

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL**No. 2199** Session of
2012

INTRODUCED BY STEPHENS, BOBACK, GEORGE, HESS, HORNAMAN, KNOWLES,
MAJOR, MILLARD, MURT, ROCK, SWANGER, TALLMAN, TOEPEL,
VULAKOVICH, WATSON, GEIST, MILNE AND FARRY, FEBRUARY 14, 2012

AS REPORTED FROM COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS, HOUSE OF REPRESENTATIVES, AS AMENDED, APRIL 4,
2012

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for duty of driver in emergency
3 response areas.

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

6 Section 1. Section 3327(a), (b) and (b.1) of Title 75 of the
7 Pennsylvania Consolidated Statutes are amended and the section
8 is amended by adding a subsection to read:

9 § 3327. Duty of driver in emergency response areas.

10 (a) General rule.--When approaching or passing an emergency
11 response area, a person, unless otherwise directed by an
12 emergency service responder, shall:

13 (1) pass in a lane not adjacent to that of the emergency
14 response area, if possible; [or]

15 (2) if passing in a nonadjacent lane is impossible,
16 illegal or unsafe, pass the emergency response area at a
17 careful and prudent reduced speed reasonable for safely

1 passing the emergency response area[.]; or

2 (3) not drive past, around or through a sign or traffic-
3 control device closing a road or highway due to an existing
4 or potentially hazardous condition.

5 (b) Penalty.--

6 (1) Any person violating subsection (a) commits a
7 summary offense and shall, upon conviction, pay a fine of not
8 more than \$250.

9 ~~(2) A person who violates subsection (a) (3) commits a~~ ←
10 ~~summary offense and shall, upon conviction, pay a fine of not~~
11 ~~more than \$500 if the individual or the disabled vehicle~~
12 ~~utilizes the services of a first responder or emergency~~
13 ~~medical or rescue services personnel, including towing~~
14 ~~services as a result of the violation.~~

15 (2) IF A VIOLATION OF SUBSECTION (A) (3) RESULTS IN THE ←
16 UTILIZATION OF THE SERVICES OF A FIRST RESPONDER OR EMERGENCY
17 MEDICAL OR RESCUE PERSONNEL, INCLUDING TOWING SERVICES, THE
18 FINE SHALL BE INCREASED TO NOT LESS THAN \$250 NOR MORE THAN
19 \$500.

20 (b.1) Suspension of operating privilege.--The department
21 shall suspend the operating privilege of any person for 90 days
22 upon receiving a certified record of the driver's conviction,
23 adjudication of delinquency or admission into a preadjudication
24 program for a violation of subsection (a), if the certified
25 conviction indicates the violation resulted in serious bodily
26 injury to another person or if the vehicle becomes disabled as a
27 result of violating subsection (a) (3). The license shall be
28 surrendered in accordance with section 1540 (relating to
29 surrender of license).

30 (b.2) Presumption.--For the purposes of this section, it is

1 presumed that a vehicle became disabled as a result of violating
2 subsection (a) (3) if it was disabled near or in the hazard for
3 which the traffic-control device had been placed absent evidence
4 to the contrary.

5 * * *

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