
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2638 Session of
2022

INTRODUCED BY LAWRENCE, COOK, COX, GILLEN, HAMM, JONES, MIHALEK,
B. MILLER, PICKETT, ROWE, SMITH, C. WILLIAMS AND ZIMMERMAN,
JUNE 1, 2022

REFERRED TO COMMITTEE ON TRANSPORTATION, JUNE 1, 2022

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in powers of department and local authorities,
3 providing for period for application review.

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

6 Section 1. Title 75 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 6119.1. Period for application review.

9 (a) Application processing, recordkeeping and refund
10 requirements.--

11 (1) Subject to paragraphs (2) and (3), the department
12 shall process an application submitted by a person to the
13 department within 90 days of receipt of the application by
14 the department.

15 (2) Except as provided for in paragraph (3), if the
16 department does not approve a completed application from the
17 applicant within the time period required under paragraph
18 (1), the department shall refund any fee required to be

1 accompanied by the application if the application is complete
2 and the department approves the completed application after
3 the time period required under paragraph (1).

4 (3) If the department denies an application because the
5 application is incomplete and requires additional information
6 or documentation, the department shall provide a written
7 notice to the applicant requesting additional information or
8 documentation from the applicant. The department shall,
9 within 30 days of receipt of the additional information or
10 documentation from the applicant, process the application
11 with the additional information or documentation. If a
12 completed application is approved after the 30 days required
13 by this paragraph, the department shall refund any fee
14 required to be accompanied by the application.

15 (4) The department shall maintain a record for an
16 application received by the department containing the
17 following information for no less than one year from the date
18 the department approves or denies the application:

19 (i) The date of receipt of the application.

20 (ii) The date of approval or denial of the
21 application.

22 (iii) If the application is denied, the reason for
23 the application denial.

24 (iv) If the application is denied because it is
25 incomplete and requires additional information or
26 documentation, the date the department sent the written
27 notice requesting the additional information or
28 documentation.

29 (v) If the applicant provides additional information
30 or documentation to the department after receiving a

1 written notice, the date of receipt of the additional
2 information or documentation by the department and the
3 date of approval or denial of an application and reason
4 for denial of the application.

5 (5) An applicant may request, in writing, any of the
6 information required to be maintained by the department under
7 paragraph (4) relating to an applicant's application. Upon
8 receipt of the written request, the department shall provide
9 the information to the applicant at no cost within 30 days.

10 (6) An applicant who is eligible for a refund of a fee
11 under this section shall be refunded the fee amount within 30
12 days of the completed application being approved by the
13 department.

14 (7) For an application approved or denied by the
15 department, the department shall send a written notice to the
16 applicant regarding whether the department has complied with
17 the requirements of this section and whether the applicant is
18 eligible for a refund under this section.

19 (b) Applicability.--

20 (1) Subsection (a) shall apply to applications submitted
21 by persons to the department under Chapters 11 (relating to
22 certificate of title and security interests), 13 (relating to
23 registration of vehicles) and 15 (relating to licensing of
24 drivers).

25 (2) Subsection (a) shall not apply to applications
26 related to apportioned registrations.

27 (c) Construction.--A refund of an application fee under
28 subsection (a) shall not be construed to include a refund of a
29 tax owed to the Commonwealth.

30 (d) Appeal.--An applicant may appeal a denial of a refund by

1 the department under this section in accordance with 2 Pa.C.S.
2 Chs. 5 Subch. A (relating to practice and procedure of
3 Commonwealth agencies) and 7 Subch. A (relating to judicial
4 review of Commonwealth agency action).

5 (e) Report.--Beginning one year after the effective date of
6 this section, and each year thereafter, the department shall
7 prepare and submit a report to the chairperson and minority
8 chairperson of the Transportation Committee of the Senate and
9 the chairperson and minority chairperson of the Transportation
10 Committee of the House of Representatives containing all of the
11 following information for the previous 12-month period:

12 (1) The average processing time of applications
13 submitted to the department under Chapters 11, 13 and 15.

14 (2) The number of refunds provided to applicants.

15 (3) The average refund amount.

16 (4) The total amount of refunds.

17 (5) Other information at the discretion of the
18 department.

19 (f) Posting of information.--The department shall
20 conspicuously post on the department's publicly accessible
21 Internet website the following information:

22 (1) The eligibility of an applicant to receive a refund
23 for an application not timely processed by the department as
24 authorized by this section.

25 (2) The process for an applicant to request a refund as
26 authorized by this section.

27 (3) An explanation of an applicant's right to appeal a
28 denial of refund as authorized by subsection (d).

29 (4) The process through which an applicant may request
30 information regarding an application as authorized under

1 subsection (a) (5).

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