

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1360 Session of 1995

INTRODUCED BY PHILLIPS, GEIST, McCALL, FARGO, BAKER, M. N. WRIGHT, HERSHEY, BOYES, SCHRODER, SCHULER, STISH, STERN, MILLER, BELARDI, GANNON, STABACK, CLARK, BARD, TRELLO, LEVDANSKY, ALLEN, OLASZ, HERMAN, LEH, MERRY, MICOZZIE, E. Z. TAYLOR AND HENNESSEY, APRIL 19, 1995

AS REPORTED FROM COMMITTEE ON TRANSPORTATION, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 15, 1995

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for CARRYING AND EXHIBITING
3 DRIVER'S LICENSE ON DEMAND AND FOR investigation by police
4 officers. <---

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

7 ~~Section 1. Section 6308 of Title 75 of the Pennsylvania
8 Consolidated Statutes is amended to read:~~ <---

9 SECTION 1. SECTIONS 1511(B) AND 6308 OF TITLE 75 OF THE
10 PENNSYLVANIA CONSOLIDATED STATUTES ARE AMENDED TO READ: <---

11 § 1511. CARRYING AND EXHIBITING DRIVER'S LICENSE ON DEMAND.

12 * * *

13 (B) PRODUCTION TO AVOID PENALTY.--NO PERSON SHALL BE
14 CONVICTED OF VIOLATING THIS SECTION OR SECTION 1501(A) (RELATING
15 TO DRIVERS REQUIRED TO BE LICENSED) IF THE PERSON PRODUCES AT
16 THE OFFICE OF THE ISSUING AUTHORITY OR THE [ARRESTING] POLICE
17 OFFICER WITHIN 15 DAYS AFTER DEMAND IS MADE BY THE POLICE

1 OFFICER A DRIVER'S LICENSE VALID IN THIS COMMONWEALTH AT THE
2 TIME OF THE ARREST OR DEMAND.

3 § 6308. Investigation by police officers.

4 (a) Duty of operator or pedestrian.--The operator of any
5 vehicle or any pedestrian reasonably believed to have violated
6 any provision of this title shall stop upon request or signal of
7 any police officer and shall, upon request, exhibit a
8 registration card, driver's license and information relating to
9 financial responsibility, or other means of identification if a
10 pedestrian or driver of a pedalcycle, and shall write their name
11 in the presence of the police officer if so required for the
12 purpose of establishing identity.

13 (b) Authority of police officer.--Whenever a police officer
14 is engaged in a systematic program of checking vehicles or
15 drivers or has articulable and reasonable grounds to suspect a
16 violation of this title, he may stop a vehicle, upon request or
17 signal, for the purpose of checking the vehicle's registration,
18 proof of financial responsibility, vehicle identification number
19 or engine number or the driver's license, or to secure such
20 other information as the officer may reasonably believe to be
21 necessary to enforce the provisions of this title.

22 (c) Inspection of garages and dealer premises.--Any police
23 officer or authorized department employee may inspect any
24 vehicle in any garage or repair shop or on the premises of any
25 dealer, miscellaneous motor vehicle business, salvage motor
26 vehicle auction or pool operator, salvor, scrap metal processor,
27 or other public place of business for the purpose of locating
28 stolen vehicles or parts or vehicles or vehicle parts with
29 identification numbers removed or falsified. The owner of the
30 garage or repair shop or the dealer or other person shall permit

1 any police officer or authorized department employee to make
2 investigations under this subsection.

3 (d) Records.--Every salvor, miscellaneous motor vehicle
4 business, salvage motor vehicle auction or pool operator, scrap
5 metal processor and dealer shall keep accurate records of motor
6 vehicle sales and dispositions. The records shall include the
7 make, year and type of vehicle, from whom purchased or acquired
8 and date, vehicle identification number and date of sale or
9 disposition of vehicle. The records shall be available on the
10 premises of the salvor, miscellaneous motor vehicle business,
11 salvage motor vehicle auction or pool operator, scrap metal
12 processor and dealer and open to inspection by any police
13 officer or authorized department employee. The records shall be
14 maintained for three years from the date of disposition of the
15 vehicle.

16 (d.1) Production to avoid penalty.--No person shall be
17 convicted of ~~violating~~ FAILING TO HAVE IN HIS POSSESSION ANY OF <—
18 THE DOCUMENTS REQUIRED TO BE EXHIBITED BY subsection (a) or (b)
19 if the person produces THE REQUESTED DOCUMENTS at the office of <—
20 the issuing authority or the ~~arresting~~ POLICE officer within 15 <—
21 days ~~the requested documents~~ AFTER DEMAND IS MADE BY THE POLICE <—
22 OFFICER, if the documents were valid in this Commonwealth at the
23 time of the request.

24 (e) Penalty.--Any person violating subsection (d) commits a
25 misdemeanor of the third degree.

26 Section 2. This act shall take effect immediately.