

AMENDMENTS TO SENATE BILL NO. 159

Sponsor: SENATOR LANGERHOLC

Printer's No. 131

1 Amend Bill, page 1, line 14, by inserting after "placed"
2 on the person or property of another person

3 Amend Bill, page 1, line 15, by striking out "another" and
4 inserting
5 the other

6 Amend Bill, page 2, lines 6 through 11, by striking out all
7 of said lines and inserting

8 (2) Unless prohibited by court order, the parent or
9 legal guardian of a minor child when tracking the minor, or a
10 person authorized by the parent or legal guardian to serve as
11 a caretaker of the minor at any time when the minor is under
12 the caretaker's sole care, if:

13 (i) the parents or legal guardians are lawfully
14 married to each other and are not separated or otherwise
15 living apart;

16 (ii) the parent or legal guardian is the sole
17 surviving parent or legal guardian of the minor;

18 (iii) the parent or legal guardian has primary
19 physical custody of the minor while the electronic
20 tracking device is installed and monitored; or

21 (iv) the parents or legal guardians are divorced,
22 separated or otherwise living apart and both consent to
23 the installation of and monitoring by the electronic
24 tracking device.

25 Amend Bill, page 2, line 14, by striking out the period after
26 "definitions." and inserting

27 or a caregiver or family member of an elderly person or
28 disabled adult, if the elderly person's or disabled adult's
29 physician recommends the installation of a tracking device or
30 tracking application to ensure the safety of the elderly
31 person or disabled adult.

32 Amend Bill, page 2, lines 15 and 16, by striking out "of

1 fleet vehicles, when tracking the" in line 15 and all of line 16

2 and inserting

3 , lessee or contractor of fleet vehicles who installs or
4 directs the installation of an electronic tracking device on
5 the vehicle during the period of ownership, lease or contract
6 if:

7 (i) the electronic tracking device is removed before
8 the vehicle's title is transferred or the vehicle's lease
9 expires;

10 (ii) the new owner of the vehicle, in the case of a
11 sale, the lessor of the vehicle, in the case of an
12 expired lease or the contractor, in the case of an
13 expired contractual agreement, consents in writing to the
14 nonremoval of the electronic tracking device; or

15 (iii) the owner of the vehicle at the time of
16 installation of the electronic tracking device was the
17 original manufacturer of the vehicle.

18 Amend Bill, page 2, by inserting between lines 20 and 21

19 (6) A person acting in good faith on behalf of a
20 business entity for a legitimate business interest. This
21 paragraph does not apply to a private detective.

22 (7) A private detective acting in good faith while
23 conducting private detective business as defined by the act
24 of August 21, 1953 (P.L.1273, No.361), known as The Private
25 Detective Act of 1953, while acting in compliance with all
26 relevant and existing Federal and State laws. This paragraph
27 does not apply if a court order prohibits the installation of
28 a tracking device on an individual or the individual's
29 property by the individual that employs or requests
30 assistance from the private detective.

31 Amend Bill, page 3, line 1, by inserting after "individual"
32 or the property of another individual

33 Amend Bill, page 3, lines 3 and 4, by striking out "by an
34 entity and operated by an employee or agent of the" and
35 inserting

36 , leased or contracted by an

37 Amend Bill, page 3, line 4, by striking out the semicolon
38 after "purposes" and inserting

39 or:

40 (i) an employee of the entity;

41 (ii) an agent of the entity; or

42 (iii) an individual authorized to operate the fleet

1 vehicle in compliance with a contract between the entity
2 and another party;