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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE BILL

## No. 2066

Session of  
2003

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INTRODUCED BY GEIST, McCALL, MARSICO, MAHER, WILT, PETRARCA,  
MELIO, WASHINGTON, ROBERTS, SANTONI, D. EVANS, HARPER,  
BALDWIN, HESS, MCGILL, STAIRS, WATSON, LAUGHLIN, WOJNAROSKI,  
FAIRCHILD, RUFFING, FORCIER, SAYLOR, DERMODY, LaGROTTA,  
ALLEN, ARMSTRONG, BEBKO-JONES, BENNINGHOFF, BIANCUCCI,  
CAPPELLI, CLYMER, COLEMAN, CORRIGAN, COY, CRAHALLA, CRUZ,  
DALEY, DeLUCA, DeWEESE, EGOLF, FABRIZIO, FICHTER, GERGELY,  
GINGRICH, GODSHALL, GRUCELA, HALUSKA, HARHART, HARRIS,  
HERMAN, HERSHEY, HORSEY, JOSEPHS, KELLER, KENNEY, KIRKLAND,  
MARKOSEK, McILHATTAN, McNAUGHTON, PALLONE, PAYNE, PETRI,  
PHILLIPS, PISTELLA, REED, RUBLEY, SAINATO, SCAVELLO, SEMMEL,  
SOLOBAY, E. Z. TAYLOR, TURZAI, VANCE, WALKO, WEBER,  
YOUNGBLOOD AND HENNESSEY, OCTOBER 14, 2003

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SENATOR THOMPSON, APPROPRIATIONS, IN SENATE, RE-REPORTED AS  
AMENDED, NOVEMBER 17, 2004

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AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, further defining "collectible motor vehicle";  
3 ~~defining "I CAR"; further providing for application for~~ <—  
4 ~~certificate of title, for transfer of vehicle ownership and~~  
5 ~~for reconstructed vehicles;~~ providing for titling and  
6 inspection of reconstructed, modified and specially  
7 constructed vehicles AND FOR ADVISORY PANEL; further <—  
8 providing for required registration and certificate of title; <—  
9 ~~providing for fees for reconstructed, modified and specially~~  
10 ~~constructed vehicle inspection; further providing for the fee~~  
11 ~~for identification cards;~~ for VEHICLES EXEMPT FROM <—  
12 REGISTRATION, FOR ANTIQUE, CLASSIC AND COLLECTIBLE PLATES, <—  
13 FOR SAFETY INSPECTION CRITERIA FOR STREET RODS AND FOR  
14 LIMITED LIABILITY OF INSPECTION STATION OR MECHANIC;  
15 providing for certificate of appointment for ENHANCED VEHICLE <—  
16 SAFETY INSPECTION FOR reconstructed vehicle inspection sites;  
17 and further providing for ~~issuance of certificate of~~ <—  
18 ~~inspection and for~~ State replacement vehicle identification  
19 number plate.

20 The General Assembly of the Commonwealth of Pennsylvania

1 hereby enacts as follows:

2 Section 1. The definition of "collectible motor vehicle" in  
3 section 102 of Title 75 of the Pennsylvania Consolidated  
4 Statutes is amended ~~and the section is amended by adding a~~ <—  
5 ~~definition~~ to read:

6 § 102. Definitions.

7 Subject to additional definitions contained in subsequent  
8 provisions of this title which are applicable to specific  
9 provisions of this title, the following words and phrases when  
10 used in this title shall have, unless the context clearly  
11 indicates otherwise, the meanings given to them in this section:

12 \* \* \*

13 "Collectible motor vehicle." A reconstructed or modified  
14 motor vehicle substantially modified from the manufacturer's  
15 original specifications and appearance and maintained in a  
16 collectible condition as determined by the Department of  
17 Transportation.

18 \* \* \*

19 ~~"I CAR." The Inter Industry Conference on Auto Collision~~ <—  
20 ~~Repair.~~

21 \* \* \*

22 ~~Section 2. Section 1103.1(g) of Title 75 is amended to read:~~  
23 ~~§ 1103.1. Application for certificate of title.~~

24 \* \* \*

25 ~~(g) [Specially constructed, reconstructed or modified]~~  
26 ~~Reconstructed, modified or specially constructed vehicles. If~~  
27 ~~the vehicle to be titled is a [specially constructed,]~~  
28 ~~reconstructed [or], modified or specially constructed vehicle,~~  
29 ~~that fact shall be stated in the application[.], and prior to~~  
30 ~~the issuance of a certificate of title, the vehicle shall be~~

~~inspected at a reconstructed vehicle inspection site pursuant to  
section 1165.1 (relating to titling and inspection of  
reconstructed, modified and specially constructed vehicles).  
Modified vehicles that are subsequently remodified shall reapply  
for title under this section. The department may promulgate  
rules and regulations pertaining to the titling of [specially  
constructed,] reconstructed [or], modified or specially  
constructed vehicles.~~

~~\* \* \*~~

~~Section 3. Section 1111 of Title 75 is amended by adding a  
subsection to read:~~

~~§ 1111. Transfer of ownership of vehicle.~~

~~\* \* \*~~

~~(a.3) Exception for reconstructed, modified and specially  
constructed vehicles. When a certificate of title for a  
reconstructed, modified or specially constructed vehicle, which  
has been acquired by a licensed dealer for purposes of resale  
and has been submitted to a reconstructed vehicle inspection  
site by the licensed dealer, delivery of the certificate of  
title by the dealer as a transferor at the time of delivery of  
the vehicle upon resale shall not be required for a vehicle  
being titled in this Commonwealth if, prior to delivery of the  
vehicle, the dealer obtains the resale authorization form from  
the reconstructed vehicle inspection site and the applicable  
powers of attorney to properly execute transfer of the title.  
The application and properly assigned certificate of title shall  
be delivered to the department within the time period prescribed  
by section 1103.1.~~

~~\* \* \*~~

~~Section 4. Section 1165(b) of Title 75 is amended to read:~~

1 ~~§ 1165. Reconstructed vehicles.~~

2 ~~\* \* \*~~

3 ~~[(b) Application for a reconstructed vehicle certificate of~~  
4 ~~title. A reconstructed vehicle title and registration shall be~~  
5 ~~issued to an applicant if the applicant presents to the~~  
6 ~~department an application for a certificate of title upon a form~~  
7 ~~furnished and prescribed by the department and any other~~  
8 ~~information the department deems appropriate.]~~

9 Section 5. Title 75 is amended by adding sections to read:

10 ~~§ 1165.1. Titling and inspection of reconstructed, modified and~~  
11 ~~specially constructed vehicles.~~

12 ~~(a) General rule. The applicant shall present to the~~  
13 ~~department or its authorized agent at a specifically designated~~  
14 ~~reconstructed vehicle inspection site all of the following:~~

15 ~~(1) A properly assigned certificate of title,~~  
16 ~~certificate of origin, certificate of salvage and any other~~  
17 ~~required documents establishing ownership, including official~~  
18 ~~vehicle ownership documents issued in foreign states or~~  
19 ~~countries.~~

20 ~~(2) A properly repaired or constructed vehicle.~~

21 ~~(3) Vehicle identification numbers, invoices, bills of~~  
22 ~~sale, receipts or other evidence of legitimate ownership for:~~

23 ~~(i) The vehicle.~~

24 ~~(ii) All essential parts used or purchased for the~~  
25 ~~construction or repair of the vehicle.~~

26 ~~(4) Proof of financial responsibility, if registration~~  
27 ~~is requested.~~

28 ~~(5) All fees required by Chapter 19 (relating to fees).~~

29 ~~(6) Any other requirements the department deems~~  
30 ~~appropriate and published by notice in the Pennsylvania~~

~~Bulletin.~~

~~(b) Issuance. Registration and a certificate of safety inspection may be issued for the vehicle immediately if the applicant fully complies with the requirements of subsection (a). A licensed dealer in compliance with subsection (a) may immediately be issued a resale authorization form.~~

~~(c) Reconstructed vehicle inspection sites.~~

~~(1) For the purpose of inspecting reconstructed, modified and specially constructed vehicles, the department shall establish a system of privately owned facilities exclusively designated to conduct the inspections.~~

~~(2) Designated facilities shall:~~

~~(i) Be located throughout this Commonwealth as specified by the department.~~

~~(ii) Be under contract with the department.~~

~~(iii) Employ at least one safety inspection mechanic certified in accordance with section 4726 (relating to certification of mechanics) and I CAR standards or similar nationally recognized standards approved by the department.~~

~~(3) The designated personnel at each site shall verify that:~~

~~(i) The vehicle identification numbers on the vehicle are an accurate match of those listed on the application, the certificate of title, the certificate of origin, the certificate of salvage and any other official vehicle ownership documents, including those issued by foreign states or countries.~~

~~(ii) No stolen parts were used to modify, construct or reconstruct the vehicle.~~

~~(iii) The vehicle is modified, constructed or reconstructed to meet all equipment and inspection requirements of this title and applicable I CAR standards or similar nationally recognized standards approved by the department.~~

~~(4) An inspection conducted under this section shall not be construed as a guarantee of the safety of any vehicle and neither the Commonwealth nor the reconstructed vehicle inspection site where the inspection is conducted nor the employees performing the inspection shall be liable to the owner or occupants of any inspected vehicle for any damages caused by the failure or malfunction of that vehicle or to the owner or occupants of any vehicle involved in an accident with that inspected vehicle or to any pedestrian injured in the accident.~~

~~(5) No person shall perform any part of an inspection on a vehicle owned by the person.~~

~~§ 1165.2. Advisory panel.~~

~~The department shall establish an advisory panel to oversee and make recommendations concerning the reconstructed vehicle inspection site program and contract. The panel shall meet at least semiannually in Harrisburg. The panel shall consist of the following:~~

SECTION 2. TITLE 75 IS AMENDED BY ADDING SECTIONS TO READ: <—

~~§ 1165.1. INSPECTION OF RECONSTRUCTED, MODIFIED AND SPECIALLY CONSTRUCTED VEHICLES.~~

~~(A) FINDINGS OF FACT.--THE GENERAL ASSEMBLY FINDS THAT A KEY ELEMENT FOR SUCCESSFULLY CONVERTING A STOLEN VEHICLE INTO A MARKETABLE ITEM IS OBTAINING A TITLE TO THAT VEHICLE. IN A REPORT TO THE CONGRESS OF THE UNITED STATES, THE MOTOR VEHICLE~~

1 TITLING, REGISTRATION AND SALVAGE ADVISORY COMMITTEE MADE  
2 SEVERAL RECOMMENDATIONS THAT WOULD ASSIST STATE MOTOR VEHICLE  
3 AGENCIES TO COMBAT THE VEHICLE THEFT AND TITLE FRAUD THAT HAS  
4 BEEN RISING AT AN ALARMING RATE THROUGHOUT THE NATION. IN THE  
5 COMMITTEE'S REPORT, RECOMMENDATIONS WERE FOR EACH STATE TO  
6 ESTABLISH A TWO-PART INSPECTION PROCEDURE. PART ONE WOULD BE TO  
7 INSPECT EACH VEHICLE TO VERIFY THE VIN AND REPLACEMENT PARTS  
8 (SUPPORTED BY TITLES, PROOF OF OWNERSHIP, BILLS OF SALE) AND  
9 OWNER AFFIRMATION. PART TWO WOULD BE TO PROVIDE A UNIFORM SAFETY  
10 INSPECTION FOR REBUILT SALVAGE VEHICLES.

11 (B) GENERAL RULE.--ALL RECONSTRUCTED, MODIFIED AND SPECIALLY  
12 CONSTRUCTED VEHICLES SHALL BE REQUIRED TO UNDERGO AN ENHANCED  
13 VEHICLE SAFETY INSPECTION AS SPECIFIED IN DEPARTMENTAL  
14 CONTRACTS, POLICY GUIDELINES OR REGULATIONS AS DEEMED  
15 APPROPRIATE BY THE ADVISORY PANEL CONVENED UNDER SECTION 1165.2  
16 (RELATING TO SPECIALIZED VEHICLE COMPLIANCE INSPECTION ADVISORY  
17 PANEL).

18 § 1165.2. SPECIALIZED VEHICLE COMPLIANCE INSPECTION ADVISORY  
19 PANEL.

20 (A) ESTABLISHMENT.--THE DEPARTMENT SHALL ESTABLISH A  
21 SPECIALIZED VEHICLE COMPLIANCE INSPECTION ADVISORY PANEL TO  
22 OVERSEE AND MAKE RECOMMENDATIONS CONCERNING ESTABLISHMENT OF  
23 PROCEDURES AND REQUIREMENTS FOR SPECIALIZED VEHICLE COMPLIANCE  
24 INSPECTION OF RECONSTRUCTED, MODIFIED AND SPECIALLY CONSTRUCTED  
25 VEHICLES. THE PANEL SHALL CONSIST OF THE FOLLOWING:

26 (1) THE SECRETARY OR HIS DESIGNEE WHO SHALL SERVE AS  
27 CHAIRMAN.

28 ~~(1)~~ (2) The chairman and minority chairman of the <—  
29 Transportation Committee of the Senate and the chairman and  
30 minority chairman of the Transportation Committee of the

House of Representatives or their designees.

~~(2) A representative of the department.~~

<—

(3) A representative of the Office of Attorney General.

~~(4) A representative of the Pennsylvania State Police.~~

<—

~~(5)~~ (4) A vehicle salvage dealer selected by the  
department.

<—

~~(6) A salvor selected by the department.~~

<—

~~(7)~~ (5) A licensed vehicle dealer who reconstructs or  
modifies vehicles.

<—

~~(8) A member of the Auto Theft Prevention Authority.~~

<—

~~(9) Two members of the general public selected by the  
department.~~

~~(10) A certified mechanic who performs vehicle  
inspections.~~

(6) A MEMBER OF THE ALLIANCE OF AUTOMOTIVE SERVICE  
PROVIDERS.

<—

(7) A MEMBER OF THE PENNSYLVANIA AUTOMOTIVE ASSOCIATION.

(8) A MEMBER OF THE PENNSYLVANIA INDEPENDENT AUTOMOTIVE  
DEALERS ASSOCIATION.

(9) A CERTIFIED MECHANIC WHO PERFORMS VEHICLE  
INSPECTIONS.

(10) A CERTIFIED COLLISION REPAIR TECHNICIAN WHO  
PERFORMS VEHICLE RECONSTRUCTION.

(B) DUTIES AND RESPONSIBILITIES.--THE PANEL SHALL:

(1) ESTABLISH A SYSTEM OF PRIVATELY OWNED RECONSTRUCTED  
VEHICLE INSPECTION FACILITIES STAFFED BY SPECIALLY TRAINED  
INDIVIDUALS TO INSPECT FOR COMPLIANCE WITH VEHICLE  
REGULATIONS.

(2) PROMOTE HIGHWAY SAFETY AND CONSUMER CONFIDENCE  
THROUGH SPECIALIZED INSPECTIONS.

1           (3) DIMINISH FRAUD AND USE OF STOLEN VEHICLES AND PARTS  
2           IN VEHICLE REBUILDS.

3           (4) IMPROVE THE TITLING PROCESS FOR STREET RODS,  
4           RECONSTRUCTED, MODIFIED AND SPECIALLY CONSTRUCTED VEHICLES.

5           (C) COOPERATION.--NOTHING SHALL PREVENT THE CHAIRMAN OR  
6           MEMBERS OF THE COMMITTEE FROM ENLISTING COOPERATION FROM  
7           PROFESSIONALS OUTSIDE OF THE PANEL MEMBERS OR FROM HOLDING  
8           HEARINGS OR TAKING TESTIMONY ON ISSUES RELATING TO THE  
9           RECONSTRUCTED VEHICLE PROCESS.

10          (D) EXPIRATION.--THIS SECTION SHALL EXPIRE JANUARY 1, 2007.

11          Section 6 3. Section 1301~~(c.1)~~ of Title 75 is amended and <—  
12          ~~the section is amended~~ by adding a subsection to read:

13          § 1301. Registration and certificate of title required.

14          \* \* \*

15          ~~(c.1) Reconstructed, [recovered theft, flood,] modified and~~ <—  
16          ~~pecially constructed vehicles. Only the department [shall] or~~  
17          ~~a designated inspector at a reconstructed vehicle inspection~~  
18          ~~site under section 1165 (relating to reconstructed vehicles) may~~  
19          ~~issue a temporary registration plate or card, or permit the~~  
20          ~~transfer of a registration plate, in conjunction with any~~  
21          ~~application for reconstructed, recovered theft, flood, modified~~  
22          ~~and specially constructed vehicles. Proof of financial~~  
23          ~~responsibility must accompany the application for registration~~  
24          ~~prior to the issuance of a registration plate.~~

25          (c.2) Special inspection prerequisite to operation.--No <—  
26          AFTER THE EFFECTIVE DATE OF THIS SECTION, NO reconstructed, <—  
27          modified or specially constructed vehicle may be operated on the  
28          highway until it has successfully passed an inspection at a  
29          reconstructed vehicle inspection site. Modified vehicles that <—  
30          are subsequently remodified must be reinspected at a

1 ~~reconstructed vehicle inspection site prior to operation on the~~  
2 ~~highway. STATION.~~ <—

3 \* \* \*

4 ~~Section 7. Section 1951 heading and (c) of Title 75 are~~ <—  
5 ~~amended to read:~~

6 ~~§ 1951. Driver's license [and], learner's permit and~~  
7 ~~identification card.~~

8 \* \* \*

9 ~~(c) Identification card. The fee for an identification card~~  
10 ~~shall be \$5 plus the cost of the photograph[.], except that if~~  
11 ~~the person to whom the identification card is issued is an~~  
12 ~~anatomical organ donor under section 1510(c), then the fee and~~  
13 ~~the cost of the photograph shall be waived.~~

14 \* \* \*

15 ~~Section 8. Title 75 is amended by adding sections to read:~~  
16 ~~§ 1962. Reconstructed, modified and specially constructed~~  
17 ~~vehicle inspection.~~

18 ~~The schedule of fees for the inspection of a reconstructed,~~  
19 ~~modified or specially constructed vehicle at a reconstructed~~  
20 ~~vehicle inspection site shall be set by the department and~~  
21 ~~published by notice in the Pennsylvania Bulletin. The fee shall~~  
22 ~~be paid directly to the reconstructed vehicle inspection site~~  
23 ~~for the vehicle inspection. For a vehicle that requires~~  
24 ~~reinspection, an additional fee shall not be required if the~~  
25 ~~vehicle is presented for the reinspection within 90 days of the~~  
26 ~~initial inspection.~~

27 ~~§ 4723.1. Certificate of appointment for reconstructed vehicle~~  
28 ~~inspection sites.~~

29 ~~(a) Certificate. The department shall issue a certificate~~  
30 ~~of appointment for reconstructed vehicle inspection sites.~~

~~(b) Authority. The certificate of appointment shall  
authorize the inspection of:~~

~~(1) Reconstructed, modified and specially constructed  
vehicles.~~

~~(2) Vehicles owned or leased by the Commonwealth or  
political subdivisions.~~

~~(3) Vehicles leased or owned by the reconstructed  
vehicle inspection site.~~

~~(c) Offsite inspection. Inspection of reconstructed,  
modified and specially constructed vehicles may be performed  
offsite for:~~

~~(1) Oversize vehicles.~~

~~(2) Mobile homes.~~

~~(3) Licensed dealers or fleet owners who meet specific  
requirements approved by the department.~~

~~(4) Other vehicles approved by the department.~~

~~Section 9. Section 4727 of Title 75 is amended by adding a  
subsection to read:~~

~~§ 4727. Issuance of certificate of inspection.~~

~~\* \* \*~~

~~(b.1) Refusal to inspect. An official inspection station  
shall refuse to inspect any modified vehicle which is not  
properly titled by the Commonwealth.~~

~~\* \* \*~~

SECTION 4. SECTION 1302 OF TITLE 75 IS AMENDED BY ADDING A  
PARAGRAPH TO READ:

§ 1302. VEHICLES EXEMPT FROM REGISTRATION.

THE FOLLOWING TYPES OF VEHICLES ARE EXEMPT FROM REGISTRATION:

\* \* \*

(21) SPECIAL MOBILE EQUIPMENT ENGAGED IN CONSTRUCTION

1     ACTIVITIES WITHIN ONE MILE OF AN ACTIVE CONSTRUCTION SITE  
2     WHERE THE VEHICLE IS BEING USED. UNREGISTERED VEHICLES USED  
3     UNDER THIS PARAGRAPH SHALL BE REQUIRED TO MEET LIGHTING AND  
4     OTHER REQUIREMENTS OF SPECIAL MOBILE EQUIPMENT. THIS  
5     EXEMPTION SHALL NOT APPLY TO TRACKED VEHICLES.

6     SECTION 5.   SECTIONS 1340(A), 4702(C) AND 4702.1(A) OF TITLE     <—  
7     75 ARE AMENDED TO READ:

8     § 1340.   ANTIQUE, CLASSIC AND COLLECTIBLE PLATES.             <—

9         (A)   GENERAL RULE.--UPON SUBMISSION BY A VEHICLE OWNER OF  
10    INFORMATION SATISFACTORY TO THE DEPARTMENT THAT A MOTORCYCLE OR  
11    MOTOR VEHICLE IS AN ANTIQUE MOTORCYCLE OR MOTOR VEHICLE OR  
12    CLASSIC MOTORCYCLE OR MOTOR VEHICLE OR COLLECTIBLE MOTORCYCLE OR  
13    MOTOR VEHICLE, ACCOMPANIED BY THE APPROPRIATE FEE, THE  
14    DEPARTMENT MAY ISSUE SPECIAL PLATES FOR THE MOTORCYCLE OR  
15    VEHICLE. THE SPECIAL PLATE FOR ANTIQUE MOTOR VEHICLES, EXCEPT  
16    ANTIQU MOTORCYCLES, SHALL BEAR THE DESIGNATION "ANTIQU  
17    VEHICLE." THE APPLICANT SHALL PROVIDE PHOTOGRAPHIC PROOF IN A  
18    MANNER SPECIFIED BY THE DEPARTMENT TO DEMONSTRATE THE CONDITION  
19    OF THE MOTOR VEHICLE. NO ANNUAL REGISTRATION FEE MAY BE CHARGED  
20    FOR ANTIQUE, COLLECTIBLE OR CLASSIC MOTORCYCLES OR MOTOR  
21    VEHICLES. A HOLDER OF THE SPECIAL PLATES MAY OBTAIN REPLACEMENT  
22    PLATES BEARING THE DESIGNATION "ANTIQU VEHICLE" UPON PAYMENT OF  
23    THE APPROPRIATE FEE.

24         \* \* \*

25    § 4702.   REQUIREMENT FOR PERIODIC INSPECTION OF VEHICLES.

26         \* \* \*

27         (C)   SAFETY INSPECTION CRITERIA FOR STREET RODS.--THE  
28    DEPARTMENT, AFTER CONSULTATION WITH THE NATIONAL STREET ROD  
29    ASSOCIATION AND OTHER INTERESTED GROUPS, SHALL PRESCRIBE SPECIAL  
30    INSPECTION CRITERIA FOR VEHICLES REGISTERED AS STREET RODS.

1 VEHICLES REGISTERED AS STREET RODS WILL NOT BE REQUIRED TO BE  
2 EQUIPPED WITH BUMPERS, FENDERS OR ENGINE COVERAGE AS ORIGINALLY  
3 MANUFACTURED. IF THE HOOD, TOP AND SIDES, OR BOTH, ARE REMOVED  
4 FROM THE VEHICLE THE ENGINE FAN MUST BE ENCLOSED WITH A SHROUD  
5 DESIGNED TO PROTECT THE FAN FROM ACCIDENTAL CONTACT FROM THE  
6 OUTSIDE.

7 \* \* \*

8 § 4702.1. LIMITED LIABILITY OF INSPECTION STATION OR MECHANIC.

9 (A) GENERAL RULE.--AN INSPECTION CONDUCTED PURSUANT TO  
10 SECTION 4702(A) (RELATING TO ANNUAL INSPECTION) OR SECTION  
11 1165.1 (RELATING TO INSPECTION OF RECONSTRUCTED, MODIFIED AND  
12 SPECIALLY CONSTRUCTED VEHICLES) SHALL NOT BE CONSTRUED AS A  
13 GUARANTY OF THE SAFETY OF ANY VEHICLE AND NEITHER THE OFFICIAL  
14 INSPECTION STATION ISSUING THE CERTIFICATE OF INSPECTION NOR THE  
15 OFFICIAL INSPECTION MECHANIC PERFORMING THE INSPECTION SHALL BE  
16 LIABLE TO THE OWNER OR OCCUPANTS OF ANY INSPECTED VEHICLE FOR  
17 ANY DAMAGES CAUSED BY THE FAILURE OR MALFUNCTION OF THAT VEHICLE  
18 OR TO THE OWNER OR OCCUPANTS OF ANY VEHICLE INVOLVED IN AN  
19 ACCIDENT WITH THAT INSPECTED VEHICLE OR TO ANY PEDESTRIAN  
20 INJURED IN THE ACCIDENT UNLESS IT CAN BE SHOWN BY A  
21 PREPONDERANCE OF THE EVIDENCE THAT THE FAILURE WAS CAUSED BY THE  
22 NEGLIGENCE OF THE INSPECTION STATION OR MECHANIC. AN OFFICIAL  
23 INSPECTION MECHANIC IN THE COURSE OF HIS DUTIES RELATING TO THE  
24 ROAD TEST PORTION OF AN OFFICIAL VEHICLE SAFETY INSPECTION SHALL  
25 NOT BE CITED BY LAW ENFORCEMENT PERSONNEL FOR ANY VIOLATION  
26 RELATING TO VEHICLE EQUIPMENT. THIS PROVISION DOES NOT PRECLUDE  
27 AN OFFICIAL INSPECTION MECHANIC FROM BEING CITED BY LAW  
28 ENFORCEMENT PERSONNEL FOR MOVING VIOLATIONS COMMITTED DURING THE  
29 ROAD TEST PORTION OF AN OFFICIAL VEHICLE SAFETY INSPECTION.

30 \* \* \*

SECTION 6. TITLE 75 IS AMENDED BY ADDING A SECTION TO READ:

§ 4723.1. CERTIFICATE OF APPOINTMENT FOR ENHANCED VEHICLE

SAFETY INSPECTION FOR RECONSTRUCTED VEHICLE, MODIFIED

OR SPECIALLY CONSTRUCTED INSPECTION STATIONS.

THE DEPARTMENT SHALL ISSUE A CERTIFICATE OF APPOINTMENT FOR

ENHANCED VEHICLE SAFETY INSPECTION FOR RECONSTRUCTED VEHICLE,

MODIFIED OR SPECIALLY CONSTRUCTED INSPECTION STATIONS.

Section ~~10~~ 7. Section 7104(d) and (e) of Title 75 are  
amended to read:

§ 7104. State replacement vehicle identification number plate.

\* \* \*

(d) Issuance and display of plate.--The department shall  
furnish a State replacement vehicle identification number plate  
which shall be immediately ~~placed~~ [in a uniform manner]

~~secured, by an inspector at a reconstructed vehicle inspection~~

~~site, to the same location as the removed or falsified number~~

~~plate or as otherwise~~ ON THE DRIVER'S SIDE INSIDE DOOR POST OR

AS designated by the department [on the vehicle]. ~~At a minimum,~~

~~the number plate on the vehicle dashboard or cowl must be~~

~~replaced.~~

(e) ~~Reconstructed, modified~~ or specially constructed  
vehicle.--The department may assign a State replacement vehicle  
identification number plate for a reconstructed, ~~modified~~ or

specially constructed vehicle[.], ~~which shall be immediately~~

~~secured, by an inspector at a reconstructed vehicle inspection~~

~~site, to the same location as the removed or falsified number~~

~~plate or as otherwise designated by the department on the~~

~~vehicle. At a minimum the number plate on the vehicle dashboard~~

~~or cowl must be replaced.~~ OR THEFT RECOVERY VEHICLE BEING

BROUGHT INTO THE COMMONWEALTH FROM ANOTHER STATE.

1 Section ~~11~~ 8. This act shall take effect as follows: <—

2 (1) This section shall take effect immediately.

3 (2) The amendment or addition of 75 Pa.C.S. §§ 1165.2, <—

4 1302, 1340 and ~~1951 heading and (e)~~ 4702 shall take effect in <—

5 60 days.

6 (3) The remainder of this act shall take effect ~~in six~~ <—

7 ~~months~~. JANUARY 1, 2007. <—