

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2635

Session of
1986

INTRODUCED BY MARKOSEK, GLADECK, TRUMAN, J. TAYLOR, BLAUM, BOOK,
BOWLEY AND BLACK, JUNE 17, 1986

AS REPORTED FROM COMMITTEE ON TRANSPORTATION, HOUSE OF
REPRESENTATIVES, AS AMENDED, SEPTEMBER 22, 1986

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for vehicle identification
3 numbers.

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

6 Section 1. Sections 7102, 7103, 7104 and 7105 of Title 75 of
7 the Pennsylvania Consolidated Statutes are amended to read:

8 § 7102. Removal or falsification of identification number.

9 (a) Offense defined.--A person who willfully removes or
10 falsifies an identification number of a vehicle, engine [or],
11 transmission or any other vehicle part bearing an identification
12 number is guilty of a misdemeanor of the third degree.

13 (b) Fraudulent intent.--A person who willfully and with
14 intent to conceal or misrepresent the identity of a vehicle,
15 engine [or], transmission or any other vehicle part bearing an
16 identification number, removes or falsifies an identification
17 number thereof, is guilty of a misdemeanor of the first degree.

1 [(c) Exception.--This section does not apply to the removal
2 of an identification number from a vehicle for which a
3 certificate of junk has been obtained in accordance with section
4 1117 (relating to vehicle destroyed or junked).]

5 § 7103. Dealing in vehicles with removed or falsified numbers.

6 (a) Offense defined.--A person who buys, receives,
7 possesses, sells or disposes of a vehicle, engine [or],
8 transmission or any other vehicle part bearing an identification
9 number, knowing that an identification number has been removed
10 or falsified, is guilty of a misdemeanor of the third degree.

11 (b) Knowledge of fraudulent intent.--A person who buys,
12 receives, possesses, sells or disposes of a vehicle, engine
13 [or], transmission or any other vehicle part bearing an
14 identification number with knowledge that an identification
15 number has been removed or falsified with intent to conceal or
16 misrepresent the identity thereof, is guilty of a felony of the
17 third degree.

18 [(c) Exception.--This section does not apply to the removal
19 of an identification number from a vehicle for which a
20 certificate of junk has been obtained in accordance with section
21 1117 (relating to vehicle destroyed or junked).]

22 § 7104. State replacement vehicle identification number plate.

23 (a) General rule.--No vehicle on which the vehicle
24 identification number has been removed or falsified shall be
25 titled or registered without a special permit from the
26 department.

27 (b) Application for plate.--Before a certificate of title or
28 registration for the vehicle can be obtained, the owner shall
29 apply to the department for a State replacement vehicle
30 identification number plate on a form furnished by the

1 department which shall contain the full name and address of the
2 owner and any other information the department may deem
3 necessary, [sworn to before an official empowered to administer
4 oaths] as certified by the Pennsylvania State Police A POLICE <—
5 OFFICER.

6 (c) Designation on plate.--The State replacement vehicle
7 identification number plate shall contain:

8 (1) Official department identification.

9 (2) The manufacturer's vehicle identification number, if
10 known, or a number assigned by the department.

11 (d) Issuance and display of plate.--The department shall
12 furnish a State replacement vehicle identification number plate
13 which shall be immediately placed in a uniform manner as
14 designated by the department on the vehicle.

15 (e) Reconstructed or specially constructed vehicle.--The
16 department may assign a State replacement vehicle identification
17 number plate for a reconstructed or specially constructed
18 vehicle.

19 § 7105. Seizure of vehicles with removed or falsified numbers.

20 (a) Duty of police.--Every police officer having knowledge
21 of a vehicle on which the vehicle identification number has been
22 removed or falsified shall immediately seize and take possession
23 of the vehicle and arrest or file a complaint for the arrest of
24 the suspected owner or custodian. In all actions involving
25 seizure or possession of such vehicles, vehicle identification
26 information shall be transmitted to the Federal or other
27 agencies involved in recovery of stolen vehicles.

28 (b) Proceedings if owner known.--The court, upon petition of
29 the owner or of the person entitled to possession of a seized
30 vehicle, may relinquish custody of the vehicle to the person

1 legally entitled to the vehicle [upon presentation of proof that
2 a State replacement vehicle identification number plate has been
3 issued by the department under section 7104 (relating to State
4 replacement vehicle identification number plate)]. Any vehicle
5 in the possession or custody of a police officer shall not be
6 released to the owner or person legally entitled to possession
7 of a seized vehicle pursuant to this section until such time as
8 a replacement vehicle identification number plate has been
9 obtained. Proof of the replacement vehicle identification number
10 must be exhibited to the police officer at the time of release,
11 together with the court order relinquishing custody. The
12 provisions with regard to the securance of a replacement vehicle
13 identification number shall not apply when the vehicle is titled
14 in a foreign state and will be removed from this State
15 immediately upon release. If the foreign vehicle will not be
16 removed immediately, the exception does not apply and a
17 replacement vehicle identification number must be obtained.
18 Except as otherwise provided in this section, the court shall
19 retain in custody the seized vehicle pending prosecution of the
20 person arrested. In case the person is found guilty, the vehicle
21 shall remain in the custody of the court until the fine and
22 costs of prosecution are paid, except that if 90 days have
23 elapsed after the verdict has been rendered and the fine and
24 costs have not been paid, the court shall proceed to advertise
25 and sell the vehicle in the manner provided by law for the sale
26 of personal property under execution. The proceeds from the sale
27 shall be used to pay the fine and costs of prosecution and the
28 balance, if any, shall be forwarded to the department to be
29 transmitted to the State Treasurer for deposit in the Motor
30 License Fund.

1 (c) Proceedings if owner unknown.--If ownership of the
2 vehicle is not established to the satisfaction of the court, the
3 vehicle shall be confiscated by the court and sold immediately,
4 and the proceeds shall be used to pay the costs of proceedings
5 and the balance, if any, shall be forwarded to the department to
6 be transmitted to the State Treasurer for deposit in the Motor
7 License Fund.

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