

AMENDMENTS TO HOUSE BILL NO. 1152

Sponsor: REPRESENTATIVE MARSICO

Printer's No. 1375

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 9 through 17; page 2, lines 1
7 through 26; by striking out all of said lines on said pages and
8 inserting

9 § 8340.3. Rescue from motor vehicle.

10 (a) Rescue of individual.--No person shall be liable for
11 damage to a motor vehicle or the contents thereof caused by
12 entry into the motor vehicle for the purpose of removing an
13 individual from the motor vehicle, if the person:

14 (1) Has a good-faith, reasonable belief that the
15 individual is in imminent danger of suffering harm if not
16 immediately removed from the motor vehicle.

17 (2) Determines that the individual is unable to exit the
18 motor vehicle without assistance.

19 (3) Makes a reasonable effort to locate the driver of
20 the motor vehicle and to contact law enforcement, a fire
21 department or other emergency responder prior to entry. If
22 the driver is not located and such contact is not possible
23 prior to entering the motor vehicle, the person shall contact
24 law enforcement, a fire department or other emergency
25 responder as soon as reasonably possible after entering the
26 motor vehicle.

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

29 (5) Makes a good-faith effort to leave notice on or in
30 the motor vehicle stating the reason the entry was made, the
31 location of the individual who was removed from the motor
32 vehicle and, if possible, identifying the police or fire
33 department or other emergency responder that is expected to
34 respond.

35 (6) Remains with the individual in a safe location until

1 law enforcement or emergency responders arrive.

2 (b) (Reserved).

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