

No. 2016-75

## AN ACT

HB 898

Amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in preliminary provisions, further defining "emergency vehicle"; in operation of vehicles, further providing for drivers of emergency vehicles; in other required equipment, further providing for visual and audible signals on emergency vehicles and for visual signals on authorized vehicles; and, in powers of department and local authorities, providing for removal of dead deer.

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

Section 1. The definition of "emergency vehicle" in section 102 of Title 75 of the Pennsylvania Consolidated Statutes, amended November 4, 2015 (P.L.227, No.61), is amended to read:

§ 102. Definitions.

Subject to additional definitions contained in subsequent provisions of this title which are applicable to specific provisions of this title, the following words and phrases when used in this title shall have, unless the context clearly indicates otherwise, the meanings given to them in this section:

\* \* \*

"Emergency vehicle." A State or county emergency management vehicle, fire department vehicle, police vehicle, sheriff vehicle, ambulance, advanced life support squad vehicle, basic life support squad vehicle, emergency canteen support service organization vehicle, blood delivery vehicle, human organ delivery vehicle, hazardous material response vehicle, armed forces emergency vehicle, one vehicle operated by a coroner or chief county medical examiner and one vehicle operated by a chief deputy coroner or deputy chief county medical examiner used for answering emergency calls, a vehicle owned by or leased to a regional emergency medical services council that is used as authorized by the Department of Health to respond to an actual or potential disaster, mass casualty situation or substantial threat to public health, a vehicle owned by a county or regional police association and operated by a police officer that is used for police transport or victim extraction, *a vehicle that is owned and operated by a county correctional institution in a city of the first class and used to respond to an emergency at a correctional institution in a city of the first class or to escort an ambulance which is transporting sick or injured prisoners in a city of the first class*, any vehicle operated by a special agent, special agent supervisor, narcotics agent or narcotics agent supervisor while performing official duties as employees of the Office of Attorney General, any vehicle owned and operated by the Philadelphia Parking Authority established in accordance with 53 Pa.C.S. Ch. 55 (relating to parking authorities) and used in the enforcement of 53 Pa.C.S. Ch. 57 (relating to taxicabs and limousines in first class cities), a vehicle owned and operated by the Pennsylvania Turnpike Commission that is used by an emergency service responder as dispatched

by the Pennsylvania Turnpike Commission's traffic operations center, or any other vehicle designated by the State Police under section 6106 (relating to designation of emergency vehicles by Pennsylvania State Police), or a privately owned vehicle used in answering an emergency call when used by any of the following:

- (1) A police chief and assistant chief.
- (2) A fire chief, assistant chief and, when a fire company has three or more fire vehicles, a second or third assistant chief.
- (3) A fire police captain and fire police lieutenant.
- (4) An ambulance corps commander and assistant commander.
- (5) A river rescue commander and assistant commander.
- (6) A county emergency management coordinator.
- (7) A fire marshal.
- (8) A rescue service chief and assistant chief.
- (9) The chief or operations director of a county hazardous materials response team.

\* \* \*

Section 2. Section 3105 of Title 75 is amended by adding a subsection to read:

§ 3105. Drivers of emergency vehicles.

\* \* \*

***(d.1) Vehicles owned and operated by a county correctional institution in a city of the first class.—The driver of a vehicle that is owned and operated by a county correctional institution in a city of the first class and used to respond to an emergency at a correctional institution in a city of the first class or to escort an ambulance which is transporting a sick or injured prisoner in a city of the first class shall comply with maximum speed limits, red signal indications and stop signs. After ascertaining that the vehicle will be given the right-of-way, the driver may proceed through a red signal indication or stop sign.***

\* \* \*

Section 3. Section 4571(f) of Title 75 is amended and subsection (b.1) is amended by adding paragraphs to read:

§ 4571. Visual and audible signals on emergency vehicles.

\* \* \*

(b.1) Mounted lights and additional equipment.—

\* \* \*

***(1.1) Nothing contained in the regulations under paragraph (1) may be construed to require a limit, modification or change of the lighting in police, sheriff and fire vehicles legally complying with regulations as of the date of enactment of this paragraph as long as the vehicle is used as an emergency vehicle.***

\* \* \*

***(3) The department may not prohibit the use of flashing or revolving lights mounted internally in the passenger compartment of fire department vehicles or privately owned vehicles used in answering an emergency call when used by a fire chief, assistant chief and, when a***

*fire company has three or more fire vehicles, a second or third assistant chief that comply with the department's regulations.*

*(4) On an annual basis, but no later than April 1 of each year, the State Fire Commissioner may recommend to the department any changes or challenges to the emerging technology of the flashing or revolving lights mounted internally or externally in privately owned vehicles of volunteer firefighters when used in answering an emergency call. The department, in consultation with the Pennsylvania State Police, shall review the recommendations and may promulgate any necessary regulations on the use, type and installation of the emerging technology.*

\* \* \*

(f) Conformity with department regulations.—[All] *Except as provided under subsection (b.1)(1.1), all equipment authorized or required by this section shall conform to department regulations.*

Section 4. Section 4572(a) of Title 75 is amended by adding a paragraph to read:

§ 4572. Visual signals on authorized vehicles.

(a) Flashing or revolving blue lights.—Ambulance personnel, volunteer firefighters, certified volunteer search and rescue organization members and owners and handlers of dogs used in tracking humans may each equip one motor vehicle with no more than two flashing or revolving blue lights.

\* \* \*

*(2.1) Nothing contained in the regulations under paragraph (2) shall be construed to require a limit, modification or change of the lighting in vehicles legally complying with regulations as of the date of enactment of this paragraph as long as the vehicle is used in a manner that otherwise complies with this section.*

\* \* \*

Section 5. Title 75 is amended by adding a section to read:

§ 6119. *Removal of dead deer.*

*(a) Duty.—It is the duty of the department to remove dead deer from the State right-of-way upon immediate notification and when the department is conducting general maintenance on the State right-of-way.*

*(b) Notice of hazard.—The department shall erect signs strategically informing the public of deer crossings and provide notice to the public on when deer are most active to reduce the risk of a deer-related crash.*

Section 6. This act shall take effect as follows:

(1) This section and the addition of 75 Pa.C.S. § 4571(b.1)(3) and (4) shall take effect immediately.

(2) The remainder of this act shall take effect in 60 days.

APPROVED—The 8th day of July, A.D. 2016

TOM WOLF