

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 923

Session of
1981

INTRODUCED BY CIMINI, MARCH 17, 1981

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 17, 1981

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, by making the
3 registration number prima facie evidence that the owner was
4 operating the vehicle.

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

7 Section 1. Section 6143 of Title 42, act of November 25,
8 1970 (P.L.707, No.230) known as the Pennsylvania Consolidated
9 Statutes, amended October 5, 1980 (No.142), is amended to read:

10 § 6143. Registration number as prima facie evidence of
11 operation of vehicle.

12 [(a)] General rule.--In any proceeding for the recovery of a
13 civil penalty for an infraction of the provisions of any law
14 relating to the ownership or operation of any conveyance by air,
15 land or water or any game or fish law or any local ordinance,
16 rule or regulation relating thereto, the registration number
17 displayed on a conveyance shall [sustain an inference] be prima
18 facie evidence that the owner of the conveyance was then

1 operating the conveyance.

2 [(b) Inference overcome by testimony of owner.--If at any
3 proceeding under subsection (a) the owner testifies that the
4 owner was not operating the conveyance at the time of the
5 alleged infraction and submits to an examination as to who at
6 the time was operating the conveyance and reveals the name and
7 residence address of the person, if known, then the inference
8 arising from the registration number shall be overcome.

9 (c) Inference overcome by verified statement of owner.--If
10 the proceeding under subsection (a) is commenced in a county
11 other than that of the residence of the owner and a verified
12 written statement setting forth the facts set forth in
13 subsection (b) is forwarded by the owner to the tribunal, the
14 inference arising from the registration number shall be
15 overcome.]

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