

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2025 Session of 2015

INTRODUCED BY REESE, TAYLOR, W. KELLER, ADOLPH, BAKER, CARROLL, CUTLER, DUNBAR, FRANKEL, GABLER, GALLOWAY, GIBBONS, GILLESPIE, HAHN, HARHAI, HARHART, A. HARRIS, HEFFLEY, KAUFFMAN, M. K. KELLER, KILLION, LONGIETTI, MACKENZIE, MAHER, MAJOR, MARSICO, MATZIE, MUSTIO, OBERLANDER, PEIFER, PETRARCA, PYLE, SACCONI, SAINATO, SAYLOR, SIMMONS, SNYDER AND STURLA, APRIL 29, 2016

REFERRED TO COMMITTEE ON TRANSPORTATION, APRIL 29, 2016

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
 2 Statutes, in registration of vehicles, further providing for
 3 temporary registration cards; in inspection of vehicles,
 4 further providing for limited liability of inspection station
 5 or mechanic, for suspension of certificates of appointment
 6 and for certification of mechanics.

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

9 Section 1. Sections 1310(b), 4702.1(b), 4724(a) and (b) and
 10 4726(b) and (c) of Title 75 of the Pennsylvania Consolidated
 11 Statutes are amended to read:

12 § 1310. Temporary registration cards.

13 * * *

14 (b) Duration.--Temporary registration cards shall be valid
 15 for such period as the department shall designate. Temporary
 16 registration cards issued to a vehicle acquired in this
 17 Commonwealth for transportation to another state for

1 registration or use in the other state shall be valid for 60
2 days from the date of issuance.

3 * * *

4 § 4702.1. Limited liability of inspection station or mechanic.

5 * * *

6 [(b) Prior certification.--Inspection mechanics certified as
7 to training, qualifications and competence, prior to January 1,
8 1983, shall be deemed to have complied with departmental
9 regulations and shall be authorized to conduct motor vehicle
10 inspections without reapplication for certification.]

11 § 4724. Suspension of certificates of appointment.

12 (a) General rule.--The department shall supervise and
13 inspect official inspection stations and may suspend the
14 certificate of appointment issued to a station, may impose a
15 monetary penalty on the station, or may issue points or a
16 warning against the station, which it finds is not properly
17 equipped or conducted or which has violated or failed to comply
18 with any of the provisions of this chapter or regulations
19 adopted by the department. A schedule of all penalties, points
20 and suspension may be established by the department by
21 publishing a notice in the Pennsylvania Bulletin until the
22 regulations governing these penalties are promulgated by the
23 department. The department shall maintain a list of all stations
24 holding certificates of appointment and of those whose
25 certificates of appointment have been suspended. Any suspended
26 certificate of appointment and all unused certificates of
27 inspection shall be returned immediately to the department.

28 (b) Judicial review.--Any person whose certificate of
29 appointment has been denied or suspended or any station on which
30 a monetary penalty has been imposed under this chapter shall

1 have the right to appeal to the court vested with jurisdiction
2 of such appeals by or pursuant to Title 42 (relating to
3 judiciary and judicial procedure). The court shall set the
4 matter for hearing upon 60 days' written notice to the
5 department and take testimony and examine into the facts of the
6 case and determine whether the petitioner is entitled to a
7 certificate of appointment or is subject to suspension of the
8 certificate of appointment or monetary penalty under the
9 provisions of this chapter.

10 * * *

11 § 4726. Certification of mechanics.

12 * * *

13 (b) Supervision and suspension.--The department shall
14 supervise mechanics certified under this section and may suspend
15 the certification issued to a mechanic or impose a monetary
16 penalty if it finds that the mechanic has improperly conducted
17 inspections or has violated or failed to comply with any of the
18 provisions of this chapter or regulations adopted by the
19 department. The department shall maintain a list of all
20 certified mechanics and of those whose certification has been
21 suspended. Any suspended certificate shall be returned
22 immediately to the department.

23 (c) Judicial review.--Any mechanic whose certificate has
24 been denied or suspended, or on whom a monetary penalty has been
25 imposed under this chapter shall have the right to appeal to the
26 court vested with jurisdiction of such appeals by or pursuant to
27 Title 42 (relating to judiciary and judicial procedure). The
28 court shall set the matter for hearing upon 60 days' written
29 notice to the department and take testimony and examine into the
30 facts of the case and determine whether the petitioner is

1 entitled to certification or is subject to suspension of the
2 certification or monetary penalty under the provisions of this
3 chapter.

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