

No. 1992-39

AN ACT

HB 1484

Amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for operations of rescue and emergency squad vehicles and for commercial driver's license.

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

Section 1. Sections 1504(d)(3) and 1606(b) of Title 75 of the Pennsylvania Consolidated Statutes are amended to read:

§ 1504. Classes of licenses.

* * *

(d) Number and description of classes.—Licenses issued by the department shall be classified in the following manner:

* * *

(3) Class C.—A Class C license shall be issued to those persons 18 years of age or older, except as provided in section 1503 (relating to persons ineligible for licensing), who have demonstrated their qualifications to operate any single vehicle with a gross vehicle weight rating of not more than 26,000 pounds or any such vehicle towing a vehicle if the gross combination vehicle weight rating is not more than 26,000 pounds.

(i) Where required under this title, appropriate endorsements must be obtained.

(ii) Any firefighter who is the holder of a Class C license and who has a certificate of authorization from his fire chief shall be authorized to operate any fire or emergency vehicle registered to the fire department *or municipality*, regardless of the other requirements of this section as to the class of license required. No fire chief, fire department, including any volunteer fire company, or municipality shall be liable for any civil damages as a result of the issuance of a certificate authorized under this paragraph unless such act constituted a crime, actual fraud, actual malice or willful misconduct.

(iii) *Any member of a rescue or emergency squad who is the holder of a Class C license and who has a certificate of authorization from the head of the rescue or emergency squad shall be authorized to operate any rescue or emergency vehicle equipped with audible and visual signals registered to the rescue or emergency squad or municipality, regardless of the other requirements of this section as to the class of license required. No head of a rescue or emergency squad, the rescue or emergency squad or municipality shall be liable for any civil damages as a result of the issuance of a certificate of authorization under this paragraph unless such issuance constituted a crime, actual fraud, actual malice or willful misconduct.*

[(iii)] (iv) The holder of a Class C license shall also be authorized to drive a motorized pedalcycle or a three-wheeled motorcycle equipped with an enclosed cab, but not a motorcycle unless the license is endorsed, as provided in this title.

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§ 1606. Requirement for commercial driver's license.

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

(1) A person with a commercial driver learner's permit who is accompanied by the holder of a commercial driver's license valid for the vehicle being driven.

(2) A person in the service of the Armed Forces of the United States, including members of the Reserves and National Guard on active duty; personnel on full-time National Guard duty; and personnel on inactive National Guard duty training or part-time National Guard training and National Guard military technicians who are required to wear military uniforms and are subject to the Uniform Code of Military Justice when operating equipment owned or operated by the Department of Defense.

(3) A person who is a volunteer or paid firefighter with a Class C license and who has a certificate of authorization from his fire chief while operating a fire or emergency vehicle registered to the fire department *or municipality*.

(4) Any member of a rescue or emergency squad who is the holder of a Class C license and who has a certificate of authorization from the head of the rescue or emergency squad while operating any rescue or emergency vehicle equipped with audible and visual signals registered to the rescue or emergency squad or municipality.

[(4)] (5) A driver with a Class C license operating a farm vehicle which is controlled and operated by a farmer and used exclusively to transport agricultural products, farm machinery or farm supplies to or from a farm owned or operated by the owner of the farm vehicle. The farm vehicle may not be used in the operations of a common or contract carrier and may be used only within a radius of 150 miles of the farm.

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Section 2. This act shall take effect immediately.

APPROVED—The 21st day of May, A. D. 1992.

ROBERT P. CASEY