
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 279 Session of
2019

INTRODUCED BY BOBACK, PICKETT, RYAN, GREINER, DIAMOND, MILLARD,
ISAACSON, McNEILL, DOWLING, OTTEN, KORTZ, STRUZZI, WARREN,
MURT, JOZWIAK, READSHAW, BROWN, HILL-EVANS, CIRESI, OWLETT,
IRVIN, KAUFER, NEILSON AND TOOHIL, JANUARY 29, 2019

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 29, 2019

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, in particular rights and
3 immunities, providing for rescue 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 § 8340.4. Rescue from motor vehicle.

9 No person shall be liable for damage to a motor vehicle or
10 the contents thereof caused by entry into the motor vehicle for
11 the purpose of removing an individual from the motor vehicle, if
12 the person:

13 (1) Has a good-faith, reasonable belief that the
14 individual is in imminent danger of suffering harm if not
15 immediately removed from the motor vehicle.

16 (2) Determines that the individual is unable to exit the
17 motor vehicle without assistance.

1 (3) Makes a reasonable effort to locate the driver of
2 the motor vehicle and to contact law enforcement, a fire
3 department or other emergency responder prior to entry. If
4 the driver is not located and such contact is not possible
5 prior to entering the motor vehicle, the person shall contact
6 law enforcement, a fire department or other emergency
7 responder as soon as reasonably possible after entering the
8 motor vehicle.

9 (4) Uses no more force than necessary under the
10 circumstances to enter the motor vehicle.

11 (5) Makes a good-faith effort to leave notice on or in
12 the motor vehicle stating the reason the entry was made, the
13 location of the individual who was removed from the motor
14 vehicle and, if possible, identifying the police or fire
15 department or other emergency responder that is expected to
16 respond.

17 (6) Remains with the individual in a safe location until
18 law enforcement or emergency responders arrive.

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