

No. 1990-2

## AN ACT

## HB 423

Amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, defining "salvage motor vehicle auction or pool operator"; further providing for inspection of garages and dealer premises by police; and requiring certain persons to keep accurate records of motor vehicle sales and dispositions.

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

Section 1. Section 102 of Title 75 of the Pennsylvania Consolidated Statutes is amended by adding a definition to read:

§ 102. Definitions.

Subject to additional definitions contained in subsequent provisions of this title which are applicable to specific provisions of this title, the following words and phrases when used in this title shall have, unless the context clearly indicates otherwise, the meanings given to them in this section:

\* \* \*

***"Salvage motor vehicle auction or pool operator."*** *A person who on his own behalf or as an agent for a third party engages in business for the purpose of offering for sale wrecked or salvage motor vehicles through an auction or private bid process to vehicle salvage dealers.*

\* \* \*

Section 2. Section 6308 of Title 75 is amended to read:

§ 6308. Investigation by police officers.

(a) Duty of operator or pedestrian.—The operator of any vehicle or any pedestrian reasonably believed to have violated any provision of this title shall stop upon request or signal of any police officer and shall, upon request, exhibit a registration card, driver's license and information relating to financial responsibility, or other means of identification if a pedestrian or driver of a pedalcycle, and shall write their name in the presence of the police officer if so required for the purpose of establishing identity.

(b) Authority of police officer.—Whenever a police officer is engaged in a systematic program of checking vehicles or drivers or has articulable and reasonable grounds to suspect a violation of this title, he may stop a vehicle, upon request or signal, for the purpose of checking the vehicle's registration, proof of financial responsibility, vehicle identification number or engine number or the driver's license, or to secure such other information as the officer may reasonably believe to be necessary to enforce the provisions of this title.

(c) Inspection of garages and dealer premises.—Any police officer or authorized department employee may inspect any vehicle in any **[public]** garage or repair shop or on the premises of any dealer, *miscellaneous motor vehicle business, salvage motor vehicle auction or pool operator*, salvor,

scrap metal processor, or other public place of business for the purpose of locating stolen vehicles or parts *or vehicles or vehicle parts with identification numbers removed or falsified*. The owner of the garage or repair shop or the dealer or other person shall permit any police officer or authorized department employee to make investigations under this subsection.

*(d) Records.—Every salvor, miscellaneous motor vehicle business, salvage motor vehicle auction or pool operator, scrap metal processor and dealer shall keep accurate records of motor vehicle sales and dispositions. The records shall include the make, year and type of vehicle, from whom purchased or acquired and date, vehicle identification number and date of sale or disposition of vehicle. The records shall be available on the premises of the salvor, miscellaneous motor vehicle business, salvage motor vehicle auction or pool operator, scrap metal processor and dealer and open to inspection by any police officer or authorized department employee. The records shall be maintained for three years from the date of disposition of the vehicle.*

*(e) Penalty.—Any person violating subsection (d) commits a misdemeanor of the third degree.*

Section 3. This act shall take effect in 60 days.

APPROVED—The 2nd day of February, A. D. 1990.

ROBERT P. CASEY