

**SENATE APPROPRIATIONS COMMITTEE  
FISCAL NOTE**

**BILL NO.** House Bill 632

**PRINTER NO.** 3656

**AMOUNT**

No Fiscal Impact

**FUND**

Motor License Fund

**DATE INTRODUCED**

February 28, 2019

**PRIME SPONSOR**

Representative Rothman

**DESCRIPTION AND PURPOSE OF BILL**

House Bill 632 amends Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes to provide for electronic secure Power of Attorney (ePOA) for auto claims.

This legislation amends section 7134 (relating to odometer disclosure requirements) to provide for the following:

- Permits a licensed dealer to use a secure power of attorney to transfer a vehicle when the certificate of title is encumbered with a lien or the title has been lost by the transferor and the licensed dealer is applying for a duplicate title. The Pennsylvania Department of Transportation (department) may, at its sole discretion, permit the use of a secure power of attorney signed electronically for the transfer of vehicles by licensed dealers;
- Allows an insurer to use a secure power of attorney to transfer a salvage vehicle when the certificate of title is encumbered with a lien or when the title has been lost by the transferor and the insurer is applying for a duplicate title. The power of attorney need not be notarized and may be signed electronically. The insurer is responsible for ensuring the power of attorney complies with the requirements of 15 U.S.C § 7001 et seq. (relating to electronic signatures in global and national commerce), the requirements of 49 U.S.C. § 32705 (relating to disclosure requirements on transfer of motor vehicles) and any requirements imposed by the Commonwealth. The department may, at its sole discretion, permit the use of a secure power of attorney for the transfer of other vehicles in addition to salvage vehicles; and
- Specifies that nothing in this legislation requires the department to certify an electronic signature process or an electronic signature process vendor before accepting a power of attorney that is executed with an electronic signature.

This act shall take effect in 90 days.

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## FISCAL NOTE

### **FISCAL IMPACT:**

According to the department, enactment of this legislation will cause the department to incur minimal expenses due to updates to publications and forms. The department indicates these expenses can be accommodated within the Driver and Vehicle Services' appropriation, which is \$208.4 million in Fiscal Year 2020-21.