
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. **512** Session of
1961

INTRODUCED BY MR. VAN SANT, APRIL 11, 1961.

REFERRED TO COMMITTEE ON HIGHWAYS, APRIL 11, 1961.

AN ACT

Amending the act of April 29 1959 (P L 58) entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors" providing in certain cases for the licensing of epileptics and persons suffering from other impairments

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

EXPLANATION—CAPITAL LETTERS indicate new matter added to bill. Matter stricken through is to be omitted from bill. Underscoring indicates new matter added to existing law. [Brackets] indicate matter stricken from existing law.

1 Section 1 The act of April 29 1959 (P L 58) known as "The
2 Vehicle Code" is amended by adding after section 604 a new section
3 to read

4 Section 604.1 Certain Epileptics and Others May be Licensed Not-
5 withstanding clause (6) of subsection (a) of section 604 a license effec-
6 tive for six (6) months may be issued to any person subject to episodic
7 impairment of consciousness or loss of muscular control with or without
8 convulsions whose condition is sufficiently under medical control that
9 operation of a motor vehicle on the highways by such person would
10 not be inimical to public safety If an applicant having such condition
11 presents a statement by a physician that the condition is under medical
12 control a license may not be denied the applicant because of such condi-
13 tion unless a medical examination is undertaken and cause for denial
14 of the license is found If the interval during which such condition has
15 been continuously under control is stated by a physician to be at least
16 one (1) year but the applicant is denied a license because of such
17 condition the applicant shall have a right to have his application passed
18 upon de novo by an administrative board appointed by the secretary
19 The board shall have all the powers given to advisory boards and com-
20 missions for the holding of hearings issuance of subpoenas and exam-

1 ination of witnesses and after such hearings as it deems necessary it
2 may approve modify or reverse the decision of the secretary All actions
3 of the board shall be taken and subject to the right of notice hearing
4 and adjudication and the right of appeal therefrom in accordance with
5 the provisions of the act of June 4 1945 (P L 1388) known as the
6 "Administrative Agency Law" or any amendment or reenactment there-
7 of relating to adjudication procedure One or more members of the
8 board shall be physicians qualified in the diagnosis and treatment of
9 episodic disorders of consciousness or muscular control In determining
10 whether applicant's condition is sufficiently under control that operation
11 of a motor vehicle by applicant would not be inimical to public safety
12 due consideration shall be given to the length of time during which the
13 applicant's condition has been under control the extent of medical
14 control of the applicant's condition whether the applicant may be
15 depended upon to continue medication if control is being achieved
16 through medication and other relevant competent and material evi-
17 dence After the first six (6) months' license is issued to an applicant
18 hereunder successive six (6) months' licenses may be issued by the
19 secretary upon the written statement of the attending physician that

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1 such applicant has continued his therapeutic program and has been
2 continuously under medical control during the preceding six (6) months
3 and that he recommends a six (6) months' extension of the license sub-
4 ject to continuation of treatment and reexamination within six (6)
5 months To effectuate the purpose of this section the department shall
6 have power to issue reasonable regulations

7 Section 2 This act shall take effect immediately

We certify that this bill has passed the Senate and the House of
Representatives.

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Chief Clerk, Senate

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President pro tempore, Senate

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Speaker, House of Representatives

Approved The day of A. D. 1961.

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Governor