

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1132 Session of  
1987

INTRODUCED BY MARKOSEK, BOOK, TRUMAN, J. TAYLOR, BLAUM, BOWLEY,  
GLADECK, ACOSTA, BURD, JADLOWIEC, SCHEETZ, MRKONIC, TRELLO,  
BATTISTO, GAMBLE, GEIST, JOHNSON, BOYES, MORRIS, HERMAN,  
SHOWERS, ARTY, J. L. WRIGHT, BUNT, GODSHALL, PHILLIPS,  
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MAYERNIK, BORTNER, STABACK, HERSHEY, OLASZ, E. Z. TAYLOR,  
MICHLOVIC, VEON, RICHARDSON AND COLAFELLA, APRIL 27, 1987

REFERRED TO COMMITTEE ON TRANSPORTATION, APRIL 27, 1987

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, further providing for vehicle identification  
3 numbers.

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

6 Section 1. Sections 7102, 7103, 7104 and 7105 of Title 75 of  
7 the Pennsylvania Consolidated Statutes are amended to read:

8 § 7102. Removal or falsification of identification number.

9 (a) Offense defined.--A person who willfully removes or  
10 falsifies an identification number of a vehicle, engine [or],  
11 transmission or any other vehicle part bearing an identification  
12 number is guilty of a misdemeanor of the third degree.

13 (b) Fraudulent intent.--A person who willfully and with  
14 intent to conceal or misrepresent the identity of a vehicle,

1 engine [or], transmission or any other vehicle part bearing an  
2 identification number, removes or falsifies an identification  
3 number thereof, is guilty of a misdemeanor of the first degree.

4 [(c) Exception.--This section does not apply to the removal  
5 of an identification number from a vehicle for which a  
6 certificate of junk has been obtained in accordance with section  
7 1117 (relating to vehicle destroyed or junked).]

8 § 7103. Dealing in vehicles with removed or falsified numbers.

9 (a) Offense defined.--A person who buys, receives,  
10 possesses, sells or disposes of a vehicle, engine [or],  
11 transmission or any other vehicle part bearing an identification  
12 number, knowing that an identification number has been removed  
13 or falsified, is guilty of a misdemeanor of the third degree.

14 (b) Knowledge of fraudulent intent.--A person who buys,  
15 receives, possesses, sells or disposes of a vehicle, engine  
16 [or], transmission or any other vehicle part bearing an  
17 identification number with knowledge that an identification  
18 number has been removed or falsified with intent to conceal or  
19 misrepresent the identity thereof, is guilty of a felony of the  
20 third degree.

21 [(c) Exception.--This section does not apply to the removal  
22 of an identification number from a vehicle for which a  
23 certificate of junk has been obtained in accordance with section  
24 1117 (relating to vehicle destroyed or junked).]

25 § 7104. State replacement vehicle identification number plate.

26 (a) General rule.--No vehicle on which the vehicle  
27 identification number has been removed or falsified shall be  
28 titled or registered without a special permit from the  
29 department.

30 (b) Application for plate.--Before a certificate of title or

1 registration for the vehicle can be obtained, the owner shall  
2 apply to the department for a State replacement vehicle  
3 identification number plate on a form furnished by the  
4 department which shall contain the full name and address of the  
5 owner and any other information the department may deem  
6 necessary, [sworn to before an official empowered to administer  
7 oaths] as certified by a police officer.

8 (c) Designation on plate.--The State replacement vehicle  
9 identification number plate shall contain:

10 (1) Official department identification.

11 (2) The manufacturer's vehicle identification number, if  
12 known, or a number assigned by the department.

13 (d) Issuance and display of plate.--The department shall  
14 furnish a State replacement vehicle identification number plate  
15 which shall be immediately placed in a uniform manner as  
16 designated by the department on the vehicle.

17 (e) Reconstructed or specially constructed vehicle.--The  
18 department may assign a State replacement vehicle identification  
19 number plate for a reconstructed or specially constructed  
20 vehicle.

21 § 7105. Seizure of vehicles with removed or falsified numbers.

22 (a) Duty of police.--Every police officer having knowledge  
23 of a vehicle on which the vehicle identification number has been  
24 removed or falsified shall immediately seize and take possession  
25 of the vehicle and arrest or file a complaint for the arrest of  
26 the suspected owner or custodian. In all actions involving  
27 seizure or possession of such vehicles, vehicle identification  
28 information shall be transmitted to the Federal or other  
29 agencies involved in recovery of stolen vehicles.

30 (b) Proceedings if owner known.--The court, upon petition of

1 the owner or of the person entitled to possession of a seized  
2 vehicle, may relinquish custody of the vehicle to the person  
3 legally entitled to the vehicle [upon presentation of proof that  
4 a State replacement vehicle identification number plate has been  
5 issued by the department under section 7104 (relating to State  
6 replacement vehicle identification number plate)]. Any vehicle  
7 in the possession or custody of a police officer shall not be  
8 released to the owner or person legally entitled to possession  
9 of a seized vehicle pursuant to this section until such time as  
10 a replacement vehicle identification number plate has been  
11 obtained. Proof of the replacement vehicle identification number  
12 must be exhibited to the police officer at the time of release,  
13 together with the court order relinquishing custody. The  
14 provisions with regard to the securance of a replacement vehicle  
15 identification number shall not apply when the vehicle is titled  
16 in a foreign state and will be removed from this State  
17 immediately upon release. If the foreign vehicle will not be  
18 removed immediately, the exception does not apply and a  
19 replacement vehicle identification number must be obtained.  
20 Except as otherwise provided in this section, the court shall  
21 retain in custody the seized vehicle pending prosecution of the  
22 person arrested. In case the person is found guilty, the vehicle  
23 shall remain in the custody of the court until the fine and  
24 costs of prosecution are paid, except that if 90 days have  
25 elapsed after the verdict has been rendered and the fine and  
26 costs have not been paid, the court shall proceed to advertise  
27 and sell the vehicle in the manner provided by law for the sale  
28 of personal property under execution. The proceeds from the sale  
29 shall be used to pay the fine and costs of prosecution and the  
30 balance, if any, shall be forwarded to the department to be

1 transmitted to the State Treasurer for deposit in the Motor  
2 License Fund.

3 (c) Proceedings if owner unknown.--If ownership of the  
4 vehicle is not established to the satisfaction of the court, the  
5 vehicle shall be confiscated by the court and sold immediately,  
6 and the proceeds shall be used to pay the costs of proceedings  
7 and the balance, if any, shall be forwarded to the department to  
8 be transmitted to the State Treasurer for deposit in the Motor  
9 License Fund.

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