

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2276 Session of 2015

INTRODUCED BY BOBACK, ROZZI, SCHLOSSBERG, HICKERNELL, JAMES,
D. COSTA, WHEELAND, GIBBONS, DRISCOLL, BULLOCK, YOUNGBLOOD,
WHITE, WATSON, McNEILL, A. HARRIS, WARD, READSHAW, TRUITT,
PHILLIPS-HILL, KAUFFMAN, MILLARD, O'BRIEN, CONKLIN, KORTZ,
RAPP, TOOHIL, EVERETT, FARRY, HARHAI AND GOODMAN,
AUGUST 5, 2016

REFERRED TO COMMITTEE ON JUDICIARY, AUGUST 5, 2016

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, in particular rights and
3 immunities, providing for civil immunity for use of force in
4 motor vehicle rescue.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Title 42 of the Pennsylvania Consolidated
8 Statutes is amended by adding a section to read:

9 § 8340.3. Civil immunity for use of force in motor vehicle
10 rescue.

11 A person who forcibly enters a motor vehicle for the purpose
12 of removing a minor child from the vehicle shall be immune from
13 civil liability for any damage to the motor vehicle if the
14 person:

15 (1) Has a reasonable belief that forcible entry into the
16 vehicle is necessary because the minor child is in imminent
17 danger of suffering harm if not immediately removed from the

1 vehicle.

2 (2) Determines the vehicle is locked or there is
3 otherwise no reasonable method for the minor child to exit
4 the vehicle.

5 (3) Prior to forcibly entering the vehicle, contacts or
6 attempts to contact law enforcement or emergency responders.

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