

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2189 Session of 2012

INTRODUCED BY CUTLER, AUMENT, BEAR, BOYD, R. BROWN, CARROLL, D. COSTA, P. COSTA, COX, ELLIS, EVERETT, GABLER, GODSHALL, GRELL, GROVE, HACKETT, HICKERNELL, M. K. KELLER, KILLION, KNOWLES, LAWRENCE, MILNE, PEIFER, PERRY, QUINN, ROCK, ROSS, STEPHENS, SWANGER, TOBASH AND VULAKOVICH, FEBRUARY 8, 2012

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 8, 2012

AN ACT

1 Amending Titles 18 (Crimes and Offenses) and 75 (Vehicles) of
 2 the Pennsylvania Consolidated Statutes, further providing for
 3 impersonating a public servant and for visual and audible
 4 signals on emergency vehicles.

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

7 Section 1. Section 4912 of Title 18 of the Pennsylvania
 8 Consolidated Statutes is amended to read:

9 § 4912. Impersonating a public servant.

10 (a) Offenses defined.--A person commits [a misdemeanor of
 11 the second degree if he falsely] the offense of impersonating a
 12 public servant if:

13 (1) The person pretends to hold a position in the public
 14 service with intent to induce another to submit to such
 15 pretended official authority or otherwise to act in reliance
 16 upon that pretense [to his prejudice].

17 (2) The person pretends to be a law enforcement officer

1 with intent to induce another to submit to such pretended
2 official authority or otherwise act in reliance upon that
3 pretense.

4 (b) Grading.--

5 (1) An offense under subsection (a)(1) is a misdemeanor
6 of the second degree.

7 (2) An offense under subsection (a)(2) is a felony of
8 the third degree.

9 (c) Definition.--As used in this section, the term "law
10 enforcement officer" means any of the following:

11 (1) A member of the Pennsylvania State Police.

12 (2) Any enforcement officer or investigator employed by
13 the Pennsylvania Liquor Control Board.

14 (3) A parole agent, enforcement officer and investigator
15 of the Pennsylvania Board of Probation and Parole.

16 (4) A Capitol Police officer.

17 (5) A Department of Conservation and Natural Resources
18 ranger.

19 (6) A drug enforcement agent of the Office of Attorney
20 General whose principal duty is the enforcement of the drug
21 laws of this Commonwealth and a special agent of the Office
22 of Attorney General whose principal duty is the enforcement
23 of the criminal laws of this Commonwealth.

24 (7) Any member of a port authority or other authority
25 police department.

26 (8) Any police officer of a county, region, city,
27 borough, town or township.

28 (9) Any sheriff or deputy sheriff.

29 (10) A Pennsylvania Waterways Conservation Officer.

30 (11) A Pennsylvania Wildlife Conservation Officer.

1 (12) A member of a campus police force with the power to
2 arrest under section 2416 of the act of April 9, 1929
3 (P.L.177, No.175), known as The Administrative Code of 1929.
4 As used in this paragraph, the term "campus police" has the
5 meaning given in section 302 of the act of November 29, 2004
6 (P.L.1383, No.180), known as the Uniform Crime Reporting Act.

7 (13) A member of the Fort Indiantown Gap Police Force.

8 (14) A corrections officer employed at a State or county
9 correctional institution to provide any security or custodial
10 service for inmates.

11 Section 2. Section 4571 of Title 75 is amended by adding a
12 subsection to read:

13 § 4571. Visual and audible signals on emergency vehicles.

14 * * *

15 (d.1) Sale of emergency vehicle.--

16 (1) A seller of an emergency vehicle equipped with
17 revolving or flashing lights or audible warning systems
18 identical or similar to those specified in subsections (a)
19 and (b) shall remove such lights or systems upon the sale of
20 the vehicle to a buyer who is not authorized by law or
21 regulation to operate an emergency vehicle with visual or
22 audible systems.

23 (2) A person who sells a vehicle equipped with visual or
24 audible warning systems in violation of this subsection
25 commits a summary offense and shall, upon conviction, be
26 sentenced to pay a fine of not less than \$500 nor more than
27 \$1,000.

28 (3) A person who sells a vehicle equipped with visual or
29 audible warning systems in violation of this subsection who
30 knows or should have known of the buyer's intent to use the

1 vehicle in violation of 18 Pa.C.S. § 4912(a)(2) (relating to
2 impersonating a public servant) commits a misdemeanor of the
3 third degree.

4 * * *

5 Section 3. This act shall take effect in 60 days.