

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1210 Session of
1987

INTRODUCED BY MORRIS, COY, SHOWERS, BATTISTO, LaGROTTA, COLE,
WASS, SCHULER, ANGSTADT, YANDRISEVITS, NOYE, LESCOVITZ,
VAN HORNE, HERSHEY, SAURMAN, KASUNIC, E. Z. TAYLOR, GODSHALL,
TIGUE, SCHEETZ, D. W. SNYDER, CORRIGAN, BOWSER, BOOK, FARGO,
SEMMELE, BARLEY, VROON, B. SMITH, G. SNYDER, JOHNSON AND
PERZEL, APRIL 29, 1987

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 29, 1987

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, providing for immunity of
3 owner or possessor of land from civil damages resulting from
4 unauthorized operation of motor vehicles on private real
5 property.

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

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

10 § 8338. Civil immunity of owners and possessors of private real
11 property for operation of motor vehicles.

12 No owner or possessor of private real property shall be
13 liable for any civil damages resulting from any of the
14 following:

15 (1) The operation of a motor vehicle on portions of the
16 private real property other than private roads or driveways
17 without the owner's or possessor's consent, except where

1 injury results from actions committed by the owner or
2 possessor or from conditions existing on the premises which
3 were intended by the owner or possessor to cause injury or
4 damage to persons or property.

5 (2) The unauthorized operation of a motor vehicle on a
6 private road or driveway within the private real property
7 where the owner or possessor, by means of posting, fencing or
8 otherwise, has taken reasonable steps to convey to the
9 general public that use of the road or driveway by the public
10 is prohibited.

11 (3) The unauthorized operation of a motor vehicle on a
12 private road or driveway within the private real property
13 except where the damages result from an ultra-hazardous
14 condition existing on the road or driveway of which the owner
15 or possessor failed to reasonably correct or give adequate
16 warning.

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