
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1161 Session of
2015

INTRODUCED BY HARHART, READSHAW, MUSTIO, EMRICK, PICKETT, MURT,
GODSHALL, DEASY, KORTZ, TURZAI, SIMMONS, SAINATO, GILLESPIE,
LONGIETTI, BENNINGHOFF, SONNEY, ELLIS, SNYDER, MATZIE,
GOODMAN, A. HARRIS, KAUFFMAN, HANNA, SABATINA, PETRARCA,
MILLARD, HARHAI, HARPER, EVERETT, REGAN, KAMPF, P. COSTA,
COHEN, MARKOSEK, M. DALEY, MAJOR, PEIFER, HICKERNELL, BRIGGS,
M. K. KELLER, D. COSTA, DUNBAR, QUINN, EVANKOVICH, TOEPEL AND
HEFFLEY, MAY 11, 2015

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, MAY 11, 2015

AN ACT

1 Amending the act of December 22, 1983 (P.L.306, No.84), entitled
2 "An act providing for the State Board of Vehicle
3 Manufacturers, Dealers and Salespersons; and providing
4 penalties," further providing for definitions and for license
5 to engage in business.

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

8 Section 1. Section 2 of the act of December 22, 1983
9 (P.L.306, No.84), known as the Board of Vehicles Act, is amended
10 by adding a definition to read:

11 Section 2. Definitions.

12 The following words and phrases when used in this act shall
13 have the meanings given to them in this section unless the
14 context clearly indicates otherwise:

15 * * *

16 "Common ownership." Exists when a person is an owner of two

1 or more licensed dealerships, regardless of:

2 (1) the location of each dealership;

3 (2) the person's percentage of ownership at each
4 dealership; or

5 (3) the corporate structure of each dealership.

6 * * *

7 Section 2. Section 5(c)(2) of the act, amended April 19,
8 1996 (P.L.104, No.27), is amended to read:

9 Section 5. License to engage in business.

10 * * *

11 (c) Salespersons to be employed.--It shall be unlawful for
12 any salesperson who has not been issued a salesperson's license
13 number by the board to engage in any activity related to the
14 buying, selling or exchanging of a vehicle for a commission,
15 compensation or other consideration. Any sale must be conducted
16 pursuant to and as part of the normal business activities of the
17 dealer by a person who is a licensed salesperson of the dealer,
18 unless that person is the dealer. The salesperson shall be
19 presently employed by the currently licensed vehicle dealer for
20 whom the salesperson is buying, selling or exchanging.

21 * * *

22 (2) A licensed salesperson who is employed by a dealer
23 who holds a dealer license in more than one category or at
24 more than one facility may sell for each such dealer or at
25 each such facility, provided [that each facility has the same
26 owners] there is common ownership.

27 * * *

28 Section 3. This act shall take effect in 60 days.