

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 920 Session of
1997

INTRODUCED BY CASORIO, DeWEESE, VEON, BELFANTI, DeLUCA,
WOJNAROSKI, BROWNE, MELIO, BEBKO-JONES, WALKO, GIGLIOTTI,
SURRA, VAN HORNE, ROONEY, YOUNGBLOOD, LAUGHLIN, HENNESSEY,
HORSEY, C. WILLIAMS, GORDNER, TRELLO, L. I. COHEN, BOSCOLA,
TANGRETTI, SAINATO, PISTELLA, PETRARCA, STEELMAN, JOSEPHS,
MUNDY, MCGEEHAN AND SEYFERT, MARCH 18, 1997

REFERRED TO COMMITTEE ON TRANSPORTATION, MARCH 18, 1997

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for the confidentiality of
3 Department of Transportation records; and providing for
4 exceptions and for penalties.

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

7 Section 1. Section 1316 of Title 75 of the Pennsylvania
8 Consolidated Statutes is amended to read:

9 § 1316. Department records.

10 (a) General rule.--The department shall maintain suitable
11 records in a manner permitting identification of vehicles and
12 owners, including:

13 (1) All registrations and transfers of registrations
14 issued.

15 (2) All registrations and transfers of registrations
16 denied and reasons for denial. Registrations and transfers
17 returned for correction of errors or omissions need not be

1 recorded.

2 (b) Confidentiality requirement.--The department is
3 prohibited from disclosing registration information to the
4 general public. This information shall only be disclosed to the
5 Pennsylvania State Police and any other State or local law
6 enforcement agency.

7 (c) Sale or disclosure unlawful.--It shall be unlawful for:

8 (1) Any police officer or any officer, employee or agent
9 of any Commonwealth agency or local authority which makes or
10 receives registration information to sell, publish or
11 disclose or offer to sell, publish or disclose registration
12 information.

13 (2) Any person to purchase, secure or procure or offer
14 to purchase, secure or procure registration information.

15 (d) Exceptions.--The confidentiality provisions of this
16 section shall not apply if:

17 (1) The person who is the subject of the registration
18 record makes a request in writing for his own registration
19 information.

20 (2) The person who is the subject of the registration
21 record authorizes in writing the sale, disclosure or
22 publication of the registration record information. A police
23 officer or officer, employee or agent of a Commonwealth
24 agency or local authority may rely on a certification from a
25 person requesting the registration information that its sale,
26 publication or disclosure has been authorized in writing by
27 the person who is the subject of the registration record. In
28 the event the sale, publication or disclosure shall not have
29 been authorized, the person who made the false certification,
30 rather than the police officer or officer, employee or agent

1 of the Commonwealth agency or local authority, shall be
2 guilty of an offense defined by this section.

3 (3) The registration record is required to be released
4 by order of the court.

5 (4) The registration record is authorized by
6 departmental regulation to be sold, published or disclosed to
7 any Federal, State or local governmental agency for the sole
8 purpose of exercising a legitimate governmental function or
9 duty. Such a registration record shall not be resold,
10 published or disclosed by the receiving agency for any
11 purpose without prior departmental approval and written
12 approval of the person who is the subject of the registration
13 record.

14 (5) The registration record is purchased by a person
15 who, in compliance with the Fair Credit Reporting Act (Public
16 Law 91-508, 15 U.S.C. § 1681 et seq.), has filed with the
17 department an affidavit, in form acceptable to the
18 department, certifying the intended use of the registration
19 record and who has the written approval of the person who is
20 the subject of the registration record.

21 (e) Penalty.--Any person who violates this section commits a
22 summary offense and shall, upon conviction, be sentenced to pay
23 a fine of not less than \$100.

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