

No. 2016-34

AN ACT

SB 1108

Amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; in licensing of drivers, further providing for classes of licenses and for examination of applicant for driver's license; in special vehicles and pedestrians, providing for certain passengers prohibited in autocycles; in accidents and accident reports, further providing for accident report forms and for department to compile, tabulate and analyze accident reports; and, in size, weight and load, further providing for permit for movement during course of manufacture.

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

Section 1. The definition of "motorcycle" in section 102 of Title 75 of the Pennsylvania Consolidated Statutes is amended and the section is amended by adding a definition to read:

§ 102. Definitions.

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

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"Autocycle." A three-wheeled motorcycle that has a steering wheel and seating that does not require the operator to straddle or sit astride.

* * *

"Motorcycle." A motor vehicle having a seat or saddle for the use of the rider and:

- (1) designed to travel on not more than three wheels in contact with the ground; or
- (2) designed to travel on two wheels in contact with the ground which is modified by the addition of two stabilizing wheels on the rear of the motor vehicle.

The term includes an autocycle.

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Section 2. Section 1504(c) and (d) of Title 75 are amended to read:
§ 1504. Classes of licenses.

* * *

(c) Qualifications of applicants.—

(1) The department shall establish by regulation the qualifications necessary for the safe operation of the various types, sizes or combinations of vehicles and the manner of examining applicants to determine their qualifications for the type or general class of license applied for.

(2) The qualifications for the safe operation of an autocycle shall be the same as for any single vehicle with a gross vehicle weight rating of not more than 26,000 pounds or any combination of vehicles that does not meet the definition of either Class A or Class B of this section.

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

(1) Class A.—A Class A license shall be issued to those persons 18 years of age or older who have demonstrated their qualifications to operate any combination of vehicles with a gross vehicle weight rating of 26,001 pounds or more, provided the gross vehicle weight rating of the vehicle or vehicles being towed is in excess of 10,000 pounds.

(i) The holder of a Class A license shall be deemed qualified to operate those vehicles for which a Class B or Class C license is issued.

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

(2) Class B.—A Class B license shall be issued to those persons 18 years of age or older who have demonstrated their qualifications to operate any single vehicle with a gross vehicle weight rating of 26,001 pounds or more or any such vehicle towing a vehicle having a gross vehicle weight rating of not more than 10,000 pounds.

(i) The holder of a Class B license shall be deemed qualified to operate those vehicles for which a Class C license is issued.

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

(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; license issuance to minors; junior driver's license), who have demonstrated their qualifications to operate any single vehicle, except those vehicles requiring a Class M qualification, with a gross vehicle weight rating of not more than 26,000 pounds or any combination of vehicles, except combination vehicles involving motorcycles, that does not meet the definition of either Class A or Class B of this section.

(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.

(iv) The holder of a Class C license shall also be authorized to drive a motor-driven cycle with an automatic transmission and cylinder capacity not exceeding 50 cubic centimeters [or], a three-wheeled motorcycle equipped with an enclosed cab *or an autocycle*, but not a motorcycle unless the license is endorsed, as provided in this title.

(4) Class M.—

(i) A Class M license shall be issued to those persons who have demonstrated their qualifications to operate a motorcycle. A Class M license accompanied by an endorsement shall be issued to those persons who have demonstrated their qualifications to operate a motor-driven cycle. If a person is qualified to operate only a motorcycle or motor-driven cycle, he shall be issued only a Class M license or a Class M license with an endorsement, as applicable.

(ii) This paragraph shall not apply to an autocycle.

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Section 3. Section 1508 of Title 75 is amended by adding a subsection to read:

§ 1508. Examination of applicant for driver's license.

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(g) Autocycles not to be used.—No applicant for a driver's license may use an autocycle for the actual demonstration of ability to exercise ordinary and reasonable control in the operation of a motor vehicle of the type or class of vehicles for which the applicant desires a license to drive.

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

§ 3527. ***Certain passengers prohibited in autocycles.***

No person who is operating an autocycle may permit a child who is under eight years of age to be a passenger in the autocycle if the child would be required to be secured in a passenger car as provided in section 4581 (relating to restraint systems).

Section 5. Section 3752(a) of Title 75 is amended to read:

§ 3752. Accident report forms.

(a) Form and content.—The department shall prepare and upon request supply to all law enforcement agencies and other appropriate agencies or individuals, forms for written accident reports as required in this subchapter suitable with respect to the persons required to make the reports and the purposes to be served. The written report forms shall call for sufficiently detailed information to disclose with reference to a vehicle accident the cause, conditions then existing and the persons and vehicles involved, ***including separate information or data on autocycles***. Reports for use by the drivers and owners shall also provide for information relating to financial responsibility.

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Section 6. Section 3753(b) of Title 75 is amended by adding a paragraph to read:

§ 3753. Department to compile, tabulate and analyze accident reports.

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(b) Central accident analysis system.—The department shall provide accident data for analysis in selecting crash prevention programs and in evaluating the effectiveness of those programs implemented. The system shall provide an annual report to the General Assembly assessing traffic safety in Pennsylvania, including, but not limited to, an analysis of accident characteristics and mitigation strategies to reduce the potential for future accidents. In addition, the system shall be capable of providing:

* * *

(7) When information or data relating to motorcycles appears or is used in the system, the information and data shall be separated from information or data relating to other types of motorcycles.

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Section 7. Section 4968(a.2)(4) of Title 75 is amended to read:

§ 4968. Permit for movement during course of manufacture.

* * *

(a.2) Specifications.—

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(4) A combination of vehicles which is hauling milk to or from a manufacturer may be permitted by the department and local authorities to move upon highways within their respective jurisdictions 24 hours a day, seven days a week, except during inclement weather as defined in department regulations, if the gross weight does not exceed 95,000 pounds and the weight of any nonsteering axle does not exceed 21,000 pounds. [No] A permit may be issued for this type of movement upon an interstate highway. An application to the department for the movement of milk, except for raw milk, shall designate the route the applicant requests to use.

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Section 8. This act shall take effect as follows:

(1) This section shall take effect immediately.

(2) The amendment or addition of 75 Pa.C.S. §§ 3752(a) and 3753(b)(7) shall take effect January 1, 2018.

(3) The remainder of this act shall take effect in 60 days.

APPROVED—The 25th day of May, A.D. 2016

TOM WOLF