

GAME CODE (34 PA.C.S.) - POWERS AND DUTIES OF ENFORCEMENT OFFICERS
AND RESISTING OR INTERFERING WITH OFFICER
Act of Oct. 7, 2010, P.L. 474, No. 64 Cl. 34

Session of 2010
No. 2010-64

HB 181

AN ACT

Amending Title 34 (Game) of the Pennsylvania Consolidated Statutes,
further providing for powers and duties of enforcement officers;
and for resisting or interfering with an officer.

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

Section 1. Section 901(a)(2), (3), (6), (7), (8) and (14) of
Title 34 of the Pennsylvania Consolidated Statutes are amended and
the section is amended by adding a subsection to read:
§ 901. Powers and duties of enforcement officers.

(a) Powers.--Any officer whose duty it is to enforce this title
or any officer investigating any alleged violation of this title
shall have the power and duty to:

* * *

(2) Go upon any land or water outside of buildings, **except
curtilage**, posted or otherwise, in the performance of the
officer's duty.

(3) Serve subpoenas issued under the provisions of this
title **or any other statute the officer is authorized to enforce.**

* * *

(6) Stop [and inspect or search, at any time,] any means
of transportation within this Commonwealth **under reasonable
suspicion or under the administrative procedures for road
checkpoints**. Any officer who stops any means of transportation
shall be in uniform and present a badge or other means of
official identification and state the purpose of the [inspection
or search] **stop**.

(7) [Inspect and examine or search, at any time or place,]
Search any person or means of transportation or its attachment
or occupants, or any clothing worn by any person, or any bag,
clothing or container [when] **under probable cause, consent,
exigent circumstances or other established exceptions to warrant
requirements, provided that if any person is present** the officer
presents **a badge or other means of** official identification and
states the purpose of the [inspection or] search.

(8) [Inspect and examine or search, at any time, any camp,
tent, cabin, trailer or any means of transportation or its
attachment being used when the officer presents official
identification to the person in charge and states the purpose
of the inspection or search.] **Conduct administrative inspections
of persons, licenses and permits, firearms, ammunition and other
implements of taking, game bags, game, meat poles, tags,
clothing, waterfowl blinds, decoys, tree stands, immediate
hunting locations, or any means of transportation or its
attachments used as blinds or as hunting locations, and any
coolers or containers possessed at a hunting location when prima
facie evidence of hunting exists. Any officer conducting an
administrative inspection shall, if any person is present,**

present a badge or other means of official identification and state the purpose of the inspection.

* * *

(14) Demand and secure identification from any person **who is the subject of an official investigation or investigative detention, supported by reasonable suspicion** , if the officer presents a badge or other means of official identification.

* * *

(c) Definitions.--As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

"Officer's employment." The period of time during which a wildlife conservation officer is currently engaged in an activity the officer is employed to perform at the time of the engagement and in places the officer is authorized to perform the activity.

Section 2. Section 904(b)(1) of Title 34 is amended to read:
§ 904. Resisting or interfering with an officer.

* * *

(b) Failure to produce identification upon demand.--

(1) A person who refuses to provide identification upon demand of an officer whose duty it is to enforce this title after having been told by the officer that the person is the subject of an official investigation **or investigative detention, supported by reasonable suspicion** , commits a summary offense of the fifth degree.

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

APPROVED--The 7th day of October, A.D. 2010.

EDWARD G. RENDELL