

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1964 Session of
1987

INTRODUCED BY FOX, LINTON, MRKONIC, RAYMOND, MORRIS,
J. L. WRIGHT, MICOZZIE, SERAFINI, CIVERA, FISCHER, BOWSER,
BROUJOS, FLICK, BURD, E. Z. TAYLOR, COLAFELLA, CORNELL,
SIRIANNI, LUCYK, TRELLO, MELIO AND PETRONE, NOVEMBER 17, 1987

REFERRED TO COMMITTEE ON TRANSPORTATION, NOVEMBER 17, 1987

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, providing for the seizure and impoundment of motor
3 vehicles operated without coverage for financial
4 responsibility.

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

7 Section 1. Title 75 of the Pennsylvania Consolidated
8 Statutes is amended by adding a section to read:

9 § 1785.1. Seizure and impoundment of motor vehicles operated
10 without financial responsibility.

11 (a) General rule.--If the department determines that a motor
12 vehicle was operated at a time when financial responsibility
13 covering the operation of the vehicle was not maintained, the
14 department shall arrange for the immediate seizure and
15 impoundment of the motor vehicle. The department may delegate
16 authority to any authorized department employee or police
17 officer to seize and impound such motor vehicles.

18 (b) Requirement for release of motor vehicle.--A motor

1 vehicle seized and impounded under subsection (a) shall not be
2 released until the owner produces evidence of financial
3 responsibility and pays the costs of seizure, towing and
4 storage.

5 (c) Operation without knowledge or consent of owner.--No
6 motor vehicle shall be seized or impounded under subsection (a)
7 if it is proven to the satisfaction of the department that the
8 motor vehicle was being operated without the knowledge or
9 consent of the owner at the time financial responsibility
10 covering its operation was not maintained.

11 (d) Security interests.--If a bona fide security interest in
12 a motor vehicle seized and impounded under subsection (a) was
13 retained or acquired under the Uniform Commercial Code by a
14 merchant dealing in new or used motor vehicles, or was retained
15 or acquired by any licensed or regulated finance company, bank,
16 lending institution, or any other business regularly engaged in
17 the financing of or lending on the security of motor vehicles,
18 the department shall arrange for the release of the motor
19 vehicle to the holder of the security interest under such
20 conditions as it may deem proper. Upon such release, the owner
21 of the motor vehicle shall remain responsible for the costs of
22 the seizure, towing and storage.

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