

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1216 Session of 2017

INTRODUCED BY FARRY, D. COSTA, W. KELLER, FREEMAN, MILLARD, READSHAW, CORBIN, McNEILL, DONATUCCI, V. BROWN, DEAN, KAUFFMAN, SOLOMON, BULLOCK, DeLUCA, SCHLOSSBERG, WARD, RYAN, WHEELAND, MASSER, WARREN, HILL-EVANS, GILLEN, DiGIROLAMO, DAVIS, ROZZI, RADER, SAINATO, WATSON, ELLIS, ROE AND NEILSON, APRIL 17, 2017

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, JUNE 30, 2017

AN ACT

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

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

6 Section 1. Title 42 is amended by adding a section to read:

7 § 8340.3. Rescue from motor vehicle.

8 (a) (Reserved).

9 (b) Rescue of animal DOG OR CAT.--No law enforcement <--
10 officer, ANIMAL CONTROL OFFICER, humane society police officer <--
11 or emergency responder, or the employer of a law enforcement
12 officer, humane society police officer or emergency responder,
13 shall be liable for damage to a motor vehicle or the contents
14 thereof caused by entry into the motor vehicle for the purpose
15 of removing an animal A DOG OR CAT, if the law enforcement <--
16 officer, humane society police officer or emergency responder:

1 (1) Has a good-faith, reasonable belief that the ~~animal~~ <--
2 DOG OR CAT is in imminent danger of suffering harm if not <--
3 immediately removed from the motor vehicle.

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

6 (3) Takes reasonable steps to ensure or restore the
7 well-being of the ~~animal~~ DOG OR CAT. <--

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

10 (5) Leaves notice on or in the motor vehicle stating the
11 reason entry was made, the name of the person and of the
12 person's employer, a telephone number and, if possible, the
13 location where the ~~animal~~ DOG OR CAT may be retrieved. <--

14 (c) Limitation.--A person shall not be immune from civil
15 liability for damage resulting from the entry if the person's
16 actions constitute gross negligence, recklessness or willful or
17 wanton misconduct.

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