

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 914 Session of 2021

INTRODUCED BY HEFFLEY, STAMBAUGH, RYAN, MILLARD, B. MILLER AND  
WHEELAND, MARCH 15, 2021

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 15, 2021

AN ACT

1 Amending Titles 18 (Crimes and Offenses) and 75 (Vehicles) of  
2 the Pennsylvania Consolidated Statutes, in falsification and  
3 intimidation, further providing for the offense of  
4 impersonating a public servant; and, in other required  
5 equipment, further providing for visual and audible signals  
6 on emergency vehicles.

7 The General Assembly of the Commonwealth of Pennsylvania  
8 hereby enacts as follows:

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

11 § 4912. Impersonating a public servant.

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

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

19 (2) The person pretends to be a law enforcement officer  
20 with intent to induce another to submit to such pretended

1 official authority or otherwise act in reliance upon that  
2 pretense.

3 (b) Grading.--

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

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

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

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

11 (2) A liquor enforcement officer of the Pennsylvania  
12 State Police.

13 (3) An enforcement officer or investigator employed by  
14 the Pennsylvania Liquor Control Board.

15 (4) A parole agent, enforcement officer or investigator  
16 of the Pennsylvania Board of Probation and Parole.

17 (5) A Capitol Police officer.

18 (6) A Department of Conservation and Natural Resources  
19 ranger.

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

25 (8) A member of a port authority or other authority  
26 police department.

27 (9) A police officer of a county, region, city, borough,  
28 town or township.

29 (10) A sheriff or deputy sheriff.

30 (11) A Pennsylvania Waterways Conservation Officer.

1       (12) A Pennsylvania Wildlife Conservation Officer.

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

8       (14) A member of the Fort Indiantown Gap Police Force.

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

12       (16) A constable or deputy constable.

13       Section 2. Section 4571 of Title 75 is amended by adding  
14 subsections to read:

15       § 4571. Visual and audible signals on emergency vehicles.

16       \* \* \*

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

18       (1) A seller of an emergency vehicle equipped with  
19 revolving or flashing lights or audible warning systems  
20 identical or similar to those specified in subsections (a)  
21 and (b) shall remove all externally mounted emergency lights  
22 or permanently disable all other nonremovable emergency  
23 lights or systems upon the sale of the vehicle to a buyer who  
24 is not authorized by law or regulation to operate an  
25 emergency vehicle with visual or audible systems.

26       (2) A person who sells a vehicle equipped with visual or  
27 audible warning systems in violation of this subsection  
28 commits a summary offense and shall, upon conviction, be  
29 sentenced to pay a fine of not less than \$500 nor more than  
30 \$1,000.

1       (3) A person who sells a vehicle equipped with visual or  
2       audible warning systems in violation of this subsection who  
3       knows or should have known of the buyer's intent to use the  
4       vehicle in violation of 18 Pa.C.S. § 4912(a)(2) (relating to  
5       impersonating a public servant) commits a misdemeanor of the  
6       third degree.

7       (d.2) Exceptions.--Subsections (d) and (d.1) shall not apply  
8       to any of the following:

9       (1) The sale or use of police, fire or other emergency  
10       vehicles for which antique, classic, vintage or collectible  
11       registration plates have been issued under section 1340  
12       (relating to antique, classic and collectible plates) and  
13       which are driven or transported without operation of visual  
14       or audible warning systems.

15       (2) The sale or use of police, fire or other emergency  
16       vehicles for which manufacturer or dealer registration plates  
17       have been issued under section 1335 (relating to registration  
18       plates for manufacturers and dealers) and which are driven or  
19       transported without operation of visual or audible warning  
20       systems for the purpose of sale, service, demonstration or  
21       exhibition.

22       (3) The sale or use of a police, fire or other emergency  
23       vehicle by a representative of a manufacturer of aftermarket  
24       emergency vehicle equipment or an upfitter whose primary  
25       income is derived from the sale, service or installation of  
26       emergency vehicle equipment when the vehicle is driven or  
27       transported without operation of visual or audible warning  
28       systems for the purpose of sale, service, demonstration or  
29       exhibition. The vehicle shall be clearly marked as a  
30       demonstration vehicle.

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