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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**SENATE BILL**

**No. 290**      Session of  
2007

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INTRODUCED BY FERLO, STOUT, WASHINGTON, KITCHEN, RAFFERTY,  
TARTAGLIONE, O'PAKE, LAVALLE, BROWNE AND STACK, MARCH 9, 2007

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REFERRED TO TRANSPORTATION, MARCH 9, 2007

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AN ACT

1 Amending Titles 18 (Crimes and Offenses) and 75 (Vehicles) of  
2 the Pennsylvania Consolidated Statutes, providing for the  
3 offense of theft of motor vehicle certificate of inspection;  
4 further providing for operation of vehicle without official  
5 certificate of inspection; and adding provisions relating to  
6 theft of certificate of inspection.

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

9 Section 1. Title 18 of the Pennsylvania Consolidated  
10 Statutes is amended by adding a section to read:

11 § 3935. Theft of motor vehicle certificate of inspection.

12 (a) Offense defined.--A person commits the offense of theft  
13 of a motor vehicle certificate of inspection if he unlawfully  
14 takes or attempts to take possession of, carries away or  
15 exercises unlawful control over any certificate of inspection  
16 issued to the owner of a motor vehicle pursuant to 75 Pa.C.S.  
17 Ch. 47 (relating to inspection of vehicles), with the intent to  
18 deprive the owner thereof.

19 (b) Grading.--An offense under this section is a summary  
20 offense punishable by a fine of not less than \$500.

1 Section 2. Section 4703(b) of Title 75 is amended by adding  
2 a paragraph to read:

3 § 4703. Operation of vehicle without official certificate of  
4 inspection.

5 \* \* \*

6 (b) Exceptions.--Subsection (a) does not apply to:

7 \* \* \*

8 (14) A vehicle operating pursuant to section 4711  
9 (relating to theft of certificate of inspection).

10 \* \* \*

11 Section 3. Title 75 is amended by adding a section to read:

12 § 4711. Theft of certificate of inspection.

13 (a) Reporting and investigation.--

14 (1) Immediately upon discovering, or being notified of,  
15 the theft of a certificate of inspection, the owner of the  
16 vehicle or mass transit vehicle shall give notice to the  
17 nearest office of an authorized police department.

18 (2) Every theft reported to a police department under  
19 this section shall be investigated by a police officer.  
20 Within 72 hours of initiating an investigation, a police  
21 officer shall verify that a valid certificate of inspection  
22 was issued for the vehicle in question in the manner  
23 prescribed in section 4731 (relating to records of  
24 inspections and certificates issued) and, if such a  
25 verification is made, shall provide the owner of the vehicle  
26 or mass transit vehicle a signed certificate of inspection  
27 theft report.

28 (3) A police department that investigates a theft  
29 reported under subsection (b) shall forward the report  
30 provided to the owner under paragraph (2) to the department

1       within 15 days.

2       (b) Operation of vehicle.--A vehicle or mass transit vehicle  
3 for which a certificate of inspection has been stolen may be  
4 driven for up to five days immediately following the date of  
5 receipt of the theft report under subsection (a)(2), provided  
6 that the operator of the vehicle possesses a copy of the theft  
7 report when operating the vehicle or mass transit vehicle.

8       (c) Replacement of certificate of inspection.--Within the  
9 five-day period authorized under subsection (b), an official  
10 inspection station may affix to the vehicle or mass transit  
11 vehicle another certificate of inspection for the same  
12 inspection period without reinspecting the vehicle or mass  
13 transit vehicle. A fee of no more than \$2 plus the fee paid to  
14 the department may be charged for exchanging the certificate of  
15 inspection.

16       (d) Certificate of inspection theft report forms.--

17           (1) The department shall prepare and supply to all law  
18 enforcement agencies and other appropriate agencies or  
19 individuals forms for reporting certificate of inspection  
20 theft as required in this section. The written report forms  
21 shall call for sufficiently detailed information identifying,  
22 at a minimum, the owner of the vehicle, all relevant  
23 information relating to the vehicle and the name and address  
24 of the official inspection station where the driver received  
25 the certificate of inspection which is the subject of the  
26 report.

27           (2) Every certificate of inspection theft report shall  
28 be made on the appropriate form approved by the department  
29 and shall contain all the information required therein unless  
30 not available.

1       (e) Penalty.--Any person who gives information in oral or  
2 written reports required by this section knowing or having  
3 reason to believe that the information is false commits a  
4 summary offense and shall, upon conviction, be sentenced to pay  
5 a fine of \$200.

6       Section 4. This act shall take effect in 60 days.