

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 423 Session of 1989

INTRODUCED BY MARKOSEK, COWELL, GODSHALL, KAISER, TIGUE, BLAUM, KUKOVICH, RYBAK, JOHNSON, PRESTON, KOSINSKI, J. L. WRIGHT, VROON, FOX, PRESSMANN, GIGLIOTTI, PISTELLA, SCHULER, CAPPABIANCA, MAIALE, D. W. SNYDER, BURD, HAYDEN, DALEY, LINTON, RITTER, HERMAN, VAN HORNE, COLAFELLA, STAIRS, TRELLO, DeLUCA, SEMMEL, HERSHEY, BIRMELIN, CLYMER, KENNEY, SAURMAN, JAROLIN, OLIVER, REINARD, McCALL, STEIGHNER, MORRIS, MELIO, DIETTERICK, MICOZZIE, SCHEETZ, GEIST, J. TAYLOR, OLASZ, BOWLEY, CORNELL, SERAFINI, HALUSKA, BUNT, BELFANTI, McVERRY, BELARDI, BILLOW, LESCOVITZ, LEVDANSKY, CARN, LANGTRY, STABACK, VEON, MICHLOVIC, CIVERA, WOZNIAK, GRUPPO, ACOSTA AND KASUNIC, FEBRUARY 13, 1989

AS REPORTED FROM COMMITTEE ON TRANSPORTATION, HOUSE OF REPRESENTATIVES, AS AMENDED, APRIL 25, 1989

AN ACT

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

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

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

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11 SECTION 1. SECTION 102 OF TITLE 75 OF THE PENNSYLVANIA
12 CONSOLIDATED STATUTES IS AMENDED BY ADDING A DEFINITION TO READ:
13 § 102. DEFINITIONS.

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14 SUBJECT TO ADDITIONAL DEFINITIONS CONTAINED IN SUBSEQUENT

1 PROVISIONS OF THIS TITLE WHICH ARE APPLICABLE TO SPECIFIC  
2 PROVISIONS OF THIS TITLE, THE FOLLOWING WORDS AND PHRASES WHEN  
3 USED IN THIS TITLE SHALL HAVE, UNLESS THE CONTEXT CLEARLY  
4 INDICATES OTHERWISE, THE MEANINGS GIVEN TO THEM IN THIS SECTION:

5 \* \* \*

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

11 \* \* \*

12 SECTION 2. SECTION 6308 OF TITLE 75 IS AMENDED TO READ:

13 § 6308. Investigation by police officers.

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

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

1 necessary to enforce the provisions of this title.

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

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

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

29 Section 2 3. This act shall take effect in 60 days. <—