

THE GENERAL ASSEMBLY OF PENNSYLVANIA

# HOUSE BILL

## No. 739

Session of  
1987

INTRODUCED BY FOX, KUKOVICH, HALUSKA, MELIO, MORRIS, J. TAYLOR, VROON, CESSAR, J. L. WRIGHT, TRELLO, PHILLIPS, JOHNSON, SCHULER, MERRY, ANGSTADT, BOWSER, NAHILL, FARGO, RAYMOND, SHOWERS, CARLSON, STABACK, BALDWIN, LEVDANSKY, HERMAN, HASAY, FISCHER, DISTLER, PERZEL, LLOYD, BUNT, NOYE, BELFANTI, GLADECK, VEON, CORNELL, MICOZZIE, MRKONIC, SALOOM AND CIVERA, MARCH 10, 1987

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 10, 1987

### AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, providing for civil  
3 immunity for volunteer emergency service providers.

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

6 Section 1. Title 42 of the Pennsylvania Consolidated  
7 Statutes is amended by adding a section to read:

8 § 8338. Civil immunity for volunteer emergency service  
9 providers.

10 (a) General rule.--No volunteer emergency service provider  
11 or any member thereof shall be subject to any liability for  
12 civil damages resulting from acts or omissions while engaged in  
13 activities relating to the provision of emergency services.

14 (b) Exceptions.--Nothing in this section shall be construed  
15 to limit or otherwise affect or preclude liability resulting  
16 from intentional misconduct.

1     (c) Construction of section.--Nothing in this section shall  
2 be construed to affect any other immunity granted by statute.

3     (d) Definitions.--As used in this section the following  
4 words and phrases shall have the meanings given to them in this  
5 subsection:

6     "Emergency services." Includes firefighting, fire  
7 prevention, first aid, rescue and salvage, ambulance service,  
8 fire police work, assistance at accidents, control of crowds  
9 both on the fire grounds and at occasions of public or general  
10 assembly, animal rescue, abatement of conditions due to storm,  
11 flood or general peril, abatement or removal of hazards to  
12 safety and such other activities as are commonly undertaken by  
13 volunteer emergency service providers.

14     "Volunteer emergency service provider." Includes a volunteer  
15 fire company, a volunteer ambulance company, a volunteer rescue  
16 squad or any other volunteer organization that provides  
17 emergency services.

18     Section 2. This act shall take effect immediately.