
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 986 Session of
2015

INTRODUCED BY PILEGGI, RAFFERTY, VULAKOVICH, VANCE, AUMENT,
BARTOLOTTA, FOLMER, BLAKE, WHITE, BOSCOLA, BREWSTER, COSTA,
FONTANA, DINNIMAN, SABATINA AND TARTAGLIONE, AUGUST 25, 2015

REFERRED TO JUDICIARY, AUGUST 25, 2015

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, providing for civil
3 immunity of person rescuing minor from motor vehicle.

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 § 8332.9. Civil immunity of person rescuing minor from motor
9 vehicle.

10 (a) General rule.--A person who removes or attempts to
11 remove a minor from a motor vehicle shall be immune from civil
12 liability for any damage resulting from the removal or attempt
13 if the person:

14 (1) Determines that the motor vehicle is locked or no
15 reasonable method exists for the minor to exit the motor
16 vehicle.

17 (2) Has a reasonable and good faith belief that forcible
18 entry into the motor vehicle is necessary because the minor

1 is in imminent danger of suffering harm if not immediately
2 removed from the motor vehicle.

3 (3) Contacts any of the following before the removal or
4 attempt occurs, if practicable, or as soon as possible after
5 the removal or attempt occurs:

6 (i) The local law enforcement agency.

7 (ii) The fire department.

8 (iii) A 911 emergency service operator.

9 (4) Remains with the minor at a safe location near the
10 motor vehicle until a law enforcement officer arrives.

11 (5) Uses no more force than necessary for the removal or
12 attempt.

13 (b) Exceptions.--Subsection (a) does not grant immunity from
14 civil liability to a person who:

15 (1) renders aid to a minor beyond what is authorized
16 under subsection (a); or

17 (2) exercises gross negligence or willful or wanton
18 misconduct in the removal of or attempt to remove the minor
19 from the motor vehicle.

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