
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 628 Session of
2003

INTRODUCED BY McCALL, BEBKO-JONES, BELFANTI, BUXTON, CIVERA,
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STABACK, SURRA, TANGRETTI, E. Z. TAYLOR, THOMAS, TRAVAGLIO,
WALKO, WANSACZ, J. WILLIAMS, YOUNGBLOOD AND YUDICHAK,
MARCH 4, 2003

REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS, MARCH 4, 2003

AN ACT

1 Providing for volunteer fire company reimbursements.

2 The General Assembly of the Commonwealth of Pennsylvania
3 hereby enacts as follows:

4 Section 1. Short title.

5 This act shall be known and may be cited as the Volunteer
6 Fire Company Reimbursement Act.

7 Section 2. Definitions.

8 The following words and phrases when used in this act shall
9 have the meanings given to them in this section unless the
10 context clearly indicates otherwise:

11 "Emergency communication center." An officially recognized
12 and approved Federal, State, county or municipal operation whose
13 purpose is to receive emergency calls, to determine the

1 appropriate agency, equipment and/or vehicles required to
2 respond to these calls and then to dispatch the appropriate
3 agency, equipment and/or emergency vehicle or vehicles to the
4 location of the emergency situation, incident or event.

5 "Emergency situation, incident or event." A disaster;
6 hazardous materials incident; fire; industrial or private
7 security or fire alarm systems incident; industrial accident;
8 auto accident; medical emergency; nonemergency call for medical
9 assistance; or any other situation, incident or event that does
10 or may present a potential danger and/or threat to the health
11 and safety of members of the public.

12 "Officially recognized dispatch." The dispatch of a
13 volunteer fire company by an officially recognized and approved
14 emergency communication center or response to a special call or
15 request from the Pennsylvania State Police or local police
16 whether it comes through an emergency communications center or
17 not. If a volunteer fire company responds to a special call or
18 request from the Pennsylvania State Police or local police that
19 has not come through an officially recognized and approved
20 emergency communication center prior to the special call or
21 request, upon notification by a volunteer fire company of a
22 request for dispatch, the emergency communication center shall
23 approve the response and assign a dispatch number to the
24 volunteer fire company and then contact the municipal emergency
25 services department, organization or person making the request
26 to confirm the request.

27 "Person." Includes a corporation, partnership, business
28 trust, other association, governmental entity other than the
29 Commonwealth, estate, trust, foundation or natural person.

30 "Volunteer fire company." A nonprofit chartered

1 organization, association or organization located in this
2 Commonwealth which provides fire protection services, including
3 fire police services and other volunteer emergency services
4 within this Commonwealth. Volunteer emergency services provided
5 by a volunteer fire company may include volunteer ambulance and
6 volunteer rescue service.

7 Section 3. Requirement to pay for response to emergencies.

8 A person involved in an emergency situation, incident or
9 event that necessitates a response from a volunteer fire company
10 shall be liable for the actual and reasonable response costs
11 incurred by the volunteer fire company unless the person:

12 (1) has paid to the municipality wherein the volunteer
13 fire company is located, a tax which funds at least in part
14 volunteer fire company services; or

15 (2) has made a monetary contribution to an annual fund
16 drive of a volunteer fire company recognized by the
17 resident's municipality within the preceding 12 months from
18 the date of the emergency situation, incident or event that
19 necessitates a response from a volunteer fire company.

20 Section 4. Establishment of reimbursement procedures.

21 (a) Billing.--Volunteer fire companies may bill for real and
22 reasonable reimbursement for costs related to responding to
23 calls dispatched by an officially recognized and approved
24 emergency communication center.

25 (b) Reimbursement.--When a person receives a bill for
26 reimbursement from a volunteer fire company, the person shall be
27 responsible for payment. If the person is forwarding the bill
28 for reimbursement to an insurance company, the person must
29 notify the volunteer fire company from which the bill for
30 reimbursement was received. Forwarding the bill for

1 reimbursement to an insurance company does not relieve the
2 person from financial responsibility for payment.

3 (c) Legal process.--If negotiations to recover response
4 costs do not resolve the dispute to the satisfaction of the
5 parties involved, the volunteer fire company may recover its
6 response costs in an action at law or in equity brought before a
7 court of competent jurisdiction. Should more than one volunteer
8 fire company incur response costs for the same emergency
9 situation, incident or event, the volunteer fire company
10 involved may file a joint action at law or in equity and may
11 designate one such organization to represent the others in the
12 action.

13 Section 5. Rules and regulations.

14 The Office of State Fire Commissioner, in consultation with
15 the Fire Safety Advisory Committee established under the act of
16 November 13, 1995 (P.L.604, No.61), known as the State Fire
17 Commissioner Act, shall promulgate rules and regulations
18 pertaining to reimbursing volunteer fire companies under this
19 act.

20 Section 6. Penalties.

21 A volunteer fire company filing a false request for
22 reimbursement commits a summary offense and, upon conviction,
23 shall be sentenced to pay a fine of not more than \$100 for each
24 false request.

25 Section 7. Effective date.

26 This act shall take effect in 180 days.