

No. 167

AN ACT

HB 659

Amending the act of April 29, 1959 (P.L.58, No.32), entitled "An act consolidating and revising the Vehicle Code, the Tractor Code, the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership, possession and use of vehicles and tractors," authorizing the Secretary of Transportation to designate additional agents to issue temporary registration plates or markers and further providing for fees and penalties.

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

Section I. Subsections (d) and (k) and the penalty clause of section 512, act of April 29, 1959 (P.L.58, No.32), known as "The Vehicle Code," amended October 18, 1972 (P.L.945, No.228), are amended to read:

Section 512. Temporary Registration Plates or Markers.—

* * *

(d) Every dealer shall issue to the owner of a motor vehicle, upon proper application, temporary registration plates regardless whether the vehicle was purchased from said dealer. In addition to the normal fees prescribed by law, an additional fee may be charged by the dealer providing said service, the amount of such fee to be disclosed by the dealer to the applicant prior to the execution of the application forms and shall not exceed **[any such fee normally charged by the dealer to his own customers] five dollars (\$5.00)**. No dealer by himself, agent, servant or employe, shall issue, assign, transfer or deliver temporary registration plates or markers to any one possessed of annual registration plates for a vehicle that has been sold or exchanged; nor shall temporary registration plates or markers be loaned or used on any vehicle which the dealer may own nor shall any temporary registration plates or markers be issued containing any misstatement of fact, or any false information upon the face thereof. Any dealer who has committed three (3) or more violations of the provisions of this section shall not make application for or issue any temporary registration plates or markers.

* * *

(k) The secretary shall have the power to *designate certain other agents to issue temporary registration plates or markers* and make such rules and regulations not inconsistent herewith as he shall deem necessary for the purpose of carrying out the provisions of this section. *Upon request of any county treasurer, or in cities of the first class, the city treasurer, the secretary shall designate him as a special qualified agent to issue temporary registration plates or markers. To qualify, agents shall:*

(1) Fill out and submit to the Secretary of Transportation an appropriate application to be prepared by the department.

(2) Post a bond of ten thousand dollars (\$10,000.00).

(3) Be licensed by the Department of Transportation and, except for county or city treasurers, pay an annual fee of twenty-five dollars (\$25.00) for such license.

(4) Agents shall maintain such records as the secretary may require in accordance with the provisions of this section.

(5) Keep his office open and operate on a regular schedule which shall be posted for public view on the premises. In addition to the cost of the temporary registration plates charged by the Commonwealth, the fees charged by the agent for issuing the temporary registration plates shall not exceed five dollars (\$5.00).

Penalty.—Any person violating any of the provisions of subsection (b), (c), (d), or (e) of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs of prosecution for the first offense; fifty dollars (\$50.00) and costs of prosecution for any subsequent offense, and in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days; and upon conviction of a third offense, no temporary registration plates or markers shall thereafter be delivered to such person for the purpose of issuing such plates or markers to any owner, nor shall such person thereafter issue any temporary registration plates or markers. Any person violating any of the provisions of subsection (g), (h) or (i) of this section, or any rule or regulation made by the secretary as hereinbefore provided, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten dollars (\$10.00) and costs of prosecution for the first offense, and twenty-five dollars (\$25.00) and costs of prosecution for any subsequent offense, and in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Penalty.—Any person violating any of the provisions of subsection (k) of this section, shall be guilty of a misdemeanor and, on conviction thereof, be sentenced to pay a fine of not less than one hundred dollars (\$100.00) and not to exceed one thousand dollars (\$1,000.00) for each separate offense and in addition thereto his license to act as agent for the issuance of temporary plates or markers under subsection (k) shall be revoked for one (1) year.

Limitation.—The provisions of this section are subject to the limitation of actions as set forth in section 1201 of this act.

APPROVED—The 18th day of July, A. D. 1974.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly
No. 167.

A handwritten signature in black ink, reading "C. McLaren Tucker". The signature is written in a cursive style with a large initial "C" and a prominent "T".

Secretary of the Commonwealth.