

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 2632 Session of  
2022

INTRODUCED BY DELOZIER, MULLINS, BURGOS, DOWLING, GILLEN,  
KENYATTA, MADDEN, SCHMITT, STEPHENS, WARNER AND WHITE,  
MAY 31, 2022

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES,  
SEPTEMBER 13, 2022

## AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, in registration of vehicles, providing for vendor-  
3 designed registration plates.

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

6 Section 1. Title 75 of the Pennsylvania Consolidated  
7 Statutes is amended by adding a section to read:

8 § 1341.2. Vendor-designed registration plates.

9 (a) Duties of department.--The department shall:

10 (1) Enter into a contract with a private vendor for the  
11 marketing and sale of vendor-designed registration plates  
12 within 12 months of the effective date of this section. The  
13 department shall select a private vendor according to the  
14 provisions of 62 Pa.C.S. (relating to procurement).

15 (2) Only select a private vendor who is able to fulfill  
16 the requirements of this section.

17 (3) Develop policies and procedures for the

1 implementation of this section.

2 (b) Contract requirements.--A contract entered into with a  
3 private vendor under subsection (a) shall be for an initial term  
4 of not less than five years and be renewable by the same private  
5 vendor for not less than two successive five-year terms. The  
6 contract shall require the private vendor to:

7 (1) Market and sell the vendor-designed registration  
8 plates on the private vendor's publicly accessible Internet  
9 website.

10 (2) Process the purchase and issuance of vendor-designed  
11 registration plates hosted on the private vendor's publicly  
12 accessible Internet website and pay any associated costs and  
13 fees.

14 (3) Permit a vendor-designed registration plate that is  
15 purchased from the private vendor's publicly accessible  
16 Internet website to be personalized.

17 (4) Provide to the department, at least monthly,  
18 periodic accounts that accurately detail all material  
19 transactions, including information reasonably required by  
20 the department to support fees that are collected by the  
21 private vendor, and regularly remit all money payable to the  
22 department under the contract.

23 (5) Establish an electronic infrastructure coordinated  
24 and compatible with the department's systems, by which motor  
25 vehicle owners may electronically send and receive  
26 applications, other documents or required payments, and that,  
27 when secure access is necessary, can be electronically  
28 validated by the department.

29 (6) Establish the amounts to be received by the  
30 department from the fees imposed under subsection (d) as

negotiated with and agreed upon by the department.

(7) Comply with the provisions of section 1331(a), (b) and (d) (relating to issuance and reissuance of registration plates).

(8) Manufacture the vendor-designed registration plates in accordance with current department practices.

(9) Provide for a minimum revenue guarantee within the first five years of the contract. The guarantee shall be negotiated between the department and the private vendor.

(10) Comply with any other requirement established by the department, subject to the contract limitations in subsection (c).

(c) Contract limitations.--The department may not unreasonably:

(1) disapprove or limit an aspect of a private vendor's marketing and sales plan;

(2) interfere with the selection, assignment or management by the private vendor of the private vendor's employees, agents or subcontractors;

(3) restrict the ability of the private vendor to offer a variety of plate designs with personalized and nonpersonalized alphanumeric patterns;

(4) disapprove or limit the ability of the private vendor to offer vendor-designed registration plate renewal terms of more than one year; or

(5) disapprove or limit the ability of the private vendor to offer symbols on a vendor-designed registration plate THAT ARE NOT PART OF THE REGISTRATION PLATE'S ALPHANUMERIC PATTERN.

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(d) Fees.--

1       (1) The private vendor, in consultation with the  
2       department, shall establish fees for the issuance and renewal  
3       of vendor-designed registration plates that are marketed and  
4       sold by the private vendor. The fee shall be an amount  
5       sufficient to allow:

6               (i) The private vendor to recoup costs associated  
7               with the design, marketing, issuance, renewal and sale of  
8               the vendor-designed registration plates or otherwise  
9               associated with fulfilling contractual requirements with  
10              the department.

11              (ii) For profit by the private vendor.

12              (iii) For the department to recoup administrative  
13              costs associated with the implementation of this section.

14              (iv) For the department to receive additional  
15              revenue from the sale, issuance and renewal of vendor-  
16              designed registration plates.

17       (2) The fee established for vendor-designed registration  
18       plates under paragraph (1) shall be in addition to the annual  
19       or ~~biannual~~ BIENNIAL registration fee and, as applicable, a <--  
20       fee under paragraph (3).

21       (3) An additional personalization fee, as determined by  
22       the private vendor, in consultation with the department,  
23       shall be imposed for the personalization of a vendor-designed  
24       registration plate.

25       (e) Deposit.--Amounts received by the department from the  
26       fees collected under subsection (d) shall be deposited into the  
27       Motor License Fund.

28       (f) Issuance limitation.--

29              (1) Vendor-designed registration plates may only be sold  
30              and issued for a motorcycle or a passenger car or truck with

1 a registered gross weight of not more than 14,000 pounds.

2 (2) Subject to paragraph (3), 12 vendor-designed  
3 registration plate designs shall be made available by the  
4 private vendor for purchase by the motoring public.

5 (3) After 12 months from the initial date the private  
6 vendor makes approved vendor-designed registration plates  
7 available for purchase by the motoring public, the department  
8 may approve additional vendor-designed registration plate  
9 designs in excess of the limitation contained in paragraph  
10 (2).

11 (g) Design limitation.--A vendor-designed registration plate  
12 may not substantially mimic:

13 (1) The department's standard white, blue and yellow  
14 registration plate or any future standard-issue registration  
15 plates provided by the department.

16 (2) Other registration plates specifically authorized by  
17 this subchapter.

18 (h) Design approval.--The department shall approve the  
19 designs and color combinations for vendor-designed registration  
20 plates that are exclusively marketed and sold by a private  
21 vendor in consultation with the Pennsylvania State Police  
22 subject to the following:

23 (1) The department may not restrict the background  
24 color, color combinations or color of plate numbers or  
25 letters of vendor-designed registration plates, except as  
26 determined by the department as necessary for law enforcement  
27 purposes.

28 (2) The department may disapprove a design, cancel a  
29 vendor-designed registration plate or require the  
30 discontinuation of a vendor-designed registration plate or

1 color combination that is marketed, hosted or sold by a  
2 private vendor at any time if the department determines that  
3 the disapproval, cancellation or discontinuation is in the  
4 best interest of the Commonwealth or the motoring public.

5 (i) Ownership retained.--Each approved vendor-designed  
6 registration plate design and color combination remains the  
7 property of the department. A vendor-designed registration plate  
8 remains the property of the department and shall not be  
9 considered property of the person that is issued the vendor-  
10 designed registration plate.

11 (j) Cease of operations.--If the private vendor that enters  
12 into a contract with the department ceases operations:

13 (1) The department may fulfill the duties of the private  
14 vendor temporarily until another private vendor is selected  
15 and begins operation.

16 (2) The private vendor's share of the fee under  
17 subsection (d) is deposited to the credit of the Motor  
18 License Fund until a new private vendor is selected by the  
19 department, at which time, the share of the fee shall be  
20 transmitted to the private vendor that ceased operations.

21 (k) Construction.--Nothing in this section shall be  
22 construed to prohibit:

23 (1) The seizure of a vendor-designed registration plate  
24 under section 1334.1 (relating to seizure of registration  
25 plate).

26 (2) The surrender of a vendor-designed registration  
27 plate under section 1376 (relating to surrender of  
28 registration plates and cards upon suspension or revocation).

29 Section 2. This act shall take effect in 180 days.