
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1436 Session of
2023

INTRODUCED BY KUTZ, BURGOS, GAYDOS, JAMES, KHAN, METZGAR AND
PICKETT, JUNE 20, 2023

REFERRED TO COMMITTEE ON TRANSPORTATION, JUNE 20, 2023

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in inspection of vehicles, further providing for
3 inspection by police or Commonwealth personnel.

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

6 Section 1. Section 4704(b) of Title 75 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 4704. Inspection by police or Commonwealth personnel.

9 * * *

10 (b) Notice of violation.--Any police officer or qualified
11 Commonwealth employee, having probable cause to believe that any
12 vehicle or mass transit vehicle, regardless of whether it is
13 being operated, or its equipment, documents or load, are unsafe,
14 not equipped as required, or are otherwise not in compliance
15 with the law or department regulations, may at any time submit a
16 written notice of the violations to the driver of the vehicle or
17 the mass transit vehicle or to the owner, lessee or registrant,
18 or if none of them is present, to an adult occupant of the

1 vehicle or the mass transit vehicle, or if the vehicle or the
2 mass transit vehicle is unoccupied, the notice shall be attached
3 to the vehicle or the mass transit vehicle in a conspicuous
4 place.

5 (1) The notice shall specify the particulars of the
6 violations and require that the violations be corrected.
7 Within [five days or, in the case of a motor carrier vehicle
8 or bus, within] 15 days or before commencement of the
9 vehicle's next trip, whichever occurs first, or in the case
10 of emission testing, within 30 days, evidence must be
11 submitted to the police or the Commonwealth, whichever is
12 applicable, that the violations have been corrected.

13 (2) If the police officer or qualified Commonwealth
14 employee has probable cause to believe that a vehicle or mass
15 transit vehicle is unsafe or not in proper repair or fails a
16 roadside vehicle emission test, he may require in the written
17 notice that the vehicle or mass transit vehicle be inspected.
18 The owner or driver shall, [within five days of the date of
19 notification or, in the case of a motor carrier vehicle or
20 bus,] within 15 days of the date of notification or before
21 commencement of the vehicle's next trip, whichever occurs
22 first, or in the case of emission testing, within 30 days,
23 submit to the police or the Commonwealth, whichever is
24 applicable, certification from an official inspection station
25 that the vehicle or the mass transit vehicle has been
26 restored to legal operating condition in relation to the
27 particulars specified on the notice. Any person who fails a
28 roadside vehicle emission inspection shall have 30 days in
29 which to pass an enhanced vehicle emission inspection or to
30 produce evidence that the subject vehicle has a valid

1 emissions test waiver.

2 (3) After the expiration of the [five-day,] 15-day or
3 30-day period specified in paragraphs (1) and (2), whichever
4 is appropriate, the vehicle shall not be operated upon the
5 highways of this Commonwealth and a mass transit vehicle
6 shall not be operated until the owner or driver has submitted
7 to the police or the Commonwealth, whichever is applicable,
8 evidence of compliance with the requirements of paragraph (1)
9 or (2), whichever is applicable.

10 * * *

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