

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 131 Session of 2007

INTRODUCED BY YEWIC, BARRAR, BIANCUCCI, CALTAGIRONE, CARROLL, COHEN, CRUZ, CURRY, FABRIZIO, HALUSKA, HORNAMAN, JAMES, MELIO, MUSTIO, PHILLIPS, ROEBUCK, ROHRER, RUBLEY, J. TAYLOR, WANSACZ, YOUNGBLOOD, SIPTROTH, MURT, DENLINGER, LENTZ, MCGEEHAN AND KORTZ, JANUARY 31, 2007

AS REPORTED FROM COMMITTEE ON LOCAL GOVERNMENT, HOUSE OF REPRESENTATIVES, AS AMENDED, APRIL 24, 2007

AN ACT

1 Amending Title 53 (Municipalities Generally) of the Pennsylvania
2 Consolidated Statutes, prohibiting fees for police services.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Title 53 of the Pennsylvania Consolidated
6 Statutes is amended by adding a section to read:

7 § 1392. Prohibition of fees for police services.

8 ~~No municipality may charge a fee or seek reimbursement for~~ <—
9 ~~any costs or expenses which may be incurred involving the use of~~
10 ~~police department services, personnel, supplies, motor vehicles~~
11 ~~or equipment in responding to a motor vehicle accident.~~

12 (A) PROHIBITION.--A MUNICIPALITY SHALL NOT CHARGE A FEE FOR <—
13 OR SEEK REIMBURSEMENT OF COSTS OR EXPENSES INCURRED AS A RESULT
14 OF MUNICIPAL POLICE RESPONDING TO A MOTOR VEHICLE ACCIDENT,
15 INCLUDING, BUT NOT LIMITED TO, COSTS INCURRED FOR LABOR,
16 MATERIALS, SUPPLIES OR EQUIPMENT USED OR PROVIDED IN THE

1 RESPONSE.

2 (B) LIMITATION.--SUBSECTION (A) SHALL NOT BE CONSTRUED OR
3 APPLIED TO AUTHORIZE THE IMPOSITION OF ANY OTHER FEE BY A
4 MUNICIPALITY.

5 (C) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING
6 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
7 SUBSECTION:

8 "MUNICIPAL POLICE." A PUBLIC AGENCY OF A MUNICIPALITY HAVING
9 GENERAL POLICE POWERS AND CHARGED WITH MAKING ARRESTS IN
10 CONNECTION WITH THE ENFORCEMENT OF THE CRIMINAL OR TRAFFIC LAWS.
11 THE TERM SHALL INCLUDE ANY REGIONAL POLICE DEPARTMENT FROM WHICH
12 THE MUNICIPALITY RECEIVES POLICE SERVICES OR ANY POLICE
13 DEPARTMENT WHICH PROVIDES THE MUNICIPALITY WITH POLICE SERVICES
14 PURSUANT TO AGREEMENT OR CONTRACT.

15 "MUNICIPALITY." A COUNTY, CITY, BOROUGH, INCORPORATED TOWN,
16 TOWNSHIP OR HOME RULE MUNICIPALITY.

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