

LEGISLATIVE REFERENCE BUREAU

AMENDMENTS TO HOUSE BILL NO. 138

Sponsor:

Printer's No. 1558

1 Amend Bill, page 1, lines 9 through 16; page 2, lines 1
2 through 30; page 3, lines 1 through 5; by striking out all of
3 said lines on said pages and inserting

4 (a) Soliciting donations.--Notwithstanding 75 Pa.C.S. § 3545
5 (relating to pedestrians soliciting rides or business), a bona
6 fide, duly constituted first responder organization may solicit
7 donations in accordance with the following:

8 (1) The solicitation shall only occur at a controlled-
9 intersection approach which contains a stop sign or a traffic
10 signal.

11 (2) A first responder organization shall first obtain
12 the written approval of the municipality where the
13 solicitation occurs, subject to any conditions imposed in
14 accordance with paragraph (3), and then the written approval
15 of the Department of Transportation for highways under its
16 jurisdiction. The municipality and the Department of
17 Transportation, for highways under its jurisdiction, may base
18 the decision regarding approval or disapproval on public
19 safety or traffic operations issues. Approval may be revoked
20 or modified if concerns are raised due to public safety or
21 traffic operation issues.

22 (3) The municipality shall be permitted to establish
23 limitations on the solicitation, including but not limited
24 to, any of the following:

- 25 (i) Duration of the solicitation.
- 26 (ii) The time of day when solicitation shall occur.
- 27 (iii) The number of individuals engaging in
28 solicitation.
- 29 (iv) Additional safety precautions, including
30 signage and availability of first aid.

31 (4) A solicitor on behalf of a first responder
32 organization shall adhere to the following:

- 33 (i) The solicitor must have both liability and
34 workers' compensation insurance acceptable to the
35 municipality provided by the organization for which the
36 solicitor is soliciting if the solicitor is a bona fide
37 member of the organization.

1 (ii) The solicitor must wear a Pennsylvania
2 Department of Transportation-approved traffic safety
3 vest.

4 (5) Neither the municipality nor the Department of
5 Transportation shall be liable for any damages on account of
6 any injury to a person or property caused by or resulting
7 from solicitations on highways notwithstanding approvals or
8 conditions as provided in this section.