

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2119 Session of  
2007

INTRODUCED BY SABATINA, MCGEEHAN, BOBACK, BUXTON, COHEN, CRUZ,  
DALEY, GEIST, GOODMAN, HARHAI, HERSHEY, HORNAMAN, JOSEPHS,  
W. KELLER, LEACH, MELIO, MOYER, MYERS, O'NEILL, PARKER,  
PAYTON, PETRONE, READSHAW, ROEBUCK, SHIMKUS, SONNEY, WATSON  
AND YOUNGBLOOD, DECEMBER 13, 2007

REFERRED TO COMMITTEE ON JUDICIARY, DECEMBER 13, 2007

AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania  
2 Consolidated Statutes, providing for safety equipment for  
3 private security firms.

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

6 Section 1. Title 35 of the Pennsylvania Consolidated  
7 Statutes is amended by adding a part to read:

8 PART IV

9 PRIVATE SECURITY

10 Chapter

11 41. Preliminary Provisions (Reserved)

12 43. Safety Equipment

13 CHAPTER 41

14 PRELIMINARY PROVISIONS

15 (Reserved)

16 CHAPTER 43

17 SAFETY EQUIPMENT

1 Sec.

2 4301. Definitions.

3 4302. Provision of vests.

4 § 4301. Definitions.

5 The following words and phrases when used in this chapter  
6 shall have the meanings given to them in this section unless the  
7 context clearly indicates otherwise:

8 "Commissioner." The Commissioner of the Pennsylvania State  
9 Police.

10 "Employee." The term shall mean privately employed agents,  
11 as defined under section 3 of the act of October 10, 1974  
12 (P.L.705, No.235), known as the Lethal Weapons Training Act,  
13 that are required as part of their employment to carry a  
14 firearm.

15 "Vest." A soft body armor vest which complies with the  
16 provisions of this chapter.

17 § 4302. Provision of vests.

18 (a) Requirements.--Every employee shall be provided with a  
19 vest by his or her employer. Each vest shall be of a type  
20 commonly known or classified as Type I, Type IIA, Type II or  
21 Type IIIA in such standard classification systems as the  
22 National Institute of Justice standards for ballistic and knife  
23 resistance of police body armor and shall provide front, back  
24 and side protection. Any vest which does not meet the  
25 requirements of this section shall be immediately discarded and  
26 replaced with a vest which complies with this section. Every  
27 employer shall conduct monthly inspections to ensure that the  
28 vests worn by its employees are in compliance with this section.

29 (b) Regulations.--The commissioner shall promulgate  
30 regulations prescribing standards and specifications for vests.

1 In promulgating the regulations, the commissioner shall give due  
2 consideration to all of the following:

3       (1) The maximum total weight of a vest which provides  
4 adequate protection against ballistic and knife penetration  
5 and trauma and which may be worn in comfort throughout an  
6 eight-hour tour of duty.

7       (2) The ballistic specifications which the vest or any  
8 part thereof must be capable of defeating.

9       (3) The knife perforation specifications which the vest  
10 or any part thereof must be capable of defeating.

11       (4) The requirement that vests shall provide front, back  
12 and side protection.

13       (5) The testing procedures appropriate for determining  
14 the effectiveness of the vests.

15       (6) The labeling requirements for the vests and  
16 component parts thereof.

17       (7) The commercial availability of conforming vests.

18       (c) Civil penalty.--Any employer that fails to provide a  
19 vest under this section shall pay a civil penalty of \$1,000 for  
20 each vest that is not provided.

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