

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

HOUSE BILL

No. 138 Session of  
2015

---

INTRODUCED BY FARRY, GREINER, STEPHENS, DUNBAR, BAKER, V. BROWN,  
LONGIETTI, SCHWEYER, BARRAR, KILLION, KNOWLES, GRELL,  
MILLARD, COHEN, MULLERY, LAWRENCE AND MARSICO,  
JANUARY 21, 2015

---

REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY  
PREPAREDNESS, JANUARY 21, 2015

---

AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania  
2 Consolidated Statutes, providing for soliciting by first  
3 responder organizations.

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 section to read:

8 § 7714. Soliciting by first responder organizations.

9 (a) Soliciting donations.--Except as provided for under 75  
10 Pa.C.S. § 3545 (relating to pedestrians soliciting rides or  
11 business), a first responder organization approved by the  
12 municipality or the Department of Transportation, for highways  
13 under its jurisdiction, may solicit donations as follows:

14 (1) Solicitations may be conducted on behalf of or by a  
15 bona fide, duly constituted first responder organization in  
16 accordance with the following:

17 (i) The solicitation shall only occur at a

1 controlled-intersection approach which contains a stop  
2 sign or a traffic signal.

3 (ii) A first responder organization shall obtain the  
4 written approval of the municipality where the  
5 solicitation occurs and the written approval of the  
6 Department of Transportation for highways under its  
7 jurisdiction. The municipality and the Department of  
8 Transportation, for highways under its jurisdiction, may  
9 base the decision regarding approval or disapproval on  
10 public safety or traffic operations issues. Approval may  
11 be revoked if concerns are raised due to unanticipated  
12 public safety or a traffic operation event.

13 (iii) The municipality or Department of  
14 Transportation, for highways under its jurisdiction,  
15 shall be permitted to establish limitations on any of the  
16 following:

17 (A) Duration of the solicitation.

18 (B) The time of day when solicitation shall  
19 occur.

20 (C) The number of individuals engaging in  
21 solicitation.

22 (iv) A solicitor on behalf of a first responder  
23 organization shall adhere to the following:

24 (A) The solicitor must have both liability and  
25 workers' compensation insurance provided by the  
26 organization for which the solicitor is soliciting if  
27 the solicitor is a bona fide member of the  
28 organization.

29 (B) The solicitor must be accompanied at all  
30 times by an individual trained in first aid and must

1           have a first aid kit present at all times.

2           (C) The solicitor must wear a Pennsylvania  
3           Department of Transportation-approved traffic safety  
4           vest.

5       (b) Definitions.--As used in this section, the term "first  
6       responder organization" means any of the following which is  
7       located in this Commonwealth:

8           (1) A volunteer fire, rescue or emergency medical  
9           services company.

10          (2) Law enforcement personnel.

11          (3) Other individuals who protect the public safety.

12          (4) A nonprofit organization as classified under section  
13       501(c)(3) of the Internal Revenue Code of 1986 (Public Law  
14       99-514, 26 U.S.C. § 501(c)(3)).

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