

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1655 Session of  
1981

INTRODUCED BY WILSON, DOMBROWSKI, VROON, CORNELL, BOWSER, POTT,  
LUCYK, McVERRY AND PENDLETON, JUNE 17, 1981

REFERRED TO COMMITTEE ON FINANCE, JUNE 17, 1981

AN ACT

1 Amending the act of September 9, 1965 (P.L.499, No.254),  
2 entitled, as amended, "An act providing for and regulating  
3 the registration and licensing of motor vehicle and  
4 mobilehome manufacturers, dealers and salesmen, fixing fees,  
5 creating the State Board of Motor Vehicle Salesmen, imposing  
6 powers and duties on the Department of State, the  
7 Commissioner of Professional and Occupational Affairs and the  
8 board and prescribing unlawful acts and penalties and making  
9 an appropriation," further providing for the powers and  
10 duties of the State Board of Motor Vehicle Manufacturers,  
11 Dealers and Salesmen.

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

14 Section 1. Clause (2) of section 5, act of September 9, 1965  
15 (P.L.499, No.254), known as the "Motor Vehicle Manufacturer's  
16 Dealer's and Salesmen's License Act," reenacted and amended  
17 December 21, 1973 (P.L.408, No.144), is amended by adding a  
18 subclause to read:

19 Section 5. Powers and Duties of the State Board of Motor  
20 Vehicle Manufacturers, Dealers and Salesmen.--The board shall  
21 have power and its duty shall be:

22 \* \* \*

(2) To investigate on its own initiative or upon the verified complaint in writing of any person any allegations of the wrongful act or acts of any licensee or person required to be licensed hereunder and shall have the power to suspend or revoke licenses issued by the board if after due notice and hearing the person charged is found guilty of committing or attempting to commit the following acts:

\* \* \*

(xvii) Being a licensed sales tax agent who:

(a) fails to collect a tax or fee due the Commonwealth upon a sale of a vehicle, as defined in the 75 Pa.C.S. § 102 (relating to definitions);

(b) collects such a tax or fee and fails to issue an official receipt therefore as required by law;

(c) issues a false or fraudulent receipt for tax due to the Commonwealth and collected by him; or

(d) fails to pay over the same to the Commonwealth at the time and in the manner required by law.

\* \* \*

Section 2. This act shall take effect January 1, 1982.