

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 195

Session of  
1977

INTRODUCED BY HILL, MURRAY, HOLL, JUBELIRER, SCANLON, HOWARD,  
COPPERSMITH, SWEENEY, ZEMPRELLI, MESSINGER, FLEMING AND  
STAUFFER, FEBRUARY 7, 1977

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF  
REPRESENTATIVES, AS AMENDED, JUNE 5, 1978

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, providing for alteration of  
3 identification mark on ~~movable~~ personal property. <—

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

6 Section 1. Section 4104 of Title 18, act of November 25,  
7 1970 (P.L.707, No.230), known as the Pennsylvania Consolidated  
8 Statutes, is amended to read:

9 § 4104. Tampering with records or identification.

10 (a) Writings.-- A person commits a misdemeanor of the first  
11 degree if, knowing that he has no privilege to do so, he  
12 falsifies, destroys, removes or conceals any writing or record,  
13 or distinguishing mark or brand or other identification with  
14 intent to deceive or injure anyone or to conceal any wrongdoing.

15 (b) Personal ~~movable~~ property.--A person commits a summary <—  
16 offense if he knowingly buys, sells, or moves in commerce any  
17 ~~movable personal property which includes a radio, citizens band~~ <—

1 ~~radio, tape recorder, tape player, piano, phonograph, sewing~~  
2 ~~machine, washing machine, typewriter, adding machine,~~  
3 ~~comptometer, bicycle, binocular, vacuum cleaner, camera,~~  
4 ~~projector, watch, watch movement, watch case, or any mechanical~~  
5 ~~or electrical device, appliance, contrivance, material, piece of~~  
6 ~~apparatus or equipment but does not exclude items not mentioned,~~  
7 ~~from which the manufacturer's name plate, serial number or any~~  
8 ~~other distinguishing number or identification mark has been~~  
9 ~~removed, defaced, covered, altered or destroyed unless the~~  
10 ~~alterations have been customarily made or done as an established~~  
11 ~~practice in the ordinary and regular conduct of business by the~~  
12 ~~original manufacturer or under specific authorization and~~  
13 ~~direction from the original manufacturer. Movable personal~~ <—  
14 ~~PERSONAL property as set forth in this subsection shall not~~ <—  
15 ~~include firearms, motor vehicles or insurance company salvage~~  
16 ~~recoveries.~~

17 (C) INNOCENT ALTERATIONS.--IF PROPERTY SUBJECT TO THE <—  
18 PROVISIONS OF THIS SECTION HAS HAD ITS IDENTIFYING MARKS DEFACED  
19 OR ELIMINATED INNOCENTLY AND IS IN THE POSSESSION OF ITS  
20 RIGHTFUL OWNER, THE OWNER MAY, NOTWITHSTANDING THE PROVISIONS OF  
21 SUBSECTION (A) OR (B), DISPOSE OF THE PROPERTY BY SALE OR  
22 OTHERWISE, IF HE DELIVERS TO THE ACQUIRER A NOTARIZED STATEMENT  
23 THAT THE PROPERTY WAS INNOCENTLY ALTERED AND THAT THE PERSON  
24 DISPOSING OF IT IS ITS RIGHTFUL OWNER.

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