

No. 1982-205

AN ACT

HB 1655

Amending the act of September 9, 1965 (P.L.499, No.254), entitled, as reenacted and amended, "An act providing for and regulating the registration and licensing of motor vehicle and mobilehome manufacturers, dealers and salesmen, fixing fees, creating the State Board of Motor Vehicle Salesmen, imposing powers and duties on the Department of State, the Commissioner of Professional and Occupational Affairs and the board and prescribing unlawful acts and penalties and making an appropriation," further providing for the powers and duties of the State Board of Motor Vehicle Manufacturers, Dealers and Salesmen.

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

Section 1. Clause (2) of section 5, act of September 9, 1965 (P.L.499, No.254), known as the "Motor Vehicle Manufacturer's, Dealer's and Salesmen's License Act," reenacted and amended December 21, 1973 (P.L.408, No.144), is amended by adding a subclause to read:

Section 5. Powers and Duties of the State Board of Motor Vehicle Manufacturers, Dealers and Salesmen.—The board shall have power and its duty shall be:

* * *

(2) To investigate on its own initiative or upon the verified complaint in writing of any person any allegations of the wrongful act or acts of any licensee or person required to be licensed hereunder and shall have the power to suspend or revoke licenses issued by the board if after due notice and hearing the person charged is found guilty of committing or attempting to commit the following acts:

* * *

(xvii) Being a licensee or person required to be licensed who:

(a) fails to collect a tax or fee due the Commonwealth upon a sale of a vehicle, as defined in 75 Pa. C.S. § 102 (relating to definitions);

(b) collects such a tax or fee and fails to issue a true copy of the tax report to the purchaser as required by law;

(c) issues a false or fraudulent tax report or copy thereof; or

(d) fails to pay over the tax or fees collected by him to the Commonwealth at the time and in the manner required by law.

* * *

Section 2. This act shall take effect July 1, 1983.

APPROVED—The 26th day of November, A. D. 1982.

DICK THORNBURGH