

REGULATING THE SALE OF SECOND HAND WATCHES
Act of Apr. 12, 1945, P.L. 221, No. 100
AN ACT

Cl. 12

To regulate the sale of second-hand watches and providing penalties.

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

Section 1. As used in this act.--

1. "Person" means an individual, firm, partnership, association, or corporation engaged in the business of selling watches.

2. "Consumer" means a person who buys for his own use, or for the use of another, but not for resale.

3. A "second-hand watch" means: (a) A watch which, as a whole or the case thereof, or the movement thereof, has been sold to a customer, except that a watch which has been so sold and is thereafter returned within a period of six months from the date of the original sale, either through an exchange, or for credit, to the same person who sold the watch to the consumer shall not be deemed to be a second-hand watch. For the purpose of this act, if the vendor keeps a written record setting forth the name and address of the consumer, the date of the sale to the consumer, the name of the watch or its maker, and the serial number, if any, on the case and the movement of the watch or other distinguishing numbers for identification marks, such record to be kept for at least three years from the date of the sale of the watch; or

(b) Any watch, whose case, or movement, serial numbers, or other distinguishing numbers, or identification marks, have been erased, defaced, removed, altered, or covered.

Section 2. Any person who sells, exchanges, offers to sell, or exchange, exposes or displays for sale, or exchange, or possesses, with intent to sell, or exchange, a second-hand watch, shall affix and keep affixed to the same a tag with the words "second-hand" legibly written or printed thereon in the English language.

Section 3. Any person who sells a second-hand watch shall deliver to the vendee a written invoice, setting forth the name and address of the vendor, the name and address of the vendee, the date of the sale, the name of the watch or its maker, and the serial numbers, if any, or other distinguishing numbers, or identification marks on its case and movement. If the serial numbers, or other distinguishing numbers, or identification marks, have been erased, defaced, removed, altered, or covered, this shall be set forth in the invoice. A duplicate of the invoice shall be kept on file by the vendor of the second-hand watch for at least one year from the date of the sale thereof.

Section 4. Any person advertising, or displaying in any manner, second-hand watches for sale, shall state clearly in such advertising, or display, that the watches so advertised are

second-hand watches.

Section 5. Violation of any of the provisions of this act is a misdemeanor, and upon conviction thereof, shall be punished by imprisonment in the county jail for not more than one (1) year, or by fine of not more than five hundred dollars (\$500.00).