
LEGISLATURE OF PENNSYLVANIA.

FILE OF THE HOUSE OF REPRESENTATIVES.**No.****722****Session of
1919.**

INTRODUCED BY MR. BUCHER, MARCH 3, 1919.

**REFERRED TO COMMITTEE ON MANUFACTURES,
MARCH 4, 1919.**

AN ACT

Providing for the licensing of manufacturers dealers and agents of motor vehicles and trailers registration of motor vehicles and trailers regulating the sale conveyance transfer and disposition of motor vehicles and trailers requiring the making and filing of descriptions thereof and statements in relation thereto prohibiting the removal defacement alteration destruction obliteration or concealment of trade-marks identification numbers serial numbers or other distinguishing marks of motor vehicles and trailers or parts thereof or the having possession of motor vehicles and trailers or the parts thereof on or from which such trade or other distinguishing marks or numbers have been removed defaced altered destroyed obliterated or concealed and fixing penalties for violation of the provisions of this act

1 Section 1 *Be it enacted by the Senate and House of Repre-*
2 *sentatives of the Commonwealth of Pennsylvania in General Assembly*
3 *met and it is hereby enacted by the authority of the same That*
4 the term "motor vehicle" as used in this act shall in-
5 clude automobiles motor bicycles motorcycles trucks tractors
6 and all other vehicles which are self-propelled or designed
7 to be self-propelled by mechanical power or trailed by the
8 same except those running upon or guided by rails or
9 tracks

10 The term "person" as herein used shall include the sin-
11 gular and plural numbers and shall embrace all individuals
12 of either sex whether acting on their own behalf or as
13 members officers employees agents or other representatives
14 of any other individual or of any firm copartnership cor-
15 poration association or artificial body of any kind or
16 character whatsoever

17 Section 2 That on and after the first day of July
18 one thousand nine hundred and nineteen it shall be un-
19 lawful for any person to carry on or conduct in this
20 Commonwealth the business of manufacturing buying selling
21 or dealing in motor vehicles trailers or parts thereof
22 unless he shall receive a license from the Commissioner
23 of Highways of the Commonwealth authorizing the carrying
24 on or conducting of such business which license shall be
25 furnished by said Commissioner and shall run for one
26 year from the first day of July one thousand nine hun-
27 dred and nineteen and annually thereafter beginning on
28 the first day of July of each year for which applica-
29 tion for such license shall be made not later than the

1. fifteenth day of June of each year and shall be in such
2 form as may be prescribed by the Commissioner of High-
3 ways and subject to such rules and regulations as may
4 be prescribed by him and which application shall be verified
5 by oath or affirmation of the applicant and to a full
6 statement of the name or names of the person or per-
7 sons applying therefor the name of the firm or copart-
8 nership with the names and residences of all the members
9 thereof if such applicant be a firm or copartnership the
10 names and residences of the principal officers if the ap-
11 plicant be a body corporate or other artificial body the
12 location of the place or of the places at which such
13 business is to be carried on or conducted and which
14 application shall also be signed by the manufacturer whom
15 he represents if any and such other information as may
16 be prescribed by the Commissioner of Highways Said ap-
17 plication shall be accompanied by an affidavit of two
18 reputable persons in the community in which such business
19 is to be conducted and carried on certifying to the good
20 moral character of the person or persons applying for
21 such license and shall also be accompanied by a fee of
22 ten dollars Upon the approval of such application by the
23 Highway Commissioner a certificate or license shall be is-
24 sued by him in accordance with such application and which
25 shall entitle the licensee to carry on and conduct the
26 business of manufacturing buying selling and dealing in
27 motor vehicles trailers and parts thereof for the period
28 of one year from the first day of July of the then
29 current year upon said certificate or license being displayed

1 in the principal office of the said licensee and which
2 said certificate or license shall be annually renewed there-
3 after The Commissioner of Highways shall have power to
4 make similar rules and regulations for the issuance of
5 such licenses to expire on the first day of the succeed-
6 ing July when application therefor shall be made during
7 the current year upon the payment of a proportionate
8 part of the license fee hereinbefore provided for

9 Section 3 That from and after the first day of July
10 one thousand nine hundred and nineteen it shall be un-
11 lawful for any person to sell convey transfer or pass
12 title to any motor vehicle or trailer unless at or be-
13 fore such sale conveyance transfer or passage of title
14 he shall deliver to the Commissioner of Highways for
15 registration in his department to be accompanied by a
16 fee of five dollars together with a written statement of
17 the name residence and business address of the vendee
18 buyer or transferee thereof and a full description of such
19 motor vehicle or trailer which shall include the name of
20 the manufacturer the serial numbers of the various parts
21 used in the final assembling of the vehicle or on any
22 portion or on any part of said motor vehicle or trailer
23 springs engines tires or of any marks which may indentify
24 or tend to indentify the said motor vehicle or trailer
25 in accordance with a car record to be known as car
26 record Number one to be retained by the Highway Com-
27 missioner as part of his records as follows

Number 1.

Name of Mfr.
Address

Name of Dealer
Address

Date car shipped from Mfr.
Date car Rec'd by dealer
" " " " sub dealer
" " sold to original owner

Mfrs. Car,	Number.....	Model.....			
Motor,	"	Make	Name of original owner,		
Transmission,	"	"	_____		
Frame,	"	"	_____		
Front Axle,	"	"	Address _____		
Rear Axle,	"	"	_____		
Clutch,	"	"	_____		
Fan,	"	"	_____		
Carburetor,	"	"	Subsequent assignments of car—		
Cranking system,	"	"	_____		
Battery,	"	"	_____		
Magneto,	"	"	_____		
Generator,	"	"	_____		
Body, style,	"	"	_____		
Radiator,	"	"	_____		
Top,	"	"	_____		
Speedometer,	"	"	_____		
Clock,	"	"	_____		
Odometer,	"	"	_____		
Differential,	"	"	_____		
Universal Joint,	"	"	_____		
Steering gear,	"	"	_____		
Governor,	"	"	_____		
Hoist,	"	"	_____		
Lamps, head,	"	"	Parts Junked. To whom sold. Date.		
" Tail,	"	"	_____	_____	_____
Hubs, (4) R. F.,	"	"	_____	_____	_____
L. F.,	"	"	_____	_____	_____
R. R.,	"	"	_____	_____	_____
L. R.,	"	"	_____	_____	_____
Tires, (4) R. F.,	"	"	_____	_____	_____
L. F.,	"	"	_____	_____	_____
R. R.,	"	"	_____	_____	_____
L. R.,	"	"	_____	_____	_____
Wheels, (4) R. F.,	"	"	_____	_____	_____
L. F.,	"	"	_____	_____	_____
R. R.,	"	"	_____	_____	_____
L. R.,	"	"	_____	_____	_____
Rims, (4) R. F.,	"	"	_____	_____	_____
L. F.,	"	"	_____	_____	_____
R. R.,	"	"	_____	_____	_____
L. R.,	"	"	_____	_____	_____
Fenders, (4) R. F.,	"	"	Insurance Company—		
L. F.,	"	"	Name,		
R. R.,	"	"		
L. R.,	"	"		
Springs, (4) R. F.,	"	"	Address,		
L. F.,	"	"		
R. R.,	"	"		
L. R.,	"	"		
Hood,	Number.....	Wheel Bearings,	Make.....		
Muffler,	"	Tire pump,	"		
Gas Tank,	"	Jack,	"		
Crank case,	"				
Color Painting,				

1 Triplicates of said car records to be known as Num-
2 bers two three and four shall be sent by such persons
3 selling conveying transferring or passing title to such motor
4 vehicles or trailers to the dealer vendee buyer or lessee
5 thereof and said dealer vendee buyer lessee thereof shall
6 retain said car records Numbers two three and four until
7 the said motor vehicle or trailer is so transferred by
8 him to the first original purchaser as hereinafter pro-
9 vided when the car record Number two will be retained
10 by him and car records Numbers three and four shall
11 be delivered by him to the said first original owner
12 for the purpose of delivery by him of car record Num-
13 ber three to the Insurance Company which may issue
14 said motor vehicle or trailer if the same be insured
15 and which said Insurance Company shall upon the lapse
16 of said policy thereof or the non-renewal thereof return
17 the said car record Number three to the vendee buyer
18 or transferee thereof

19 Section 4 That from and after the first day of July
20 one thousand nine hundred and nineteen it shall be un-
21 lawful for any manufacturer dealer or agent of motor
22 vehicles or trailers to sell convey transfer or pass title
23 to any motor vehicle or trailer unless at or before such
24 sale conveyance transfer or passing of title to the vendee
25 buyer or transferee thereof he shall send to the Commis-
26 sioner of Highways a description of the said motor ve-
27 ricle or trailer as provided in Section three of this act
28 known as car number four to be accompanied by a fee
29 of Five Dollars with the name residence and business of

1 the vendee buyer or transferee thereof with the bill of
2 sale or lease therefor for the purpose of having the
3 said Highway Commissioner certify to the correctness thereof
4 and if said bill of sale or lease and car record number
5 four agrees in all respects as to description and num-
6 bers etcetera with car record number one of said motor
7 vehicle or trailer which had been previously registered
8 with him he shall attach to the said bill of sale or
9 lease the seal of his department and return and deliver
10 to such vendee buyer or transferee thereof said bill of
11 sale or lease and car record number four together with
12 the license tag to operate said motor vehicle or trailer
13 for the then current year upon receipt of his applica-
14 tion and the fee for said license tags from such vendee
15 buyer or transferee thereof who shall immediately forward
16 to the Commissioner of Highways with his application for
17 registration of the motor vehicle or trailer so transferred
18 or conveyed to him a fee of One Dollar in addition
19 to the lawful fee for said license tags and which shall
20 be a pre-requisite to his receiving his license tags to be
21 used upon the said motor vehicle or trailer

22 Section 5 That from and after the first day of July
23 one thousand nine hundred and nineteen it shall be un-
24 lawful for any person whether manufacturer dealer agent
25 or owner in whose possession any vehicle is to sell
26 transfer convey or pass title to any motor vehicle or
27 trailer after the same is used by him when the said
28 motor vehicle or trailer becomes what is usually known
29 as a second hand car unless at or before such sale

1 conveyance transfer or passage of title he shall deliver
2 to the Commissioner of Highways for registration in his
3 department a description of said motor vehicle or trailer
4 as provided in Section three of this act known as car
5 record number four accompanied by a fee of Five Dollars
6 with the same residence and business address of the ven-
7 dee buyer or transferee thereof together with the bill of sale
8 or lease therefor for the purpose of having said Highway
9 Commissioner certify to the correctness thereof and if said
10 bill of sale or lease and car record number four agree
11 in all respects as to descriptions numbers etcetera with
12 car record number one of said motor vehicle or trailer
13 which had been originally registered with him by the
14 manufacturer he shall attach to said bill of sale or lease
15 the seal of his department and return and deliver to
16 such vendee buyer or transferee said bill of sale or lease
17 and car record number four together with the new license
18 tags to operate said motor vehicle or trailer for the
19 then current year upon receipt of his application and the
20 fee for said license tags from such vendee buyer or
21 transferee thereof who shall immediately forward to the
22 Commissioner of Highways with his application for regis-
23 tration of the motor vehicle or trailer so transferred or
24 conveyed to him a fee of One Dollar in addition to
25 the lawful fee for said license tags which shall be a
26 pre-requisite to his receiving his license tags to be used
27 upon the said motor vehicle or trailer

28 Section 6 That from and after the first day of July
29 one thousand nine hundred and nineteen it shall be un-

1 lawful for any person to sell convey transfer or pass
2 title to any motor vehicle or trailer for final disposition
3 of the same as scrap or junk unless at or before such
4 sale conveyance transfer or passage of title to the vendee
5 buyer or transferee thereof he shall send to the Com-
6 missioner of Highways a description of the said motor
7 vehicle or trailer so sold conveyed or transferred as pro-
8 vided in Section three of this act known as car record
9 number four to be accompanied by a fee of Five Dollars
10 together with the license tags issued to him for operating
11 said motor vehicle or trailer with the name residence
12 and business address of the vendee buyer or transferee
13 thereof and said vendee buyer or transferee thereof shall
14 immediately forward to the Commissioner of Highways his
15 application together with a fee of One Dollar for leave
16 to destroy or break up the said motor vehicle trailer or
17 any of the parts thereof and if the said Highway Com-
18 missioner finds that the said car record number four agrees
19 in all respects as to description numbers etcetera with
20 car record number one of such motor vehicle or trailer
21 which had been originally registered with him by the
22 manufacturer and the Commissioner of Highways shall re-
23 tain said car record number four and deliver to such
24 vendee buyer or transferee thereof a certificate under the
25 seal of his department for such vendee buyer or trans-
26 feree permission to destroy and break up as junk the
27 said motor vehicle trailer or any part thereof

1 Section 7 That from and after the first day of July
2 one thousand nine hundred and nineteen it shall be un-
3 lawful for any manufacturer dealer agent or owner of
4 any motor vehicle or trailer to replace any component
5 part or portion thereof which may have been destroyed
6 lost mutilated or become defective or worn except minor
7 parts not numbered such as bolts nuts collars spark
8 plugs etcetera unless he shall send to the Commissioner
9 of Highways a description of the part or portion of said
10 motor vehicle or trailer to be replaced with his car rec-
11 ord number four and which said replaced part or portion
12 of said motor vehicle or trailer if not numbered by the
13 manufacturer shall have placed thereon the same number
14 as was originally upon said replaced part or portion of
15 said motor vehicle or trailer together with a fee of One
16 Dollar and if said car record number four agrees in all
17 respects as to descriptions numbers etcetera with car rec-
18 ord number one for such motor vehicle or trailer as
19 originally registered with the said Commissioner of High-
20 ways the said Commissioner of Highways shall note such
21 changes upon car record number one as well as on car
22 record number four and return said car record number
23 four together with a certificate under the seal of his de-
24 partment to such manufacturer dealer agent or owner for
25 permission to make such replacement and said Highway
26 Commissioner shall also notify the manufacturer of said
27 motor vehicle or trailer who had originally registered said
28 motor vehicle or trailer with the Commissioner of High-
29 ways of such change or replacement

1 Section 8 The Commissioner of Highways of this Com-
2 monwealth shall not register any motor vehicle or trailer
3 or issue any certificate of registration thereof or number
4 tags therefor or any certificate required under this act
5 unless and until the manufacturer dealer agent or owner
6 thereof shall have complied with the provisions of this act
7 The Commissioner of Highways shall cause the statements
8 descriptions and car records hereinabove directed to be fur-
9 nished him to be recorded in books or files to be kept
10 for that purpose and he shall upon reasonable request
11 furnish a certificate or copies of car records or cards
12 upon payment of the fees receivable by him for similar ser-
13 vices He may prescribe the form of the statements and
14 certificates hereinabove directed to be made

15 Section 9 That from and after the first day of July
16 one thousand nine hundred and nineteen it shall be un-
17 lawful and it is hereby forbidden for any person to re-
18 move deface alter change destroy or obliterate or in any
19 manner whatsoever cause or procure to be removed de-
20 faced altered changed destroyed or obliterated any trade-
21 mark manufacturer's number or identification number serial
22 number or distinguishing mark of any kind or character
23 on or from any motor vehicle or trailer or of any
24 of the parts thereof

25 Section 10 That from and after the first day of July
26 one thousand nine hundred and nineteen it shall be un-
27 lawful and it is hereby prohibited for any person to have
28 in his possession any motor vehicle or trailer or any
29 part or parts thereof with the knowledge that any trade-

1 mark distinguishing or identification number manufacturer's
2 number serial number or any mark thereon has been or
3 is removed defaced destroyed or obliterated or so covered
4 as to be concealed or where such trade-mark distinguish-
5 ing or identification number manufacturer's number serial
6 number or mark has been or is altered or changed in
7 any manner whatsoever

8 Any person having in his possession any motor vehicle
9 or trailer or part or parts thereof from which such
10 trade-mark distinguishing or identification number manufactur-
11 er's number serial number or mark has been so removed
12 defaced destroyed or obliterated covered altered or changed
13 shall be prima facia presumed to have knowledge thereof
14 and the burden of proof shall rest upon such person to
15 show that he had no such knowledge

16 Section 11 Any person who shall make any false affi-
17 davit or shall knowingly swear or affirm falsely to any
18 matter or thing required by the terms of this act to be
19 sworn or affirmed to shall be guilty of perjury and upon
20 conviction shall be punishable by fine and imprisonment as
21 other persons committing perjury are punishable

22 Section 12 The violation of any of the provisions of this
23 act by any person shall constitute a misdemeanor and upon
24 conviction thereof the person or persons so convicted shall
25 be subject to a fine of not less than One Thousand
26 Dollars (\$1,000) and not more than Two Thousand Dollars
27 (\$2,000) or to imprisonment for not less than twelve
28 months or more than five years or both at the discre-
29 tion of the Court