

**CHAPTER 78**  
MOTOR CARRIER SAFETY

**Sec.**

- 7801. Short title of chapter.
- 7802. Findings and declaration of policy.
- 7803. Definitions.
- 7804. Motor Carrier Safety Advisory Committee.

**Enactment.** Chapter 78 was added June 19, 2001, P.L.281, No.21, effective immediately.

**§ 7801. Short title of chapter.**

This chapter shall be known and may be cited as the Motor Carrier Safety Advisory Committee Act.

**§ 7802. Findings and declaration of policy.**

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

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

(2) As more and more motor carriers share the road with other vehicles, public safety concerns continue to rise. The latest statistics from the National Highway Traffic Safety Administration indicate that on a national level, while trucks represent only 3% of vehicles on the road, they were involved in 13% of highway deaths in 1997 alone, and in the same year 444,000 large trucks were involved in crashes, killing 5,355 persons and injuring 133,000 more.

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

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

**§ 7803. Definitions.**

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

**"Committee."** The Motor Carrier Safety Advisory Committee created by this chapter.

**§ 7804. Motor Carrier Safety Advisory Committee.**

**(a) Creation.**--There is hereby created a Motor Carrier Safety Advisory Committee which shall consist of the following 28 members:

- (1) The Secretary of Transportation.
- (2) The Chairman of the Pennsylvania Public Utility Commission.
- (3) The Chairman of the Pennsylvania Turnpike Commission.
- (4) The Commissioner of the Pennsylvania State Police.
- (5) The Chairman and Minority Chairman of the Transportation Committee of the Senate.

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

(7) Twenty members of the public representing the areas of concern specified who shall have extensive experience and knowledge of motor carrier transportation activities throughout this Commonwealth, to be appointed by the Governor as follows:

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

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

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

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

(v) Two representatives from the Pennsylvania Motor Truck Association.

(vi) Two representatives from the Pennsylvania Truck Transportation Alliance.

(vii) One representative from the Pennsylvania AAA Federation.

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

(ix) One representative from the Pennsylvania Bus Association.

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

(xi) One representative from the Hardwood Lumber Manufacturers Association of Pennsylvania.

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

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

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

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

(xvi) One representative from a Class I Railroad.

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

**(b) Chairperson.**--The Governor shall appoint one member of the committee as chairperson. The members of the committee shall annually elect a vice chairperson, a secretary and a treasurer from among the public members appointed to the committee.

**(c) Designees.**--Each member may designate a representative to serve in his or her stead. A member who designates a representative shall notify the chairperson in writing of the designation.

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

**(e) Meetings and expenses.**--

(1) The committee shall meet at least four times every 12 months but may hold such additional meetings as are called by the chairperson or by petition of at least six committee members. The chairperson shall provide notice at least 14 days in advance for regular meetings and shall provide a minimum of three days' notice for special meetings. A majority of the members shall constitute a quorum for the conduct of business. The secretary shall maintain a record of meeting attendance by members and shall provide written notice to appointed members who miss two consecutive meetings. Three consecutive committee meeting absences by an appointed member shall be grounds for removal if affirmed by a majority vote of the committee.

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

(3) The public members of the committee shall be allowed actual, necessary and reasonable per diem expenses in accordance with regulations of the Executive Board. The department shall provide appropriate staff support to enable the committee to properly carry out its function.

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

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

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

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

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

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

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

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

**(g) Reports.**--The committee shall submit annual reports of its deliberations, conclusions and suggestions to the Governor and members of the General Assembly.