
 THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. **765** Session of
2015

INTRODUCED BY BROOKS, SCARNATI, RAFFERTY, ALLOWAY, BAKER,
BOSCOLA, EICHELBERGER, HUTCHINSON, MENSCH, PILEGGI, SCHWANK,
TEPLITZ, WARD, YAW AND YUDICHAK, MAY 1, 2015

AS REPORTED FROM COMMITTEE ON TRANSPORTATION, HOUSE OF
REPRESENTATIVES, AS AMENDED, OCTOBER 5, 2015

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in preliminary provisions, further providing for
3 the ~~definition~~ DEFINITIONS of "emergency service responder" <--
4 AND "EMERGENCY VEHICLE" and ~~providing for the definitions of~~ <--
5 ~~"electric cooperative personnel" and "electric utility~~
6 ~~personnel"~~; and, in rules of the road in general, further
7 providing for duty of driver in emergency response areas.

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

10 ~~Section 1. The definition of "emergency service responder" <--~~
11 ~~in section 102 of Title 75 of the Pennsylvania Consolidated~~
12 ~~Statutes is amended by adding a paragraph and the section is~~
13 ~~amended by adding definitions to read:~~

14 SECTION 1. THE DEFINITION OF "EMERGENCY SERVICE RESPONDER" <--
15 IN SECTION 102 OF TITLE 75 OF THE PENNSYLVANIA CONSOLIDATED
16 STATUTES IS AMENDED BY ADDING A PARAGRAPH AND THE DEFINITION OF
17 "EMERGENCY VEHICLE" IS AMENDED TO READ:

18 § 102. Definitions.

19 Subject to additional definitions contained in subsequent

1 provisions of this title which are applicable to specific
2 provisions of this title, the following words and phrases when
3 used in this title shall have, unless the context clearly
4 indicates otherwise, the meanings given to them in this section:

5 * * *

6 ~~"Electric cooperative personnel." Individuals who:~~ <--

7 ~~(1) work as employees or contractors of an electric~~
8 ~~cooperative;~~

9 ~~(2) provide disaster emergency related services,~~
10 ~~including repair, renovation, installation, construction and~~
11 ~~activities related to damaged, impaired or destroyed~~
12 ~~infrastructure; and~~

13 ~~(3) perform services under paragraph (2) within the~~
14 ~~first 72 hours after a declared emergency or until the~~
15 ~~expiration of a declared emergency, whichever is later.~~

16 * * *

17 ~~"Electric utility personnel." Individuals who:~~

18 ~~(1) work as employees or contractors of an electric~~
19 ~~utility;~~

20 ~~(2) provide disaster emergency related services,~~
21 ~~including repair, renovation, installation, construction and~~
22 ~~activities related to damaged, impaired or destroyed~~
23 ~~infrastructure; and~~

24 ~~(3) perform services under paragraph (2) within the~~
25 ~~first 72 hours after a declared emergency or until the~~
26 ~~expiration of a declared emergency, whichever is later.~~

27 * * *

28 "Emergency service responder." An individual acting in an
29 official capacity as any of the following:

30 * * *

1 ~~(14) Electric cooperative personnel and electric utility~~ <--
2 ~~personnel.~~ CONTRACTORS OR EMPLOYEES OF A PUBLIC UTILITY AS <--
3 DEFINED UNDER 66 PA.C.S. § 102 (RELATING TO DEFINITIONS), A
4 MUNICIPALLY OWNED UTILITY OR AN ELECTRIC COOPERATIVE AS
5 DEFINED IN 15 PA.C.S. CH. 73 (RELATING TO ELECTRIC
6 COOPERATIVE CORPORATIONS).

7 "EMERGENCY VEHICLE." A STATE OR COUNTY EMERGENCY MANAGEMENT
8 VEHICLE, FIRE DEPARTMENT VEHICLE, POLICE VEHICLE, SHERIFF
9 VEHICLE, AMBULANCE, ADVANCED LIFE SUPPORT SQUAD VEHICLE, BASIC
10 LIFE SUPPORT SQUAD VEHICLE, EMERGENCY CANTEEN SUPPORT SERVICE
11 ORGANIZATION VEHICLE, BLOOD DELIVERY VEHICLE, HUMAN ORGAN
12 DELIVERY VEHICLE, HAZARDOUS MATERIAL RESPONSE VEHICLE, ARMED
13 FORCES EMERGENCY VEHICLE, ONE VEHICLE OPERATED BY A CORONER OR
14 CHIEF COUNTY MEDICAL EXAMINER AND ONE VEHICLE OPERATED BY A
15 CHIEF DEPUTY CORONER OR DEPUTY CHIEF COUNTY MEDICAL EXAMINER
16 USED FOR ANSWERING EMERGENCY CALLS, A VEHICLE OWNED BY OR LEASED
17 TO A REGIONAL EMERGENCY MEDICAL SERVICES COUNCIL THAT IS USED AS
18 AUTHORIZED BY THE DEPARTMENT OF HEALTH TO RESPOND TO AN ACTUAL
19 OR POTENTIAL DISASTER, MASS CASUALTY SITUATION OR SUBSTANTIAL
20 THREAT TO PUBLIC HEALTH, A VEHICLE OWNED BY A COUNTY OR REGIONAL
21 POLICE ASSOCIATION AND OPERATED BY A POLICE OFFICER THAT IS USED
22 FOR POLICE TRANSPORT OR VICTIM EXTRACTION, ANY VEHICLE OPERATED
23 BY A SPECIAL AGENT, SPECIAL AGENT SUPERVISOR, NARCOTICS AGENT OR
24 NARCOTICS AGENT SUPERVISOR WHILE PERFORMING OFFICIAL DUTIES AS
25 EMPLOYEES OF THE OFFICE OF ATTORNEY GENERAL, ANY VEHICLE OWNED
26 AND OPERATED BY THE PHILADELPHIA PARKING AUTHORITY ESTABLISHED
27 IN ACCORDANCE WITH 53 PA.C.S. CH. 55 (RELATING TO PARKING
28 AUTHORITIES) AND USED IN THE ENFORCEMENT OF 53 PA.C.S. CH. 57
29 (RELATING TO TAXICABS AND LIMOUSINES IN FIRST CLASS CITIES), A
30 VEHICLE OWNED AND OPERATED BY THE PENNSYLVANIA TURNPIKE

1 COMMISSION THAT IS USED BY AN EMERGENCY SERVICE RESPONDER AS
2 DISPATCHED BY THE PENNSYLVANIA TURNPIKE COMMISSION'S TRAFFIC
3 OPERATIONS CENTER, OR ANY OTHER VEHICLE DESIGNATED BY THE STATE
4 POLICE UNDER SECTION 6106 (RELATING TO DESIGNATION OF EMERGENCY
5 VEHICLES BY PENNSYLVANIA STATE POLICE), OR A PRIVATELY OWNED
6 VEHICLE USED IN ANSWERING AN EMERGENCY CALL WHEN USED BY ANY OF
7 THE FOLLOWING:

8 (1) A POLICE CHIEF AND ASSISTANT CHIEF.

9 (2) A FIRE CHIEF, ASSISTANT CHIEF AND, WHEN A FIRE
10 COMPANY HAS THREE OR MORE FIRE VEHICLES, A SECOND OR THIRD
11 ASSISTANT CHIEF.

12 (3) A FIRE POLICE CAPTAIN AND FIRE POLICE LIEUTENANT.

13 (4) AN AMBULANCE CORPS COMMANDER AND ASSISTANT
14 COMMANDER.

15 (5) A RIVER RESCUE COMMANDER AND ASSISTANT COMMANDER.

16 (6) A COUNTY EMERGENCY MANAGEMENT COORDINATOR.

17 (7) A FIRE MARSHAL.

18 (8) A RESCUE SERVICE CHIEF AND ASSISTANT CHIEF.

19 (9) THE CHIEF OR OPERATIONS DIRECTOR OF A COUNTY
20 HAZARDOUS MATERIALS RESPONSE TEAM.

21 * * *

22 Section 2. Section 3327(f) of Title 75 is amended to read:

23 § 3327. Duty of driver in emergency response areas.

24 * * *

25 (f) Definition.--As used in this section, the term
26 "emergency response area" means [the] any of the following:

27 (1) The area in which emergency service responders
28 render emergency assistance to individuals on or near a
29 roadway or a police officer is conducting a traffic stop or
30 systematic check of vehicles or controlling or directing

1 traffic as long as the emergency vehicle is making use of
2 visual signals meeting the requirements of Subchapter D of
3 Chapter 45.

4 ~~(2) The area in which electric cooperative personnel or~~ <--
5 ~~electric utility personnel provide disaster emergency related~~
6 ~~services~~ CONTRACTORS OR EMPLOYEES OF A PUBLIC UTILITY, A <--
7 MUNICIPALLY OWNED UTILITY OR AN ELECTRIC COOPERATIVE PROVIDE
8 DISASTER EMERGENCY-RELATED SERVICES, INCLUDING, BUT NOT
9 LIMITED TO, THE REPAIR, RENOVATION, INSTALLATION,
10 CONSTRUCTION AND ACTIVITIES RELATED TO DAMAGED, IMPAIRED OR
11 DESTROYED INFRASTRUCTURE, within the first 72 hours after a
12 declared emergency or until the expiration of a declared
13 emergency, whichever is later, as long as the ~~electric~~ <--
14 ~~cooperative personnel or electric utility personnel vehicle~~
15 ~~is~~ VEHICLES USED TO PROVIDE DISASTER EMERGENCY-RELATED <--
16 SERVICES ARE making use of visual signals as authorized under
17 section 4572(b) (relating to visual signals on authorized
18 vehicles).

19 Section 3. This act shall take effect in 60 days.