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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2410 Session of  
2024

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INTRODUCED BY CONKLIN, HILL-EVANS, HARKINS, ROZZI, GIRAL,  
SANCHEZ, MERSKI AND CEPEDA-FREYTIZ, JUNE 11, 2024

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REFERRED TO COMMITTEE ON TRANSPORTATION, JUNE 11, 2024

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AN ACT

1 Amending the act of December 22, 1983 (P.L.306, No.84), entitled  
2 "An act providing for the State Board of Vehicle  
3 Manufacturers, Dealers and Salespersons; and providing  
4 penalties," in preliminary provisions, further providing for  
5 definitions; in vehicles, further providing for grounds for  
6 disciplinary proceedings and repealing provisions relating to  
7 recreational vehicle shows, recreational vehicle off-premise  
8 sales, recreational vehicle exhibitions and recreational  
9 vehicle rallies and to off-premise sales, shows, exhibitions  
10 or rallies on Sundays; and, in recreational vehicles, further  
11 providing for definitions and for warranty obligations and  
12 providing for recreational vehicle events and for  
13 recreational vehicle events on Sundays.

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

16 Section 1. The definition of "recreational vehicle show,"  
17 "recreational vehicle off-premise sale," "recreational vehicle  
18 exhibition" or "recreational vehicle rally" in section 102 of  
19 the act of December 22, 1983 (P.L.306, No.84), known as the  
20 Board of Vehicles Act, is amended to read:

21 Section 102. Definitions.

22 The following words and phrases when used in this act shall  
23 have the meanings given to them in this section unless the

1 context clearly indicates otherwise:

2 \* \* \*

3 ["Recreational vehicle show," "recreational vehicle off-  
4 premise sale," "recreational vehicle exhibition" or  
5 "recreational vehicle rally." A sale, show, exhibition or  
6 rally, held by one or more recreational vehicle dealers,  
7 distributors, manufacturers or manufacturers' representatives  
8 who display, sell or attempt to sell recreational vehicles for a  
9 fixed and limited period of time, which shall not exceed ten  
10 days in a calendar month, 20 days in three consecutive calendar  
11 months and 60 days in a calendar year. Set-up and tear-down days  
12 and days when the events are not open shall be excluded from the  
13 calculation of the applicable time period.]

14 \* \* \*

15 Section 2. Section 318(40) of the act is amended to read:

16 Section 318. Grounds for disciplinary proceedings.

17 In addition to any criminal or civil penalties otherwise  
18 provided in this act, the board shall have the power to formally  
19 reprimand, suspend or revoke any license or refuse to issue or  
20 renew any license of an applicant or licensee or a person  
21 required to be licensed under this act, if after due notice of  
22 and hearing, the person charged is found in violation of or  
23 fails to carry out the acts and procedures set forth in this act  
24 or is found guilty of committing or attempting to commit any of  
25 the acts set forth in section 322 or any of the following acts:

26 \* \* \*

27 (40) Being an out-of-State recreational vehicle dealer  
28 who fails to demonstrate, upon direction of or investigation  
29 by the board or its agents, that the out-of-State  
30 recreational vehicle dealer satisfies the provisions of

1 section [332.1(c) regarding participation in this  
2 Commonwealth in a recreational vehicle show, recreational  
3 vehicle off-premise sale, recreational vehicle exhibition or  
4 recreational vehicle rally] 511.1(c) regarding participation  
5 in this Commonwealth in a recreational vehicle event.

6 Section 3. Sections 332.1 and 333 of the act are repealed:

7 [Section 332.1. Recreational vehicle shows, recreational  
8 vehicle off-premise sales, recreational vehicle  
9 exhibitions and recreational vehicle rallies.

10 (a) Participation.--A recreational vehicle dealer,  
11 salesperson, distributor, manufacturer or manufacturer's  
12 representative licensed under this act may participate in a  
13 recreational vehicle show, recreational vehicle off-premise  
14 sale, recreational vehicle exhibition or recreational vehicle  
15 rally. A recreational vehicle dealer shall be permitted to  
16 conduct a recreational vehicle show, recreational vehicle  
17 exhibition or recreational vehicle rally at its established  
18 place of business.

19 (b) Bond required.--Any person acting as a recreational  
20 vehicle dealer in this Commonwealth shall have posted a bond  
21 payable to the Commonwealth in the amount of \$30,000 to ensure  
22 compliance with all Commonwealth laws and regulations. The bond  
23 shall be executed by a surety company authorized to transact  
24 business in this Commonwealth. The bond shall be security for  
25 any claim filed by an agency of the Commonwealth, for moneys  
26 due, including unpaid taxes, fees, licenses, payment of a  
27 criminal penalty or fine after conviction or payment of a civil  
28 penalty or monetary amount after the entry of judgment. The bond  
29 shall remain valid until canceled in writing by the issuer. This  
30 provision shall not limit the authority of any government agency

1 or private individual to institute civil, criminal or  
2 disciplinary action against a person for a violation of a  
3 Commonwealth law or regulation. A recreational vehicle dealer  
4 who has a current bond in the amount of at least \$30,000 on file  
5 with the Department of Transportation shall not be required to  
6 post a bond under this subsection.

7 (c) Out-of-State recreational vehicle dealers.--An out-of-  
8 State recreational vehicle dealer licensed in another state or  
9 jurisdiction or domiciled in another state or jurisdiction that  
10 does not require licensure shall register with the board on a  
11 form prescribed by the board before participating in this  
12 Commonwealth in a recreational vehicle show, recreational  
13 vehicle off-premise sale, recreational vehicle exhibition or  
14 recreational vehicle rally. The following apply:

15 (1) Registration shall include all of the following:

16 (i) Notification of the out-of-State recreational  
17 vehicle dealer's intent to participate in this  
18 Commonwealth in a recreational vehicle show, recreational  
19 vehicle off-premise sale, recreational vehicle exhibition  
20 or recreational vehicle rally.

21 (ii) Agreement to comply with all Federal and State  
22 laws and regulations relating to the buying, selling,  
23 exchanging, titling, registration or financing of  
24 recreational vehicles.

25 (iii) Agreement by the out-of-State recreational  
26 vehicle dealer to submit to the jurisdiction of the  
27 Commonwealth for purposes of disciplinary action or  
28 imposition of a civil or criminal penalty or assessment  
29 under subsection (b) resulting from a violation under  
30 subparagraph (ii).

1 (iv) Evidence of the posting of a bond under  
2 subsection (b).

3 (v) Payment of a participation fee.

4 (vi) A list of all individuals engaged as sales  
5 people for the out-of-State recreational vehicle dealer  
6 while operating in this Commonwealth.

7 (2) If the board has taken action within the last five  
8 years to sanction an out-of-State recreational vehicle  
9 dealer, the board may:

10 (i) refuse to accept the registration and  
11 participation fee of the out-of-State recreational  
12 vehicle dealer permanently or for a fixed period; and

13 (ii) order that the out-of-State recreational  
14 vehicle dealer be denied access to all recreational  
15 vehicle shows, recreational vehicle off-premise sales,  
16 recreational vehicle exhibitions and recreational vehicle  
17 rallies in this Commonwealth.

18 (3) An out-of-State recreational vehicle dealer licensed  
19 in another state or jurisdiction or domiciled in a state or  
20 jurisdiction that does not require licensure may participate  
21 in this Commonwealth in a recreational vehicle show,  
22 recreational vehicle off-premise sale, recreational vehicle  
23 exhibition or recreational vehicle rally under the  
24 circumstances set forth either in subparagraph (i) or (ii):

25 (i) When the show, sale, exhibition or rally has  
26 less than a total of 50 recreational vehicle dealers  
27 participating with permission of the dealer's licensed  
28 manufacturer and meets all of the following requirements:

29 (A) A minimum of ten recreational vehicle  
30 dealers at the show are licensed in this

1 Commonwealth.

2 (B) More than 50% of the participating  
3 recreational vehicle dealers are licensed in this  
4 Commonwealth.

5 (C) The state in which the out-of-State  
6 recreational vehicle dealer is licensed is contiguous  
7 to this Commonwealth and permits recreational vehicle  
8 dealers licensed in this Commonwealth to participate  
9 in recreational vehicle shows in that state under  
10 conditions substantially equivalent to the conditions  
11 imposed upon dealers from that state to participate  
12 in recreational vehicle shows in this Commonwealth.

13 (ii) When the recreational vehicle show, sale,  
14 exhibition or rally opens to the public, it has a total  
15 of at least 50 recreational vehicle dealers from this  
16 Commonwealth and from another state participating with  
17 permission of the dealer's licensed manufacturer and  
18 meets all of the following requirements:

19 (A) The show, sale, exhibition or rally is trade  
20 oriented and predominantly funded by recreational  
21 vehicle manufacturers.

22 (B) All of the participating dealers who are not  
23 licensed in this Commonwealth are from a state  
24 contiguous to this Commonwealth which permits  
25 recreational vehicle dealers licensed in this  
26 Commonwealth to participate in recreational vehicle  
27 shows in that state under conditions substantially  
28 equivalent to the conditions imposed upon dealers  
29 from that state to participate in recreational  
30 vehicle shows in this Commonwealth.

1 (4) The board shall report a violation of Pennsylvania  
2 law or regulation to the state or jurisdiction in which the  
3 out-of-State recreational vehicle dealer is licensed or  
4 domiciled.

5 (5) Forms for out-of-State recreational vehicle dealers  
6 shall be published in the Pennsylvania Bulletin and shall be  
7 maintained on the board's Internet website.

8 (6) The board may accept registration information and  
9 payment electronically.

10 (7) An out-of-State recreational vehicle dealer may not  
11 participate in a recreational vehicle show, recreational  
12 vehicle off-premise sale, recreational vehicle exhibition or  
13 recreational vehicle rally in this Commonwealth, unless the  
14 out-of-State recreational vehicle dealer satisfies at least  
15 four of the listed activities at its facility in the  
16 contiguous state in which it is licensed or domiciled that  
17 does not require licensure:

18 (i) Accepting delivery of new recreational vehicles  
19 from the recreational vehicle dealer's manufacturer for  
20 which the recreational vehicle dealer possesses an  
21 agreement with the manufacturer to sell its new  
22 recreational vehicles.

23 (ii) Maintaining inventory and offering recreational  
24 vehicles for sale to the public.

25 (iii) Consummating and finalizing recreational  
26 vehicle sales.

27 (iv) Servicing or repairing recreational vehicles.

28 (v) Delivering recreational vehicles to purchasers  
29 with recreational vehicle titling, registrations issued  
30 and taxes collected and paid to the dealer's appropriate

1 home state agencies.

2 Section 333. Off-premise sales, shows, exhibitions or rallies  
3 on Sundays.

4 (1) The following shall be permitted to be open on  
5 Sundays:

6 (i) Off-premise vehicle sales, shows and  
7 exhibitions.

8 (ii) Recreational vehicle shows, recreational  
9 vehicle off-premise sales, recreational vehicle  
10 exhibitions and recreational vehicle rallies.

11 (2) Except as provided in paragraphs (3) and (4), normal  
12 vehicle business practices shall be allowed at off-premise  
13 sales, vehicle shows or exhibitions on Sunday except that no  
14 final sales contract may be consummated on a Sunday.

15 (3) Normal vehicle business practices shall be allowed  
16 at recreational vehicle shows, recreational vehicle off-  
17 premise sales, recreational vehicle exhibitions and  
18 recreational vehicle rallies. Recreational vehicle dealers  
19 are permitted to consummate final sales contracts on Sundays.

20 (4) Manufactured housing dealers are permitted to  
21 consummate final sales contracts on Sundays.]

22 Section 4. Section 502 of the act is amended by adding a  
23 definition to read:

24 Section 502. Definitions.

25 The following words and phrases when used in this chapter  
26 shall have the meanings given to them in this section unless the  
27 context clearly indicates otherwise:

28 \* \* \*

29 "Recreational vehicle event." A recreational vehicle show,  
30 off-premise sale, exhibition or rally held by more than one



1 participating licensed dealer or manufacturer who display, sell  
2 or attempt to sell recreational vehicles for a fixed and limited  
3 period of time, which does not exceed 10 calendar days in a  
4 month, 20 days in three consecutive calendar months and 60 days  
5 in a calendar year. For the purpose of this definition, set-up  
6 and tear-down days and days when the events are not open shall  
7 be excluded from the calculation of the applicable time period.

8 \* \* \*

9 Section 5. Section 508(a), (b), (c) and (f) of the act are  
10 amended and subsection (h) is amended by adding a paragraph to  
11 read:

12 Section 508. Warranty obligations.

13 (a) General rule.--Each warrantor shall:

14 (1) Specify in writing to each of its dealer  
15 obligations, if any, for preparation, delivery and warranty  
16 service on its products.

17 (2) Compensate the dealer for warranty service required  
18 of the dealer by the warrantor.

19 [(3) Provide to the dealer the schedule of compensation  
20 to be paid and the time allowances for the performance of  
21 work and service. The schedule of compensation must include  
22 reasonable compensation for diagnostic work as well as  
23 warranty labor.]

24 (4) Permit the dealer to purchase warranty parts from a  
25 supplier other than the warrantor.

26 (5) Identify parts to be returned by the dealer at the  
27 beginning of warranty repair process.

28 (b) Time allowances and compensation.--Time allowances for  
29 the diagnosis and performance of warranty labor must be  
30 reasonable for the work to be performed. [In the determination

1 of what constitutes reasonable compensation under this section,  
2 the principal factors to be given consideration shall be the  
3 actual wage rates being paid by the dealer and the actual retail  
4 labor rate being charged by the dealers in the community in  
5 which the dealer is doing business. The compensation of a dealer  
6 for warranty labor may not be less than the posted labor rates  
7 actually charged by the dealer for similar nonwarranty labor as  
8 long as the rates are reasonable.] Compensation for labor used  
9 for warranty service, including diagnostic and repairs, shall be  
10 at a dealer's retail rate. A dealer's hourly retail rate for  
11 labor shall be established by the dealer submitting the lesser  
12 of the following orders to the manufacturer or distributor,  
13 which cover repairs made no more than 180 days before the  
14 submission:

15       (1) One hundred sequential nonwarranty customer-paid  
16 service repair orders.

17       (2) Ninety consecutive days of nonwarranty customer-paid  
18 service repair orders.

19       (c) Reimbursement.--The warrantor shall reimburse the dealer  
20 for the following:

21       (1) All warranty parts at actual wholesale cost plus a  
22 minimum 30% handling charge and [the cost] all shipping  
23 costs, including return shipping costs, if any, [of freight]  
24 to return warranty parts to the warrantor.

25       (2) A minimum 30% handling charge of the wholesale cost  
26 of warranty parts if the parts were sent to the dealer at no  
27 charge.

28       \* \* \*

29       (f) Warrantor notification.--If a dealer receives a [written  
30 or verbal] complaint from a consumer relative to a warranty

1 repair, the dealer must notify the warrantor about the complaint  
2 in writing within [10] 60 business days of [receiving the  
3 complaint] scheduled repairs if the dealer cannot satisfy the  
4 consumer's complaint.

5 \* \* \*

6 (h) Violation.--It is a violation of this chapter for a  
7 warrantor to:

8 \* \* \*

9 (7) Change the warranty of a recreational vehicle once  
10 the dealer has taken possession of the recreational vehicle.

11 \* \* \*

12 Section 6. The act is amended by adding sections to read:

13 Section 511.1. Recreational vehicle events.

14 (a) Participation.--A recreational vehicle dealer,  
15 salesperson, distributor, manufacturer or manufacturer's  
16 representative licensed under this act may participate in a  
17 recreational vehicle event. A recreational vehicle dealer shall  
18 be permitted to conduct a recreational vehicle event at its  
19 established place of business. Except when a recreational  
20 vehicle dealer or salesperson is participating in a recreational  
21 vehicle event under subsection (c)(3)(i) or (ii), a recreational  
22 vehicle dealer or salesperson may not participate in a  
23 recreational vehicle event outside of the dealer's area of sales  
24 responsibility if the dealer is the only participating dealer in  
25 the event.

26 (b) Bond required.--Any person acting as a recreational  
27 vehicle dealer in this Commonwealth shall have posted a bond  
28 payable to the Commonwealth in the amount of \$30,000 to ensure  
29 compliance with all Commonwealth laws and regulations. The bond  
30 shall be executed by a surety company authorized to transact

1 business in this Commonwealth. The bond shall be security for  
2 any claim filed by an agency of the Commonwealth, for moneys  
3 due, including unpaid taxes, fees, licenses, payment of a  
4 criminal penalty or fine after conviction or payment of a civil  
5 penalty or monetary amount after the entry of judgment. The bond  
6 shall remain valid until canceled in writing by the issuer. This  
7 provision shall not limit the authority of any government agency  
8 or private individual to institute civil, criminal or  
9 disciplinary action against a person for a violation of a  
10 Commonwealth law or regulation. A recreational vehicle dealer  
11 who has a current bond in the amount of at least \$30,000 on file  
12 with the Department of Transportation shall not be required to  
13 post a bond under this subsection.

14 (c) Out-of-State recreational vehicle dealers.--An out-of-  
15 State recreational vehicle dealer licensed in another state or  
16 jurisdiction or domiciled in another state or jurisdiction that  
17 does not require licensure shall register with the board on a  
18 form prescribed by the board before participating in this  
19 Commonwealth in a recreational vehicle event. The following  
20 apply:

21 (1) Registration shall include all of the following:

22 (i) Notification of the out-of-State recreational  
23 vehicle dealer's intent to participate in this  
24 Commonwealth in a recreational vehicle event.

25 (ii) Agreement to comply with all Federal and State  
26 laws and regulations relating to the buying, selling,  
27 exchanging, titling, registration or financing of  
28 recreational vehicles.

29 (iii) Agreement by the out-of-State recreational  
30 vehicle dealer to submit to the jurisdiction of the

1 Commonwealth for purposes of disciplinary action of  
2 imposition of a civil or criminal penalty or assessment  
3 under subsection (b) resulting from a violation under  
4 subparagraph (ii).

5 (iv) Evidence of the posting of a bond under  
6 subsection (b).

7 (v) Payment of a participation fee.

8 (vi) A list of all individuals engaged as sales  
9 people for the out-of-State recreational vehicle dealer  
10 while operating in this Commonwealth.

11 (2) If the board has taken action within the last five  
12 years to sanction an out-of-State recreational vehicle  
13 dealer, the board may:

14 (i) refuse to accept the registration and  
15 participation fee of the out-of-State recreational  
16 vehicle dealer permanently or for a fixed period; and

17 (ii) order that the out-of-State recreational  
18 vehicle dealer be denied access to all recreational  
19 vehicle events in this Commonwealth.

20 (3) An out-of-State recreational vehicle dealer licensed  
21 in another state or jurisdiction or domiciled in a state or  
22 jurisdiction that does not require licensure may participate  
23 in this Commonwealth in a recreational vehicle event under  
24 the circumstances specified either in subparagraph (i) or  
25 (ii):

26 (i) When the event has less than a total of 50  
27 recreational vehicle dealers participating with  
28 permission of the dealer's licensed manufacturer and  
29 meets all of the following requirements:

30 (A) A minimum of 10 recreational vehicle dealers

1 at the event are licensed in this Commonwealth.

2 (B) More than 50% of the participating  
3 recreational vehicle dealers are licensed in this  
4 Commonwealth.

5 (C) The state in which the out-of-State  
6 recreational vehicle dealer is licensed is contiguous  
7 to this Commonwealth and permits recreational vehicle  
8 dealers licensed in this Commonwealth to participate  
9 in recreational vehicle events in that state under  
10 conditions substantially equivalent to the conditions  
11 imposed upon dealers from that state to participate  
12 in recreational vehicle events in this Commonwealth.

13 (ii) When the recreational vehicle event opens to  
14 the public, it has a total of at least 50 recreational  
15 vehicle dealers from this Commonwealth and from another  
16 state participating with permission of the dealer's  
17 licensed manufacturer and meets all of the following  
18 requirements:

19 (A) The event is trade oriented and  
20 predominantly funded by recreational vehicle  
21 manufacturers.

22 (B) All of the participating dealers who are not  
23 licensed in this Commonwealth are from a state  
24 contiguous to this Commonwealth which permits  
25 recreational vehicle dealers licensed in this  
26 Commonwealth to participate in recreational vehicle  
27 events in that state under conditions substantially  
28 equivalent to the conditions imposed upon dealers  
29 from that state to participate in recreational  
30 vehicle events in this Commonwealth.

1           (4) The board shall report a violation of Pennsylvania  
2 law or regulation to the state or jurisdiction in which the  
3 out-of-State recreational vehicle dealer is licensed or  
4 domiciled.

5           (5) Forms for out-of-State recreational vehicle dealers  
6 shall be transmitted to the Legislative Reference Bureau for  
7 publication in the next available issue of the Pennsylvania  
8 Bulletin and shall be maintained on the board's publicly  
9 accessible Internet website.

10           (6) The board may accept registration information and  
11 payment electronically.

12           (7) An out-of-State recreational vehicle dealer may not  
13 participate in a recreational vehicle event in this  
14 Commonwealth, unless the out-of-State recreational vehicle  
15 dealer satisfies at least four of the listed activities at  
16 its facility in the contiguous state in which it is licensed  
17 or domiciled that does not require licensure:

18           (i) Accepting delivery of new recreational vehicles  
19 from the recreational vehicle dealer's manufacturer for  
20 which the recreational vehicle dealer possesses an  
21 agreement with the manufacturer to sell its new  
22 recreational vehicles.

23           (ii) Maintaining inventory and offering recreational  
24 vehicles for sale to the public.

25           (iii) Consummating and finalizing recreational  
26 vehicle sales.

27           (iv) Servicing or repairing recreational vehicles.

28           (v) Delivering recreational vehicles to purchasers  
29 with recreational vehicle titling, registrations issued  
30 and taxes collected and paid to the dealer's appropriate

1           home state agencies.

2 Section 511.2. Recreational vehicle events on Sundays.

3           The following shall apply:

4           (1) Recreational vehicle events shall be permitted to be  
5 open on Sundays.

6           (2) Except as provided in paragraphs (3) and (4), normal  
7 vehicle business practices shall be allowed at recreational  
8 vehicle events on Sunday except that no final sales contract  
9 may be consummated on a Sunday.

10           (3) Normal vehicle business practices shall be allowed  
11 at recreational vehicle events. Recreational vehicle dealers  
12 are permitted to consummate final sales contracts on Sundays.

13           (4) Manufactured housing dealers are permitted to  
14 consummate final sales contracts on Sundays.

15 Section 7. This act shall take effect in 60 days.