
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2606 Session of
2004

INTRODUCED BY HARPER, MCGILL, GEIST, MCCALL, BARD, CLYMER,
S. E. CORNELL, CRAHALLA, FABRIZIO, GINGRICH, GOODMAN,
HENNESSEY, HERSHEY, MARKOSEK, MARSICO, PICKETT, ROSS,
SCAVELLO, SCHRODER, E. Z. TAYLOR, TIGUE, WASHINGTON, WATSON,
WEBER AND YOUNGBLOOD, MAY 11, 2004

REFERRED TO COMMITTEE ON TRANSPORTATION, MAY 11, 2004

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, providing for removal of vehicles from certain
3 accident scenes where no serious personal injury has
4 occurred.

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

7 Section 1. Title 75 of the Pennsylvania Consolidated
8 Statutes is amended by adding a section to read:

9 § 3743.1. Removal of vehicles from certain accident scenes
10 where no serious personal injury has occurred.

11 (a) General rule.--Notwithstanding any provision of law to
12 the contrary, this section shall apply to any motor vehicle
13 traffic accident which occurs on a freeway, limited access
14 highway or roadway of this Commonwealth. The driver of any
15 vehicle involved in an accident resulting in no apparent serious
16 personal injury or death, or any other occupant of the vehicle
17 who possesses a valid driver's license, shall remove the vehicle

1 from the roadway to a safe refuge on the shoulder, emergency
2 lane or median or to a place otherwise removed from the roadway
3 whenever the movement of the vehicle may be done safely and the
4 vehicle is capable of being driven and may be operated under its
5 own power in a safe and customary manner. The driver of the
6 vehicle may request any person who possesses a valid driver's
7 license to remove the vehicle as provided in this section, and
8 the person may comply with the request.

9 (b) Liability determination.--The driver or any other person
10 who has removed a motor vehicle from the roadway as provided in
11 subsection (a) before the arrival of a police officer or
12 emergency response personnel shall not be considered liable or
13 at fault regarding the cause of the accident solely by reason of
14 moving the vehicle pursuant to this section.

15 (c) Construction.--A driver who complies with the
16 requirements of this section shall not be guilty of failure to
17 stop and immediately report a traffic accident. However, this
18 section does not abrogate or affect a driver's duty to stop and
19 give information in accordance with law.

20 (d) Penalty.--A person who violates this section commits a
21 summary offense and shall, upon conviction, be sentenced to pay
22 a fine of \$50.

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