

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2349 Session of
2014

INTRODUCED BY FARRY, MASSER, MILLARD, LONGIETTI, CALTAGIRONE,
DIGIROLAMO, O'NEILL, KILLION, DAVIS, SWANGER, SANKEY AND
GODSHALL, JUNE 16, 2014

REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS, JUNE 16, 2014

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 shall
15 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.