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Senate of Pennsylvania

**MIKE WAUGH**  
SENATOR

SEP 21 2011

**MEMORANDUM**

TO: All Senators  
FROM: Senator Mike Waugh **MIKE**  
SUBJECT: Co-sponsorship of legislation  
*Legislation requiring vehicle owners to report theft*  
DATE: September 21, 2011

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I am introducing legislation that will set a deadline for a vehicle owner to report that the vehicle has been stolen for insurance coverage purposes.

This legislation amends Section 1718 of *Title 75 (Vehicles) of Pennsylvania Consolidated Statutes* by adding a new section. Under this legislation, if a vehicle owner fails to report that the vehicle has been stolen within 12 hours of when he or she should have known it was stolen, he or she cannot deny that the driver had permission to operate the vehicle. The insurance company providing coverage for the vehicle thus cannot deny claims by third parties who suffered injury as a result of the vehicle's use. Under current law, the insurance company can deny claims by third parties on the basis that the vehicle was being operated by a party that did not have the owner's permission to use it, or that it was stolen.

This bill is being introduced in response to an accident in York County. A constituent's parked car was struck by another vehicle. The driver fled before anyone could identify him or her. The owner of the vehicle proved that he was not driving it, and claimed that he had not given anyone permission to operate the vehicle. He had not, however, ever reported it as stolen. The insurance company covering the car that struck the constituent's car thus denied responsibility for any claims arising from the accident. This bill is designed to address this type of situation.

If you would like to co-sponsor this legislation, please call Debbie Clark in my office at 787-3817, or e-mail her at [dclark@pasen.gov](mailto:dclark@pasen.gov).