (5) A licensed driver [with a Class C license] operating
18 a Pennsylvania covered farm vehicle [which is controlled and
19 operated by a farmer and used exclusively to transport
20 agricultural products, farm machinery or farm supplies to or
21 from a farm. The farm vehicle may not be used in the
22 operations of a common or contract carrier and may be used
23 only within a radius of 150 miles of the farm.] anywhere
24 within this Commonwealth.

25 (5.1) A licensed driver operating a covered farm vehicle
26 from another state when operated within 150 air-miles of the
27 out-of-State farm.

28 * * *

29 Section ~~3~~ 4. This act shall take effect in 60 days. <--