

No. 1982-196

AN ACT

SB 535

Amending Title 22 (Detectives and Private Police) of the Pennsylvania Consolidated Statutes, adding provisions relating to railroad and street railway police.

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

Section 1. Title 22, act of November 25, 1970 (P.L.707, No.230), known as the Pennsylvania Consolidated Statutes, is amended by adding a chapter to read:

CHAPTER 33
RAILROAD AND STREET RAILWAY POLICE

Sec.

- 3301. Appointment.
- 3302. Oath of office.
- 3303. Powers and duties.
- 3304. Compensation and liability.
- 3305. Termination of appointment.

§ 3301. Appointment.

A corporation owning or operating a railroad or street passenger railway in this Commonwealth, including also an authority existing pursuant to Article III of the act of January 22, 1968 (P.L.42, No.8), known as the "Pennsylvania Urban Mass Transportation Law," for its entire transportation system, and including an authority existing pursuant to the act of April 6, 1956 (1955 P.L.1414, No.465), known as the "Second Class County Port Authority Act," may apply to the Commissioner of the Pennsylvania State Police upon such forms as he shall prescribe for the appointment of specific persons as the applicant may designate to act as railroad or street railway policemen for it. The commissioner, after such investigation as he shall deem necessary, shall recommend to the Governor the commissioning of such persons as railroad or street railway policemen or advise the applicant of their adverse recommendations and the reasons therefor. The Governor, upon such application and recommendation, may appoint such persons to be railroad or street railway policemen, and shall issue to such persons so appointed a commission to act as such policemen.

§ 3302. Oath of office.

Every railroad or street railway policeman so commissioned shall, before entering upon the duties of his office, take and subscribe the oath required by Article VI of the Constitution of Pennsylvania. The oath and commission issued by the Governor shall be recorded in the office of the Secretary of the Commonwealth, in the county where the registered cor-

porate office or principal place of business is located and a copy filed with the commissioner.

§ 3303. Powers and duties.

(a) General powers.—Railroad and street railway policemen shall severally possess and exercise all the powers of a police officer in the City of Philadelphia, in and upon, and in the immediate and adjacent vicinity of, the property of the corporate authority or elsewhere within this Commonwealth while engaged in the discharge of their duties in pursuit of railroad, street railway or transportation system business.

(b) Detention of arrested persons.—The keepers of jails and other places of detention in any county of this Commonwealth shall receive all persons arrested by railroad or street railway policemen for purposes of detention until they are dealt with according to law.

(c) Badge.—Railroad and street railway policemen when on duty shall wear or carry a metallic shield containing the words “railroad police” or “railway police” and the name of the authority.

(d) Course of instruction.—Every railroad and street railway police officer shall successfully complete the same course of instruction required for municipal police officers by the act of June 18, 1974 (P.L.359, No.120), referred to as the Municipal Police Education and Training Law.

§ 3304. Compensation and liability.

The compensation of railroad or street railway policemen shall be paid by their corporate authority. The Commonwealth of Pennsylvania shall not be held liable for any wrongful act of any police officer commissioned under the provisions of this chapter.

§ 3305. Termination of appointment.

When the corporate authority no longer requires the services of any railroad or street railway policemen, it shall file a notice to that effect, under its corporate seal, in the office of the Secretary of the Commonwealth, in the office of the recorder of deeds where the oath and commission were recorded and with the commissioner. The recorder of deeds shall note this information upon the margin of the record where the oath and commission were recorded and thereupon the powers of the policemen shall terminate.

Section 2. The following acts are repealed:

Act of February 27, 1865 (P.L.225, No.228), entitled “An act empowering railroad companies to employ police force.”

Act of June 7, 1901 (P.L.508, No.246), entitled “An act relative to the appointment of police for street passenger railways incorporated under the laws of this Commonwealth.”

Section 3. Nothing contained in this act shall affect the validity of any commissions which are presently valid and issued pursuant to the acts repealed herein.

Section 4. This act shall take effect in 30 days.

APPROVED—The 23rd day of November, A. D. 1982.

DICK THORNBURGH