

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1879 Session of
1975

INTRODUCED BY HOPKINS, D. S. HAYES, HALVERSON, HASKELL,
R. W. WILT, FISCHER, NOYE, DiCARLO, BELLOMINI AND DOMBROWSKI,
OCTOBER 16, 1975

REFERRED TO COMMITTEE ON TRANSPORTATION, OCTOBER 21, 1975

AN ACT

1 Amending the act of April 29, 1959 (P.L.58, No.32), entitled "An
2 act consolidating and revising the Vehicle Code, the Tractor
3 Code, the Motor Vehicle Financial Responsibility Act and
4 other acts relating to the ownership, possession and use of
5 vehicles and tractors," providing for issuance of temporary
6 registration plates or markers by notaries public.

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

9 Section 1. Section 512, act of April 29, 1959 (P.L.58,
10 No.32), known as "The Vehicle Code," amended November 18, 1972
11 (P.L.945, No.228), and subsections (d), (k) and the penalty
12 clause, amended July 18, 1974 (P.L.469, No.167), is amended to
13 read:

14 Section 512. Temporary Registration Plates or Markers.--

15 (a) The secretary may, subject to the limitations and
16 conditions hereinafter set forth, deliver temporary registration
17 plates or markers to a person who has registered as a dealer or
18 has been commissioned as a notary public in Pennsylvania when
19 the application therefor is accompanied by the fee prescribed in

1 this act. Such application shall be made upon a form prescribed
2 and furnished by the department. Dealers and notaries public
3 subject to the limitations and conditions hereinafter set forth,
4 may issue such temporary registration plates or markers to
5 owners of vehicles, whether or not the vehicle is to be
6 registered in Pennsylvania, provided that such owners shall
7 comply with the pertinent provisions of this section. Temporary
8 registration plates or markers may be delivered only by a notary
9 public who has given to the secretary a corporate bond in the
10 sum of two thousand dollars (\$2,000), for the faithful
11 performance of his duties.

12 (b) Every dealer or notary public who has made application
13 for temporary registration plates or markers shall maintain in
14 permanent form a record of all temporary registration plates or
15 markers delivered to him, and shall also maintain in permanent
16 form a record of all temporary registration plates or markers
17 issued by him, and in addition thereto, shall maintain in
18 permanent form a record of any other information pertaining to
19 the receipt or the issuance of temporary registration plates or
20 markers that the secretary may require. Each record shall be
21 kept for a period of at least three (3) years from the date of
22 entry of such record. Every dealer or notary public shall allow
23 full and free access to such records, during regular business
24 hours, to duly authorized representatives of the department and
25 to peace officers.

26 (c) Every dealer or notary public who issues temporary
27 registration plates or markers shall, within five (5) days of
28 the day that he issues such plates or markers, send to the
29 department a copy of the temporary registration plate or marker
30 certificate, properly executed by such dealer or notary public

1 and the owner, together with the application for certificate of
2 title and the annual registration plates when the vehicle is to
3 be registered in Pennsylvania. If the vehicle is not to be
4 registered in Pennsylvania, a statement setting forth such fact
5 shall accompany the copy of the temporary registration plate or
6 marker certificate.

7 (d) Every dealer and notary public shall issue to the owner
8 of a motor vehicle, upon proper application, temporary
9 registration plates regardless whether the vehicle was purchased
10 from said dealer. In addition to the normal fees prescribed by
11 law, an additional fee may be charged by the dealer providing
12 said service, the amount of such fee to be disclosed by the
13 dealer to the applicant prior to the execution of the
14 application forms and shall not exceed five dollars (\$5.00). No
15 dealer or notary public by himself, agent, servant or employe,
16 shall issue, assign, transfer or deliver temporary registration
17 plates or markers to any one possessed of annual registration
18 plates for a vehicle that has been sold or exchanged; nor shall
19 temporary registration plates or markers be loaned or used on
20 any vehicle which the dealer or notary public may own nor shall
21 any temporary registration plates or markers be issued
22 containing any misstatement of fact, or any false information
23 upon the face thereof. Any dealer or notary public who has
24 committed three (3) or more violations of the provisions of this
25 section shall not make application for or issue any temporary
26 registration plates or markers.

27 (e) Every person who issues temporary plates or markers
28 shall affix or insert clearly and indelibly on the face of each
29 temporary registration plate or marker the date of issuance and
30 expiration, and the make and serial number of the vehicle for

1 which issued.

2 (f) If the secretary finds that the provisions of this
3 section or any directions of the secretary are not being
4 complied with by the dealer or notary public, he may suspend,
5 after a hearing, the right of a dealer or notary public to issue
6 temporary registration plates or markers.

7 (g) Every person who makes application for temporary
8 registration plates or markers shall execute the temporary
9 registration plate or marker application.

10 (h) Every purchaser who makes application for temporary
11 registration plates or markers shall execute and send an
12 application for annual registration plates to the department,
13 accompanied by a copy of the temporary registration certificate
14 prepared by the dealer or the notary public. In no event shall
15 such application for annual registration plates be made later
16 than five (5) days from the day on which the temporary
17 registration plates or markers are issued to such owner. This
18 subsection (h) shall only be applicable when the vehicle is to
19 be registered in Pennsylvania.

20 (i) Every person to whom temporary registration plates or
21 markers have been issued shall permanently destroy such
22 temporary registration plates or markers immediately upon
23 receiving the annual registration plates from the department. If
24 the annual registration plates are not received within forty-
25 five (45) days of the issuance of the temporary registration
26 plates or markers, the owner shall, notwithstanding immediately
27 upon the expiration of such thirty-day period, permanently
28 destroy the temporary registration plates or markers.

29 (j) Temporary registration plates or markers shall expire
30 and become void upon the receipt of the annual registration

1 plates from the department, or upon the rescission of a contract
2 to purchase a vehicle, or upon the expiration of forty-five (45)
3 days from the date of issuance, depending upon whichever event
4 shall first occur. No refund or credit for fees paid by dealers
5 or notaries public to the department for temporary registration
6 plates or markers shall be allowed, except that in the event
7 that the secretary discontinues the issuance of temporary
8 registration plates or markers, dealers or notaries public
9 returning temporary registration plates or markers to the
10 department may petition for refund or a credit thereof.

11 (k) The secretary shall have the power to designate certain
12 other agents to issue temporary registration plates or markers
13 and make such rules and regulations not inconsistent herewith as
14 he shall deem necessary for the purpose of carrying out the
15 provisions of this section. Upon request of any county
16 treasurer, or in cities of the first class, the city treasurer,
17 the secretary shall designate him as a special qualified agent
18 to issue temporary registration plates or markers. To qualify,
19 agents shall:

20 (1) Fill out and submit to the Secretary of Transportation
21 an appropriate application to be prepared by the department.

22 (2) Post a bond of ten thousand dollars (\$10,000.00).

23 (3) Be licensed by the Department of Transportation and,
24 except for county or city treasurers, pay an annual fee of
25 twenty-five dollars (\$25.00) for such license.

26 (4) Agents shall maintain such records as the secretary may
27 require in accordance with the provisions of this section.

28 (5) Keep his office open and operate on a regular schedule
29 which shall be posted for public view on the premises. In
30 addition to the cost of the temporary registration plates

1 charged by the Commonwealth, the fees charged by the agent for
2 issuing the temporary registration plates shall not exceed five
3 dollars (\$5.00).

4 Penalty.--Any person violating any of the provisions of
5 subsection (b), (c), (d) or (e) of this section, shall, upon
6 summary conviction before a magistrate, be sentenced to pay a
7 fine of twenty-five dollars (\$25.00) and costs of prosecution
8 for the first offense; fifty dollars (\$50.00) and costs of
9 prosecution for any subsequent offense, and in default of the
10 payment thereof, shall undergo imprisonment for not more than
11 ten (10) days; and upon conviction of a third offense, no
12 temporary registration plates or markers shall thereafter be
13 delivered to such person for the purpose of issuing such plates
14 or markers to any owner, nor shall such person thereafter issue
15 any temporary registration plates or markers. Any person
16 violating any of the provisions of subsection (g), (h) or (i) of
17 this section, or any rule or regulation made by the secretary as
18 hereinbefore provided, shall, upon summary conviction before a
19 magistrate, be sentenced to pay a fine of ten dollars (\$10.00)
20 and costs of prosecution for the first offense, and twenty-five
21 dollars (\$25.00) and costs of prosecution for any subsequent
22 offense, and in default of the payment thereof shall undergo
23 imprisonment for not more than five (5) days.

24 Penalty.--Any person violating any of the provisions of
25 subsection (k) of this section, shall be guilty of a misdemeanor
26 and, on conviction thereof, be sentenced to pay a fine of not
27 less than one hundred dollars (\$100.00) and not to exceed one
28 thousand dollars (\$1,000.00) for each separate offense and in
29 addition thereto his license to act as agent for the issuance of
30 temporary plates or markers under subsection (k) shall be

1 revoked for one (1) year.

2 Limitation.--The provisions of this section are subject to
3 the limitation of actions as set forth in section 1201 of this
4 act.