

COMMITTEE BILL ANALYSIS

Bill: HB 1357

Printer's No.: 2423

Sponsor: Rep. Heffley

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Synopsis: This bill amends Title 18 (Crimes Code) and Title 75 (Vehicle Code) to address the impersonation of a law enforcement officer and the sale of emergency vehicles.

Summary:

The bill amends Section 4912 of Title 18 (relating to impersonating a public servant) by adding a new paragraph to address impersonating a “law enforcement officer” and to increase the grading of the offense in the case of impersonating a law enforcement officer.

A person commits an offense if the person pretends to be a law enforcement officer with intent to induce another to submit to the pretended authority or to act in reliance upon that pretense. The crime is graded as a felony of the third degree, with a maximum penalty of seven years imprisonment and a \$15,000 fine.

The term “law enforcement officer” includes a municipal police officer, state trooper, parole agent, drug enforcement agent of the Office of Attorney General, member of a port authority police department, sheriff or deputy sheriff, wildlife conservation officer, waterways conservation officer, member of the Capitol Police, and state or county corrections officers.

The bill also amends Section 4751 of Title 75 (relating to visual and audible signals on emergency vehicles) to provide that a seller of an emergency vehicle equipped with flashing lights or audible warning systems must remove or permanently disable the warning system or lights prior to selling the vehicle to a person who is not authorized to

have such lights or system upon his vehicle. The phrase “or permanently disable” was considered necessary because new police vehicles have lights built into the vehicle itself.

A person who sells a vehicle with visual or audible warning systems to a person who is not authorized to possess such systems commits a summary offense and shall, upon conviction, be sentenced to pay a fine of \$500 to \$1,000. A person who sells a vehicle with visual or audible warning systems to a person who is not authorized to possess such systems and who knows or should have known of the person’s intent to use the vehicle to impersonate a law enforcement officer commits a misdemeanor of the third degree (maximum penalty one year imprisonment and/or a fine of \$2,500).

The bill provides that there are exceptions to the prohibitions about possessing revolving or flashing lights or audible warning systems, as well as removing those lights and audible warning systems upon the sale of the vehicle to an unauthorized person. Those provisions shall not apply to: (1) the sale or use of a police, fire, or other emergency vehicle which possess antique or vintage license plates when those vehicles are transported without operation of the visual or audible warning systems; and (2) the sale or use of a police, fire, or other emergency vehicle with manufacturer or dealer registration plates, when the vehicle is driven or transported without operation of visual or audible warning systems for the purpose of sale, service, demonstration, or exhibition.

Effective date: The act takes effect in 60 days.

Background: There have been numerous published reports of individuals impersonating police officers and pulling over motorists. The House of Representatives passed the bill on November 21, 2013 by a vote of 197-0.