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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE BILL

## No. 1067

Session of  
1979

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INTRODUCED BY W. D. HUTCHINSON, CIMINI, EARLEY, MUSTO, ZELLER,  
NOYE, McKELVEY, THOMAS, E. H. SMITH, ALDEN, E. R. LYNCH,  
SIEMINSKI, WEIDNER, DiCARLO, KUKOVICH AND WACHOB,  
APRIL 25, 1979

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REFERRED TO COMMITTEE ON JUDICIARY, APRIL 25, 1979

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AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, further providing for the surrender of licenses,  
3 registration plates and cards.

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

6 Section 1. Section 1376 of Title 75, act of November 25,  
7 1970 (P.L.707, No.230), known as the Pennsylvania Consolidated  
8 Statutes, is amended to read:

9 § 1376. Surrender of registration plates and cards upon  
10 suspension.

11 (a) General rule.--The department, upon suspending any  
12 registration, shall require the registration plate or plates and  
13 registration card to be surrendered immediately to the  
14 department and may delegate authority to any authorized  
15 department employee, issuing authority, [or] police officer,  
16 district constable or writ server to seize the registration  
17 plate or plates and registration card or cards.

1     (b) Issuing authorities, district constables and writ  
2     servers.--Whenever the surrender of registration plates and  
3     cards is accomplished through the use of issuing authorities,  
4     district constables or writ servers, the procedures for such  
5     surrender shall be prescribed by general rule by the Supreme  
6     Court. For each card and plate set recovered by a district  
7     constable or writ server, such officer shall be paid a fee of  
8     \$6. In addition, constables shall receive mileage at the rate  
9     otherwise provided by law.

10    (c) Reimbursement of department.--As a condition for the  
11    return of a surrendered registration plate and card, a person  
12    shall reimburse the department for the constable's or writ  
13    server's fee.

14    ~~[(b)]~~ (d) Penalty.--Any person failing or refusing to  
15    surrender to the department or to its authorized employee,  
16    issuing authority, police officer, district constable or writ  
17    server, upon demand, any registration plate or card which has  
18    been suspended is guilty of a summary offense and shall, upon  
19    conviction, be sentenced to pay a fine of \$100.

20    Section 2. Title 75 is amended by adding a section to read:  
21    § 1552. Surrender of license.

22    (a) General rule.--If a license, required by this subchapter  
23    to be surrendered upon notice of the suspension or revocation of  
24    operating privileges, is not received by the department within a  
25    reasonable time, the department may delegate authority to any  
26    authorized department employee, issuing authority, police  
27    officer, district constable, or writ server to seize the  
28    license.

29    (b) Issuing authorities, district constables and writ  
30    servers.--Whenever the surrender of a license is accomplished

1 through the use of issuing authorities, district constables or  
2 writ servers, the procedures for such surrender shall be  
3 prescribed by general rule by the Supreme Court. For each  
4 license recovered by a district constable or writ server, such  
5 officer shall be paid a fee of \$6. In addition, constables shall  
6 receive mileage at the rate otherwise provided by law.

7 (c) Reimbursement of department.--As a condition for the  
8 return of a surrendered license, a person shall reimburse the  
9 department for the constable's or unit service's fee.

10 (d) Penalty.--Any person failing or refusing to surrender to  
11 the department or to its authorized employee, issuing authority,  
12 police officer, district constable or writ server, upon demand,  
13 any license which has been suspended is guilty of a summary  
14 offense and shall, upon conviction, be sentenced to pay a fine  
15 of \$100.

16 Section 3. This act shall take effect January 1, 1980.