

Inspection of Reconstructed, Modified And Specially Constructed Vehicles

This Act requires that all reconstructed, modified and specially constructed vehicles undergo an enhanced safety inspection. It also establishes a specialized vehicle compliance inspection advisory panel to make recommendations concerning procedures and requirements for specialized vehicle compliance inspections.

Submitted as:

Pennsylvania

HB 2066

Status: Enacted into law in 2004.

Suggested State Legislation

1 Section 1. [*Short Title.*] This Act may be cited as “An Act to Address Inspecting
2 Reconstructed, Modified and Specially Constructed Vehicles.”

3

4

Section 2. [*Definitions.*]

5

(a) As used in this Act:

6

(1) Reconstructed vehicles are those described under [insert citation];

7

(2) Modified vehicles are those described under [insert citation];

8

(3) Specially constructed vehicles are those described under [insert citation]; and

9

(4) A reconstructed vehicle inspection station is a station that performs the
10 functions as defined under [insert citation].

11

Section 3. [*Inspecting Reconstructed, Modified and Specially Constructed Vehicles.*]

12

(a) The [department] shall establish a [Specialized Vehicle Compliance Inspection
13 Advisory Panel] to oversee and make recommendations concerning establishment of procedures
14 and requirements for inspecting reconstructed, modified and specially constructed vehicles. The
15 panel shall consist of the following:

16

(1) The [secretary or his designee] who shall serve as Chairman.

17

(2) The [chairman and minority chairman of the Transportation Committee of the

18

Senate] and the [chairman and minority chairman of the Transportation Committee of the
19 House of Representatives or their designees].

20

(3) A representative of the [office of Attorney General].

21

(4) A vehicle salvage dealer selected by the [department].

22

(5) A licensed vehicle dealer who reconstructs or modifies vehicles.

23

(6) A member of the alliance of automotive service providers.

24

(7) A member of the state automotive association.

25

(8) A member of the state independent automotive dealers association.

26

(9) A certified mechanic who performs vehicle inspections.

27

(10) A certified collision repair technician who performs vehicle reconstruction.

28

(b) The panel shall:

29

(1) Establish a system of privately owned reconstructed vehicle inspection
30 stations staffed by specially trained people to inspect for compliance with vehicle regulations.
31

32 (2) Promote highway safety and consumer confidence through specialized
33 inspections.

34 (3) Diminish fraud and use of stolen vehicles and parts in vehicle rebuilds.

35 (4) Improve the titling process for reconstructed, modified and specially
36 constructed vehicles.

37 (c) Nothing shall prevent the chairman or members of the committee from enlisting
38 cooperation from professionals outside of the panel members or from holding hearings or taking
39 testimony on issues relating to the reconstructed vehicle process.

40 (d) The [department] shall issue a "Certificate of Appointment for Enhanced Vehicle
41 Safety Inspection" for reconstructed vehicle, modified or specially constructed inspection
42 stations.

43 (e) All reconstructed, modified and specially constructed vehicles shall undergo an
44 enhanced vehicle safety inspection as specified in this Act and as deemed appropriate by the
45 advisory panel created under this Act.

46 (f) After the effective date of this Act, no reconstructed, modified or specially
47 constructed vehicle may be operated on the highway until it has successfully passed an
48 inspection at a reconstructed vehicle inspection station pursuant to this Act.

49
50 Section 4. [*Liability for Inspecting Reconstructed, Modified and Specially Constructed*
51 *Vehicles.*]

52 (a) An inspection conducted pursuant to this Act relating to reconstructed, modified and
53 specially constructed vehicles shall not be construed as a guaranty of the safety of any vehicle
54 and neither the official inspection station issuing the certificate of inspection nor the
55 official inspection mechanic performing the inspection shall be liable to the owner or occupants
56 of any inspected vehicle for any damages caused by the failure or malfunction of that vehicle or
57 to the owner or occupants of any vehicle involved in an accident with that inspected vehicle or to
58 any pedestrian injured in the accident unless it can be shown by a
59 preponderance of the evidence that the failure was caused by the negligence of the inspection
60 station or mechanic.

61 (b) An official inspection mechanic in the course of his duties relating to the road test
62 portion of an official vehicle safety inspection shall not be cited by law enforcement personnel
63 for any violation relating to vehicle equipment. This provision does not preclude an official
64 inspection mechanic from being cited by law enforcement personnel for moving violations
65 committed during the road test portion of an official vehicle safety inspection.

66
67
68
69 Section 5. [*State Replacement Vehicle Identification Number Plate for Reconstructed,*
70 *Modified and Specially Constructed Vehicles.*]

71 (a) The [department] may assign a state replacement vehicle identification number plate
72 for a reconstructed, modified, specially constructed, or theft recovery vehicle brought into the
73 state from another state.

74 (b) The state replacement vehicle identification number plate shall be immediately placed
75 in a uniform manner on the driver's side inside door post or as designated by the [department] on
76 the vehicle.

77
78 Section 6. [*Severability.*] [Insert severability clause.]

79
80 Section 7. [*Repealer.*] [Insert repealer clause.]

81
82 Section 8. [*Effective Date.*] [Insert effective date.]