

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1011

Session of
1979

INTRODUCED BY MESSRS. A. C. FOSTER, JR., MANDERINO AND SCIRICA,
APRIL 23, 1979

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
OCTOBER 15, 1979

AN ACT

1 Amending the act of June 18, 1941 (P.L.137, No.74), entitled "An
2 act providing for the appointment, powers and control of
3 members of volunteer fire companies as special fire police,
4 and conferring powers on them at fires attended by their fire
5 companies in any city, borough, town and township," further
6 providing for the powers of special fire police.

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

9 Section 1. Section 1, act of June 18, 1941 (P.L.137, No.74),
10 entitled "An act providing for the appointment, powers and
11 control of members of volunteer fire companies as special fire
12 police, and conferring powers on them at fires attended by their
13 fire companies in any city, borough, town and township," amended
14 August 10, 1959 (P.L.656, No.209), is amended to read:

15 Section 1. Any volunteer fire company in any city, borough,
16 town or township may nominate any of its members as special fire
17 police. All special fire police so nominated shall, before they
18 enter upon their duties as such, be confirmed by the mayor of
19 the city, the [burgess] mayor of the borough or town, or the

1 chairman of the board of commissioners or supervisors of the
2 township, as the case may be. When so confirmed and sworn and
3 displaying a badge of authority they shall have full power to
4 regulate traffic and keep crowds under control at or in the
5 vicinity of any fire on which their companies are in attendance
6 and to exercise such other police powers as are necessary in
7 order to facilitate and prevent interference with the work of
8 firemen in extinguishing fires and, in addition, shall have
9 [all] the police powers necessary to perform their duties when
10 functioning as special fire police at [parades, accidents,
11 floods, or other emergencies, or at any public function
12 conducted by or under the auspices of any volunteer fire
13 company, at the request of the governing body of any such
14 municipality, and when so functioning as special fire police
15 shall be deemed to be performing the duties of their
16 employment.] any function, event, or parade conducted by, and
17 under the auspices of, any volunteer fire company, or any other
18 event, function, or parade conducted by an organization other
19 than a volunteer fire company, providing the request to perform
20 these duties is made by the governing body of the city, borough,
21 town, or township in which the event will be conducted, or when
22 accidents, floods, or any other emergencies require performance
23 of such traffic and crowd CONTROL AND CROWD CONTROL duties. Such <—
24 duties may be performed without prior requests REQUEST from the <—
25 governing body until the arrival of proper State, city, borough,
26 town, or township police authority and thereafter subject to
27 direction of such police authority until the emergency no longer
28 exists. A person functioning as special fire police, and
29 performing a duty under any of the above conditions, shall be
30 deemed to be performing the duties of his employment. FIRE <—

1 POLICE PERFORMING SUCH DUTIES SHALL BE IDENTIFIABLE BY, AT
2 MINIMUM, THE WEARING OF A DISTINCTIVE ARM BAND. Under no
3 circumstances shall this act be construed to grant special fire
4 police the right and/or power to use firearms or other weapons
5 in the exercise of special fire police powers granted hereunder.

6 Section 2. This act shall take effect in 60 days.