
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1240 Session of
2017

INTRODUCED BY MARSHALL, BENNINGHOFF, V. BROWN, ENGLISH,
EVANKOVICH, FARRY, HILL-EVANS, MARSICO, O'NEILL, READSHAW,
REESE, WHEELAND AND ZIMMERMAN, APRIL 18, 2017

REFERRED TO COMMITTEE ON TRANSPORTATION, APRIL 18, 2017

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in certificate of title and security interests,
3 repealing provisions relating to theft vehicles and providing
4 for recovered theft vehicles; and making an editorial change.

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

7 Section 1. Section 1164 of Title 75 of the Pennsylvania
8 Consolidated Statutes is repealed:

9 [§ 1164. Theft vehicles.

10 (a) General rule.--Upon payment to the insured of the
11 replacement value for a theft vehicle, the owner or insurer
12 shall apply for a certificate of salvage branded as a theft
13 vehicle.

14 (b) Assessing damage on recovered theft vehicles.--If a
15 theft vehicle has been recovered, the vehicle shall be assessed
16 as to the level of damage at the time of recovery by an insurer
17 or licensed physical damage appraiser:

18 (1) If the cost of repairs exceeds the replacement value

1 of the vehicle, the theft-branded certificate of salvage
2 shall serve as an ownership document. If the vehicle
3 thereafter passes the reconstructed salvage vehicle
4 inspection requirements under section 1165 (relating to
5 reconstructed vehicles), it shall receive a certificate of
6 title branded reconstructed and recovered-theft vehicle.

7 (2) If the cost of repairs is less than the replacement
8 value of the vehicle, the owner shall apply for a certificate
9 of title branded recovered-theft vehicle. A legible copy of
10 the vehicle damage appraisal report completed by an insurer
11 or licensed physical damage appraiser must accompany an
12 application under this paragraph. The damage appraisal report
13 shall include the replacement value of the vehicle.]

14 Section 2. Title 75 is amended by adding a section to read:

15 § 1164.1. Recovered theft vehicles.

16 (a) Assessing damage.--If a theft vehicle has been recovered
17 in this Commonwealth, or outside this Commonwealth and returned
18 to this Commonwealth prior to being assessed for damage, the
19 vehicle shall be assessed as to the level of damage at the time
20 of recovery by an insurer or licensed physical damage appraiser.

21 (b) Application for certificate of salvage.--If the cost of
22 repairs exceeds the replacement value of the vehicle, the owner
23 or insurer shall apply for a certificate of salvage branded as a
24 theft vehicle.

25 (c) Certificate of title branded reconstructed.--If, after
26 the application is submitted, the vehicle passes the
27 reconstructed salvage vehicle inspection requirements under
28 section 1165 (relating to reconstructed vehicles), the owner or
29 insurer that submitted the application shall receive a
30 certificate of title branded reconstructed.

1 Section 3. Section 6308(d)(1) of Title 75 is amended to
2 read:

3 § 6308. Investigation by police officers.

4 * * *

5 (d) Records.--

6 (1) Every salvor, miscellaneous motor vehicle business,
7 salvage motor vehicle auction or pool operator, scrap metal
8 processor, garage, repair shop and dealer shall keep accurate
9 records of the purchase, acquisition, sale and disposition of
10 vehicles as required under sections 1103.1 (relating to
11 application for certificate of title), 1111 (relating to
12 transfer of ownership of vehicle), 1113 (relating to transfer
13 to or from manufacturer or dealer), 1114 (relating to
14 transfer of vehicle by operation of law), 1119 (relating to
15 application for certificate of title by agent), 1161
16 (relating to certificate of salvage required), 1162 (relating
17 to transfer to vehicle salvage dealer), 1163 (relating to
18 transfer to scrap metal processor) and [1164 (relating to
19 theft vehicles)] 1164.1 (relating to recovered theft
20 vehicles). The records shall also include a corresponding
21 customer receipt with the vehicle identification number,
22 make, year and type of vehicle, from whom the vehicle was
23 purchased or acquired, sold to or disposed of, the date,
24 location and place purchased, acquired, sold or disposed of
25 and the amount paid or other tender exchanged for the
26 purchase, acquisition, sale or disposition.

27 * * *

28 Section 4. This act shall take effect in 60 days.