
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1197 Session of
2023

INTRODUCED BY LAWRENCE, GILLEN, GLEIM, HAMM, JOZWIAK, KEEFER,
KUZMA, OBERLANDER, ROWE, SMITH, STRUZZI AND ZIMMERMAN,
MAY 19, 2023

REFERRED TO COMMITTEE ON TRANSPORTATION, MAY 19, 2023

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in powers of department and local authorities,
3 providing for period for application review.

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

6 Section 1. Title 75 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 6119.1. Period for application review.

9 (a) Application processing, recordkeeping and refund
10 requirements.--

11 (1) Subject to paragraphs (2) and (3), the department
12 shall process an application submitted by a person to the
13 department within 90 days of receipt of the application by
14 the department.

15 (2) Except as provided for in paragraph (3), if the
16 department approves a completed application from an applicant
17 after the 90-day time period, the department shall refund any
18 fee required to be accompanied by the application.

1 (3) If the department denies an application because the
2 application is incomplete and requires additional information
3 or documentation, the department shall provide a written
4 notice to the applicant requesting additional information or
5 documentation from the applicant. The department shall,
6 within 30 days of receipt of the additional information or
7 documentation from the applicant, process the application
8 with the additional information or documentation. If the
9 application is approved after the 30-day time period, the
10 department shall refund any fee required to be accompanied by
11 the application.

12 (4) The department shall maintain a record for an
13 application received by the department containing the
14 following information for no less than one year from the date
15 the department approves or denies the application:

16 (i) The date of receipt of the application.

17 (ii) The date of approval or denial of the
18 application.

19 (iii) If the application is denied, the reason for
20 the application denial.

21 (iv) If the application is denied because it is
22 incomplete and requires additional information or
23 documentation, the date the department sent the written
24 notice requesting the additional information or
25 documentation.

26 (v) If the applicant provides additional information
27 or documentation to the department after receiving a
28 written notice, the date of receipt of the additional
29 information or documentation by the department and the
30 date of approval or denial of an application and reason

1 for denial of the application.

2 (5) An applicant may request, in writing, any of the
3 information required to be maintained by the department under
4 paragraph (4) relating to an applicant's application. Upon
5 receipt of the written request, the department shall provide
6 the information to the applicant at no cost within 30 days.

7 (6) An applicant who is eligible for a refund of a fee
8 under this section shall be refunded the fee amount within 30
9 days of the completed application being approved by the
10 department.

11 (7) For an application approved or denied by the
12 department, the department shall send a written notice to the
13 applicant regarding whether the department has complied with
14 the requirements of this section and whether the applicant is
15 eligible for a refund under this section.

16 (b) Applicability.--

17 (1) Subsection (a) shall apply to applications submitted
18 to the department under Chapters 11 (relating to certificate
19 of title and security interests), 13 (relating to
20 registration of vehicles) and 15 (relating to licensing of
21 drivers).

22 (2) Subsection (a) shall not apply to applications
23 related to apportioned registrations.

24 (c) Construction.--A refund of an application fee under
25 subsection (a) shall not be construed to include a refund of a
26 tax owed to the Commonwealth.

27 (d) Appeal.--An applicant may appeal a denial of a refund by
28 the department under this section in accordance with 2 Pa.C.S.
29 Chs. 5 Subch. A (relating to practice and procedure of
30 Commonwealth agencies) and 7 Subch. A (relating to judicial

1 review of Commonwealth agency action).

2 (e) Report.--Beginning one year after the effective date of
3 this section, and each year thereafter, the department shall
4 prepare and submit a report to the chairperson and minority
5 chairperson of the Transportation Committee of the Senate and
6 the chairperson and minority chairperson of the Transportation
7 Committee of the House of Representatives containing all of the
8 following information for the previous 12-month period:

9 (1) The average processing time of applications
10 submitted to the department under Chapters 11, 13 and 15.

11 (2) The number of refunds provided to applicants under
12 this section.

13 (3) The average refund amount.

14 (4) The total amount of the refunds.

15 (5) Other information at the discretion of the
16 department.

17 (f) Posting of information.--The department shall
18 conspicuously post on the department's publicly accessible
19 Internet website the following information:

20 (1) The eligibility of an applicant to receive a refund
21 for an application not timely processed by the department
22 under this section.

23 (2) The process for an applicant to request a refund
24 under this section.

25 (3) An explanation of an applicant's right to appeal a
26 denial of refund under subsection (d).

27 (4) The process through which an applicant may request
28 information regarding an application under subsection (a)(5).

29 Section 2. This act shall take effect in 60 days.