

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1067

Session of
1979

INTRODUCED BY MESSRS. W. D. HUTCHINSON, CIMINI, EARLEY, MUSTO, ZELLER, NOYE, McKELVEY, THOMAS, E. H. SMITH, ALDEN, E. R. LYNCH, SIEMINSKI, WEIDNER, DiCARLO, KUKOVICH, WACHOB, KOWALYSHYN, GIAMMARCO, RITTER, GRAY, DOMBROWSKI, McMONAGLE, DAWIDA, GRUPPO, KNEPPER, A. C. FOSTER AND TAYLOR, APRIL 25, 1979

AS REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 6, 1979

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

1 plate or plates and registration card or cards.

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

11 (c) Reimbursement of department.--As a condition for the
12 return of a surrendered registration plate and card SURRENDERED <—
13 TO A CONSTABLE OR A WRIT SERVER, a person shall reimburse the
14 department for the constable's or writ server's fee. A SERVICE <—
15 FEE OF \$25.

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

22 Section 2. Title 75 is amended by adding a section to read:
23 § 1552. Surrender of license.

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

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

10 (c) Reimbursement of department.--As a condition for the
11 return of a surrendered license SURRENDERED TO A CONSTABLE OR <—
12 WRIT SERVER, a person shall reimburse the department for the <—
13 constable's or unit service's fee. A SERVICE FEE OF \$25. <—

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

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