
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 724 Session of
2017

INTRODUCED BY RAFFERTY, SABATINA AND LANGERHOLC, MAY 19, 2017

REFERRED TO TRANSPORTATION, MAY 19, 2017

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in motor carrier safety, repealing findings and
3 declaration of policy and further providing for definitions
4 and for Motor Carrier Safety Advisory Committee.

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

7 Section 1. Section 7802 of Title 75 of the Pennsylvania
8 Consolidated Statutes is repealed:

9 [§ 7802. Findings and declaration of policy.

10 (a) Findings.--It is hereby determined and declared as a
11 matter of legislative findings that:

12 (1) The operation of the motor carrier industry is a
13 vital part of the economic health of this Commonwealth by
14 providing needed goods and services as well as job
15 opportunities for many Pennsylvanians.

16 (2) As more and more motor carriers share the road with
17 other vehicles, public safety concerns continue to rise. The
18 latest statistics from the National Highway Traffic Safety
19 Administration indicate that on a national level, while

1 trucks represent only 3% of vehicles on the road, they were
2 involved in 13% of highway deaths in 1997 alone, and in the
3 same year 444,000 large trucks were involved in crashes,
4 killing 5,355 persons and injuring 133,000 more.

5 (3) In order to promote the safety of this
6 Commonwealth's highways and to best safeguard Pennsylvania
7 residents and their property, it is essential to provide
8 guidelines to ensure that motor carriers conduct their
9 operations in a safe, responsible and professional manner.

10 (b) Declaration of policy.--The purpose of this chapter is
11 to promote the safe, responsible and professional operation of
12 motor carriers within this Commonwealth.]

13 Section 2. Section 7803 of Title 75 is amended by adding a
14 definition to read:

15 § 7803. Definitions.

16 The following words and phrases when used in this chapter
17 shall have the meanings given to them in this section unless the
18 context clearly indicates otherwise:

19 * * *

20 "Motor carrier safety." The safe movement of people and
21 goods on a highway or trafficway of this Commonwealth that are
22 transported by commercial motor vehicles.

23 Section 3. Section 7804 of Title 75 is amended to read:

24 § 7804. Motor Carrier Safety Advisory Committee.

25 (a) Creation.--There is hereby created a Motor Carrier
26 Safety Advisory Committee which shall consist of the following
27 [28] 29 members:

28 (1) The Secretary of Transportation.

29 (2) The Chairman of the Pennsylvania Public Utility
30 Commission.

1 (3) The Chairman of the Pennsylvania Turnpike
2 Commission.

3 (4) The Commissioner of the Pennsylvania State Police.

4 (5) The Chairman and Minority Chairman of the
5 Transportation Committee of the Senate.

6 (6) The Chairman and Minority Chairman of the
7 Transportation Committee of the House of Representatives.

8 (7) [Twenty] Twenty-one members of the public
9 representing the areas of concern specified who shall have
10 extensive experience and knowledge of motor carrier
11 transportation and safety activities throughout this
12 Commonwealth, to be appointed by the Governor as follows:

13 (i) One representative from the Pennsylvania Chamber
14 of Business and Industry.

15 (ii) One representative from the Pennsylvania Chiefs
16 of Police Association.

17 (iii) One representative from the Special Court
18 Judges Association of Pennsylvania.

19 (iv) Two persons representing the interests of
20 independent truckers.

21 (v) [Two representatives] One representative from
22 the Pennsylvania Motor Truck Association.

23 [(vi) Two representatives from the Pennsylvania
24 Truck Transportation Alliance.]

25 (vi.1) One representative from the Pennsylvania
26 Manufactured Housing Association.

27 (vii) One representative from the Pennsylvania AAA
28 Federation.

29 (viii) One representative from the Pennsylvania
30 Public Transportation Association.

1 (ix) One representative from the Pennsylvania Bus
2 Association.

3 (x) One representative from the Pennsylvania School
4 Bus Association.

5 (xi) One representative from the [Hardwood Lumber
6 Manufacturers Association of Pennsylvania] Pennsylvania
7 Forest Products Association.

8 (xii) One person representing the interests of motor
9 carrier drivers.

10 [(xiii) One person representing the interests of
11 bulk haulers.

12 (xiv) One representative from the moving and storage
13 industry in Pennsylvania.

14 (xv) One representative from the petroleum industry
15 in Pennsylvania.]

16 (xvi) One representative from [a Class I Railroad]
17 the railroad industry in Pennsylvania.

18 (xvii) One person representing the interests of
19 local government.

20 (xviii) One person representing the interests of the
21 motor carrier manufacturing industry.

22 (xiv) Five representatives of the transport
23 industry, one person representing each of the following
24 areas:

25 (A) Bulk products.

26 (B) Moving and storage.

27 (C) Petroleum.

28 (D) Marcellus Shale gas.

29 (E) Coal.

30 (8) If a position or vacancy under paragraph (7) has not

1 been filled by the Governor within 120 days, an appointment
2 shall be made on an alternating basis by the President pro
3 tempore of the Senate and the Speaker of the House of
4 Representatives.

5 (b) [Chairperson] Officers.--[The Governor shall appoint one
6 member of the committee as chairperson.] The members of the
7 committee shall annually elect a chairperson, a vice
8 chairperson, a secretary and a treasurer from among the public
9 members appointed to the committee.

10 (c) Designees.--Each member appointed under subsection (a)
11 (1), (2), (3), (4), (5) and (6) may designate a representative
12 to serve in his or her stead. A member who designates a
13 representative shall notify the chairperson in writing of the
14 designation.

15 (d) Terms of appointees.--The terms of all members of the
16 committee appointed by the Governor shall be for three years.
17 Any member of the committee may be reappointed for an additional
18 term or terms. Any person appointed to fill a vacancy shall
19 serve only for the unexpired term. Each member shall serve until
20 the appointment of a successor.

21 (e) Meetings and expenses.--

22 (1) The committee shall meet at least four times every
23 12 months but may hold such additional meetings as are called
24 by the chairperson or by petition of at least six committee
25 members.

26 (1.1) The chairperson shall provide notice at least 14
27 days in advance for regular meetings and shall provide a
28 minimum of three days' notice for special meetings.

29 (1.2) A majority of the members shall constitute a
30 quorum for the conduct of business. The secretary shall

1 maintain a record of meeting attendance by members and shall
2 provide written notice to appointed members who miss [two]
3 three consecutive meetings. [Three] Four consecutive
4 committee meeting absences by an appointed member shall be
5 grounds for removal if affirmed by a majority vote of the
6 committee.

7 (2) Minutes of meetings shall be prepared by the
8 secretary and filed with the committee and distributed to all
9 members. All records shall be a matter of public record.

10 (3) The public members of the committee shall be allowed
11 actual, necessary and reasonable per diem expenses in
12 accordance with regulations of the Executive Board.

13 (4) The department shall provide appropriate staff
14 support to enable the committee to properly carry out its
15 function.

16 (f) Powers and duties.--The committee shall have the power
17 and duty to assess, evaluate and recommend standards for the
18 safe operation of motor carriers in this Commonwealth,
19 including, but not limited to, the following objectives:

20 [(1) Develop continuing education programs for first-
21 year and second-year CDL drivers and consider incentive
22 programs for drivers who undergo incremental safety training
23 and testing throughout their driving careers.

24 (2) Examine ways in which to increase and document motor
25 carrier use of the Pennsylvania Turnpike, including the
26 possibility of a fuel tax rebate or other incentives.

27 (3) Study the feasibility of utilizing existing and
28 developing technology relative to the electronic control
29 mechanisms of motor carriers to aid in the enforcement of
30 speed limits.

1 (4) Develop a policy to address the dissemination of
2 information among employers of CDL drivers relative to
3 employee job performance and conduct in order to best protect
4 the public from unsafe drivers.

5 (5) Analyze the feasibility of instituting enhanced
6 penalties for motor carrier moving violations and of
7 utilizing the amount of the increase as a dedicated source of
8 funding for the construction of security walls.

9 (6) Provide a forum for the exchange of information on
10 the problems associated with travel as passenger vehicles,
11 motorcycles and motor carriers share the road systems and
12 consider education initiatives aimed at the motoring public
13 as well as the motor carrier industry.

14 (7) Consider any other issue raised in relation to motor
15 carrier operation and road safety that may arise from time to
16 time.]

17 (1.1) Study the feasibility of improving highway safety
18 and freight transportation on a highway or trafficway of this
19 Commonwealth and develop a policy periodically on the most
20 pressing issues facing motor carrier safety.

21 (2.1) Examine and recommend motor carrier safety
22 initiatives for strategic plans of the department, the
23 Pennsylvania Public Utility Commission and the Pennsylvania
24 State Police.

25 (3.1) Advise and comment on all phases of motor carrier
26 safety activities being undertaken or financially assisted by
27 the department and agencies of State government.

28 (4.1) With assistance from the department, provide
29 advice and recommendations to businesses, manufacturers,
30 educational institutions, technology developers, the motor

1 carrier industry, labor communities and local governments
2 related to motor carrier safety.

3 (5.1) Develop and maintain a forum for the exchange of
4 ideas, needs, objectives, plans and accomplishments related
5 to motor carrier safety.

6 (g) Reports.--The committee shall submit annual reports of
7 its deliberations, conclusions and [suggestions] recommendations
8 to the Governor, [and] members of the General Assembly and the
9 secretary.

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