

No. 1986-96

AN ACT

SB 239

Amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for preparation and examination of applicants for drivers' licenses regarding the effects of alcohol and drug use on highway safety and for the acceptance of identification cards as a form of identification; further providing for certain vehicles to stop at railroad crossings, for certain combinations of towed vehicles and for the penalties for certain subsequent convictions.

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

Section 1. Section 1508 of Title 75 of the Pennsylvania Consolidated Statutes is amended by adding a subsection to read:

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

* * *

(c) Alcohol and drug use information.—The traffic laws examination shall contain at least one question relating to the driver's ability to understand the effects of alcohol and drug use on highway safety or the provisions of section 1547 (relating to chemical testing to determine amount of alcohol or controlled substance). The driver's manual shall include a section relating to the effects of alcohol and drug use on highway safety, along with the related penalties.

Section 2. Section 1510 of Title 75 is amended by adding a subsection to read:

§ 1510. Issuance and content of driver's license.

* * *

(e) Use of identification cards.—If a person has an established policy of accepting a driver's license issued pursuant to subsection (a) for the purpose of identification for the acceptance of a check given for payment of purchase or for the cashing of a check, the person shall also accept an identification card issued pursuant to subsection (b) for the same purpose. It shall be a defense to a prosecution under this subsection that the person was not presented with notice of the provisions of this subsection.

Section 3. Sections 3342, 4904(h) and 6503 of Title 75 are amended to read:

§ 3342. Vehicles required to stop at railroad crossings.

(a) General rule.—Except as provided in subsection [(b)] (c), the driver of any vehicle described in regulations issued pursuant to subsection [(c)] (d), before crossing at grade any track or tracks of a railroad, shall stop the vehicle within 50 feet but not less than 15 feet from the nearest rail of the railroad and while so stopped shall listen and look in both directions along the track for any approaching train, and for signals indicating the approach of a train, and shall not proceed until it can be done safely. After stopping and upon proceeding when it is safe to do so the driver of the vehicle shall cross

only in such gear of the vehicle that there will be no necessity for manually changing gears while traversing the crossing and the driver shall not manually shift gears while crossing the track or tracks.

(b) School buses.—*A school bus, whether or not carrying passengers, shall stop at all railroad crossings designated by appropriate signs, signals or markers except those crossings at which traffic is controlled by a police officer or flagman.*

[(b)] (c) Exceptions.—**[This] Except as provided in subsection (b), this section does not apply at any of the following:**

(1) Any railroad grade crossing at which traffic is controlled by a police officer or flagman.

(2) Any railroad grade crossing at which traffic is regulated by a traffic-control signal.

(3) Any railroad grade crossing protected by crossing gates or an alternately flashing light signal intended to give warning of the approach of a railroad train.

(4) Any railroad grade crossing at which an official traffic-control device gives notice that the stopping requirement imposed by this section does not apply.

[(c)] (d) Regulations defining vehicles subject to section.—The department shall adopt such regulations as may be necessary describing the vehicles which must comply with the stopping requirements of this section. In formulating the regulations, the department shall give consideration to the hazardous nature of any substance carried by the vehicle as determined by the **[Hazardous Substances Transportation Board] department** and to the number of passengers carried by the vehicle in determining whether the vehicle shall be required to stop. These regulations shall be developed in conjunction with the Pennsylvania Public Utility Commission and the Urban Mass Transportation Authority and shall correlate with and so far as possible conform to the current regulations of the United States Department of Transportation.

§ 4904. Limits on number of towed vehicles.

* * *

(h) Certain combinations permitted under section 4968.—*Combinations consisting of a truck and one trailer or a truck tractor and one trailer which exceeds the maximum vehicle lengths authorized in section 4923 (relating to length of vehicles) and which shall not exceed 102 inches in width, or a truck tractor and no more than two trailers, each trailer of which [trailers] shall not exceed 102 inches in width and 28 1/2 feet in length [and shall] may be operated under a permit issued under section 4968 (relating to permit for movement during course of manufacture), may be driven on any highway].*

§ 6503. Subsequent convictions of certain offenses.

Every person convicted of a second or subsequent violation of any of the following provisions shall be sentenced to pay a fine of not less than \$200 nor more than \$1,000 or to imprisonment for not more than **[one year] six months**, or both:

Section 1501(a) (relating to drivers required to be licensed).

Section 1543 (relating to driving while operating privilege is suspended or revoked).

Section 3367 (relating to racing on highways).

Section 3733 (relating to fleeing or attempting to elude police officer).

Section 3734 (relating to driving without lights to avoid identification or arrest).

Section 3748 (relating to false reports).

Section 4. (a) The amendment to section 1510 shall take effect in 120 days.

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

APPROVED—The 9th day of July, A. D. 1986.

DICK THORNBURGH