

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 783 Session of
2011

INTRODUCED BY STACK, KITCHEN, FONTANA, SOLOBAY, BREWSTER,
BOSCOLA, RAFFERTY, TARTAGLIONE, BROWNE, FERLO AND FARNESE,
MARCH 7, 2011

REFERRED TO LAW AND JUSTICE, MARCH 7, 2011

AN ACT

1 Establishing the Peter Roberto Alert System; providing for
2 certain immunity; and prescribing a penalty.

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

5 Section 1. Short title.

6 This act shall be known and may be cited as the Peter Roberto
7 Alert System Act.

8 Section 2. Pennsylvania Peter Roberto Alert System established.

9 The Pennsylvania State Police shall:

10 (1) Establish and maintain the Peter Roberto Alert
11 System to assist in the identification and arrest of vehicle
12 operators who violate 75 Pa.C.S. § 3742(a) (relating to
13 accidents involving death or personal injury).

14 (2) Develop protocols and procedures necessary for the
15 effective operation of the Peter Roberto Alert System.

16 (3) Educate and inform local law enforcement agencies
17 and the public with regard to its availability.

1 Section 3. Prohibited use.

2 (a) General rule.--No person may intentionally, knowingly,
3 recklessly or negligently transmit, broadcast or otherwise
4 communicate a public alert, other than through the Peter Roberto
5 Alert System, or intentionally, knowingly, recklessly or
6 negligently falsely represent that a transmission, broadcast or
7 communication of a public alert is made by, with or through the
8 authority of the Peter Roberto Alert System.

9 (b) Penalty.--A person who violates subsection (a) shall be
10 subject to a civil penalty of not more than \$5,000.

11 Section 4. Coordination with other jurisdictions.

12 The Pennsylvania State Police shall coordinate with the
13 authorities of the various states and the Federal Government
14 that are responsible within their respective jurisdictions for
15 apprehending drivers who flee the scene of accidents to
16 establish and execute the procedures appropriate to the
17 effective fulfillment of its responsibilities under section 2.

18 Section 5. Assessment of cost.

19 Unless the court finds that undue hardship would result, in
20 addition to any other cost imposed by law, a cost of \$25 shall
21 automatically be assessed on each person convicted, adjudicated
22 delinquent or granted accelerated rehabilitative disposition
23 (ARD) of the offenses set forth in 75 Pa.C.S. § 3742(a)
24 (relating to accidents involving death or personal injury). The
25 cost shall be forwarded to the Commonwealth and used by the
26 Pennsylvania State Police to establish and maintain the Peter
27 Roberto Alert System and to administer 75 Pa.C.S. § 3742(a).

28 Section 6. Immunity.

29 (a) Media immunity.--Owners, licensees, operators and
30 employees of any communication medium, including, but not

1 limited to, telephone, radio, television, newspaper, digital
2 communications network or global communications network, shall
3 be immune from civil liability for their good faith conduct
4 while participating in accordance with this act.

5 (b) Good Samaritan immunity.--Any person who provides,
6 obtains or attempts to provide or obtain assistance for a person
7 who is the subject of a Peter Roberto Alert System notice shall
8 be immune from civil liability for acts or omissions in
9 providing or obtaining or attempting to provide or obtain
10 assistance except for acts or omissions intended to cause harm
11 and for which the law does not recognize justification or that
12 constitute gross negligence or willful, wanton or reckless
13 conduct.

14 Section 7. Effective date.

15 This act shall take effect in 60 days.