
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 719 Session of
2023

INTRODUCED BY MAKO, MARSHALL, HEFFLEY, KAUFFMAN, ZIMMERMAN AND
KEEFER, MARCH 27, 2023

REFERRED TO COMMITTEE ON TRANSPORTATION, MARCH 27, 2023

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in general provisions, further providing for
3 definitions; in certificate of title and security interests,
4 further providing for refusing issuance of certificate, for
5 transfer to vehicle salvage dealer and for transfer to scrap
6 metal processor and providing for salvor nonrepairable
7 vehicle reconstruction; in inspection of vehicles, further
8 providing for limited liability of inspection station or
9 mechanic and for certificate of appointment for enhanced
10 vehicle safety inspection for reconstructed vehicle, modified
11 or specially constructed inspection stations; in abandoned
12 vehicles and cargos, further providing for reports to
13 department of possession of abandoned vehicles; and imposing
14 penalties.

15 The General Assembly of the Commonwealth of Pennsylvania
16 hereby enacts as follows:

17 Section 1. The definitions of "nonrepairable vehicle" and
18 "reconstructed vehicle" in section 102 of Title 75 of the
19 Pennsylvania Consolidated Statutes are amended to read:

20 § 102. Definitions.

21 Subject to additional definitions contained in subsequent
22 provisions of this title which are applicable to specific
23 provisions of this title, the following words and phrases when
24 used in this title shall have, unless the context clearly

1 indicates otherwise, the meanings given to them in this section:

2 * * *

3 "Nonrepairable vehicle." An abandoned vehicle under
4 paragraph (1)(iii) of the definitions of "abandoned vehicle"
5 which is incapable of safe operation for use on roadways or
6 highways and which has no resale value except as a source of
7 parts or scrap only, a salvage vehicle issued a nonrepairable or
8 nonrebuildable vehicle document by another state or a vehicle
9 which a salvor or vehicle salvage dealer designates as a source
10 for parts or scrap or which the owner irreversibly designates as
11 a source for parts or scrap. Such vehicles may not be issued a
12 certificate of title or certificate of salvage[.], except as
13 permitted under section 1166.1 (relating to salvor nonrepairable
14 vehicle reconstruction).

15 * * *

16 "Reconstructed vehicle." A vehicle, other than an antique or
17 classic vehicle, for which a certificate of salvage was issued
18 and is thereafter restored to operating condition to meet the
19 vehicle equipment and inspection standards under Part IV
20 (relating to vehicle characteristics). The term shall not
21 include a nonrepairable vehicle reconstructed under section
22 1166.1.

23 * * *

24 Section 2. Sections 1109, 1162(b)(1) and 1163(c) of Title 75
25 are amended to read:

26 § 1109. Refusing issuance of certificate.

27 The department may refuse issuance of a certificate of title
28 or certificate of salvage when it has reasonable grounds to
29 believe:

30 (1) That any required fee has not been paid.

1 (2) That any taxes payable under the laws of this
2 Commonwealth on or in connection with, or resulting from, the
3 acquisition or use of the vehicle have not been paid.

4 (3) That the applicant is not the owner of the vehicle.

5 (4) That the application contains a false or fraudulent
6 statement.

7 (5) That the applicant has failed to furnish required
8 information or documents or any additional information the
9 department reasonably requires.

10 (6) That the vehicle is a nonrepairable vehicle[.],
11 except as permitted under section 1166.1 (relating to salvor
12 nonrepairable vehicle reconstruction).

13 § 1162. Transfer to vehicle salvage dealer.

14 * * *

15 (b) Certificate of title.--Upon transfer of a certificate of
16 title to a salvage vehicle dealer, the salvage vehicle dealer
17 shall immediately send to the department or an authorized agent
18 of the department either of the following:

19 (1) The assigned certificate of title attached to a form
20 prescribed by the department indicating that the vehicle is
21 to be designated as a nonrepairable vehicle. A copy of the
22 form shall be retained for record in accordance with section
23 6308(d) (relating to investigation by police officers). The
24 vehicle shall not be rebuilt, retitled or issued a
25 certificate of any kind[.], except as permitted under section
26 1166.1 (relating to salvor nonrepairable vehicle
27 reconstruction).

28 * * *

29 § 1163. Transfer to scrap metal processor.

30 * * *

1 (c) Certificate of title.--Upon transfer of a certificate of
2 title to a scrap metal processor, the scrap metal processor
3 shall immediately send to the department or an authorized agent
4 of the department the assigned certificate of title attached to
5 a form prescribed by the department indicating that the vehicle
6 is to be designated as a nonrepairable vehicle. A copy of the
7 form shall be retained for record in accordance with section
8 6308(d). The vehicle shall not be rebuilt, retitled or issued a
9 certificate of any kind[.], except as permitted under section
10 1166.1 (relating to salvor nonrepairable vehicle
11 reconstruction).

12 * * *

13 Section 3. Title 75 is amended by adding a section to read:
14 § 1166.1. Salvor nonrepairable vehicle reconstruction.

15 (a) Reconstruction.--A salvor may restore to operating
16 condition a nonrepairable vehicle subject to the provisions of
17 this section.

18 (b) Enhanced inspection.--Prior to the issuance of a
19 certificate of title by the department under subsection (c), a
20 nonrepairable vehicle must pass an enhanced vehicle safety
21 inspection as specified in departmental contracts, policy
22 guidelines or regulations as deemed appropriate by the
23 department.

24 (c) Application for a reconstructed nonrepairable vehicle
25 certificate of title and registration.--A reconstructed
26 nonrepairable vehicle title and registration may be issued to a
27 salvor if the salvor presents to the department an application
28 for a certificate of title for a reconstructed nonrepairable
29 vehicle upon a form furnished and prescribed by the department
30 and any other information the department deems appropriate,

1 including information that the reconstructed nonrepairable
2 vehicle has successfully passed the enhanced inspection required
3 under subsection (b).

4 (d) Nonrepairable vehicles from other states.--

5 (1) For an application submitted under subsection (c)
6 for a nonrepairable vehicle that has nonrepairable or
7 nonrebuildable vehicle document issued by another state or a
8 vehicle for which a salvor or vehicle salvage dealer from
9 another state designates as a source for parts or scrap, the
10 department may issue a certificate of title for the
11 reconstructed nonrepairable vehicle branded as an out-of-
12 State nonrepairable vehicle.

13 (2) A salvor may not sell or otherwise transfer
14 ownership of a reconstructed nonrepairable vehicle issued a
15 certificate of title under paragraph (1) to a person who is
16 not a resident of this Commonwealth or otherwise not
17 permitted to register a vehicle within this Commonwealth
18 unless:

19 (i) the certificate of title under paragraph (1) is
20 returned to the department; and

21 (ii) the vehicle is sold or ownership is transferred
22 according to the title, documentation or designation from
23 another state previous to receiving the certificate of
24 title under paragraph (1).

25 (3) The department shall conspicuously print on a
26 certificate of title issued under paragraph (1) a statement
27 containing the prohibition under paragraph (2).

28 (e) Penalties.--

29 (1) A person who violates the provisions of this section
30 commits a summary offense and shall, upon conviction, be

1 sentenced to pay a fine of \$500 for each violation.

2 (2) The department may suspend or revoke the salvor
3 certificate of a salvor who violates subsection (d) (2).

4 Section 4. Sections 4702.1(a), 4723.1 and 7304 of Title 75
5 are amended to read:

6 § 4702.1. Limited liability of inspection station or mechanic.

7 (a) General rule.--An inspection conducted pursuant to
8 section 4702(a) (relating to annual inspection), 1166.1
9 (relating to salvor nonrepairable vehicle reconstruction) or
10 1165.1 (relating to inspection of reconstructed, modified and
11 specially constructed vehicles) shall not be construed as a
12 guaranty of the safety of any vehicle and neither the official
13 inspection station issuing the certificate of inspection nor the
14 official inspection mechanic performing the inspection shall be
15 liable to the owner or occupants of any inspected vehicle for
16 any damages caused by the failure or malfunction of that vehicle
17 or to the owner or occupants of any vehicle involved in an
18 accident with that inspected vehicle or to any pedestrian
19 injured in the accident unless it can be shown by a
20 preponderance of the evidence that the failure was caused by the
21 negligence of the inspection station or mechanic. An official
22 inspection mechanic in the course of his duties relating to the
23 road test portion of an official vehicle safety inspection shall
24 not be cited by law enforcement personnel for any violation
25 relating to vehicle equipment. This provision does not preclude
26 an official inspection mechanic from being cited by law
27 enforcement personnel for moving violations committed during the
28 road test portion of an official vehicle safety inspection.

29 * * *

30 § 4723.1. Certificate of appointment for enhanced vehicle

1 safety inspection for reconstructed vehicle, modified
2 or specially constructed inspection stations.

3 The department shall issue a certificate of appointment for
4 enhanced vehicle safety inspection for reconstructed vehicle,
5 modified or specially constructed inspection stations[.] or for
6 inspection stations performing enhanced safety inspections in
7 accordance with section 1166.1 (relating to salvor nonrepairable
8 vehicle reconstruction).

9 § 7304. Reports to department of possession of abandoned
10 vehicles.

11 Any salvor taking possession of an abandoned vehicle pursuant
12 to section 7303.1 (relating to duty of police and salvors) shall
13 within 48 hours after taking possession send an abandoned
14 vehicle information report to the department. If the report
15 indicates the vehicle is a salvage vehicle, the salvor shall
16 include a photograph of the vehicle to be prepared in a manner
17 prescribed by the department. Any nonrepairable vehicle which
18 does not display an identifiable registration plate, current
19 certificate of inspection and ascertainable vehicle
20 identification number shall be taken into possession and
21 flattened or crushed immediately[.], unless the salvor intends
22 to reconstruct the nonrepairable vehicle in accordance with
23 section 1166.1 (relating to salvor nonrepairable vehicle
24 reconstruction). There is no requirement to notify the
25 department[.] unless the salvor intends to reconstruct the
26 nonrepairable vehicle in accordance with section 1166.1. The
27 department shall require, upon a form furnished and prescribed
28 by the department, a salvor to notify the department of the
29 salvor's intent to reconstruct a nonrepairable vehicle in
30 accordance with section 1166.1.

1 Section 5. This act shall take effect in 60 days.