

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1131 Session of 1987

INTRODUCED BY MARKOSEK, BOOK, TRUMAN, J. TAYLOR, BLAUM, GLADECK, ACOSTA, BURD, JADLOWIEC, SCHEETZ, MRKONIC, TRELLO, BATTISTO, KUKOVICH, GAMBLE, GEIST, JOHNSON, BOYES, MORRIS, HERMAN, SHOWERS, ARTY, J. L. WRIGHT, BUNT, GODSHALL, PHILLIPS, FARMER, COLE, SAURMAN, FOX, HALUSKA, MELIO, D. W. SNYDER, SEMMEL, MICOZZIE, DeLUCA, CLYMER, KENNEY, RAYMOND, CIVERA, NAHILL, TIGUE, PRESTON, PERZEL, MERRY, HAYDEN, DUFFY, FLICK, KASUNIC, KOSINSKI, STAIRS, MAYERNIK, BORTNER, STABACK, HERSHEY, OLASZ, E. Z. TAYLOR, MICHLOVIC, VEON, RICHARDSON, COLAFELLA, LANGTRY AND BELARDI, APRIL 22, 1987

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES, OCTOBER 6, 1987

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, DEFINING "AUTOMOTIVE DISMANTLER AND RECYCLER" AND
3 "SALVAGE MOTOR VEHICLE AUCTION OR POOL OPERATOR"; further
4 providing for inspection of garages and dealer premises by
5 police; and requiring certain persons to keep accurate
6 records of motor vehicle sales and dispositions.

<—

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

9 Section 1. ~~Section~~ SECTIONS 102 AND 6308 of Title 75 of the
10 Pennsylvania Consolidated Statutes ~~is~~ ARE amended to read:

<—

<—

11 § 102. DEFINITIONS.

<—

12 SUBJECT TO ADDITIONAL DEFINITIONS CONTAINED IN SUBSEQUENT
13 PROVISIONS OF THIS TITLE WHICH ARE APPLICABLE TO SPECIFIC
14 PROVISIONS OF THIS TITLE, THE FOLLOWING WORDS AND PHRASES WHEN
15 USED IN THIS TITLE SHALL HAVE, UNLESS THE CONTEXT CLEARLY

1 INDICATES OTHERWISE, THE MEANINGS GIVEN TO THEM IN THIS SECTION:

2 \* \* \*

3 "AUTOMOTIVE DISMANTLER AND RECYCLER." A PERSON ENGAGED IN  
4 THE BUSINESS OF PURCHASING AND DISMANTLING OR DISASSEMBLING  
5 WRECKED OR ABANDONED OR SALVAGE MOTOR VEHICLES FOR THE PURPOSE  
6 OF SELLING THE USABLE VEHICLE.

7 \* \* \*

8 "SALVAGE MOTOR VEHICLE AUCTION OR POOL OPERATOR." A PERSON  
9 WHO ON HIS OWN BEHALF OR AS AN AGENT FOR A THIRD PARTY ENGAGES  
10 IN BUSINESS FOR THE PURPOSE OF OFFERING FOR SALE WRECKED OR  
11 SALVAGE MOTOR VEHICLES THROUGH AN AUCTION OR PRIVATE BID PROCESS  
12 TO AUTOMOTIVE DISMANTLERS AND RECYCLERS.

13 \* \* \*

14 § 6308. Investigation by police officers.

15 (a) Duty of operator or pedestrian.--The operator of any  
16 vehicle or any pedestrian reasonably believed to have violated  
17 any provision of this title shall stop upon request or signal of  
18 any police officer and shall, upon request, exhibit a  
19 registration card, driver's license and information relating to  
20 financial responsibility, or other means of identification if a  
21 pedestrian or driver of a pedalcycle, and shall write their name  
22 in the presence of the police officer if so required for the  
23 purpose of establishing identity.

24 (b) Authority of police officer.--Whenever a police officer  
25 is engaged in a systematic program of checking vehicles or  
26 drivers or has articulable and reasonable grounds to suspect a  
27 violation of this title, he may stop a vehicle, upon request or  
28 signal, for the purpose of checking the vehicle's registration,  
29 proof of financial responsibility, vehicle identification number  
30 or engine number or the driver's license, or to secure such

1 other information as the officer may reasonably believe to be  
2 necessary to enforce the provisions of this title.

3 (c) Inspection of garages and dealer premises.--Any police  
4 officer or authorized department employee may inspect any  
5 vehicle in any [public] garage or repair shop or on the premises  
6 of any dealer, salvor, AUTOMOTIVE DISMANTLER AND RECYCLER, <—  
7 SALVAGE MOTOR VEHICLE AUCTION OR POOL OPERATOR, scrap metal  
8 processor, or other public place of business for the purpose of  
9 locating stolen vehicles or parts or vehicles or vehicle parts  
10 with identification numbers removed or falsified. The owner of  
11 the garage or repair shop or the dealer or other person shall  
12 permit any police officer or authorized department employee to  
13 make investigations under this subsection.

14 (d) Records.--Every salvor, ~~junkyard operator~~ AUTOMOTIVE <—  
15 DISMANTLER AND RECYCLER, SALVAGE MOTOR VEHICLE AUCTION OR POOL  
16 OPERATOR, scrap metal processor, ~~designated agent and dealer~~ <—  
17 shall keep accurate records of motor vehicle sales and  
18 dispositions. The records shall include the make, year and type  
19 of vehicle, from whom purchased or acquired, and date, vehicle  
20 identification number and date of sale or disposition of  
21 vehicle. The records shall be available on the premises of the  
22 salvor, ~~junkyard operator~~ AUTOMOTIVE DISMANTLER AND RECYCLER, <—  
23 SALVAGE MOTOR VEHICLE AUCTION OR POOL OPERATOR, scrap metal  
24 processor, ~~designated agent and new or used car~~ AND dealer and <—  
25 open to inspection by any police officer or authorized  
26 department employee. The records shall be maintained for three  
27 years from the date of disposition of the vehicle.

28 (e) Penalty.--Any person violating subsection (d) commits a  
29 misdemeanor of the third degree.

30 Section 2. This act shall take effect in 60 days.