

## AMENDMENTS TO HOUSE BILL NO. 1240

Sponsor: REPRESENTATIVE MARSHALL

Printer's No. 1474

1 Amend Bill, page 1, lines 1 through 4, by striking out all of  
2 said lines and inserting

3 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
4 Statutes, in certificate of title and security interests,  
5 further providing for content and effect of certificate of  
6 title and for theft vehicles; and making an editorial change.

7 Amend Bill, page 1, lines 7 through 18; page 2, lines 1  
8 through 30; page 3, lines 1 through 28; by striking out all of  
9 said lines on said pages and inserting

10 Section 1. Section 1106(b) of Title 75 of the Pennsylvania  
11 Consolidated Statutes is amended to read:  
12 § 1106. Content and effect of certificate of title.

13 \* \* \*

14 (b) Indication of special use or condition.--No person shall  
15 assign a certificate of title to any vehicle unless the  
16 certificate clearly contains notice of the use or condition if  
17 the vehicle is or has been:

18 (1) used as a police car;

19 (2) used as a taxicab for the transport of passengers,  
20 for hire, having a seating capacity of nine or fewer  
21 passengers;

22 (3) an abandoned vehicle;

23 (4) a flood vehicle;

24 (5) a modified vehicle;

25 (6) a reconstructed vehicle;

26 (7) a specially constructed vehicle;

27 (8) a recovered theft vehicle or a theft vehicle, if  
28 required under section 1164 (relating to theft vehicles);

29 (9) a vehicle originally manufactured for intended  
30 distribution outside the United States;

31 (10) bearing a VIN plate differing from its original; or

32 (11) a motor vehicle returned to a vehicle dealer or  
33 manufacturer pursuant to the act of March 28, 1984 (P.L.150,  
34 No.28), known as the Automobile Lemon Law.

35 Indication of the use or condition shall be deemed part of the

1 description of the vehicle. Any person violating this subsection  
2 commits a summary offense and shall, upon conviction, be  
3 sentenced to pay a fine of \$200.

4 \* \* \*

5 Section 2. Section 1164(b)(2) of Title 75 is amended and the  
6 section is amended by adding a subsection to read:  
7 § 1164. Theft vehicles.

8 \* \* \*

9 (b) Assessing damage on recovered theft vehicles.--If a  
10 theft vehicle has been recovered, the vehicle shall be assessed  
11 as to the level of damage at the time of recovery by an insurer  
12 or licensed physical damage appraiser:

13 \* \* \*

14 (2) [If the cost of repairs is less than the replacement  
15 value of the vehicle, the owner shall apply for a certificate  
16 of title branded recovered-theft vehicle.] If the cost of  
17 repairs exceeds half of the replacement value of the vehicle  
18 and the majority of those costs are due to damage that  
19 affects the safe operation of the vehicle, the owner shall  
20 apply for a certificate of title branded recovered theft  
21 vehicle. A legible copy of the vehicle damage appraisal  
22 report completed by an insurer or licensed physical damage  
23 appraiser must accompany an application under this paragraph.  
24 The damage appraisal report shall include the replacement  
25 value of the vehicle.

26 (c) Self-insurer requirement.--If the insurer is a self-  
27 insurer, the assessment of damage under subsection (b) shall be  
28 completed by a licensed physical damage appraiser who is not  
29 affiliated with or employed by the insurer.

30 Section 3. This act shall take effect in 180 days.