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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 758 Session of  
2011

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INTRODUCED BY STACK, KITCHEN, FONTANA, SOLOBAY, WAUGH, ORIE,  
TARTAGLIONE, LEACH, KASUNIC, EARLL, MENSCH, FERLO AND  
FARNESE, MARCH 7, 2011

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REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,  
MARCH 7, 2011

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AN ACT

1 Amending the act of December 22, 1983 (P.L.306, No.84), entitled  
2 "An act providing for the State Board of Vehicle  
3 Manufacturers, Dealers and Salespersons; and providing  
4 penalties," further providing for grounds for disciplinary  
5 proceedings, and for off-premises sales, shows, exhibitions  
6 or rallies on Sundays.

7 The General Assembly of the Commonwealth of Pennsylvania  
8 hereby enacts as follows:

9 Section 1. Section 19(10) of the act of December 22, 1983  
10 (P.L.306, No.84), known as the Board of Vehicles Act, amended  
11 October 18, 2000 (P.L.577, No.75), is amended to read:

12 Section 19. Grounds for disciplinary proceedings.

13 In addition to any criminal or civil penalties otherwise  
14 provided in this act, the board shall have the power to formally  
15 reprimand, suspend or revoke any license or refuse to issue or  
16 renew any license of an applicant or licensee or a person  
17 required to be licensed under this act, if after due notice of  
18 and hearing, the person charged is found in violation of or  
19 fails to carry out the acts and procedures set forth in this act

1 or is found guilty of committing or attempting to commit any of  
2 the acts set forth in section 23 or any of the following acts:

3 \* \* \*

4 (10) Having engaged in the buying, selling, exchanging,  
5 trading or otherwise dealing in vehicles on Sunday in  
6 violation of 18 Pa.C.S. § 7365 (relating to trading in motor  
7 vehicles and trailers). Manufactured housing is permitted to  
8 be sold on Sundays by licensed manufactured housing dealers  
9 without being subject to prosecution under this paragraph.  
10 Motor vehicles are permitted to be sold on Sundays by normal  
11 vehicle business dealers pursuant to section 33(5) without  
12 being subject to prosecution under this paragraph.

13 \* \* \*

14 Section 2. Section 33 of the act, amended October 8, 2008  
15 (P.L.1086, No.90), is amended to read:

16 Section 33. [Off-premise sales] Sales, shows, exhibitions or  
17 rallies on Sundays.

18 (1) The following shall be permitted to be open on  
19 Sundays:

20 (i) Off-premise vehicle sales, shows and  
21 exhibitions.

22 (ii) Recreational vehicle shows, recreational  
23 vehicle off-premise sales, recreational vehicle  
24 exhibitions and recreational vehicle rallies.

25 (2) Except as provided in paragraphs (3) [and], (4) and  
26 (5), normal vehicle business practices shall be allowed at  
27 off-premise sales, vehicle shows or exhibitions on Sunday  
28 except that no final sales contract may be consummated on a  
29 Sunday.

30 (3) Normal vehicle business practices shall be allowed

1 at recreational vehicle shows, recreational vehicle off-  
2 premise sales, recreational vehicle exhibitions and  
3 recreational vehicle rallies. Recreational vehicle dealers  
4 are permitted to consummate final sales contracts on Sundays.

5 (4) Manufactured housing dealers are permitted to  
6 consummate final sales contracts on Sundays.

7 (5) Normal vehicle business dealers shall be permitted  
8 to be open one Sunday a month for on-premise sales and shall  
9 be permitted to consummate final sales contracts on the  
10 designated Sunday.

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