

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 597

Session of  
1981

INTRODUCED BY PETRARCA, KOLTER, CLARK, CALTAGIRONE, PISTELLA,  
MICOZZIE, LETTERMAN, WIGGINS, PENDLETON, MRKONIC AND HARPER,  
FEBRUARY 17, 1981

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 17, 1981

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, further regulating the sale, publication and  
3 disclosure of records and providing an increased penalty.

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

6 Section 1. Section 6114 of Title 75, act of November 25,  
7 1970 (P.L.707, No.230), known as the Pennsylvania Consolidated  
8 Statutes, is amended to read:

9 § 6114. Limitation on sale, publication and disclosure of  
10 records.

11 (a) Offenses defined.--It is unlawful for:

12 (1) Any police officer, or any officer, employee or  
13 agent of any Commonwealth agency or local authority which  
14 makes or receives records or reports required to be filed  
15 under this title to sell, publish or disclose or offer to  
16 sell, publish or disclose records or reports which relate to  
17 the driving record of any person.

18 (2) Any person to purchase, secure or procure or offer

1 to purchase, secure or procure records or reports described  
2 in paragraph (1).

3 (b) Exceptions.--This section does not apply to records or  
4 reports:

5 (1) Required or authorized under this title to be sold,  
6 published or disclosed.

7 (2) Authorized in writing by the person who is the  
8 subject of the record or report to be sold, published or  
9 disclosed. A police officer, or officer, employee or agent of  
10 a Commonwealth agency or local authority may rely on a  
11 certification from a person requesting a record or report  
12 under this paragraph that its sale, publication or disclosure  
13 has been authorized by the person who is the subject of the  
14 record or report. In the event such sale, publication or  
15 disclosure shall not have been authorized, the person who  
16 made the false certification, rather than the police officer  
17 or officer, employee or agent of the Commonwealth agency or  
18 local authority, shall be guilty of the offense defined by  
19 this section.

20 (3) Required to be released by order of court.

21 [(4) Authorized by departmental regulation to be sold,  
22 published or disclosed to any Federal, State or local  
23 governmental agency for the sole purpose of exercising a  
24 legitimate governmental function or duty. Such records or  
25 reports shall not be resold, published or disclosed by the  
26 receiving agency for any commercial purpose nor without prior  
27 departmental approval.

28 (5) Purchased by a person who, in compliance with the  
29 Fair Credit Reporting Act (84 Stat. 1127-1136, 15 U.S.C. §  
30 1601 et seq.), has filed with the department an affidavit, in

1 form acceptable to the department, certifying the intended  
2 use of said record or reports.]

3 (c) Penalty.--Any offense under this section is a [summary  
4 offense punishable by a fine of \$100.] misdemeanor of the third  
5 degree punishable by a fine of \$2,500 or imprisonment of one  
6 year, or both.

7 Section 2. This act shall take effect immediately.