
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 632 Session of
2019

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

SENATOR K. WARD, TRANSPORTATION, IN SENATE, AS AMENDED,
APRIL 28, 2020

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.

1 (4) The transferee's name and current address.

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

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

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

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

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

22 (b) Prohibitions.--

23 * * *

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

27 * * *

28 (d.1) Secure power of attorney, licensed dealers.--The
29 department shall permit a licensed dealer to use a secure power
30 of attorney to transfer a vehicle when the certificate of title

1 is encumbered with a lien or the title has been lost by the
2 transferer TRANSFEROR and the licensed dealer is applying for a <--
3 duplicate title. Prior to transferring the vehicle, the dealer
4 shall obtain from the transferor a secure power of attorney
5 authorizing the dealer to transfer to the title all information
6 pertaining to odometers that is required to be disclosed by this
7 title and Federal law, in lieu of the transferor providing such
8 information on the certificate of title. In addition to any
9 other documents required by the department, the dealer shall
10 submit to the department the 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) Secure power of attorney, insurance companies.--The
5 department shall permit an insurer as defined in section 1702
6 (relating to definitions) to use a secure power of attorney to
7 transfer a salvage vehicle when the certificate of title is
8 encumbered with a lien or when the title has been lost by the
9 transferor and the insurer is applying for a duplicate title.
10 The power of attorney need not be notarized and may be signed
11 electronically. The insurer is responsible for ensuring the
12 power of attorney complies with the requirements of 15 U.S.C. §
13 7001 et seq. (relating to electronic signatures in global and
14 national commerce), the requirements of 49 U.S.C. § 32705
15 (relating to disclosure requirements on transfer of motor
16 vehicles) and any requirements imposed by the Commonwealth. The
17 department may, at its sole discretion, permit the use of a
18 secure power of attorney as described in this subsection for the
19 transfer of other vehicles in addition to salvage vehicles. If
20 the secretary of the United States Department of Transportation
21 promulgates regulations regarding the use of a power of attorney
22 as described in this subsection, those regulations will
23 supersede this subsection in accordance with 49 U.S.C. §
24 32705(g).

25 (d.3) Certification.--Nothing in this section shall require
26 the department to certify an electronic signature process or an
27 electronic signature process vendor before accepting a power of
28 attorney that is executed with an electronic signature.

29 (d.4) Electronic secure power of attorney.--The department
30 may, at its sole discretion, permit the use of a secure power of

1 attorney signed electronically as described in subsection (d.2)
2 for the transfer of vehicles by licensed dealers.

3 * * *

4 Section 2. This act shall take effect in ~~60~~ 90 days. <--