

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2233 Session of 2024

INTRODUCED BY CURRY, HILL-EVANS, GIRAL, BELLMON, SANCHEZ, ZIMMERMAN, DALEY AND GREEN, APRIL 24, 2024

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, MAY 22, 2024

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in miscellaneous provisions relating to operation
3 of vehicles, further providing for accident scene clearance.

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

6 Section 1. Section 3745.1 of Title 75 of the Pennsylvania
7 Consolidated Statutes is amended by adding a subsection to read:
8 § 3745.1. Accident scene clearance.

9 * * *

10 ~~(f.1) Violation of title or local ordinance. An owner or <--~~
11 ~~operator of a tow truck that recovers or removes a wrecked or~~
12 ~~disabled vehicle from the roadway to a safe refuge on the~~
13 ~~shoulder, emergency lane or median at the direction of a police~~
14 ~~officer, while the police officer is engaged in the performance~~
15 ~~of the police officer's official duties, is not in violation of~~
16 ~~this title or an ordinance of a local authority for an action~~
17 ~~performed by the owner or operator of the tow truck during the~~
18 ~~recovery or removal of the wrecked or disabled vehicle if the~~

1 ~~action was performed at the specific direction of the police~~
2 ~~officer, while the police officer is engaged in the performance~~
3 ~~of the police officer's official duties.~~

4 (F.1) VIOLATION OF TITLE OR LOCAL ORDINANCE.--AN OWNER OR <--
5 OPERATOR OF A TOW TRUCK THAT RECOVERS OR REMOVES A WRECKED OR
6 DISABLED VEHICLE FROM THE ROADWAY TO THE NEAREST SAFE REFUGE ON
7 THE SHOULDER, EMERGENCY LANE OR MEDIAN AT THE DIRECTION OF A
8 POLICE OFFICER, WHILE THE POLICE OFFICER IS ENGAGED IN THE
9 PERFORMANCE OF THE POLICE OFFICER'S OFFICIAL DUTIES, SHALL NOT
10 BE CONVICTED OF A VIOLATION OF THE PROVISIONS OF SECTION 3308
11 (RELATING TO ONE-WAY ROADWAYS AND ROTARY TRAFFIC ISLANDS),
12 SUBCHAPTER E OF CHAPTER 33 (RELATING TO STOPPING, STANDING AND
13 PARKING), CHAPTER 49 (RELATING TO SIZE, WEIGHT AND LOAD) OR A
14 SIMILAR ORDINANCE OF A LOCAL AUTHORITY FOR AN ACTION PERFORMED
15 BY THE OWNER OR OPERATOR OF THE TOW TRUCK DURING THE RECOVERY OR
16 REMOVAL OF THE WRECKED OR DISABLED VEHICLE IF THE ACTION WAS
17 PERFORMED AT THE SPECIFIC DIRECTION OF THE POLICE OFFICER WHILE
18 THE POLICE OFFICER IS ENGAGED IN THE PERFORMANCE OF THE POLICE
19 OFFICER'S OFFICIAL DUTIES. THIS SECTION DOES NOT RELIEVE THE
20 OWNER OR OPERATOR OF A TOW TRUCK FROM THE DUTY TO DRIVE WITH DUE
21 REGARD FOR THE SAFETY OF ALL PERSONS.

22 * * *

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