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It is the position of the Pennsylvania Sheriffs' Association that "police officers" includes sheriffs and deputy sheriffs. Sheriffs and Deputy Sheriffs throughout the Commonwealth enforce the Vehicle Code pursuant to the authority granted by common law and confirmed by the Supreme Court of Pennsylvania in *Commonwealth v. Leet*, 537 Pa. 89, 641 A.2d 299 (1994) and *Commonwealth v. Kline*, 559 Pa. 646, 741 A.2d 1281 (2002).

Additionally, the regulations refer to marked vehicles as well as unmarked vehicles. Marked police vehicles are defined as "a police vehicle that is equipped with at least one light-bar assembly and displays graphics, markings, or decals identifying the agency or department on a minimum of three sides." Sheriffs' vehicles are "police vehicles" authorized to be equipped with a light-bar assembly and combination red and blue lights. 75 Pa.C.S.A. 4571(b), see also 57 Pa.Code Cpt. 173. Section 4571 of the Vehicle Code provides in relevant part as follows:

- "(a) General rule. - Every emergency vehicle shall be equipped with one or more revolving or flashing red lights and an audible warning system. Spotlights with adjustable sockets may be attached to or mounted on emergency vehicles.
- (b) Police, sheriff, fire and coroner or medical examiner vehicles. -
  - (1) Police, sheriff, coroner, medical examiner or fire police vehicles may in addition to the requirements of subsection (a) be equipped with one or more revolving or flashing blue lights. The combination of red and blue lights may be used only on police, sheriff, coroner, medical examiner or fire police vehicles.
  - (2) Unmarked police and sheriff vehicles used as emergency vehicles and equipped with audible warning systems shall be equipped with the lights described in this subsection."

PROHIBITION OF UNMARKED POLICE VEHICLES



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Thank you for your attention to this matter. I look forward to addressing the Commission on November 4, 2004. Should you have any questions or require any additional information, please do not hesitate to contact me.

TWK/mal

cc: Pennsylvania Sheriffs' Association Executive Committee  
Mr. James B. Hazen, Executive Director

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THOMAS W. KING III  
Solicitor  
128 West Cunningham St.  
Butler, PA 16001  
Phone: 724-283-2200  
Fax: 724-283-2298  
E-Mail: tking@dmkcg-law.com



Harrisburg Office  
Phone: 717-236-7336  
Fax: 717-236-7332

## Pennsylvania Sheriffs' Association

2426 North Second Street  
Harrisburg, Pennsylvania 17110

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To: Mr. Robert E. Nyce, Executive Director  
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(717) 783-2664

From: Thomas W. King, III, Esquire

Comments:

**DILLON McCANDLESS KING  
COULTER & GRAHAM L.L.P.**  
FAX: 724-283-2298  
128 West Cunningham Street  
Butler, Pennsylvania 16001  
Telephone: (724) 283-2200

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