

**CHAPTER 84. DUAL CONTROL LEARNER'S PERMIT**

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**Authority**

The provisions of this Chapter 84 issued under the Vehicle Code, 75 Pa.C.S. §§ 1504(c), 1505—1507, 1514(b), 1514(c), and 6103, unless otherwise noted.

**Source**

The provisions of this Chapter 84 adopted August 13, 1982, effective August 14, 1982, 12 Pa.B. 2694, unless otherwise noted.

**§ 84.1. Purpose.**

The purpose of this chapter is to establish a procedure for issuance of a dual control learner's permit to a driver or applicant under one of the following circumstances:

- (1) The driver failed a driving examination required or authorized under 75 Pa.C.S. § 1514(b) or (c) (relating to expiration and renewal of drivers' licenses).
- (2) The driver's license has been recalled as authorized under 75 Pa.C.S. § 1519(c) (relating to determination of incompetency).
- (3) A nondriver was reported as required under 75 Pa.C.S. § 1518(b) (relating to reports on mental or physical disabilities or disorders) and the health care provider determines that the potential driver may benefit from training only available through a dual control learner's permit.

**Authority**

The provisions of this § 84.1 amended under 75 Pa.C.S. §§ 1504(c), 1505—1507, 1514(b) and (c) and 6103.

**Source**

The provisions of this § 84.1 amended December 28, 2012, effective December 29, 2012, 42 Pa.B. 7818. Immediately preceding text appears at serial page (248775).

**§ 84.1a. Definitions.**

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise:

*Dual control motor vehicle*—A motor vehicle equipped with a second operable brake pedal and, in the case of a standard transmission, a second operable clutch pedal actuated from the right front passenger seat.

*Recall*—To withdraw by formal action of the Department for an indefinite period the operating privilege of a person for reasons of incompetency.

**§ 84.2. Issuance of special learner's permit.**

(a) *General rule.* Upon application of a driver or applicant, the Department will issue a special learner's permit authorizing the permittee to drive only a dual control motor vehicle while accompanied by and under the immediate supervision of an instructor of an approved driver training program.

(1) The special learner's permit will be valid for 12 months. It will be reissuable for an additional 12 months provided the applicant is enrolled and remains enrolled in an approved driver training program. A driver will only be issued two dual control learner's permits within a 5-year period.

(2) The driver's operating privileges, which will have been recalled under 75 Pa.C.S. § 1519(c) (relating to determination of incompetency), will be temporarily restored only for the limited purpose and term of the special learner's permit.

(3) A driver whose license has expired or is suspended will be required to pay the applicable fees before the dual control learner's permit will be issued to ensure that a license can be issued when all required tests have been passed.

(4) As required under 75 Pa.C.S. § 1508 (relating to examination of applicant for driver's license), a driver who has not been licensed shall successfully pass the general knowledge test prior to being issued a dual control learner's permit.

(b) *Examination.* Upon successful completion of an approved driving training program, the permittee may undergo a driver's examination no more than three times on one dual control learner's permit. The driver's examination will be conducted by a person authorized by the Department. Upon successful completion of the examination, the driver's operating privilege will be renewed or restored, or a driver's license will be issued to the applicant.

**Authority**

The provisions of this § 84.2 amended under 75 Pa.C.S. §§ 1504(c), 1505—1507, 1514(b) and (c) and 6103.

**Source**

The provisions of this § 84.2 amended December 28, 2012, effective December 29, 2012, 42 Pa.B. 7818. Immediately preceding text appears at serial pages (248775) to (248776).

**§ 84.3. Application.**

(a) *General rule.* A request for a dual control learner's permit shall be submitted on the appropriate form to the Bureau of Driver Licensing, together with the required fee and letter of enrollment from the approved driver training program.

(b) *Retention.* Upon issuance, the dual control learner's permit will be mailed directly to the approved driver training program. The driver training program will

retain the dual control learner's permit. During in-vehicle instruction, the driver trainer will be in possession of the dual control learner's permit at all times.

(c) *Cancellation.* Upon removal or withdrawal from the program, the driver trainer will return the dual control learner's permit to the Department for cancellation.

**Authority**

The provisions of this § 84.3 amended under 75 Pa.C.S. §§ 1504(c), 1505—1507, 1514(b) and (c) and 6103.

**Source**

The provisions of this § 84.3 amended December 28, 2012, effective December 29, 2012, 42 Pa.B. 7818. Immediately preceding text appears at serial page (248776).

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