
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2423 Session of
1992

INTRODUCED BY PERZEL, BARLEY, FAIRCHILD, KENNEY, HARLEY, CLARK
AND HANNA, MARCH 9, 1992

REFERRED TO COMMITTEE ON TRANSPORTATION, MARCH 9, 1992

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for odometer disclosure
3 requirements; and providing for insurance company's right to
4 odometer records.

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

7 Section 1. Section 7134 of Title 75 of the Pennsylvania
8 Consolidated Statutes is amended to read:

9 § 7134. Odometer disclosure requirements.

10 (a) Odometer mileage statement.--Prior to or simultaneously
11 with the execution of any ownership transfer document relating
12 to a motor vehicle, each transferor of a motor vehicle shall
13 furnish to the transferee and the department a written statement
14 signed by the transferor containing the following information:

- 15 (1) The odometer reading at the time of transfer.
16 (2) The date of transfer.
17 (3) The transferor's name and current address.
18 (4) The transferee's name and current address.

(5) The identity of the vehicle, including its make, year and body type and its complete vehicle identification number.

(6) (i) A certification by the transferor that, to the best of his knowledge, the odometer reading reflects the actual miles or kilometers the vehicle has been driven;

(ii) if the transferor knows that the odometer reading reflects the amount of mileage in excess of the designed mechanical odometer limit of 99,999 miles or kilometers, he shall include a statement to that effect; or

(iii) if the transferor knows that the odometer reading differs from the number of miles or kilometers the vehicle has actually traveled and that the difference is greater than that caused by odometer calibration error, he shall include a statement that the odometer reading is not the actual mileage and should not be relied upon.

The transferee shall acknowledge receipt of the disclosure statement by signing it.

(b) Prohibitions.--

(1) No transferor shall violate any provision of this section or give a false statement to a transferee and the department in making any disclosure required by this section.

(2) No transferee shall accept any written disclosure required by any provision of this section if the disclosure is incomplete.

(c) Auction sales.--With regard to any motor vehicle whose ownership is transferred through a motor vehicle auction sales transaction, the motor vehicle auction company conducting the

1 sale shall receive from the transferor a copy of the odometer
2 mileage statement which the transferor is required by subsection
3 (a) to provide to the transferee.

4 (d) Other acceptable disclosure forms.--Either an odometer
5 mileage statement, approved by the United States Secretary of
6 Transportation pursuant to Public Law 94-364, Title IV, § 406,
7 July 14, 1976 (90 Stat. 983, 15 U.S.C. 1988(a)), or a
8 Pennsylvania ownership transfer document, approved by the
9 department, which includes the odometer disclosure information
10 as prescribed in subsection (a) shall be deemed to satisfy all
11 the requirements for the content and form of odometer mileage
12 statements. Nothing in this subsection shall exempt a dealer or
13 motor vehicle auction company from the provisions of section
14 7135 (relating to odometer mileage statement retention).

15 (e) Exemptions.--A transfer of any of the following types of
16 motor vehicles is exempt from the requirements of this section:

17 (1) A motor vehicle having a registered gross weight of
18 more than 16,000 pounds.

19 (2) A motor vehicle 25 years or older.

20 (3) An implement of husbandry.

21 (4) Special mobile equipment.

22 Section 2. Title 75 is amended by adding a section to read:

23 § 7135.1. Insurance company's right to odometer records.

24 (a) General rule.--An insurance company may secure vehicle
25 odometer mileage records from the department for those
26 registered vehicles it insures.

27 (b) Records.--The department shall make available its
28 records from annual safety inspections, annual registration
29 renewals and titles on vehicle sales in accordance with
30 subsection (a).

1 (c) Fees.--The department may charge an insurance company an
2 appropriate fee for supplying the information in subsection (a),
3 but this fee shall not exceed the actual cost of supplying the
4 information to the insurance company.

5 Section 3. This act shall take effect in 60 days.