

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1357 Session of 2013

INTRODUCED BY HEFFLEY, MILLARD, MAJOR, V. BROWN, GODSHALL, KNOWLES, R. MILLER, KORTZ, FARINA, SCHLOSSBERG, GRELL, DENLINGER, EVERETT, KAUFFMAN, GINGRICH, R. BROWN, PETRI, SWANGER, BROOKS, COHEN, GILLEN, TOOIL, MILNE, CUTLER AND CALTAGIRONE, MAY 8, 2013

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF REPRESENTATIVES, AS AMENDED, OCTOBER 1, 2013

AN ACT

1 Amending Titles 18 (Crimes and Offenses) and 75 (Vehicles) of
2 the Pennsylvania Consolidated Statutes, further providing for
3 impersonating a public servant and for visual and audible
4 signals on emergency vehicles.

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

7 Section 1. Section 4912 of Title 18 of the Pennsylvania
8 Consolidated Statutes is amended to read:

9 § 4912. Impersonating a public servant.

10 (a) Offenses defined.--A person commits [a misdemeanor of
11 the second degree if he falsely] the offense of impersonating a
12 public servant if:

13 (1) The person pretends to hold a position in the public
14 service with intent to induce another to submit to such
15 pretended official authority or otherwise to act in reliance
16 upon that pretense [to his prejudice].

17 (2) The person pretends to be a law enforcement officer

1 with intent to induce another to submit to such pretended
2 official authority or otherwise act in reliance upon that
3 pretense.

4 (b) Grading.--

5 (1) An offense under subsection (a)(1) is a misdemeanor
6 of the second degree.

7 (2) An offense under subsection (a)(2) is a felony of
8 the third degree.

9 (c) Definition.--As used in this section, the term "law
10 enforcement officer" means any of the following:

11 (1) A member of the Pennsylvania State Police.

12 (2) A liquor enforcement officer of the Pennsylvania
13 State Police.

14 (3) Any enforcement officer or investigator employed by
15 the Pennsylvania Liquor Control Board.

16 (4) A parole agent, enforcement officer and investigator
17 of the Pennsylvania Board of Probation and Parole.

18 (5) A Capitol Police officer.

19 (6) A Department of Conservation and Natural Resources
20 ranger.

21 (7) A drug enforcement agent of the Office of Attorney
22 General whose principal duty is the enforcement of the drug
23 laws of this Commonwealth and a special agent of the Office
24 of Attorney General whose principal duty is the enforcement
25 of the criminal laws of this Commonwealth.

26 (8) Any member of a port authority or other authority
27 police department.

28 (9) Any police officer of a county, region, city,
29 borough, town or township.

30 (10) Any sheriff or deputy sheriff.

1 (11) A Pennsylvania Waterways Conservation Officer.

2 (12) A Pennsylvania Wildlife Conservation Officer.

3 (13) A member of a campus police force with the power to
4 arrest under section 2416 of the act of April 9, 1929

5 (P.L.177, No.175), known as The Administrative Code of 1929.

6 As used in this paragraph, the term "campus police" has the
7 meaning given in section 302 of the act of November 29, 2004

8 (P.L.1383, No.180), known as the Uniform Crime Reporting Act.

9 (14) A member of the Fort Indiantown Gap Police Force.

10 (15) A corrections officer employed at a State or county
11 correctional institution to provide any security or custodial
12 service for inmates.

13 Section 2. Section 4571 of Title 75 is amended by adding
14 subsections to read:

15 § 4571. Visual and audible signals on emergency vehicles.

16 * * *

17 (d.1) Sale of emergency vehicle.--

18 (1) A seller of an emergency vehicle equipped with
19 revolving or flashing lights or audible warning systems
20 identical or similar to those specified in subsections (a)
21 and (b) shall remove OR PERMANENTLY DISABLE such lights or <--
22 systems upon the sale of the vehicle to a buyer who is not
23 authorized by law or regulation to operate an emergency
24 vehicle with visual or audible systems.

25 (2) A person who sells a vehicle equipped with visual or
26 audible warning systems in violation of this subsection
27 commits a summary offense and shall, upon conviction, be
28 sentenced to pay a fine of not less than \$500 nor more than
29 \$1,000.

30 (3) A person who sells a vehicle equipped with visual or

1 audible warning systems in violation of this subsection who
2 knows or should have known of the buyer's intent to use the
3 vehicle in violation of 18 Pa.C.S. § 4912(a)(2) (relating to
4 impersonating a public servant) commits a misdemeanor of the
5 third degree.

6 (d.2) Exceptions.--Subsections (d) and (d.1) shall not apply
7 to any of the following:

8 (i) The sale or use of police, fire or other
9 emergency vehicles for which antique, classic, vintage or
10 collectible registration plates have been issued under
11 section 1340 (relating to antique, classic and
12 collectible plates) and which are driven or transported
13 without operation of visual or audible warning systems.

14 (ii) The sale or use of police, fire or other
15 emergency vehicles for which manufacturer or dealer
16 registration plates have been issued under section 1335
17 (relating to registration plates for manufacturers and
18 dealers) and which are driven or transported without
19 operation of visual or audible warning systems for the
20 purpose of sale, service, demonstration or exhibition.

21 * * *

22 Section 3. This act shall take effect in 60 days.