

No. 299

AN ACT

SB 1366

Amending the act of April 29, 1959 (P.L.58, No.32), entitled "An act consolidating and revising the Vehicle Code, the Tractor Code, the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership, possession and use of vehicles and tractors," providing for the registration of motor vehicle messenger services and providing penalties.

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

Section 1. The act of April 29, 1959 (P.L.58, No.32), known as "The Vehicle Code," is amended by adding a section to read:

Section 1308. Messenger Service.—

(a) Every person who for a fee, and every organization which as part of membership therein for which a fee is charged, furnishes or offers to furnish to the public generally motor vehicle messenger service as herein defined shall register with the department as hereinafter provided. "Motor vehicle messenger service" or "messenger service" as used in this section shall mean any service of obtaining for another who is entitled under this act to a certificate of title, motor vehicle registration or renewal, learner's permit, operator's license or renewal, duplicates of certificate of title, motor vehicle registration or operator's license, inspection sticker, change of address or similar pickup service relating to motor vehicles which any person entitled thereto under this act may have done for him by another.

(b) Every person who provides such motor vehicle messenger service for the public generally shall make application for registration therefor with the Bureau of Motor Vehicles of the department on a form furnished by it, together with a registration fee of fifty dollars (\$50.00) and a bond indemnifying him in the amount of twenty-five thousand dollars (\$25,000.00). Upon approval of his application and bond, the department shall register the applicant as an approved messenger service and furnish him with a certificate of registration. The registration shall be renewable annually for a fee of fifty dollars (\$50.00) and with the furnishing of the twenty-five thousand dollar (\$25,000.00) indemnity bond approved by the department. For each additional place of business or branch office the applicant shall pay an additional initial and annual renewal registration fee of twenty-five dollars (\$25.00) but shall not be required to furnish additional bond.

(c) If the department finds that the general fitness of the applicant is such that his registration as a messenger service will be consistent with the public interest and convenience, it shall thereupon register him. Without limiting the generality of the foregoing, the department may

refuse to register an applicant if he has been found guilty of any fraud or misrepresentation in connection with any of his business dealings.

(d) Every person registered as a messenger service under the provisions of this section, shall be required to have and maintain a definite place of business within the Commonwealth, which shall be a room or rooms used exclusively for the transaction of messenger service business, or such business and any allied business, and which shall serve as his, their, or its office for the transaction of business under the authority of the said registration, and where the certificate of registration and the current biennial renewal card shall be prominently displayed. The said place of business shall be specified in the application for registration, and designated in the registration, and no registration issued under the authority of this act shall authorize the licensee to transact business from any office other than that designated in the registration, unless notice in writing shall be given within ten days to the department of any change of business location, designating the new location of such office, whereupon the department shall forthwith issue a new registration for the new location for the unexpired period for a fee of two dollars fifty cents (\$2.50). The change of the specified business location, without notification to the department, shall automatically cancel the registration theretofore issued. Every messenger service shall display on the outside of his place of business a sign containing the words motor vehicle messenger service. Every messenger service shall be permitted to transact business at any branch office or facility operated by the Department of Transportation for the rendering of services relating to motor vehicles included within the scope of messenger service as defined in this section.

(e) The department may suspend or revoke a registration approved under this section if the registrant (1) has been found guilty of fraud or misrepresentation in connection with his messenger service, or (2) has violated any rule or regulation of the department.

(f) Appeals from any ruling of the department refusing to register or suspending or revoking a registration may be had pursuant to the provisions of the act of June 4, 1945 (P.L.1388, No.442), known as the "Administrative Agency Law."

(g) No State employe shall be entitled to receive a fee or other compensation for providing any messenger service whether or not registered or required to be registered under this section.

(h) The secretary may prescribe rules and regulations necessary for the administration of this section.

Penalty.—Whoever provides messenger service without being registered under this section shall, on conviction thereof, be sentenced to pay a fine of one thousand dollars (\$1,000.00).

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

APPROVED—The 10th day of December, A. D. 1974.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly
No. 299.

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

Secretary of the Commonwealth.