

AMENDMENTS TO HOUSE BILL NO. 1216

Sponsor: REPRESENTATIVE MARSICO

Printer's No. 1444

1 Amend Bill, page 1, lines 1 through 4, by striking out all of
2 said lines and inserting

3 Amending Title 42 (Judiciary and Judicial Procedure) of the
4 Pennsylvania Consolidated Statutes, in particular rights and
5 immunities, providing for rescue from motor vehicle.

6 Amend Bill, page 1, lines 7 through 17; page 2, lines 1
7 through 16; by striking out all of said lines on said pages and
8 inserting

9 Section 1. Title 42 is amended by adding a section to read:
10 § 8340.3. Rescue from motor vehicle.

11 (a) (Reserved).

12 (b) Rescue of animal.--No law enforcement officer, humane
13 society police officer or emergency responder, or the employer
14 of a law enforcement officer, humane society police officer or
15 emergency responder shall be liable for damage to a motor
16 vehicle or the contents thereof caused by entry into the motor
17 vehicle for the purpose of removing an animal, if the law
18 enforcement officer, humane society police officer or emergency
19 responder:

20 (1) Has a good faith, reasonable belief that the animal
21 is in imminent danger of suffering harm if not immediately
22 removed from the motor vehicle.

23 (2) Makes a reasonable effort to locate the driver of
24 the motor vehicle prior to entry.

25 (3) Takes reasonable steps to ensure or restore the
26 well-being of the animal.

27 (4) Uses no more force than necessary under the
28 circumstances to enter the motor vehicle.

29 (5) Leaves notice on or in the motor vehicle stating the
30 reason entry was made, the name of the person and of the
31 person's employer, a telephone number and, if possible, the
32 location where the animal may be retrieved.

33 (c) Limitation.--A person shall not be immune from civil
34 liability for damage resulting from the entry if the person's
35 actions constitute gross negligence, recklessness or willful or

1 wanton misconduct.

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