
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 632 Session of
2019

INTRODUCED BY ROTHMAN, RYAN, BERNSTINE, KINSEY, RABB, IRVIN AND
NEILSON, FEBRUARY 28, 2019

REFERRED TO COMMITTEE ON TRANSPORTATION, FEBRUARY 28, 2019

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in miscellaneous provisions, further providing for
3 odometer disclosure requirements.

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

6 Section 1. Section 7134(a), (b)(2) and (d.1) of Title 75 of
7 the Pennsylvania Consolidated Statutes are amended and the
8 section is amended by adding subsections to read:

9 § 7134. Odometer disclosure requirements.

10 (a) Odometer mileage statement.--Prior to or simultaneously
11 with the execution of any ownership transfer document relating
12 to a motor vehicle, each transferor of a motor vehicle shall
13 furnish to the transferee a [written] statement signed by the
14 transferor containing the following information:

- 15 (1) The odometer reading at the time of transfer.
16 (2) The date of transfer.
17 (3) The transferor's name and current address.
18 (4) The transferee's name and current address.

1 (5) The identity of the vehicle, including its make,
2 year and body type and its complete vehicle identification
3 number.

4 (6) (i) A certification by the transferor that, to the
5 best of his knowledge, the odometer reading reflects the
6 actual miles or kilometers the vehicle has been driven;

7 (ii) if the transferor knows that the odometer
8 reading reflects the amount of mileage in excess of the
9 designed mechanical odometer limit of 99,999 miles or
10 kilometers, he shall include a statement to that effect;
11 or

12 (iii) if the transferor knows that the odometer
13 reading differs from the number of miles or kilometers
14 the vehicle has actually traveled and that the difference
15 is greater than that caused by odometer calibration
16 error, he shall include a statement that the odometer
17 reading is not the actual mileage and should not be
18 relied upon.

19 The transferee shall acknowledge receipt of the disclosure
20 statement by signing it.

21 (b) Prohibitions.--

22 * * *

23 (2) No transferee shall accept any [written] disclosure
24 required by any provision of this section if the disclosure
25 is incomplete.

26 * * *

27 (d.1) Secure power of attorney.--The department shall permit
28 a licensed dealer or insurer as defined in § 1702 (relating to
29 definitions) to use a secure power of attorney to transfer a
30 vehicle [when the certificate of title is encumbered with a

1 lien]. The power of attorney need not be notarized and may be
2 signed electronically. Prior to transferring the vehicle, the
3 dealer shall obtain from the transferor a secure power of
4 attorney authorizing the dealer to transfer to the title all
5 information pertaining to odometers that is required to be
6 disclosed by this title and Federal law, in lieu of the
7 transferor providing such information on the certificate of
8 title. In addition to any other documents required by the
9 department, the dealer shall submit to the department the
10 following:

11 (1) If the transferred vehicle is a retail sale and is
12 to be titled in this Commonwealth, the dealer shall submit
13 the secure power of attorney attached to the application for
14 title, along with the certificate of title and the
15 established fee.

16 (2) If the transferred vehicle is to be titled outside
17 of this Commonwealth, the dealer shall submit to the
18 department the secure copy of the secure power of attorney
19 attached to a copy of the certificate of title and the
20 established fee.

21 (3) If the transferred vehicle is to be transferred to
22 another licensed dealer, the first transferor dealer shall
23 submit to the department the secure copy of the secure power
24 of attorney attached to a copy of the certificate of title
25 and the established fee.

26 Additional transfers between licensed dealers shall be permitted
27 in accordance with section 1113 (relating to transfer to or from
28 manufacturer or dealer). No more than one secure power of
29 attorney shall be utilized with the certificate of title during
30 this authorized transfer process. Upon application for

1 certificate of title, the secure power of attorney utilized to
2 verify odometer information when the vehicle was encumbered with
3 a lien shall be submitted with the certificate of title.

4 (d.2) Certification.--Nothing in this section shall require
5 the department to certify an electronic signature process or an
6 electronic signature process vendor before accepting a power of
7 attorney that is executed with an electronic signature.

8 (d.3) Electronic signature.--The department shall accept a
9 power of attorney that is signed electronically through a system
10 not controlled by the department if the licensed dealer or
11 insurer uses a system which can verify the identity of the
12 person who has electronically signed and submitted the power of
13 attorney.

14 * * *

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