

No. 2014-170

AN ACT

HB 2092

Amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; in licensing of drivers, further providing for examination of applicant for driver's license; and in commercial drivers, further providing for requirement for commercial driver's license.

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

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

* * *

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

* * *

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

- (1) operated by a farmer or by a family member or employee of the farmer;*
- (2) used to transport agricultural commodities, livestock, farm machinery or farm supplies to or from a farm;*
- (3) not used in for-hire motor carrier operations; and*
- (4) not transporting hazardous materials that require a placard.*

* * *

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

* * *

Section 2. Section 1508 of Title 75 is amended by adding subsections to read:

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

* * *

(e) Third-party testing.—The department may authorize a third party to administer the portion of the examination that demonstrates the applicant's 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. Third-party providers shall only administer exams required in this section if:

(1) The test is the same test as that which would otherwise be administered by the department.

(2) The third party has entered into an agreement with the department and the agreement has not been terminated by the department.

(f) Layoffs.—No layoffs shall occur in the classifications known as Driver License Examiner, Driver License Examiner Assistant and Driver License Center Supervisor as a result of third-party testing under subsection (e).

Section 3. Section 1606(b)(5) of Title 75 is amended and the subsection is amended by adding a paragraph to read:

§ 1606. Requirement for commercial driver's license.

* * *

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

* * *

(5) A licensed driver [with a Class C license] operating a Pennsylvania covered 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. 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.] anywhere within this Commonwealth.

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

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Section 4. This act shall take effect in 60 days.

APPROVED—The 22nd day of October, A.D. 2014

TOM CORBETT