

CHAPTER 13
REGISTRATION OF VEHICLES

Subchapter

- A. General Provisions
- B. Registration Plates
- C. Violations and Suspensions

Enactment. Chapter 13 was added June 17, 1976, P.L.162, No.81, effective July 1, 1977, unless otherwise noted.

Special Provisions in Appendix. See section 25 of Act 115 of 1996 in the appendix to this title for special provisions relating to pilot programs for decentralized services for motor vehicle and driver license transactions.

See section 15 of Act 23 of 1999 in the appendix to this title for special provisions relating to joint study on registration validation stickers.

Cross References. Chapter 13 is referred to in sections 1516, 1752, 1798.3, 1911, 6117, 7702 of this title.

SUBCHAPTER A
GENERAL PROVISIONS

Sec.

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- § 1301. Registration and certificate of title required.

(a) Driving unregistered vehicle prohibited.--No person shall drive or move and no owner or motor carrier shall knowingly permit to be driven or moved upon any highway any vehicle which is not registered in this Commonwealth unless the vehicle is exempt from registration.

(b) Proof of residency.--A person charged under this section has the burden of proving that he is a nonresident whenever he asserts a defense based on section 1303 (relating to vehicles of nonresidents exempt from registration). If he produces at the office of the issuing authority satisfactory proof that he is a nonresident and is in compliance with section 1303 within five days after being charged with a violation of this section, the issuing authority shall dismiss the charge.

(c) Certificate of title prerequisite to registration.--No vehicle shall be registered unless a certificate of title has been applied for or issued if one is required by Chapter 11 (relating to certificate of title and security interests).

(c.1) Reconstructed, recovered theft, flood, modified and specially constructed vehicles.--Only the department shall issue a temporary registration plate or card, or permit the transfer of a registration plate, in conjunction with

any application for reconstructed, recovered theft, flood, modified and specially constructed vehicles. Proof of financial responsibility must accompany the application for registration prior to the issuance of a registration plate.

(c.2) Special inspection prerequisite to operation.--After the effective date of this section, no reconstructed, modified or specially constructed vehicle may be operated on the highway until it has successfully passed an inspection at a reconstructed vehicle inspection station.

(d) Penalty.--Any person violating the provisions of subsection (a) is guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of \$75 or double the registration fee, whichever is greater, except when the vehicle was previously registered in this Commonwealth within 60 days of the commission of the offense whereupon the fine shall be \$25. In the case of a motor carrier vehicle other than a trailer, the fine shall be \$50 if the motor carrier vehicle was previously registered in this Commonwealth within 60 days of the commission of the offense or, if the registration occurs outside the 60-day period, the fine shall be double the registration fee for the maximum weight at which the vehicle could have been registered in this Commonwealth.

(July 22, 1983, P.L.122, No.32, eff. imd.; Mar. 29, 1984, P.L.155, No.30, eff. 60 days; July 10, 1984, P.L.679, No.146, eff. 60 days; July 8, 1986, P.L.432, No.90, eff. imd.; Dec. 21, 1998, P.L.1126, No.151, eff. 60 days; Dec. 9, 2002, P.L.1278, No.152, eff. 60 days; Dec. 1, 2004, P.L.1767, No.228, eff. Jan. 1, 2007)

2004 Amendment. Act 228 added subsec. (c.2).

2002 Amendment. Act 152 added subsec. (c.1).

1998 Amendment. Act 151 amended subsecs. (a) and (d).

Cross References. Section 1301 is referred to in sections 1311, 6309, 6309.1 of this title.

§ 1302. Vehicles exempt from registration.

The following types of vehicles are exempt from registration:

(1) Any vehicle used in conformance with the provisions of this chapter relating to dealers, persons registered under any of the miscellaneous motor vehicle business classes or nonresidents.

(2) Any implement of husbandry, trailer or semitrailer determined by the department to be used exclusively for agricultural operations and only infrequently operated upon highways. Vehicles exempt from registration under this paragraph shall be used exclusively upon a farm or farms owned or operated by the owner of the vehicle or upon highways between:

(i) Parts of one such farm.

(ii) Such farms located not more than 25 miles apart.

(iii) Such farm or farms and a place of business located within a radius of 25 miles from such farm or farms for the purpose of buying or selling agricultural commodities or supplies or for delivery, repair or servicing of the vehicle.

(3) Any self-propelled golf cart used for the transportation of persons engaged in the game of golf while crossing any public highway during any game of golf.

(4) Any vehicle moved by special permit as provided for in sections 4965 (relating to single permits for multiple highway crossings), 4966 (relating to permit for movement of quarry equipment), and 4970(a) (relating to permit for movement of construction equipment).

(5) Any vehicle registered and displaying plates issued in a foreign country by the armed forces of the United States for a period of 45 days from the date of the return of the owner to the United States.

(6) Any vehicle owned by a resident legally required to be registered in another state based and used principally outside of this Commonwealth.

(7) Any vehicle moved solely by human or animal power.

(8) (Deleted by amendment).

(9) Any mobile home or modular housing unit.

(10) Any farm vehicle used exclusively upon a farm or farms owned or operated by the owner of the vehicle.

(i) Type I--Such a farm vehicle which does not qualify as a motor carrier vehicle may be driven upon highways only from sunrise to sunset. However, a farm vehicle which qualifies as a motor carrier vehicle and displays a currently valid certificate of inspection may be driven upon highways without any restriction as to time. Such a farm vehicle may only be driven on highways between:

(A) Parts of one such farm.

(B) Such farms located not more than 25 miles apart.

(C) Such farm or farms and a place of business located within a radius of 25 miles from such farm or farms for the purpose of buying or selling agricultural commodities or supplies.

(D) Such farm or farms and a place of business located within a radius of 50 miles from such farm or farms for the purpose of repair or servicing of the farm vehicle.

(ii) Type II--Such a farm vehicle which does qualify as a motor carrier vehicle and which does not display a currently valid certificate of inspection may be driven upon highways only from sunrise to sunset and between:

(A) Parts of one such farm.

(B) Such farms located not more than ten miles apart.

(C) Such farm or farms and a place of business located within a radius of ten miles from such farm or farms for the purpose of buying or selling agricultural commodities or supplies.

(D) Such farm or farms and a place of business located within a radius of 25 miles from such farm or farms for the purpose of repair or servicing of the farm vehicle.

(iii) A biennial certificate of exemption shall be required for such a farm vehicle.

(iv) The owner of the farm vehicle shall maintain such minimum levels of liability insurance coverage on the vehicle as are required to be maintained under Chapter 17 (relating to financial responsibility) by owners of registered motor vehicles. The owner shall satisfy the requirements of this subparagraph if the minimum amounts of liability insurance coverage for the farm vehicle have been provided under farm liability insurance coverage maintained generally by the owner. Coverage prescribed in Subchapter B of Chapter 17 shall not be required to be maintained or provided for the farm vehicle.

(11) Any trailer or semitrailer, including but not limited to non-self-propelled special mobile equipment, to be used primarily for off highway use and only operated incidentally upon the highway.

(12) Any military vehicle used for training by a private, nonprofit, tax exempt military educational institution when such vehicle does not travel on public roads in excess of one mile and the property on both sides of the public road is owned by the institution.

(13) Any oversized or overweight vehicle which may be moved or operated only under a permit and without a load pursuant to section 4961(a) (relating to authority to issue permits) and 4962(f) (relating to when loads permitted).

(14) Any vehicle used for golf course or resort maintenance when such vehicle does not travel on public roads in excess of one mile and the property on both sides of the public road is owned by said golf course or resort.

(15) Any motor vehicle being towed.

(16) Any trailer registered in another state towed by a motor vehicle registered in this Commonwealth provided:

(i) the owner has as many trailers registered in this Commonwealth as combinations so registered; or

(ii) the towing vehicle is being operated under a permanent lease to a person meeting the requirements of subparagraph (i).

(17) Any multipurpose agricultural vehicle. Vehicles exempt from registration under this paragraph shall be used exclusively upon a farm or farms owned or operated by the owner of the vehicles or upon highways between:

(i) Parts of one such farm.

(ii) Such farms located not more than two miles apart.

(18) Any farm and garden vehicle under 20 horsepower driven incidentally upon a highway, as determined by the department.

(19) A tow dolly.

(20) An electric personal assistive mobility device.

(21) Special mobile equipment engaged in construction activities within one mile of an active construction site where the vehicle is being used. Unregistered vehicles used under this paragraph shall be

required to meet lighting and other requirements of special mobile equipment. This exemption shall not apply to tracked vehicles.

(July 20, 1979, P.L.168, No.55, eff. imd.; Feb. 15, 1980, P.L.12, No.8, eff. imd.; July 11, 1980, P.L.550, No.113, eff. 60 days; Oct. 10, 1980, P.L.791, No.147, eff. imd.; Mar. 7, 1982, P.L.152, No.49, eff. imd.; June 23, 1982, P.L.605, No.171, eff. imd.; July 10, 1984, P.L.679, No.146, eff. 60 days; July 11, 1985, P.L.204, No.52, eff. 90 days; July 11, 1985, P.L.220, No.56, eff. 60 days; Dec. 12, 1986, P.L.1562, No.170, eff. 60 days; Aug. 5, 1991, P.L.238, No.26, eff. imd.; Dec. 18, 1992, P.L.1411, No.174, eff. 60 days; May 20, 1993, P.L.30, No.10, eff. 60 days; Dec. 7, 1994, P.L.820, No.115, eff. 60 days; July 6, 1995, P.L.246, No.30, eff. imd.; Dec. 21, 1998, P.L.1126, No.151, eff. 60 days; July 4, 2002, P.L.692, No.105, eff. 60 days; Dec. 1, 2004, P.L.1767, No.228, eff. 60 days)

2004 Amendment. Act 228 added par. (21).

2002 Amendment. Act 105 added par. (20).

1998 Amendment. Act 151 deleted par. (8) and amended par. (18).

1995 Amendment. Act 30 amended par. (10). See section 5 of Act 30 in the appendix to this title for special provisions relating to equipment standards and inspection criteria.

Cross References. Section 1302 is referred to in section 2105 of this title.

§ 1303. Vehicles of nonresidents exempt from registration.

(a) General rule.--A nonresident owner of any foreign vehicle may operate or permit the operation of the vehicle within this Commonwealth without registering the vehicle in this Commonwealth or paying any fees to the Commonwealth, provided the vehicle at all times when operated in this Commonwealth is duly registered and in full compliance with the registration requirements of the place of residence of the owner and further provided the vehicle is not:

- (1) used for the transportation of persons for hire, compensation or profit;
- (2) regularly operated in carrying on business within this Commonwealth;
- (3) designed, used or maintained primarily for the transportation of property for hire, compensation or profit and not subject to reciprocity under section 6144 (relating to vehicle registration and licensing) or 6149 (relating to automatic reciprocity); or
- (4) special mobile equipment if not also required to be and actually registered under the laws of the place of residence of the owner.

(b) Transportation of persons for hire, compensation or profit.--Every owner of a foreign vehicle operated within this Commonwealth for the transportation of persons for hire, compensation or profit either regularly according to schedule or for a period exceeding 30 days in the calendar year, unless exempted from registration under the terms of a reciprocity agreement shall register the vehicle according to the laws of this Commonwealth.

(c) Carrying on business in this Commonwealth.--Every nonresident, including any foreign corporation, carrying on business within this Commonwealth and operating in the business any vehicle within this Commonwealth, unless exempted from registration under the terms of a reciprocity agreement, shall be required to register each such vehicle according to the laws of this Commonwealth. A foreign corporation having its principal place of business in this Commonwealth is regarded as a resident of this Commonwealth for the purposes of this section.

(d) Members of armed forces.--A member of the armed forces of the United States who is serving on active duty in this Commonwealth need not register a personal passenger vehicle in this Commonwealth if the vehicle is registered in the state of his residence.

(e) Trailer as part of registered combination.--(Deleted by amendment).

(Mar. 7, 1982, P.L.152, No.49, eff. imd.; July 10, 1984, P.L.679, No.146, eff. 60 days; Dec. 28, 1994, P.L.1450, No.172, eff. 60 days)

1994 Amendment. Act 172 amended subsec. (b).

1984 Amendment. Act 146 deleted subsec. (e).

1982 Amendment. Act 49 amended subsec. (c).

Cross References. Section 1303 is referred to in section 1301 of this title.

§ 1304. Registration criteria.

(a) General rule.--Except as otherwise provided in this section, vehicles shall be registered for a flat fee.

(b) Classification of vehicles.--The department may identify vehicles by type as to weight, design, loading, use, ownership or other significant characteristics for purposes of registration.

(c) Trucks, truck tractors and trailers.--The department shall register trucks, truck tractors and trailers at the gross weight requested by the applicant, provided that the weight is not greater than allowed in subsection (d) or less than allowed in subsection (e).

(d) Maximum registered gross weight.--No truck, truck tractor or trailer shall be registered at a gross weight in excess of the lowest of:

- (1) the limiting weights established on the basis of axle load, tire load, horsepower or gross weight by type of vehicles;
- (2) the gross vehicle weight rating assigned by the manufacturer; or
- (3) a combination weight greater than the gross combination weight rating.

In the case of a vehicle in which no gross vehicle weight rating or gross combination weight rating is assigned by the manufacturer or where the vehicle has been altered subsequent to manufacture to change its weight bearing capacity, an equivalent rating shall be determined by the department on the basis of the vehicle's horsepower, braking ability, axle limitations and such other factors related to safe operation as may be established by regulations of the department.

(e) Minimum registered gross weight.--No truck, truck tractor or trailer shall be registered at less than the total of the weight of the unladen vehicle, the maximum weight of the proposed load, the equivalent weight of the fuel capacity, 150 pounds times the seating capacity, and the weight of any permanently or temporarily attached appurtenances.

(f) Registered gross weight of trucks and truck tractors.--Every truck shall have its own registered gross weight and may also be registered at a registered gross weight for a combination. Every truck tractor shall be registered at a registered gross weight for a combination.

(g) Buses other than school buses.--The department shall register buses, other than school buses, on the basis of passenger seating capacity.

§ 1305. Application for registration.

(a) General rule.--Application for the registration of a vehicle shall be made to the department upon the appropriate form or forms furnished by the department. The application shall contain the full name and address of the owner or owners; the make, model, year and vehicle identification number of the vehicle; and such other information as the department may require. Program participants in the Address Confidentiality Program under 23 Pa.C.S. Ch. 67 (relating to domestic and sexual violence victim address confidentiality) may use a substitute address designated by the Office of Victim Advocate as their address. Applicants for registration of a truck, truck tractor, trailer or bus shall provide the vehicle's Gross Vehicle Weight Rating (GVWR), or the Gross Combination Weight Rating (GCWR), as applicable. If the manufacturer's ratings are not available, the applicant shall provide sufficient information as to the horsepower, braking capacity and such other data as necessary for the department to determine an equivalent measure of the vehicle's hauling and stopping capability. If the applicant wishes to register a vehicle at a registered gross weight less than the gross vehicle weight rating, the application shall include information as to weight, load and any other such information as the department may require. The application shall be accompanied by self-certification of financial responsibility and the applicable fee.

(b) Evidence of P.U.C. approval for buses and taxis.--Before registering any bus or taxi which is required under the laws of this Commonwealth to obtain a certificate of public convenience from the Pennsylvania Public Utility Commission, the department shall require evidence that the certificate has been issued and has not been revoked or has not expired.

(c) Designation of lessee as registrant.--The owner as lessor may designate the lessee as the registrant of the vehicle and the name and address of the lessee may be substituted on the registration card for the address of the lessor. However, even if the lessor does not designate the lessee as the registrant of the vehicle, the lessor shall still provide the department with the name and address of the lessee. The department shall designate the relationship upon the card in a manner it deems appropriate. This subsection is applicable only for the period during which the lease remains in effect.

(d) Self-certification of financial responsibility.--In addition to the other requirements to registration, the applicant shall file a self-certification of financial responsibility which shall include:

- (1) The complete name, address and telephone number of the applicant. Program participants in the Address Confidentiality Program under 23 Pa.C.S. Ch. 67 may use a substitute address designated by the Office of Victim Advocate as their address.
- (2) The name of the insurance company which is insuring the subject vehicle.
- (3) The policy number, effective date and expiration date of the policy of insurance insuring the

vehicle.

(Feb. 12, 1984, P.L.26, No.11, eff. Oct. 1, 1984; Feb. 7, 1990, P.L.11, No.6, eff. 60 days; Dec. 21, 1998, P.L.1126, No.151, eff. 60 days; Nov. 30, 2004, P.L.1474, No.188, eff. 180 days)

2004 Amendment. Act 188 amended subsecs. (a) and (d).

1998 Amendment. Act 151 amended subsec. (c).

Cross References. Section 1305 is referred to in sections 1306, 1331 of this title; section 5712 of Title 53 (Municipalities Generally).

§ 1306. Grounds for refusing registration.

The department shall refuse registration, renewal or transfer of registration when any of the following circumstances exists:

- (1) The applicant is not entitled to registration under the provisions of this chapter.
 - (2) The applicant has at registration or titling neglected or refused to furnish the department with the information required on the appropriate official form, or any reasonable additional information required by the department.
 - (3) The department has reasonable grounds to believe that the application contains false or fraudulent information, or that the vehicle is stolen, which fact the department shall ascertain by reference to the stolen vehicle file required to be maintained under section 7114 (relating to records of stolen vehicles), or that the granting of registration would constitute a fraud against the rightful owner or other person having a valid lien upon the vehicle.
 - (4) The fees required by law have not been paid.
 - (5) The vehicle is not constructed or equipped as required by this title.
 - (6) The registration of the vehicle stands suspended for any reason as provided for in this title.
 - (7) Self-certification of financial responsibility, as required under section 1305(d) (relating to application for registration), is not filed with the registration application.
 - (8) (Repealed).
 - (9) (Repealed).
 - (10) An out-of-service order has been issued for the vehicle, the owner or operator by the department or the United States Department of Transportation.
 - (11) Self-certification of current safety inspection for a motor carrier vehicle, as required by section 1309 (relating to renewal of registration), is not filed with the application for renewal of registration.
- (May 26, 1982, P.L.435, No.129, eff. imd.; Feb. 12, 1984, P.L.26, No.11, eff. Oct. 1, 1984; Apr. 26, 1989, P.L.13, No.4, eff. imd.; Feb. 7, 1990, P.L.11, No.6, eff. 60 days; Dec. 16, 1992, P.L.1250, No.166; Dec. 15, 1995, P.L.655, No.72, eff. imd.; Dec. 21, 1998, P.L.1126, No.151, eff. 60 days; June 22, 2001, P.L.559, No.37, eff. 60 days; Dec. 23, 2002, P.L.1982, No.229, eff. 6 months)

2002 Amendment. Act 229 added par. (11). See section 21 of Act 229 in the appendix to this title for special provisions relating to promulgation of guidelines to implement Act 229.

2001 Amendment. Act 37 amended the intro. par. and par. (10).

1995 Repeal Note. Act 72 repealed pars. (8) and (9).

§ 1307. Period of registration.

(a) Staggered renewal system to be established.--The department shall establish a system of staggered registration renewal in a manner that an approximately equal number of registrations will expire every month throughout the year. In order to implement and maintain the staggered registration system, the department may prorate annual registration fees over registration periods of from 6 to 18 months.

(a.1) Seasonal registration.--Upon application on a form prescribed by the department, the owner or lessee of a passenger car, recreational motor vehicle, motorcycle, truck or farm vehicle which does not have a gross vehicle weight rating of more than 10,000 pounds may register the vehicle with the department for a period of successive months of less than one year. The applicant shall specify the period of months during which the vehicle shall be registered. Except when the department initially converts a currently valid annual registration to a seasonal registration, the annual fee prescribed for the vehicle by Chapter 19 (relating to fees) shall be paid in full by the applicant regardless of the number of months chosen for registration by the applicant. Upon receipt of the appropriate fee and the properly completed form, including all information required by this chapter, the department shall issue a seasonal registration that shall expire on the last day of the expiration month chosen by the registrant. No insurer of a vehicle belonging to any owner or lessee who obtains a seasonal registration and who applies for or

receives a reduced automobile insurance premium on account thereof shall be required to provide any contractual coverage, whether in the form of the provision of a defense or the payment of first-party or third-party benefits or otherwise, to the owner or lessee in connection with any event occurring during that part of the year in which the vehicle is not registered; and such owner or lessee shall be treated for all purposes, including, without limitation, ascertaining rights to stack coverages and to uninsured and underinsured motorist coverage, as a person who does not own that vehicle and has no duty to carry financial responsibility on it for that part of the year.

(b) New registration.--A new registration is effective on the date of issuance of a registration card by the department or the date of issuance of a temporary registration card by an authorized agent of the department under section 1310 (relating to temporary registration cards).

(c) Renewal of registration.--A renewed registration shall be effective on issuance by the department of a renewed registration card.

(d) Expiration of registration.--A registration shall expire on the last day of the month designated on the registration card.

(e) Antique, classic and collectible vehicles.--Antique, classic and collectible motor vehicle registrations shall expire upon the salvaging, scrapping or transfer of ownership of the vehicle, except that if the transfer is between spouses or between parent and child the registration may be transferred upon payment of a transfer fee.

(f) Optional permanent trailer registration.--The registration of trailers permanently registered as provided in section 1920(c) (relating to trailers) shall expire upon salvaging of the vehicle or transfer of ownership.

(May 26, 1982, P.L.435, No.129, eff. imd.; Dec. 20, 1995, P.L.669, No.75, eff. 120 days; July 11, 1996, P.L.660, No.115, eff. 60 days; Apr. 17, 1997, P.L.6, No.3, eff. July 1, 1997; Dec. 1, 2004, P.L.1771, No.229, eff. 60 days; Dec. 18, 2007, P.L.436, No.67, eff. 60 days)

2007 Amendment. Act 67 amended subsec. (a.1).

2004 Amendment. Act 229 amended subsec. (a).

1997 Amendment. Act 3 amended subsec. (a.1) and added subsec. (f).

1995 Amendment. Act 75 amended subsec. (e).

1982 Amendment. Act 129 amended subsecs. (a) and (c).

Cross References. Section 1307 is referred to in section 1786 of this title.

§ 1307.1. Permanent fleet registration.

The department may establish a system for issuing permanent registration cards and plates to the owner or lessee of a fleet of vehicles and may promulgate rules and regulations to implement the permanent registration system. The department may authorize permanently registered vehicles to be exempt from such requirements of this chapter as it deems necessary and may charge, in addition to any other fees due for registration of vehicles, a reasonable service fee for each fleet vehicle at the time of initial application for permanent registration.

(July 10, 1984, P.L.679, No.146, eff. 60 days)

1984 Amendment. Act 146 added section 1307.1.

§ 1308. Issuance of registration card.

(a) General rule.--The department, upon registering a vehicle, shall issue to the registrant a registration card which shall contain the registration number assigned to the vehicle, the name and address of the registrant and the name of the owner, if other than the registrant, a description of the vehicle including the vehicle identification number, the expiration date and such other information as may be determined by the department.

(b) Trucks.--The registration card for a truck shall indicate the registered gross weight of the truck, and the registered gross weight of the combination, if the truck is so registered, in addition to other information required.

(c) Truck tractors.--The registration card for a truck tractor shall indicate the registered gross weight of the combination in addition to other information required.

(d) Trailers.--The registration card for a trailer shall indicate the registered gross weight of the trailer in addition to other information required.

(e) Buses.--The registration card for a bus shall indicate the passenger seating capacity of the bus.

§ 1309. Renewal of registration.

At least 60 days prior to the expiration of each registration, the department shall send to the registrant an application for renewal of registration. Upon return of the application, accompanied by self-certification of financial responsibility and the applicable fee or fees, the department shall send to the registrant a renewed registration card. An application for renewal of registration for a motor carrier vehicle shall also be accompanied by self-certification of current safety inspection. Failure to receive a renewal application shall not relieve a registrant from the

responsibility to renew the registration.

(May 26, 1982, P.L.435, No.129, eff. imd.; Feb. 12, 1984, P.L.26, No.11, eff. Oct. 1, 1984; Apr. 26, 1989, P.L.13, No.4, eff. imd.; Dec. 23, 2002, P.L.1982, No.229, eff. 6 months)

2002 Amendment. See section 21 of Act 229 in the appendix to this title for special provisions relating to promulgation of guidelines to implement Act 229.

Cross References. Section 1309 is referred to in sections 1306, 1331 of this title.

§ 1310. Temporary registration cards.

(a) General rule.--The department shall provide temporary registration cards for use pending issuance or transfer of permanent registration cards. Temporary registration cards and plates may be delivered to designated agents who shall have the authority to issue them in accordance with regulations promulgated by the department. When determining whether to suspend, revoke or impose a monetary penalty upon an agent, the department may consider relevant mitigating events.

(b) Duration.--Temporary registration cards shall be valid for such period as the department shall designate.

(c) Charges by designated agent.--A designated agent may not charge any fee for issuing a temporary registration card other than notary fees.

(July 11, 1996, P.L.660, No.115, eff. 60 days)

1996 Amendment. Act 115 amended subsec. (a).

Cross References. Section 1310 is referred to in sections 1307, 1314 of this title.

§ 1310.1. Temporary registration permits.

(a) General rule.--A registration permit shall be issued to the registrant concurrent with the issuance of a temporary registration card and plate.

(b) Content of registration permit.--Every registration permit shall contain the following information:

(1) The term "Pennsylvania" preprinted on the permit.

(2) The term "temporary registration permit" preprinted on the permit.

(3) The sticker issued by the department which will contain the number of the temporary registration plate and the dealer identification number (DIN).

(4) The expiration date (month/day/year) of the temporary registration plate handprinted on the permit in permanent black marker.

(5) The control number preprinted on the permit.

(c) Location of registration permit.--Except as otherwise provided, a registration permit shall be affixed to the extreme lower left-hand (driver side) inside corner of the rear window of a vehicle with the printed information visible from the outside. On trailers, motorcycles, mopeds, motor-driven cycles and convertibles, the registration permit shall be carried with the vehicle at all times while the vehicle is being operated on the highway.

(June 22, 2001, P.L.559, No.37, eff. 60 days)

2001 Amendment. Act 37 added section 1310.1.

§ 1311. Registration card to be signed and exhibited on demand.

(a) Signing card.--Upon receiving the registration card or any duplicate, the registrant shall sign his name in the space provided.

(b) Carrying and exhibiting card.--Every registration card shall, at all times while the vehicle is being operated upon a highway, be in the possession of the person driving or in control of the vehicle or carried in the vehicle and shall be exhibited upon demand of any police officer.

(c) Production to avoid penalty.--No person shall be convicted of violating this section or section 1301 (relating to driving unregistered vehicle prohibited) if the person produces at the office of the issuing authority or at the office of the arresting police officer within five days of the violation, a registration card valid in this Commonwealth at the time of the arrest.

(July 20, 1979, P.L.168, No.55, eff. imd.)

§ 1312. Notice of change of name or address.

Any person whose address is changed from the address named in the application for registration or on the registration card or whose name is changed shall, within 15 days, notify the department in writing of the old and new address, or of such former and new names, and of the title or registration number of every vehicle registered in the person's name.

(June 30, 1990, P.L.266, No.63, eff. 60 days)

§ 1313. Duplicate registration cards.

(a) Additional cards upon request.--The department shall, if so requested, issue to the registrant of any vehicle whose registration is not under suspension a duplicate registration card, or as many duplicate registration cards as requested, upon payment of the fee provided in this title for each card.

(b) Replacement of lost or illegible card.--In the event of a lost, stolen, destroyed or illegible registration card, the registrant shall apply to the department for a duplicate within 48 hours of discovery of the loss or defacement of such registration card, upon a form furnished by the department, and accompanied by the fee provided in this title.

(c) Affidavit to avoid penalty.--No owner or operator of a vehicle shall be subject to a fine for failure to have the registration card if the owner or operator makes affidavit that the card was lost or stolen within the period of 20 days preceding and that application for new registration card was made within 48 hours as required in this section.

§ 1314. Transfer of registration.

(a) General rule.--Registration and registration plates may be transferred to another vehicle owned or leased by the registrant, or to a vehicle owned or leased by the spouse, parent or child of the registrant.

(b) Procedure for transfer.--In order to transfer registration and registration plates, the transferee shall apply for a temporary registration card in accordance with section 1310 (relating to temporary registration cards) and simultaneously apply for transfer of registration under this section.

(c) Same vehicle type.--If the transfer is within the same vehicle type, the transferee shall retain the registration plate previously issued, unless lost or destroyed. A new registration card shall be issued by the department.

(d) Different vehicle type.--If the transfer is to another vehicle type, a new registration plate and card shall be issued to the transferee. The previously issued plate shall be returned to the department for cancellation immediately upon receipt of the new registration plate, unless lost or destroyed. In addition to the transfer fee, the transferee shall pay the difference in registration fees when transferring registration to a type or class of vehicle requiring a higher fee. No refund shall be payable on transferring to a type or class of vehicle requiring a lower fee.

Cross References. Section 1314 is referred to in section 1334.1 of this title.

§ 1315. Operation of vehicle following death of owner.

When the owner of a vehicle is deceased, the vehicle may be operated by or for any heir or personal representative of the decedent for the remainder of the current registration period and throughout the next following registration period, provided that the registration is renewed in the name of the decedent's estate as otherwise required by this chapter. Registration may continue to be renewed thereafter in the name of the decedent's estate by any person entitled to the family exemption until the final account is approved by the court.

§ 1316. Department records.

The department shall maintain suitable records in a manner permitting identification of vehicles and owners, including:

(1) All registrations and transfers of registrations issued.

(2) All registrations and transfers of registrations denied and reasons for denial. Registrations and transfers returned for correction of errors or omissions need not be recorded.

§ 1317. Acknowledgment of littering provisions.

On every vehicle registration card, the following statement shall be printed immediately above or below the signature of the applicant:

I hereby acknowledge this day that I have received notice of the provisions of section 3709 of the Vehicle Code.

Also printed on the registration card shall be the following:

Section 3709 provides for a fine of up to \$300 for dropping, throwing or depositing, upon any highway, or upon any other public or private property without the consent of the owner thereof or into or on the waters of this Commonwealth from a vehicle, any waste paper, sweepings, ashes, household waste, glass, metal, refuse or rubbish or any dangerous or detrimental substance, or permitting any of the preceding without immediately removing such items or causing their removal.

For any violation of section 3709, I may be subject to a fine of up to \$300 upon conviction, including any violation resulting from the conduct of any other persons operating, in possession of or present within this vehicle with my permission, if I do not with reasonable certainty identify the driver of the vehicle at the time the violation occurred.

(Mar. 27, 1986, P.L.71, No.24, eff. July 1, 1986)

1986 Amendment. Act 24 added section 1317.

§ 1318. Duties of agents.

(a) Verification of financial responsibility.--An agent of the Department of Transportation who is authorized to issue on behalf of the department a vehicle registration renewal or temporary registration shall be required to verify financial responsibility prior to issuance.

(b) Proof.--Proof of financial responsibility shall be verified by examining one of the following documents:

- (1) An identification card as required by regulations promulgated by the Insurance Department.
- (2) The declaration page of an insurance policy.
- (3) A certificate of financial responsibility.
- (4) A valid binder of insurance issued by an insurance company licensed to sell motor vehicle

liability insurance in Pennsylvania.

(5) A legible photocopy, facsimile or printout of an electronic transmission of a document listed in paragraphs (1) through (4), provided the agent receives the photocopy, facsimile or printout directly from a licensed insurance company or licensed insurance agency. The agent shall not accept a photocopy, facsimile or printout unless the licensed insurance company or licensed insurance agency provides it on the letterhead of the company or the agency, or with a letter written upon the company's or agency's letterhead, which specifically references the proof of financial responsibility by the insured's name and address and the make, model and vehicle identification number of the insured vehicle. An issuing agent of the department shall not accept a photocopy, facsimile or printout of an electronic transmission as proof of financial responsibility under this paragraph when the issuing agent is also acting as an insurance agent for the licensed insurance company or licensed insurance agency.

(c) Handwritten proof of financial responsibility.--If handwritten proof of financial responsibility is acceptable proof of insurance in the state where the vehicle is to be registered, the issuing agent is authorized to accept such handwritten proof, provided the issuing agent receives written confirmation from the applicable state, insurance company or insurance agency that handwritten proof is acceptable in that state. The agent shall retain a copy of the written confirmation along with the copy of the document provided as proof of financial responsibility.

(d) Verification of information on application.--In addition to any other duty prescribed by this title or departmental regulations, an agent shall verify that the purchase price stated on the application approximates the fair market value of the vehicle in a manner prescribed by the department as set forth in a notice published in the Pennsylvania Bulletin.

(e) Penalty.--Any person who violates this section, in addition to any penalty, suspension or revocation imposed by the department, commits a summary offense and shall, upon conviction, be sentenced to pay a fine of not less than \$100 nor more than \$500 and for each subsequent or additional offense a fine of not less than \$200 nor more than \$500, or to imprisonment for not more than 90 days, or both.

(Feb. 7, 1990, P.L.11, No.6, eff. 60 days; July 11, 1996, P.L.660, No.115, eff. 60 days; Apr. 17, 1997, P.L.6, No.3, eff. 60 days)

1997 Amendment. Act 3 added subsecs. (d) and (e).

§ 1319. Duties of motor carrier vehicle owners.

(a) Currently valid certificate of inspection.--A motor carrier vehicle is required to have a currently valid certificate of inspection at the time that the department renews the registration of the vehicle.

(b) Audit.--The department shall establish an audit procedure to monitor compliance with the requirement that motor carrier vehicles have a currently valid certificate of inspection at the time of registration renewal.

(Dec. 23, 2002, P.L.1982, No.229, eff. 6 months)

2002 Amendment. Act 229 added section 1319. See section 21 of Act 229 in the appendix to this title for special provisions relating to promulgation of guidelines to implement Act 229.

SUBCHAPTER B REGISTRATION PLATES

Sec.

- 1331. Issuance and reissuance of registration plates.
- 1332. Display of registration plate.
- 1333. Lost, stolen, damaged or illegible registration plate.
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- 1336.2. Farm equipment dealer registration plates.
- 1337. Use of "Miscellaneous Motor Vehicle Business" registration plates.
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- 1347. Hearing impaired plates.
- 1348. Special plates for Pearl Harbor survivors.
- 1349. Circus or carnival plates.
- 1350. Special plates for veterans of Korean War.
- 1350.1. Special plates for recipients of Korean Defense Service Medal.
- 1351. Special plates for veterans of Persian Gulf War.
- 1352. Wild resource conservation plate.
- 1353. Preserve our heritage registration plate.
- 1354. Flagship Niagara commemorative registration plate.
- 1355. Zoological plate.
- 1356. Special plates for recipients of Expeditionary Forces Medal.
- 1357. Special plates for World War II veterans.
- 1358. DARE plate.
- 1359. Special plates for steelworkers.
- 1360. Special plates for veterans of Vietnam Conflict.
- 1361. Special motorcycle plates for veterans.
- 1362. Operation Iraqi Freedom veterans plate.
- 1363. Operation Enduring Freedom veterans plate.
- 1364. Special plates for veterans.
- 1365. Gold Star Family plate.

§ 1331. Issuance and reissuance of registration plates.

- (a) Department to provide plates.--Registration plates shall be provided by the department.
- (b) Information on plate.--Every registration plate shall have displayed upon it the identifying numbers or letters assigned to the vehicle, the name of the Commonwealth, which may be abbreviated, and any other data the department may deem necessary.
- (c) Temporary registration plates.--The department shall provide temporary registration plates for use on vehicles which are to be removed from this Commonwealth or for use as necessary pending issuance of permanent registration plates.
- (d) Reflectorizing material on plate.--All registration plates, except temporary plates, shall be treated with reflectorizing material in accordance with standards approved by the department.

(e) Issuance of plates by agents.--The department may deliver registration plates, other than special plates, to designated agents, who shall have the authority to issue them in conjunction with the issuance of temporary registration cards.

(f) Periodic reissuance of registration plates.--The department shall develop, implement and administer a program to provide for the reissuance of current registration plates previously issued under this section. The program to be established under this subsection shall address the following criteria:

(1) Other than the annual registration fee required under sections 1305 (relating to application for registration) and 1309 (relating to renewal of registration) and Subchapter B of Chapter 19 (relating to registration fees), the reissued registration plate shall be issued under section 1934 (relating to general reissuance).

(2) The program shall provide that current registration plates issued under this section be replaced. The program may provide that the department provide for reissuance of registration plates on a staggered basis which will replace registration plates issued under this section.

(3) The program may provide for the return of and the recycling of the older registration plates.

(4) (Deleted by amendment).

(5) (Deleted by amendment).

(6) The program may contain any other conditions, limitations, contractual arrangements or other factors which the department deems necessary to implement this subsection.

(Dec. 21, 1998, P.L.1126, No.151; Nov. 26, 2008, P.L.1658, No.133, eff. 60 days)

2008 Amendment. Act 133 amended subsec. (f).

1998 Amendment. Act 151 amended the section heading and added subsec. (f), effective in 60 days as to the section heading and July 1, 1999, as to subsec. (f).

§ 1332. Display of registration plate.

(a) General rule.--Every registration plate shall, at all times, be securely fastened to the vehicle to which it is assigned or on which its use is authorized in accordance with regulations promulgated by the department.

(b) Obscuring plate.--It is unlawful to display on any vehicle a registration plate which:

(1) is so dirty as to prevent the reading of the number or letters thereon at a reasonable distance;

(2) is obscured in any manner which inhibits the proper operation of an automated red light enforcement system in place pursuant to section 3116 (relating to automated red light enforcement systems in first class cities); or

(3) is otherwise illegible at a reasonable distance or is obscured in any manner.

(c) Penalty for obscured plate.--Any person who violates subsection (b)(2) commits a summary offense and shall, upon conviction, be sentenced to pay a fine of \$100.

(Feb. 9, 2004, P.L.65, No.8)

2004 Amendment. Act 8 amended subsec. (b) and added subsec. (c). Section 4 of Act 9 of 2004 provided that the amendments to subsec. (b) and the addition of subsec. (c) by Act 8 shall take effect immediately.

Cross References. Section 1332 is referred to in section 6309.1 of this title.

§ 1333. Lost, stolen, damaged or illegible registration plate.

(a) Application for new plate.--The registrant of the vehicle shall within 48 hours of discovering the loss, theft or defacement apply to the department for a new plate and report the loss or theft of a plate to the police.

(b) Substitute registration.--Where the registration plate has been lost or stolen and in any other case in which the department may deem it advisable, the original registration shall be cancelled and substitute registration issued under a new registration number other than that originally issued. Upon receipt of substitute registration, it shall be the duty of the registrant to return the old registration plates and card to the department, unless lost or destroyed.

(b.1) Illegible registration plate.--The department may reissue a registration plate upon request by a registrant when it is determined by an authorized representative of the department or law enforcement that the registration plate is illegible from a reasonable distance. The department may select the style of the reissued registration plate and, except in the case of personal registration plates issued under section 1341 (relating to special registration plates generally), the registration plate number.

(c) Affidavit to avoid penalty.--No owner or operator of a vehicle shall be subject to a fine for the reason that the registration plate is missing if they have in their possession an affidavit that the plate was lost or stolen and that application for new plate or plates was made within 48 hours as required in this section.

(Nov. 26, 2008, P.L.1658, No.133, eff. 60 days)

2008 Amendment. Act 133 added subsec. (b.1).

§ 1334. Return of registration plate.

(a) General rule.--Registration plates shall be returned to the department under the following circumstances:

(1) A registration plate shall be returned if the registrant no longer has a vehicle titled in this Commonwealth.

(2) A legislative registration plate shall be returned on the expiration or termination of the term of office of the legislative member.

(3) A dealer or "Miscellaneous Motor Vehicle Business" registration plate shall be returned if the business is discontinued.

(4) A person with a disability registration plate shall be returned if the person to whom it was issued no longer qualifies under section 1338 (relating to person with disability plate and placard).

(b) Time for return of plate.--Each registration plate required to be returned under this section shall be returned to the department within five days of the occurrence requiring its return.

(c) Statement accompanying returned plate.--Each returned registration plate shall be accompanied by a statement of the reason for the return of the plate and the date of the occurrence requiring its return.

(July 11, 1980, P.L.550, No.113, eff. 60 days; Dec. 21, 1998, P.L.1126, No.151, eff. imd.)

1998 Amendment. Act 151 amended subsec. (a)(4).

§ 1334.1. Seizure of registration plate.

A police officer or an employee of the department authorized to enforce the provisions of Chapter 49 (relating to size, weight and load) may seize a registration plate that appears in departmental records as suspended, revoked, canceled, stolen, inactive or issued to a vehicle other than the vehicle on which it is displayed. This provision shall not apply to a registration plate that has been legally transferred as provided for in section 1314 (relating to transfer of registration).

(June 22, 2001, P.L.559, No.37, eff. 60 days)

2001 Amendment. Act 37 added section 1334.1.

§ 1335. Registration plates for manufacturers and dealers.

(a) General rule.--Upon posting of a bond in the amount of \$20,000 and approval of an application in accordance with departmental regulations, the department shall issue to dealers and manufacturers who are licensed by the State Board of Vehicle Manufacturers, Dealers and Salespersons and to other dealers designated by departmental regulations, special registration plates which may be displayed on vehicles in lieu of registering each vehicle individually.

(a.1) Bond already on file.--An authorized dealer or manufacturer who has filed a bond with the Commonwealth shall not be required to file a separate bond under this section if the bond already on file with the Commonwealth is in the name of the Commonwealth and in an amount and coverage at least equal to that required under this section.

(a.2) Exemption.--The following types of dealers and manufacturers are exempt from posting of the bond specified in subsection (a):

(1) Farm equipment dealers.

(2) Mobile home dealers and manufacturers.

(3) Modular housing manufacturers.

(b) Application for plates.--Application for dealer registration plates shall be made by the dealer or manufacturer on a form provided by the department together with a copy of his license from the State Board of Motor Vehicle Manufacturers, Dealers and Salesmen.

(c) Exemption from individual registration.--Vehicles displaying dealer registration plates may be operated on the highway without registering each vehicle individually, provided that the plates are used in accordance with the limitations of sections 1336 (relating to use of dealer registration plates) and 1336.1 (relating to use of multipurpose dealer registration plates).

(d) Modular housing manufacturers.--For the purposes of this section, no modular housing manufacturer shall be required to be licensed by the State Board of Motor Vehicle Manufacturers, Dealers and Salesmen of the Department of State in order to receive registration plates.

(July 20, 1979, P.L.168, No.55, eff. imd.; Mar. 7, 1982, P.L.152, No.49, eff. imd.; July 10, 1984, P.L.679, No.146, eff. 60 days; July 10, 1990, P.L.356, No.83, eff. 30 days; Aug. 5, 1991, P.L.238, No.26; Dec. 7, 1994, P.L.820, No.115, eff. 60 days)

1994 Amendment. Act 115 amended subsec. (a).

1991 Amendment. Act 26 added subsec. (a.2) and amended subsec. (c), effective immediately as to subsec. (a.2) and 120 days as to subsec. (c).

References in Text. The State Board of Motor Vehicle Manufacturers, Dealers and Salesmen, referred to in this section, was changed to the State Board of Vehicle Manufacturers, Dealers and Salespersons by the act of December 22, 1983 (P.L.306, No.84).

§ 1336. Use of dealer registration plates.

(a) General rule.--Dealer registration plates may be displayed on any vehicle which is owned or in the possession of a dealer or manufacturer and such a vehicle may be operated upon the highway, but only if the vehicle is being held for sale and is being used for any of the following purposes:

(1) For teaching students enrolled in an approved driver education course, how to operate a vehicle and for the new driver to take an examination for a driver's license.

(2) For testing, for safety inspection, repairing or transporting to or from a repair facility vehicles in the possession of the dealer within a radius of 25 miles of the place of business of the dealer. Vehicles in the possession of the manufacturer may be tested within a radius of 50 miles of the place of business of the manufacturer.

(3) For demonstrating vehicles in the possession of the dealer or manufacturer at no cost to a prospective purchaser.

(4) For loaning to customers whose vehicles are being repaired if the loan period does not exceed 30 days.

(5) For loaning to a prospective purchaser for a period not exceeding five days for the purpose of demonstrating the vehicles.

(6) For loaning to charitable organizations as defined by departmental regulations for use in charitable activities authorized by departmental regulations.

(7) For transit to or from a dealer, show, exhibit or auction where the vehicle is purchased by the dealer or offered for sale to prospective purchasers.

(8) For delivery to or from a second-stage manufacturer for or upon completion. Vehicles operated pursuant to this paragraph must be unladen.

(9) For transit to or from a prospective purchaser or customer for the purpose of demonstrating or loaning as permitted by subsection (a).

(10) For use in the conduct of the dealer's administrative functions, such as attending meetings or events, transporting department-required paperwork or transporting financial paperwork.

(11) For a trailer being held for sale hauling other trailers being held for sale as long as the combined weight of all trailers does not exceed 3,000 pounds.

(b) Personal use.--A vehicle displaying dealer registration plates which is owned by a dealer or manufacturer, is held for sale and does not exceed a gross vehicle weight rating of 7,500 pounds may be operated upon the highways of this Commonwealth for the personal use of the following:

(1) The dealer or members of his or her immediate family when the dealer is a sole proprietorship.

(2) The officers, partners or members of their immediate families when the dealer is a corporation or partnership.

(3) The regular employees of the dealer.

(c) Commercial use prohibited.--Except as specifically authorized by subsections (a) and (b), dealer registration plates shall not be used on vehicles for a commercial purpose, including parts or delivery vehicles, courtesy shuttle vehicles, wreckers, roll backs, truck tractors and trucks.

(d) Limited use.--Limited use of certain types of dealer plates shall be as follows:

(1) A motor driven cycle or motorized pedalcycle dealer plate shall be used only on motor driven cycles and motorized pedalcycles.

(2) A motorcycle dealer plate shall be used only on motorcycles, motor driven cycles and motorized pedalcycles. In addition, a motorcycle dealer plate may be used on other vehicles owned or in

possession of the motorcycle dealer only when the vehicle is being demonstrated for a prospective purchaser.

(3) A trailer dealer plate shall be used only on trailers.

(e) Records.--Records shall be kept by the dealer in a manner prescribed by the department indicating which vehicles have been used as permitted by subsection (a)(1), (4), (5) and (6). The records shall indicate the name of the person to whom the vehicle was loaned. If the vehicle was loaned to a business or an organization with more than one driver, it is sufficient to list only the name of the business or organization. The records shall be open to inspection by representatives of the department and police officers.

(f) Penalty.--Any person who violates this section, in addition to any penalty, suspension or revocation imposed by the department, is guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of not more than \$100.

(July 10, 1990, P.L.356, No.83, eff. 30 days; Aug. 5, 1991, P.L.238, No.26, eff. 120 days; June 11, 1992, P.L.266, No.47, eff. 60 days; Dec. 7, 1994, P.L.820, No.115, eff. 60 days; Dec. 21, 1998, P.L.1126, No.151, eff. 60 days)

1998 Amendment. Act 151 amended subsecs. (a)(2) and (7), (b) intro. par. and (e) and added subsec. (a)(8), (9), (10) and (11).

Cross References. Section 1336 is referred to in section 1335 of this title.

§ 1336.1. Use of multipurpose dealer registration plates.

(a) General rule.--Subject to the requirement that the vehicles on which multipurpose dealer registration plates are used, conform to or are lower than the weight limits for which the plates were purchased, the multipurpose dealer registration plates may be used on vehicles owned by or in possession of a dealer or manufacturer. All vehicles utilizing the multipurpose dealer registration plate shall be titled in the name of the business or family member, and sales and use tax must be paid.

(b) Exception for second-stage manufacturers.--A title in the name of the business or family member and payment of sales and use tax are not required for a vehicle which has never been titled as long as the vehicle:

(1) is in possession of a second-stage manufacturer and is being transported from a dealer or distributor for completion or delivered to a dealer or distributor upon completion; or

(2) is owned or in possession of a dealer and is being delivered to the second-stage manufacturer for completion or is being transported back to the dealer upon completion.

(Aug. 5, 1991, P.L.238, No.26, eff. 120 days; July 6, 1995, P.L.246, No.30, eff. 60 days)

Cross References. Section 1336.1 is referred to in section 1335 of this title.

§ 1336.2. Farm equipment dealer registration plates.

Upon submission of an application accompanied by the appropriate fee and information on a farm equipment dealer that a truck or truck tractor with a registered gross weight of 11,001 pounds or over is used solely in the business of the dealer, the department shall issue a farm equipment dealer registration plate for the vehicle.

(Aug. 5, 1991, P.L.238, No.26, eff. 120 days)

1991 Amendment. Act 26 added section 1336.2.

§ 1337. Use of "Miscellaneous Motor Vehicle Business" registration plates.

(a) General rule.--The department shall issue to owners of miscellaneous motor vehicle businesses with established places of business special registration plates which may be displayed on vehicles operated on highways in lieu of registering each vehicle individually. Registration plates issued under this section may be displayed upon vehicles only as provided for each of the following classes of miscellaneous motor vehicle business:

(1) For a repair or towing business:

(i) upon vehicles being used in the conduct of the repair business to retrieve, tow or deliver other vehicles or parts; and

(ii) upon vehicles being repaired.

(2) For a vehicle salvage dealer business:

(i) upon vehicles being used in the conduct of the vehicle salvage dealer's business to retrieve or deliver vehicles, vehicle hulks, parts or materials; and

(ii) upon vehicles being transported on their own wheels for the purpose of being dismantled or recycled.

(3) For a transporter business upon vehicles being transported on their own wheels in the conduct of the transporter business.

- (4) For a financier or collector-repossessor business:
 - (i) upon vehicles being used to pick up vehicles that are being repossessed; and
 - (ii) upon vehicles being repossessed.
- (5) For a watercraft trailer business:
 - (i) upon trailers used for the delivery of a new boat to its purchaser;
 - (ii) upon trailers used for the transport of a used boat which is to be resold by the dealer; and
 - (iii) upon trailers used for the transport of boats by a dealer to or from another boat dealer, warehouse, storage facility, boat show or repair facility or to and from a location where a boat is to be demonstrated, tested or inspected.
- (6) For all classes of miscellaneous motor vehicle businesses upon vehicles used for the personal pleasure or use of the owner of the miscellaneous motor vehicle business or members of the owner's immediate family, or when the business is a corporation, upon vehicles used for the pleasure or use of not more than three officers or members of the officer's immediate family or for the personal use of the regular employees of the business when operated by the employee.

All vehicles specified in paragraphs (1)(i), (2)(i), (4)(i) and (6) must be titled in the name of the business or family member and sales tax must be paid.

(b) Application for registration.--Application for registration in any of the "Miscellaneous Motor Vehicle Business" classes shall be made upon a form provided by the department and shall set forth the full name and business address of the applicant and such other information as the department shall require. The application shall be verified by the oath or affirmation of the applicant or, if the applicant is a partnership or a corporation, by a partner or officer.

(c) Classes of "Miscellaneous Motor Vehicle Business".--

(1) Repair or towing.--Any person regularly engaged in the business of mechanical or body repairs or towing for direct compensation of motor vehicles owned and operated by other persons.

(2) Vehicle salvage dealer.--Any person regularly engaged in the business of acquiring and dismantling used, wrecked, damaged, abandoned or salvage vehicles for the purpose of selling the usable parts and selling the remaining vehicle hulk materials for recycling or processing.

(3) Transporter.--Any person regularly engaged in the business of transporting new or used vehicles on their own wheels, owned by or in possession of a manufacturer or dealer.

(4) Financier or collector-repossessor.--Any person who is duly authorized by the Department of Banking to do business in this Commonwealth as a financier or collector-repossessor and who is regularly engaged in the business of financing sales, making loans on the security of vehicles or repossessing vehicles which are the subject of installment sales contracts as an independent contractor.

(5) Watercraft trailer dealer.--Any person regularly engaged in the business of selling watercraft and trailers used exclusively for the transport of the watercraft.

(July 20, 1979, P.L.168, No.55, eff. imd.; Feb. 10, 1994, P.L.10, No.2, eff. 60 days)

Cross References. Section 1337 is referred to in sections 1162, 7301, 7302, 7332 of this title.

§ 1337.1. Fleet owner transporter registration plate.

(a) General rule.--The department shall issue to fleet owners special registration plates which may be displayed on passenger cars, trucks, truck tractors and trailers owned or leased by the fleet owner in lieu of registering each vehicle individually.

(b) Limitations on use of plates.--

(1) A registration plate issued under this section may be displayed only on an unladen vehicle.

(2) A registration plate issued under this section may be displayed only on a vehicle type for which it was purchased, except that a plate issued for a truck or truck tractor may be displayed on an unladen passenger car or an unladen trailer. The weight limits for trucks, truck tractors and trailers must conform to the weight limit for which the registration plate was purchased.

(3) A vehicle bearing a registration plate issued under this section may be used for any of the following:

- (i) For transit of the vehicle to or from the place where the vehicle is offered for sale.
- (ii) For transit from the place where the vehicle was purchased.

(iii) For transit to and from a location where the vehicle is modified, completed or enhanced for a period of not more than 30 days after the date of purchase.

(iv) For testing of the vehicle for a period of not more than 30 days after the date of purchase.

(v) For repair, servicing or inspection of a vehicle which is not normally operated on a highway.

(c) Records.--Records shall be kept by the fleet owner in a manner prescribed by the department indicating the vehicles which displayed each registration plate issued under this section. The records shall be open to inspection by department representatives and any police officer.

(Dec. 18, 1992, P.L.1411, No.174, eff. 60 days)

1992 Amendment. Act 174 added section 1337.1.

§ 1338. Person with disability plate and placard.

(a) Person with disability plate.--On the application of any person who:

(1) is blind;

(2) does not have full use of an arm or both arms;

(3) cannot walk 200 feet without stopping to rest;

(4) cannot walk without the use of, or assistance from, a brace, cane, crutch, another person, prosthetic device, wheelchair or other assistive device;

(5) is restricted by lung disease to such an extent that the person's forced (respiratory) expiratory volume for one second, when measured by spirometry, is less than one liter or the arterial oxygen tension is less than 60 mm/hg on room air at rest;

(6) uses portable oxygen;

(7) has a cardiac condition to the extent that the person's functional limitations are classified in severity as Class III or Class IV according to the standards set by the American Heart Association;

(8) is severely limited in his or her ability to walk due to an arthritic, neurological or orthopedic condition; or

(9) is a person in loco parentis of a person specified in paragraph (1), (2), (3), (4), (5), (6), (7) or (8);

the department shall issue a special registration plate for one passenger car or truck with a registered gross weight of not more than 10,000 pounds, designating the vehicle so licensed as being used by a person with a disability. Special plates for persons with disabilities may also be issued for vehicles operated exclusively for the use and benefit of persons with disabilities. In the case of a motorcycle, the department shall issue a decal containing the international symbol for access for persons with disabilities for display on the registration plate.

(b) Person with disability parking placard.--On the initial application or renewal application of any person who meets the qualifications of subsection (a), the department shall issue one special parking placard of such size and design as the department shall specify, designating the vehicle in which it is displayed as being used for the transportation of persons with disabilities. When parking the designated vehicle, the person with disability parking placard shall be prominently displayed in such a manner that it may be viewed from the front and rear of the vehicle by hanging it from the front windshield rearview mirror of a vehicle only when that vehicle is utilizing a parking space reserved for persons with disabilities. When there is no rearview mirror, or the placard is not designed in such a manner to accommodate hanging from a rearview mirror, the placard shall be displayed on the dashboard. Placards may also be issued for use in vehicles when operated for the use and benefit of persons with disabilities provided that a person with a disability is being transported in the vehicle. Organizations that transport persons with disabilities shall upon application be issued not more than eight placards in the organization's name. These placards may be used in a vehicle of the organization or the personal vehicle of an employee or volunteer of the organization when the employee or volunteer operates the vehicle for the benefit and use of persons with disabilities provided that a person with a disability is being transported in the vehicle.

(c) Health care provider's statement.--

(1) Any person applying for a special plate or parking placard for persons with disabilities must present a statement, certified by a physician, podiatrist, chiropractor, physician assistant or certified registered nurse practitioner licensed or certified to practice in this Commonwealth or in a contiguous state, that the person with a disability is disabled as provided in subsection (a).

(2) Any person applying for a renewal of registration of a special plate for persons with

disabilities must comply with this subsection. Once a person with a disability has been duly certified by a physician, podiatrist, chiropractor, physician assistant or certified registered nurse practitioner as being disabled, as provided in subsection (a), the applicant need not submit a certification for subsequent renewals of registration for a special plate for persons with disabilities. A person who was issued a person with disability plate under this section and no longer qualifies for one shall not be charged a replacement fee for a regular registration plate upon payment of the regular registration fee.

(3) In lieu of a health care provider's statement, a person applying for a special plate or parking placard may present a statement from a police officer certifying that the person does not have full use of a leg, or both legs, or is blind.

(4) The department shall phase out existing handicapped placards as soon as practicable and issue a new series to persons who comply with this section.

(c.1) Return of plates and placard.--Upon the death of a person to whom a plate or placard has been issued under this section, the plate or placard shall be void 30 days after death and shall not be displayed on any vehicle. The personal representative of the deceased shall return the plate to the department. If there is no personal representative, the spouse or, if there is no spouse, the next of kin of the deceased shall return the plate or placard to the department.

(c.2) Authorized use.--This section shall not preclude the operation of a vehicle which bears a person with disability plate when the vehicle is not being used for the benefit of the person with a disability or when the person with a disability is not present in the vehicle, provided the driver does not use or attempt to use any special privilege or benefit otherwise accorded to vehicles displaying the plate.

(d) Penalty.--Any person violating this section commits a summary offense and shall, upon conviction, be sentenced to pay a fine of not more than \$100.

(e) Definitions.--As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

"Chiropractor." A chiropractor acting within the scope of practice contained in the act of December 16, 1986 (P.L.1646, No.188), known as the Chiropractic Practice Act.

"Podiatrist." A podiatrist acting within the scope of practice contained in the act of March 2, 1956 (1955 P.L.1206, No.375), known as the Podiatry Practice Act.

(July 11, 1980, P.L.550, No.113, eff. 60 days; Oct. 10, 1980, P.L.791, No.147, eff. imd.; May 9, 1986, P.L.158, No.51, eff. 60 days; Dec. 11, 1986, P.L.1530, No.166, eff. 60 days; July 11, 1990, P.L.432, No.105, eff. 60 days; July 19, 1991, P.L.88, No.20, eff. 90 days; Apr. 29, 1994, P.L.148, No.25, eff. imd.; July 6, 1995, P.L.246, No.30, eff. 60 days; Dec. 15, 1995, P.L.655, No.72, eff. 60 days; Dec. 21, 1998, P.L.1126, No.151, eff. 60 days; July 15, 2004, P.L.698, No.76, eff. 60 days; Dec 18, 2007, P.L.436, No.67, eff. 60 days)

2007 Amendment. Act 67 amended subsec. (a)(9).

2004 Amendment. Section 2 of Act 76 provided that any regulations of the Department of Transportation that are inconsistent with Act 76 are hereby abrogated to the extent of that inconsistency.

Cross References. Section 1338 is referred to in sections 1334, 1342 of this title.

§ 1339. Legislative plate.

Upon application by a member or retired member of the General Assembly of the Commonwealth or the Congress of the United States, the department may issue special registration plates indicating that the vehicle is owned by a member or retired member of the Pennsylvania or United States Senate or House of Representatives, as appropriate.

(June 26, 2001, P.L.734, No.75, eff. 60 days)

§ 1340. Antique, classic and collectible plates.

(a) General rule.--Upon submission by a vehicle owner of information satisfactory to the department that a motorcycle or motor vehicle is an antique motorcycle or motor vehicle or classic motorcycle or motor vehicle or collectible motorcycle or motor vehicle, accompanied by the appropriate fee, the department may issue special plates for the motorcycle or vehicle. The special plate for antique motor vehicles, except antique motorcycles, shall bear the designation "antique vehicle." The applicant shall provide photographic proof in a manner specified by the department to demonstrate the condition of the motor vehicle. No annual registration fee may be charged for antique, collectible or classic motorcycles or motor vehicles. A holder of the special plates may obtain replacement plates bearing the designation "antique vehicle" upon payment of the appropriate fee.

(b) Use of plates.--It is unlawful for any person to operate a motorcycle or vehicle with antique, classic or collectible registration plates for general daily transportation. Permitted use shall be limited to participation in club

activities, exhibits, tours, parades, occasional transportation and similar uses. Occasional transportation shall mean no more than one day per week.

(May 30, 1990, P.L.173, No.42, eff. 60 days; Apr. 29, 1994, P.L.148, No.25, eff. 60 days; Dec. 20, 1995, P.L.669, No.75, eff. 120 days; Dec. 1, 2004, P.L.1767, No.228, eff. 60 days)

2004 Amendment. Act 228 amended subsec. (a).

Cross References. Section 1340 is referred to in sections 102, 1786, 4703 of this title.

§ 1340.1. Street rod plate.

Upon submission by a vehicle owner of information satisfactory to the department that a motor vehicle is a street rod, accompanied by the appropriate fee, the department shall issue special plates for the vehicle which shall have the same force and effect as regular registration plates. The applicant shall comply with all laws and regulations pertaining to registration including the payment of any additional fees.

(July 10, 1981, P.L.250, No.82, eff. imd.)

1981 Amendment. Act 82 added section 1340.1.

§ 1341. Special registration plates generally.

Upon request by the applicant, the department may issue registration plates consisting of any combination of numbers, letters or numbers and letters. These special plates may be issued for special groups or for special purposes and bear an appropriate designation. Special groups may charge a fee for authorization to request a registration plate bearing the name of the group. They shall have the same force and effect as regular registration plates. The department may refuse any combination of letters and numbers for cause and shall adopt reasonable rules and regulations for the issuance of the plates and for carrying out the provisions of this section. The applicant shall comply with all laws and regulations pertaining to registration including the payment of any additional fees. The department is authorized to reissue a combination of numbers or letters for a personal plate if the department records reveal that no activity, such as renewal or transfer of the personal registration plate, has occurred for a period of five or more consecutive years and provided that the personal registration plate was never reported as lost or stolen.

Whenever the department reissues an inactive personal plate, the department may purge its records of all references to the previous owners of that personal plate. The department shall, however, note upon its records the reissuance of the personal plate and to whom the plate was issued. The special registration plate may be used only on a passenger car or truck with a registered gross weight of not more than 10,000 pounds. If the vehicle is licensed to a business that is not a member of the special group, the department shall issue the plate as long as the business owner or officer making application is a member of that group.

(Apr. 29, 1994, P.L.148, No.25, eff. imd.; June 26, 2001, P.L.734, No.75, eff. 60 days; Nov. 29, 2006, P.L.1449, No.159, eff. 60 days; Dec. 18, 2007, P.L.436, No.67, eff. 60 days)

Cross References. Section 1341 is referred to in sections 1333, 1786 of this title.

§ 1342. Veteran plates and placard.

(a) Severely disabled veteran plate.--On the application of a veteran whose service-connected disability is certified at 100% by the service unit of the armed forces in which the veteran served or by the United States Veterans' Administration or who has a service-connected disability of the type enumerated in section 1338 (relating to person with disability plate and placard), the department shall issue a special registration plate designating the vehicle as belonging to a severely disabled veteran. The registration plate shall have a white background, shall have blue numbers or letters as the department may determine, shall have the words "disabled veteran" in at least ten-point bold type inscribed in red at the bottom of the plate and shall include the international symbol for access for persons with disabilities. Only one special registration plate shall be issued to a veteran under this section. It may be used only on a passenger car or truck with a registered gross weight of not more than 10,000 pounds. In the case of a motorcycle, the department shall issue a decal containing the international symbol for access for persons with disabilities and the words "disabled veteran" for display on the registration plate.

(b) Severely disabled veteran placard.--On the application of any person who meets the qualifications of subsection (a), the department shall issue one special parking placard of such size and design as the department shall specify, designating the vehicle in which it is displayed as being used for the transportation of a severely disabled veteran. When parking the designated vehicle, the severely disabled veteran parking placard shall be prominently displayed so that it may be viewed from the front and rear of the vehicle by hanging it from the front windshield rearview mirror of a vehicle only when that vehicle is utilizing a parking space reserved for persons with disabilities.

When there is no rearview mirror, or the placard is not designed in such a manner to accommodate hanging from a rearview mirror, the placard shall be prominently displayed on the dashboard of the vehicle when it is in use for the transportation of such severely disabled veteran. Placards may also be issued for use in vehicles when operated for the use and benefit of severely disabled veterans provided that a severely disabled veteran is being transported in the vehicle.

(c) Disabled veteran plates.--On the application of any veteran having a disability certified by the service unit of the armed forces in which the veteran served or by the United States Veterans' Administration as service-connected, the department shall issue a special registration plate designating the vehicle as belonging to a disabled veteran. The registration plate shall have a white background, shall have numbers or letters as the department may determine and shall have the words "disabled veteran" in at least ten-point bold type inscribed at the bottom of the plate. Only one special registration plate shall be issued to a veteran under this section. It may be used only on a passenger car or truck with a registered gross weight of not more than 10,000 pounds.

(d) Prisoner of war plate.--On the application of an ex-prisoner of war whose imprisonment while in the service of the armed forces of the United States is certified by the appropriate branch of the armed forces, the department shall issue a special registration plate designating the vehicle as belonging to an ex-prisoner of war. The registration plate shall contain the letters "POW" and such other numbers or letters as the department may determine and shall have the words "prisoner of war" in at least ten-point bold type inscribed at the bottom of the plate. Only one special registration plate shall be issued to an ex-prisoner of war under this subsection. The special registration plate may be used only on a passenger car or truck with a registered gross weight of not more than 10,000 pounds.

(e) Documentation of eligibility.--The department may require current holders of disabled veteran registration plates and placards to provide documentation of their eligibility under this section where current documentation is not sufficient.

(f) Return of plates and placard.--Upon the death of a veteran to whom a severely disabled veteran plate or placard has been issued under this section, the severely disabled veteran plate or placard shall be void 30 days after death and shall not be displayed on any vehicle. The personal representative of the deceased shall return the plate to the department. If there is no personal representative, the spouse or, if there is no spouse, the next of kin of the deceased shall return the plate or placard to the department.

(July 11, 1980, P.L.550, No.113, eff. 60 days; July 10, 1981, P.L.250, No.82, eff. imd.; May 9, 1986, P.L.158, No.51, eff. 60 days; Dec. 11, 1986, P.L.1530, No.166, eff. 60 days; Apr. 29, 1994, P.L.148, No.25, eff. imd.; Dec. 15, 1995, P.L.655, No.72, eff. 60 days; Dec. 21, 1998, P.L.1126, No.151, eff. 60 days; Dec. 18, 2007, P.L.436, No.67, eff. 60 days)

2007 Amendment. Act 67 amended subsecs. (a), (c) and (d).

1998 Amendment. Act 151 amended subsecs. (a), (b), (c) and (d).

1995 Amendment. Act 72 added subsec. (f).

Cross References. Section 1342 is referred to in section 1346 of this title.

§ 1343. Use of school bus or school vehicle plates.

(a) General rule.--A motor vehicle bearing school bus or school vehicle registration plates shall be used exclusively for the transportation of children and their chaperons to or from public, private, parochial or Sunday school or in connection with any public, private, parochial or Sunday school-related activity. Each school district shall adopt regulations regarding the number of chaperons to accompany students in connection with these activities. Except when transporting children to and from public, private, parochial or Sunday school or public, private, parochial or Sunday school-related activities, the words "school bus" on the front and rear of the vehicle shall be concealed and the red and amber visual signals shall not be operable.

(b) Penalty.--Any person violating this section is guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of \$25.

(Dec. 11, 1986, P.L.1530, No.166, eff. 60 days; Dec. 18, 1992, P.L.1411, No.174, eff. 60 days)

§ 1344. Use of farm vehicle plates.

(a) General rule.--A truck or truck tractor bearing farm vehicle registration plates shall be used exclusively upon a farm or farms owned or operated by the registrant of the vehicle or upon highways between:

(1) Parts of one such farm.

(2) Such farms.

(3) Such a farm or farms and a place of business for the purpose of buying or selling agricultural commodities or supplies.

(4) Such place of business, if transported to the place of business pursuant to paragraph (3) and the place of delivery of the agricultural commodities, provided that:

(i) delivery is made pursuant to the sale of the commodities by the registrant of the vehicle, by an employee of the vehicle registrant or by an auctioneer; and

(ii) if transported to the place of business pursuant to paragraph (3), delivery is made by the same vehicle of the registrant which transported the commodities to the place of business.

(5) Such farm or farms and a department site for the examination of an applicant for a driver's license.

(6) Such farm or farms and a place of business for the inspection, repair or servicing of the vehicle.

(b) Penalty.--Any person violating this section is guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of \$50 and shall, upon conviction for a second or subsequent offense, be sentenced to pay a fine of \$200.

(July 20, 1979, P.L.168, No.55, eff. imd.; Nov. 23, 1987, P.L.399, No.82, eff. 60 days; May 20, 1993, P.L.30, No.10, eff. 60 days)

1993 Amendment. Act 10 amended the section heading and subsec. (a).

Cross References. Section 1344 is referred to in section 2105 of this title.

§ 1344.1. Use of farm equipment dealer registration plates.

A truck or truck tractor bearing farm equipment dealer registration plates shall be used solely in the business of the dealer and operated exclusively by the dealership or its employees only when the vehicle is used:

(1) for delivering farm equipment to a farm for the purpose of sale, demonstration, loaning to customers whose farm equipment is being repaired or loaning to prospective purchasers;

(2) for pickup of new farm equipment from the manufacturer or distributor;

(3) for pickup of used farm equipment for the purpose of resale; or

(4) for inspection, repair or servicing the vehicle.

(Aug. 5, 1991, P.L.238, No.26, eff. 120 days)

1991 Amendment. Act 26 added section 1344.1.

§ 1345. Special plates for recipients of the Medal of Honor.

Upon application of any person who is a recipient of the Medal of Honor, the department shall issue to such person a special registration plate designating the vehicle so licensed as belonging to a person who is a recipient of the Medal of Honor. The plate shall have a light blue background interspersed with 13 white stars. The center of the plate shall bear a golden bronze replica of the appropriate medal. The initials of each recipient shall be embossed in red to the left of the medal and the letters "CMH" (for Congressional Medal of Honor) shall be embossed in red to the right of the medal.

(Nov. 23, 1982, P.L.689, No.197, eff. 60 days)

1982 Amendment. Act 197 added section 1345.

§ 1346. Special plates for recipients of Purple Heart.

Upon application of any person who is a recipient of the Purple Heart, the department shall issue to such person a special registration plate designating the vehicle so licensed as belonging to a person who is a recipient of the Purple Heart. A severely disabled veteran, as described in section 1342(a) (relating to veteran plates and placard), who is qualified to receive a plate under this section may also elect to receive a placard under section 1342(b). The special registration plate may be used only on a passenger car or truck with a registered gross weight of not more than 10,000 pounds.

(June 12, 1986, P.L.252, No.65, eff. 60 days; Dec. 21, 1998, P.L.1126, No.151, eff. 60 days; Dec. 18, 2007, P.L.436, No.67, eff. 60 days)

§ 1347. Hearing impaired plates.

On the application of any person with a hearing impairment, verified by a licensed physician and accompanied by the appropriate fee, the department shall issue to that person a special registration plate designating the vehicle as belonging to a person who has a hearing impairment, which plate shall have the same effect as a regular registration plate.

(Dec. 11, 1986, P.L.1530, No.166, eff. 60 days)

1986 Amendment. Act 166 added section 1347.

§ 1348. Special plates for Pearl Harbor survivors.

Upon application of any person who is a survivor of Pearl Harbor, accompanied by a fee of \$20 which shall be in addition to the annual registration fee and by such documentation as the department shall require, the department shall issue to such person a special registration plate designating the vehicle so licensed as belonging to a person who is a survivor of Pearl Harbor. The special registration plate may be used only on a passenger car or truck with a registered gross weight of not more than 10,000 pounds.

(July 10, 1990, P.L.356, No.83, eff. 60 days; Dec. 21, 1998, P.L.1126, No.151, eff. 60 days; Dec. 18, 2007, P.L.436, No.67, eff. 60 days)

§ 1349. Circus or carnival plates.

Upon submission by a truck or truck tractor owner of information to the department that a truck or truck tractor is used exclusively for the purpose of transportation of circus or carnival personnel or equipment or machinery and only so used during the period from April 1 through September 30 of any year, the department may issue special plates for the vehicle. The registration fee for the truck or truck tractor shall be one-half the fee for a similar truck or truck tractor not used for the purposes described in this section.

(July 10, 1990, P.L.356, No.83, eff. 180 days)

1990 Amendment. Act 83 added section 1349.

§ 1350. Special plates for veterans of Korean War.

Upon application of any person who is a veteran of the Korean War, accompanied by a fee of \$20, which shall be in addition to the annual registration fee, and by such documentation as the department shall require, the department shall issue to the person a special registration plate designating the vehicle so licensed as belonging to a person who is a veteran of the Korean War. The special registration plate may be used only on a passenger car or truck with a registered gross weight of not more than 10,000 pounds.

(Nov. 24, 1992, P.L.702, No.105, eff. 60 days; Dec. 21, 1998, P.L.1126, No.151, eff. 60 days; Dec. 18, 2007, P.L.436, No.67, eff. 60 days)

§ 1350.1. Special plates for recipients of Korean Defense Service Medal.

Upon application of any person who is a recipient of the Korean Defense Service Medal, accompanied by a fee of \$20 which shall be in addition to the annual registration fee and by such documentation as the department shall require, the department shall issue to the person a special registration plate designating the vehicle so licensed as belonging to a person who is a recipient of the Korean Defense Service Medal. The department shall design and produce the special registration plate. The special registration plate may be used only on a passenger car or truck with a registered gross weight of not more than 10,000 pounds.

(July 7, 2006, P.L.389, No.82, eff. 60 days)

2006 Amendment. Act 82 added section 1350.1.

§ 1351. Special plates for veterans of Persian Gulf War.

Upon application of any person who is a veteran of the Persian Gulf War, accompanied by a fee of \$20, which shall be in addition to the annual registration fee, and by such documentation as the department shall require, the department shall issue to the person a special registration plate designating the vehicle so licensed as belonging to a person who is a veteran of the Persian Gulf War. The special registration plate may be used only on a passenger car or truck with a registered gross weight of not more than 10,000 pounds.

(Nov. 24, 1992, P.L.702, No.105, eff. 60 days; Dec. 21, 1998, P.L.1126, No.151, eff. 60 days; Dec. 18, 2007, P.L.436, No.67, eff. 60 days)

§ 1352. Wild resource conservation plate.

The department, in consultation with the Wild Resource Conservation Board, shall design a special wild resource conservation registration plate. Upon application of any person, accompanied by a fee of \$35 which shall be in addition to the annual registration fee, the department shall issue the plate for a passenger car, motor home, trailer or truck with a registered gross weight of not more than 10,000 pounds. The Wild Resource Conservation Fund shall receive \$15 of each additional fee for this plate.

(Dec. 18, 1992, P.L.1411, No.174, eff. 60 days; Dec. 7, 1994, P.L.820, No.115, eff. 60 days; Dec. 21, 1998, P.L.1126, No.151, eff. 60 days; Dec. 18, 2007, P.L.436, No.67, eff. 60 days)

§ 1353. Preserve our heritage registration plate.

The department, in consultation with the Pennsylvania Historical and Museum Commission, shall design a special preserve our heritage registration plate. Upon receipt of an application, accompanied by a fee of \$35 which shall be in addition to the annual registration fee, the department shall issue the plate for a passenger car, motor home, trailer or truck with a registered gross weight of not more than 10,000 pounds. The Historical Preservation Fund shall receive \$15 of each additional fee for this plate.

(Dec. 28, 1994, P.L.1441, No.170, eff. 120 days; Dec. 21, 1998, P.L.1126, No.151, eff. 60 days; Dec. 18, 2007, P.L.436, No.67, eff. 60 days)

§ 1354. Flagship Niagara commemorative registration plate.

(a) Plate.--The department, in consultation with the Pennsylvania Historical and Museum Commission, shall design a Flagship Niagara commemorative registration plate. Upon application of any person, accompanied by a fee of \$35 which shall be in addition to the annual registration fee, the department shall issue the plate for a passenger car, motor home, trailer or truck with a registered gross weight of not more than 10,000 pounds.

(b) Use of fee.--Of each fee paid under subsection (a), \$15 shall be deposited into the Flagship Niagara Account, which is established as a special account in the Historical Preservation Fund of the Pennsylvania Historical and Museum Commission. The commission shall administer the account as follows:

(1) To preserve, maintain and operate the Flagship Niagara.

(2) After making a determination that there has been compliance with paragraph (1) for a fiscal year, to contribute to the fund.

(Dec. 28, 1994, P.L.1441, No.170, eff. 60 days; Dec. 18, 2007, P.L.436, No.67, eff. 60 days)

2007 Amendment. Act 67 amended subsec. (a).

1994 Amendment. Act 170 added section 1354.

§ 1355. Zoological plate.

The department, in consultation with the Pennsylvania Zoological Council, shall design a special zoological registration plate. Upon application of any person, accompanied by a fee of \$35 which shall be in addition to the annual registration fee, the department shall issue the plate for a passenger car, motor home, trailer or truck with a registered gross weight of not more than 10,000 pounds. The Zoological Enhancement Fund shall receive \$15 of the fee paid by the applicant for the plate.

(Dec. 28, 1994, P.L.1441, No.170, eff. 60 days; Dec. 28, 1994, P.L.1450, No.172, eff. 60 days; Dec. 21, 1998, P.L.1126, No.151, eff. 60 days; Dec. 18, 2007, P.L.436, No.67, eff. 60 days)

Cross References. Section 1355 is referred to in section 1905 of this title.

§ 1356. Special plates for recipients of Expeditionary Forces Medal.

Upon application of any person who is a recipient of the Expeditionary Forces Medal, accompanied by a fee of \$20 which shall be in addition to the annual registration fee and by such documentation as the department shall require, the department shall issue to such person a special registration plate designating the vehicle so registered as belonging to a person who is a recipient of the Expeditionary Forces Medal. The special registration plate may be used only on a passenger car or truck with a registered gross weight of not more than 10,000 pounds.

(Dec. 28, 1994, P.L.1450, No.172, eff. 60 days; Dec. 21, 1998, P.L.1126, No.151, eff. 60 days; Dec. 18, 2007, P.L.436, No.67, eff. 60 days)

§ 1357. Special plates for World War II veterans.

Upon application of any person who is a veteran of World War II, accompanied by a fee of \$20 which shall be in addition to the annual registration fee and by such documentation as the department shall require, the department shall issue to such person a special registration plate carrying the symbol of a ruptured duck designating the vehicle so registered as belonging to a person who is a veteran of World War II. The special registration plate may be used only on a passenger car or truck with a registered gross weight of not more than 10,000 pounds.

(Dec. 28, 1994, P.L.1450, No.172, eff. 60 days; Dec. 21, 1998, P.L.1126, No.151, eff. 60 days; Dec. 18, 2007, P.L.436, No.67, eff. 60 days)

§ 1358. DARE plate.

The department, in consultation with the Pennsylvania Commission on Crime and Delinquency, shall design a special drug abuse resistance education (DARE) registration plate which utilizes the DARE logo or slogan in the design. Upon application of any person, accompanied by a fee of \$35 which shall be in addition to the annual registration fee, the department shall issue the plate for a passenger car, motor home, trailer or truck with a registered gross weight of not more than 10,000 pounds. The Drug Abuse Resistance Education Program shall

receive \$15 of each additional fee for this plate.
(Dec. 20, 1995, P.L.669, No.75, eff. imd.; Dec. 21, 1998, P.L.1126, No.151, eff. 60 days; Dec. 18, 2007, P.L.436, No.67, eff. 60 days)

Cross References. Section 1358 is referred to in section 1905 of this title.

§ 1359. Special plates for steelworkers.

(a) General rule.--Upon application of any person who is a steelworker, accompanied by a fee of \$20 which shall be in addition to the annual registration fee and by such documentation as the department shall require, the department shall issue to such person a special registration plate designating the vehicle so licensed as belonging to a person who is a steelworker. The special registration plate may be used only on a passenger car or a truck with a registered gross weight of not more than 10,000 pounds. The plate shall bear the likeness of the official emblem of the American Iron and Steel Institute.

(b) Definition.--As used in this section, the term "steelworker" means a person currently or formerly employed in the manufacture of steel or a surviving member of the steelworker's family.
(July 11, 1996, P.L.660, No.115, eff. 60 days; Dec. 21, 1998, P.L.1126, No.151, eff. 60 days; Dec. 18, 2007, P.L.436, No.67, eff. 60 days)

2007 Amendment. Act 67 amended subsec. (a).

1996 Amendment. Act 115 added section 1359.

§ 1360. Special plates for veterans of Vietnam Conflict.

Upon application of any person who is a veteran of the Vietnam Conflict as that term is defined for the awarding of the Vietnam Service Medal, accompanied by a fee of \$20 in addition to the annual registration fee and by such documentation as the department shall require, the department shall issue to the person a special registration plate designating the vehicle so licensed as belonging to a person who is a veteran of the Vietnam Conflict. The special registration plate may be used only on a passenger car or truck with a registered gross weight of not more than 10,000 pounds.

(Dec. 21, 1998, P.L.1126, No.151, eff. 60 days; Dec. 18, 2007, P.L.436, No.67, eff. 60 days)

§ 1361. Special motorcycle plates for veterans.

Upon application of any person who is an honorably discharged veteran of the armed forces of the United States, or a reserve component of the armed forces as defined in 51 Pa.C.S. § 7301 (relating to definitions), accompanied by a fee of \$20 which shall be in addition to the annual registration fee and by such documentation as the department shall require, the department shall issue to the person a special registration plate designating the vehicle as belonging to a person who is a veteran. The special registration plate may be used only on a motorcycle.
(Feb. 9, 2004, P.L.65, No.8, eff. 60 days)

2004 Amendment. Act 8 added section 1361.

§ 1362. Operation Iraqi Freedom veterans plate.

Upon application of any person who is a veteran of the liberation or occupation of Iraq, accompanied by a fee of \$20 which shall be in addition to the annual registration fee and by documentation as the department shall require, the department shall issue to the person a special registration plate designating the vehicle so licensed as belonging to a person who is a veteran of Operation Iraqi Freedom. The special registration plate may be used only on a passenger car or truck with a registered gross weight of not more than 10,000 pounds.

(July 14, 2005, P.L.285, No.50, eff. 60 days; Dec. 18, 2007, P.L.436, No.67, eff. 60 days)

§ 1363. Operation Enduring Freedom veterans plate.

Upon application of any person who is a veteran of the liberation or occupation of Afghanistan, accompanied by a fee of \$20 which shall be in addition to the annual registration fee and by documentation as the department shall require, the department shall issue to the person a special registration plate designating the vehicle so licensed as belonging to a person who is a veteran of Operation Enduring Freedom. The special registration plate may be used only on a passenger car or truck with a registered gross weight of not more than 10,000 pounds.

(July 14, 2005, P.L.285, No.50, eff. 60 days; Dec. 18, 2007, P.L.436, No.67, eff. 60 days)

§ 1364. Special plates for veterans.

Upon application of any person who is an honorably discharged veteran of the armed forces of the United States or a reserve component of the armed forces as defined in 51 Pa.C.S. § 7301 (relating to definitions), accompanied by a fee of \$20 which shall be in addition to the annual registration fee and by such documentation as the department shall require, the department shall issue to the person a special registration plate designating the

vehicle as belonging to a person who is a veteran of the armed forces of the United States. The special registration plate may be used only on a passenger car or truck with a registered gross weight of not more than 10,000 pounds. (July 14, 2005, P.L.285, No.50, eff. 60 days; Dec. 18, 2007, P.L.436, No.67, eff. 60 days)

§ 1365. Gold Star Family plate.

(a) General rule.--Upon application of a family member of a person who was killed while serving on active duty in the military, accompanied by a fee of \$20 which shall be in addition to the annual registration fee and by such documentation as the department shall require, the department shall issue to the family member a special registration plate designating the vehicle so licensed as belonging to a family member of a person who was killed while serving on active duty in the military. The department shall design and produce the special registration plate carrying the Service Flag Gold Star rimmed with blue which represents sacrifice to the cause of liberty and freedom. The words "Gold Star Family" shall be clearly displayed along the bottom of the plate. The special registration plate may be used only on a passenger car or truck with a registered gross weight of not more than 10,000 pounds.

(b) Documentation required.--An applicant for a Gold Star Family plate shall certify on a form approved by the department that the applicant is a family member of a person who was killed while serving on active duty in the military.

(c) Definition.--As used in this section, the term "family member" includes the following:

- (1) Widow.
- (2) Widower.
- (3) Mother.
- (4) Father.
- (5) Stepmother.
- (6) Stepfather.
 - (7) Mother through adoption.
 - (8) Father through adoption.
 - (9) Foster mother in loco parentis.
 - (10) Foster father in loco parentis.
- (11) Son.
- (12) Daughter.
- (13) Stepson.
- (14) Stepdaughter.
 - (15) Son by adoption.
 - (16) Daughter by adoption.
- (17) Brother.
- (18) Sister.
 - (19) Half brother.
 - (20) Half sister.

(Oct. 4, 2006, P.L.1143, No.117, eff. 60 days)

2006 Amendment. Act 117 added section 1365.

SUBCHAPTER C VIOLATIONS AND SUSPENSIONS

Sec.

1371. Operation following suspension of registration.
1372. Unauthorized transfer or use of registration.
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1375. Suspension of registration of unapproved carriers.
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1377. Judicial review.

1378. Suspension of motor carrier vehicle registration.
1379. Suspension of registration upon sixth unpaid parking violation in cities of the first class.

§ 1371. Operation following suspension of registration.

(a) General rule.--No person shall operate and no owner shall permit to be operated upon any highway a vehicle the registration of which has been suspended.

(b) Penalty.--Any person violating this section is guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of not less than \$100 nor more than \$500. In the case of a motor carrier vehicle other than a trailer, the fine shall be double the registration fee for the maximum weight at which the vehicle could have been registered in this Commonwealth.

(Dec. 23, 2002, P.L.1982, No.229, eff. imd.)

2002 Amendment. Act 229 amended subsec. (b). See section 21 of Act 229 in the appendix to this title for special provisions relating to promulgation of guidelines to implement Act 229.

Cross References. Section 1371 is referred to in sections 1532, 6309, 6309.1 of this title.

§ 1372. Unauthorized transfer or use of registration.

No person shall:

- (1) allow a registration card or plate or permit to be used by any person not authorized to use it or on any vehicle other than the vehicle for which it was issued;
- (2) use any registration card or plate or permit unless authorized to do so; or
- (3) display a registration card or plate in, on or in connection with any vehicle other than the vehicle for which it was issued.

§ 1373. Suspension of registration.

(a) Suspension after opportunity for hearing.--The department may suspend any registration after providing opportunity for a hearing in any of the following cases when the department finds upon sufficient evidence that:

- (1) The vehicle is unsafe or unfit for operation or is not equipped as required by this title.
- (2) The owner or registrant has made, or permitted to be made, any unlawful use of the vehicle or registration plate or plates, or registration card, or permitted the use by a person not entitled thereto.
- (3) The owner or registrant has knowingly made a false statement or knowingly concealed a material fact or otherwise committed a fraud in any application or form required to be filed by this title.
- (4) The registrant or any agent or employee has repeatedly violated any of the provisions of this chapter or Chapter 11 (relating to certificate of title and security interests).

(b) Suspension without hearing.--The department may suspend a registration without providing an opportunity for a hearing in any of the following cases:

- (1) Upon the request or order of any court of record.
- (2) The required fees have not been paid.
- (3) An out-of-service order has been issued for the vehicle, the owner or the operator by the department or by the United States Department of Transportation.
- (4) The vehicle is being operated in violation of section 4704(b)(1) (relating to inspection by police or Commonwealth personnel).

(May 26, 1982, P.L.435, No.129, eff. imd.; Feb. 12, 1984, P.L.26, No.11, eff. Oct. 1, 1984; Apr. 26, 1989, P.L.13, No.4, eff. imd.; July 10, 1990, P.L.356, No.83, eff. 60 days; Dec. 21, 1998, P.L.1126, No.151, eff. 60 days; Dec. 23, 2002, P.L.1982, No.229, eff. 6 months)

2002 Amendment. Act 229 amended subsec. (b). See section 21 of Act 229 in the appendix to this title for special provisions relating to promulgation of guidelines to implement Act 229.

Cross References. Section 1373 is referred to in section 1376 of this title.

§ 1374. Suspension or revocation of vehicle business registration plates.

(a) Suspension or revocation after opportunity for hearing.--The department may impose a monetary penalty for certain violations and offenses as prescribed by regulation or this section or suspend or revoke registration plates for dealers, manufacturers or members of the "Miscellaneous Motor Vehicle Business" class after providing an opportunity for a hearing in any of the following cases when the department finds upon sufficient evidence that:

- (1) Except as provided in subsection (g)(1) the registrant is no longer entitled to licensing as a dealer or manufacturer or to registration in the "Miscellaneous Motor Vehicle Business" class.

(2) The registrant has made or permitted to be made any unlawful use of the vehicle or registration plate or plates or registration card or permitted the use by a person not entitled thereto.

(3) The registrant has knowingly made a false statement or knowingly concealed a material fact or otherwise committed a fraud in any application.

(4) The registrant has failed to give notice of transfer of ownership or of the destruction or junking of any vehicle when and as required by this title.

(5) The registrant has failed to deliver to a transferee lawfully entitled thereto or to the department, when and as required by this title, a properly assigned certificate of title.

(6) The registrant has repeatedly violated any of the provisions of this title.

(7) Any fee payable to the Commonwealth in connection with the operation of the business of the registrant has not been paid.

(b) Mitigating events.--The opportunity for a hearing as authorized by subsection (a) shall include the consideration of relevant mitigating events as prescribed by regulation for violations and offenses of subsection (a)(2), (5) and (7).

(c) Written warning for first offense.--If the registrant violates subsection (a)(2), (5) or (7) as a first offense, the department shall sanction the registrant with a written warning without providing the opportunity for a hearing.

(d) Schedule of sanctions.--The department shall impose the following sanctions for violations:

(1) If the department finds that the registrant has violated subsection (a)(5) or (7) as a second offense, the registrant may be sanctioned with a monetary penalty of not less than \$50 and not more than \$100 per violation.

(2) If the department finds that the registrant has violated subsection (a)(5) or (7) as a third offense, the registrant may be sanctioned with a monetary penalty of not less than \$100 and not more than \$200 per violation.

(2.1) If the department finds that the registrant has violated subsection (a)(5) as a fourth or subsequent offense, the department may suspend for not less than three months or revoke the registration plates and cards of the registrant.

(3) A monetary penalty imposed for a violation of subsection (a)(5) shall be in addition to the requirement that the registrant deliver a properly assigned certificate of title. Unless extended by the department, if the registrant fails to pay the monetary penalty or to deliver the certificate of title within 45 days after notice was sent by the department, except as otherwise provided by section 1377 (relating to judicial review), the department shall suspend the registrant's registration plates until the monetary penalty has been paid and the title delivered.

(4) A monetary penalty imposed for a violation of subsection (a)(7) shall be in addition to payment of the original amount due for taxes and fees and any other penalty provided by law for submission of an uncollectible or dishonored check. Unless extended by the department, if the registrant fails to pay the monetary penalty, the original amount due or any other penalty within 45 days after notice was sent by the department, except as otherwise provided by section 1377, the department shall suspend the registrant's registration plates until all fees, taxes and penalties have been paid.

(5) A violation of subsection (a)(2) or (5) shall remain on the registrant's record for a period of 18 months from the date that the violation was sanctioned by the department. If the registrant does not commit another violation of subsection (a)(2) or (5) within that 18-month period, the department shall rescind from the registrant's record the prior sanction that was imposed. After rescission of the prior sanction, if the registrant thereafter commits a subsequent violation of subsection (a)(2) or (5), that violation shall be considered the same degree of offense as was previously imposed, unless more than three years have elapsed since the last date that the registrant was sanctioned for a violation of subsection (a)(2) or (5), in which case said subsequent violation shall be deemed a first offense.

(6) If the department has previously given notice of, and considered at a departmental hearing, violations of subsection (a)(5), no sanction shall be imposed for an alleged violation of subsection (a)(5) which was not included within said notice if said violation occurred prior to the date of the notice, the department's records reflected that the violation existed and the violation could have been included in the notice as an additional subject of the departmental hearing.

(7) If a registrant is sanctioned pursuant to subsection (c) or paragraph (1) or (2) or the corresponding provisions of departmental regulations, 67 Pa. Code Ch. 53 (relating to manufacturers, dealers and miscellaneous motor vehicle businesses registration plates), and the department also sanctions the

registrant for corresponding violations as an issuing agent pursuant to departmental regulations, 67 Pa. Code Ch. 43 (relating to temporary registration cards and plates), the department shall only impose the sanction prescribed by this section or the corresponding section of 67 Pa. Code Ch. 53. Notwithstanding, the department shall note the offense pertaining to the registrant and the offense pertaining to the issuing agent upon each record, and the department shall consider each record when calculating second, third or subsequent offenses by the registrant and the issuing agent.

(e) Hearing.--Until regulations are prescribed by the department as authorized by subsection (b), the hearing shall include the consideration of relevant mitigating events for a violation of subsection (a)(2), (5) or (7).

(f) Interim regulations.--Until such regulations are prescribed by the department as authorized by subsections (a) and (b), the applicable departmental regulations as currently promulgated shall remain in full force and effect, except as specifically superseded by the provisions of subsections (c), (d) and (e).

(g) Suspension without hearing.--The department may suspend or revoke registration plates for dealers, manufacturers or members of the "Miscellaneous Motor Vehicle Business" class without providing the opportunity for a hearing in any of the following cases:

(1) The registrant's license as a dealer or manufacturer has been suspended or revoked by the State Board of Vehicle Manufacturers, Dealers and Salespersons or the board has determined that the registrant is not entitled to such a license.

(2) If the Pennsylvania State Police shall certify that the dealer, manufacturer or member of the "Miscellaneous Motor Vehicle Business" class is no longer in business.

(h) Recommended action by State licensing board.--The department may also audit and investigate dealers and manufacturers registered by the State Board of Vehicle Manufacturers, Dealers and Salespersons to determine whether any dealer or manufacturer has violated any provision of this title pertaining to dealers or manufacturers or any regulation promulgated by the department. The department may recommend that the State Board of Vehicle Manufacturers, Dealers and Salespersons suspend the license of any dealer or manufacturer which it finds has committed a violation and the board shall take prompt action on any such recommendations under the act of December 22, 1983 (P.L.306, No.84), known as the Board of Vehicles Act.

(July 10, 1990, P.L.356, No.83, eff. 30 days; June 28, 1993, P.L.137, No.33, eff. 60 days; July 11, 1996, P.L.660, No.115, eff. 60 days; Dec. 21, 1998, P.L.1126, No.151, eff. 60 days)

1998 Amendment. Act 151 amended subsecs. (d)(5) and (e).

1996 Amendment. Act 115 amended subsec. (d).

Cross References. Section 1374 is referred to in section 1376 of this title.

§ 1375. Suspension of registration of unapproved carriers.

(a) General rule.--The department shall suspend the registration of any vehicle upon the presentation to the department of a certificate of the Pennsylvania Public Utility Commission or notice of the Philadelphia Parking Authority setting forth, after hearing and investigation, that the commission or the Philadelphia Parking Authority has found and determined that the vehicle has been operated as a common carrier or contract carrier by motor vehicle within this Commonwealth without the approval of the commission or the Philadelphia Parking Authority and either that no appeal was filed from such determination in the manner and within the time provided by law or that the determination was affirmed on appeal.

(b) Rescission of suspension.--Any suspension of registration under this section may be rescinded by the department upon the petition of the owner of such vehicle or of the lessee provided the petition is accompanied by a certificate of the Pennsylvania Public Utility Commission setting forth that the commission does not object to the rescission.

(July 14, 2005, P.L.285, No.50, eff. 60 days)

2005 Amendment. Act 50 amended subsec. (a).

§ 1376. Surrender of registration plates and cards upon suspension or revocation.

(a) General rule.--The department, upon suspending or revoking any registration, shall require the registration plate or plates and registration card or cards to be surrendered immediately to the department.

(b) Delegation of authority.--If after 30 days from the mail date of a notice of suspension or revocation, the registration plates and cards are not surrendered under subsection (a), the department may delegate authority to the following persons to seize a registration plate and registration card which are required to be surrendered under subsection (a):

- (1) A designated department employee.
- (2) Members of the Pennsylvania State Police.
- (3) Local police officers.
- (4) Sheriffs or deputy sheriffs.
- (5) Constables or deputy constables. If constables and deputy constables are delegated authority

to seize registration plates and registration cards under this section, they shall be compensated by the department at the rate of \$15 for each registration plate and card jointly seized, plus mileage. The department shall pay a constable or deputy constable within 30 days after a documented request for payment is submitted to it.

(b.1) Immediate seizure of registration plates and cards.--The department may delegate authority to the persons described in this section to immediately seize registration plates and cards upon imposition of the following:

- (1) a suspension imposed pursuant to section 1374(d)(3) or (4) (relating to suspension or revocation of vehicle business registration plates) until all fees, taxes and penalties have been paid;
- (2) a suspension or revocation imposed pursuant to section 1373(b)(3) (relating to suspension of registration) or 1374(g);
- (3) a suspension or revocation is reinstated after determination of a matter as provided in section 1377 (relating to judicial review); or
- (4) a suspension imposed pursuant to section 1379 (relating to suspension of registration upon sixth unpaid parking violation in cities of the first class) until all fines, penalties and costs have been paid.

(c) Regulations.--The department shall, by regulation, prescribe the manner of selecting those persons who are delegated authority under this section to seize the registration plates and registration cards. This requirement does not apply to persons described in this section who have been trained pursuant to the provisions of section 6117 (relating to authority of qualified employees of department and Department of Revenue).

(d) Penalty.--Any person failing or refusing to surrender to the department or its authorized delegate, upon demand, any registration plate or card which has been suspended or revoked is guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of \$300, plus costs. Costs shall include a reasonable fee for official seizure of the unsurrendered items.

(June 19, 1985, P.L.49, No.20, eff. 60 days; Feb. 7, 1990, P.L.11, No.6, eff. 60 days; Dec. 7, 1994, P.L.820, No.115, eff. 60 days; Dec. 21, 1998, P.L.1126, No.151, eff. 60 days; July 14, 2005, P.L.285, No.50, eff. 60 days)

2005 Amendment. Act 50 amended subsec. (b.1).

§ 1377. Judicial review.

(a) General rule.--Any person who has been sanctioned by the department under this chapter or whose registration or authority to issue registration cards or plates has been denied, suspended or otherwise sanctioned by the department shall have the right to appeal to the court vested with jurisdiction of such appeals by or pursuant to Title 42 (relating to judiciary and judicial procedure). The filing of the appeal shall act as a supersedeas, except for a warning or a revocation, and the suspension or monetary penalty shall not be imposed until determination of the matter as provided in this section. Upon application of the registrant and prior notice to the department, the court may grant a supersedeas from a revocation of registration or authority to issue registration. The court shall schedule the appeal for hearing upon 30 days' written notice to the department, and thereupon take testimony and examine into the facts of the case and determine whether the petitioner is entitled to registration, subject to suspension of registration or other sanction under the provisions of this title or departmental regulations.

(b) Documentation.--

(1) In any proceeding under this section, documents received by the department from a court or from an insurance company shall be admissible into evidence to support the department's case. In addition, if the department receives information from a court by means of electronic transmission or from an insurance company which is complying with its obligation under Subchapter H of Chapter 17 (relating to proof of financial responsibility) by means of electronic transmission, it may certify that it has received the information by means of electronic transmission, and that certification shall be prima facie proof of the adjudication and facts contained in such an electronic transmission.

(2) In a proceeding relating to the suspension of the registration of a motor vehicle imposed under section 1786 (relating to required financial responsibility), the department's certification of its receipt of documents or electronic transmission from an insurance company informing the department that the person's coverage has lapsed, been canceled or terminated shall also constitute prima facie proof that the lapse,

cancellation or termination of the policy of insurance described in the electronic transmission was effective under the laws of this Commonwealth.

(Apr. 28, 1978, P.L.202, No.53, eff. 60 days; June 28, 1993, P.L.137, No.33; Dec. 9, 2002, P.L.1278, No.152, eff. 60 days)

2002 Amendment. Act 152 amended subsec. (b).

Cross References. Section 1377 is referred to in sections 102, 1374, 1376, 1786, 3753 of this title; section 933 of Title 42 (Judiciary and Judicial Procedure).

§ 1378. Suspension of motor carrier vehicle registration.

(a) Suspension.--The department shall suspend the registration of a motor carrier vehicle for three months if it determines that at the time the registration was renewed by the department the vehicle did not have a currently valid certificate of inspection.

(b) Documentation.--In any proceeding under this section, documents obtained by the department from an official inspection station shall be admissible into evidence to support the department's case. In addition, reports received by the department from police officers, qualified Commonwealth employees or department designees shall be admissible into evidence to support the department's case. In addition, the department may treat the documents and reports as documents of the department and use any of the methods of storage permitted under the provisions of 42 Pa.C.S. § 6109 (relating to photographic copies of business and public records) and may reproduce such documents in accordance with the provisions of 42 Pa.C.S. § 6103 (relating to proof of official records). The department may certify that it has received or obtained documents and reports from inspection stations, police officers, qualified Commonwealth employees and department designees and that certification shall be prima facie proof of the facts contained in the documents and reports.

(c) Presumption.--False, illegible or incomplete information on a renewal application shall create a presumption that the vehicle did not have a currently valid certificate of inspection at the time of renewal.

(d) Restoration.--Whenever the department suspends the registration of a vehicle under this section, the department shall not restore the registration until the registration card and registration plate have been surrendered for three months, the vehicle owner pays a \$50 restoration fee and the vehicle owner furnishes proof, satisfactory to the department, that the vehicle is covered by financial responsibility and has a currently valid certificate of inspection.

(Dec. 23, 2002, P.L.1982, No.229, eff. 6 months)

2002 Amendment. Act 229 added section 1378. See section 21 of Act 229 in the appendix to this title for special provisions relating to promulgation of guidelines to implement Act 229.

§ 1379. Suspension of registration upon sixth unpaid parking violation in cities of the first class.

(a) Suspension of registration.--The department shall suspend the registration of a vehicle upon the notification from the parking authority that the owner or registrant of the vehicle has failed to respond, failed to pay or defaulted in the payment of six or more tickets or citations issued for parking violations in cities of the first class.

(b) Notice to the department.--No sooner than 30 days after mailing the notice provided under subsection (b.1), the parking authority shall notify the department electronically in a format prescribed by the department whenever an owner or registrant fails to respond, fails to pay or defaults in payment of six or more tickets or citations issued for parking violations. When a notice has been provided under this subsection and all of the tickets and citations are subsequently paid, dismissed, reversed on appeal or canceled, the parking authority shall notify the department electronically in a format prescribed by the department of the disposition of the tickets and shall provide the owner or registrant with a release from the suspension.

(b.1) Notice by the parking authority.--Prior to notifying the department under subsection (b), the parking authority shall provide the owner or registrant written notice by first class mail of its intent to seek suspension of the vehicle registration pursuant to this section.

(c) Period of suspension.--A suspension under subsection (a) shall continue until the department receives notice from the parking authority that all of the tickets and citations are paid, dismissed, reversed on appeal or canceled or the defendant enters into an agreement to make installment payments for the fines and penalties imposed, provided that the suspension may be reimposed by the department if the defendant fails to make regular installment payments and pays the fee prescribed in section 1960 (relating to reinstatement of operating privilege or vehicle registration).

(d) Additional suspension.--The department shall impose an additional period of registration suspension if,

subsequent to the issuance of a suspension under subsection (a) but prior to the restoration of the registration, the department is notified by the parking authority that the owner or registrant has failed to respond, failed to pay or defaulted in the payment of an additional ticket or citation issued for a parking violation.

(e) Three-year limitation.--No suspension may be imposed based upon a parking violation more than three years after the commission of the violation.

(f) Definition.--As used in this section, the term "parking authority" means a parking authority in a city of the first class known as the Philadelphia Parking Authority.

(July 14, 2005, P.L.285, No.50; July 10, 2006, P.L.1086, No.113, eff. imd)

2006 Amendment. Act 113 amended subsec. (b.1).

2005 Amendment. Act 50 added section 1379. Section 13(3) of Act 50 provided that section 1379 shall take effect in nine months or 60 days after publication of notice in the Pennsylvania Bulletin required under section 12 of Act 50, whichever is earlier. See sections 11 and 12 of Act 50 in the appendix to this title for special provisions relating to agreement and publication in Pennsylvania Bulletin.

Cross References. Section 1379 is referred to in sections 1376, 1960 of this title.