

# **REQUIREMENTS FOR A MISCELLANEOUS DEALER**

- ❖ **Repair and Towing**
- ❖ **Vehicle Salvage**
- ❖ **Transporter**
- ❖ **Financier or Collector-  
Repossessor**
- ❖ **Watercraft Trailer Dealers**



# REQUIREMENTS FOR A MISCELLANEOUS DEALER

## REPAIR AND TOWING, VEHICLE SALVAGE, TRANSPORTER, FINANCIER COLLECTOR-REPOSSESSOR, WATERCRAFT TRAILER DEALER

1. Complete the MV-359 by following instructions on the back of the form.
2. Obtain an original criminal history record (NOT A COPY) on Form SPF-164 from the State Police for each owner, partner, or corporate officer.
3. Submit a copy of the lease, deed or rental agreement to the property.
4. Submit photographs of the office with a desk, phone and chair, bay area and outside display sign.
5. Submit proof of insurance.
6. Cosmetic grooming of motor vehicles (detailing) does not qualify for a Repair and Towing business.
7. Department of Banking License is required for a Financier Collector-Repossessor Business.
8. A contract or agreement is needed when applying for a transporter as defined on the back of the MV-359.
9. Attach correct fees.

\*\*\* Read and become familiar with the Pennsylvania Vehicle Code provisions relating to the issuance of Dealer and Miscellaneous Motor Vehicle Business Plates, Chapter 53.

\*\*\* After meeting all requirements, submit all required documents to:

Bureau of Motor Vehicles  
Dealer Registration Section  
P.O. Box 68283  
Harrisburg, PA 17106-8283





Commonwealth of Pennsylvania  
Department of Transportation  
Bureau of Motor Vehicles  
P.O. Box 68283  
Harrisburg, PA 17106-8283

### Application For Miscellaneous Motor Vehicle Business Registration Plates

For Department Use Only

**CHECK  ALL APPLICABLE:**

- New Application
- Change of Name
- Change of Address
- Change in Officers
- Change of Owner

**TYPE OF MISCELLANEOUS MOTOR VEHICLE BUSINESS YOU ARE APPLYING FOR:**

- Repair or Towing
- Vehicle Salvage Dealer
- Transporter
- Financier or Collector-Repossessor  
(copy of banking license required)
- Watercraft Trailer Dealer

A NAME AND ADDRESS OF BUSINESS (Exactly as registration is to be issued)				
Name			Federal I.D. #	
Street Address (Principal Place of Business)			List DIN Number	
City		County		State
Business Phone #		Home Phone # of President or Controlling Partner		
Zip Code				

B TYPE OF BUSINESS (Check One)	This Location is (Check One)
<input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation	<input type="checkbox"/> Owned <input type="checkbox"/> Leased

C LIST ALL OWNER(S), PARTNERS OR CORPORATE OFFICERS				
1. NAME	TITLE	DRIVER'S LICENSE #		
STREET ADDRESS	CITY	STATE	ZIP CODE	
2. NAME	TITLE	DRIVER'S LICENSE #		
STREET ADDRESS	CITY	STATE	ZIP CODE	
3. NAME	TITLE	DRIVER'S LICENSE #		
STREET ADDRESS	CITY	STATE	ZIP CODE	
4. NAME	TITLE	DRIVER'S LICENSE #		
STREET ADDRESS	CITY	STATE	ZIP CODE	

D LIST OF OTHER BUSINESSES AT THIS LOCATION

E INDICATE NUMBER OF REGISTRATION PLATES YOU ARE APPLYING FOR IN SPACE PROVIDED BESIDE THE APPROPRIATE CLASSIFICATION						
<table style="width: 100%;"> <tr> <td style="width: 50%;">REPAIR OR TOWING (RT) _____</td> <td style="width: 50%;">FINANCIER OR COLLECTOR-REPOSSESSOR (CR) _____</td> </tr> <tr> <td>VEHICLE SALVAGE DEALER (WL) _____</td> <td>WATERCRAFT TRAILER DEALER (WD) _____</td> </tr> <tr> <td>TRANSPORTER (TR) _____</td> <td></td> </tr> </table> <p>All classes of Miscellaneous Motor Vehicle Business - Annual Fee - \$36.00 each plate.          Duplicate registration cards may be requested for all plates ordered for \$1.50 per duplicate.          Duplicates requested per plate _____ x \$1.50 = _____ .</p>	REPAIR OR TOWING (RT) _____	FINANCIER OR COLLECTOR-REPOSSESSOR (CR) _____	VEHICLE SALVAGE DEALER (WL) _____	WATERCRAFT TRAILER DEALER (WD) _____	TRANSPORTER (TR) _____	
REPAIR OR TOWING (RT) _____	FINANCIER OR COLLECTOR-REPOSSESSOR (CR) _____					
VEHICLE SALVAGE DEALER (WL) _____	WATERCRAFT TRAILER DEALER (WD) _____					
TRANSPORTER (TR) _____						

<b>F</b>	<b>BUSINESS DESCRIPTION - Indicate the nature of your business that qualifies your business for the type of registration for which you are making application.</b>

<b>G</b>	<b>INSURANCE INFORMATION</b>
Insurance Company Name _____	
Policy Number _____	
Effective Date _____ Expiration Date _____	

<b>H</b>	<b>ADDITIONAL INFORMATION</b>
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1. If this application is a change of ownership, explain and list former name of business.

\_\_\_\_\_

\_\_\_\_\_

Please list DIN Number: \_\_\_\_\_

2A. Has this business or the owners, partners or corporate officers thereof ever been registered as a dealer, miscellaneous motor vehicle business or issuing agent in this or any other state?  YES  NO If yes, list name(s), location(s), and identification number(s).

\_\_\_\_\_

\_\_\_\_\_

2B. Have any owners, partners or corporate officers of this business ever been affiliated with a dealership, miscellaneous motor vehicle business, messenger service or full agent whose registration was suspended, cancelled or revoked or is currently under investigation or notice to attend a Departmental or court hearing or is awaiting a decision by a hearing officer of a Court?

YES  NO If yes, explain: \_\_\_\_\_

\_\_\_\_\_

3. Do any of the owners, partners, corporate officers or any business with which they were previously affiliated, have any outstanding liabilities which are due and owing to the Commonwealth of Pennsylvania including but not limited to taxes, fees, monetary penalties or outstanding plates or paperwork?

YES  NO If yes, explain: \_\_\_\_\_

\_\_\_\_\_

4. Have any owners, partners or corporate officers of this business ever been convicted or administratively sanctioned for violations of Department regulations, Pennsylvania Crimes Code or Chapters 11, 13 or 23 of the Pennsylvania Vehicle Code?  YES  NO

If yes, explain: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

5. Have any owners, partners or corporate officers of this business ever been convicted of a felony or misdemeanor?  YES  NO

If yes, explain: \_\_\_\_\_  
\_\_\_\_\_

6. Have any owners, partners or corporate officers of this business ever remitted uncollectible checks payable to any agency of the Commonwealth of Pennsylvania?  YES  NO

If yes, explain: \_\_\_\_\_  
\_\_\_\_\_

7. Have any owners, partners or corporate officers filed bankruptcy within the past seven years?  YES  NO

If yes, explain: \_\_\_\_\_  
\_\_\_\_\_

8. Will this business be purchasing or selling any type of vehicles?  YES  NO If yes, describe type of vehicles.

\_\_\_\_\_  
\_\_\_\_\_

**I MISCELLANEOUS INFORMATION**

- 1. Does your business location meet all local zoning and land use ordinances and building codes?  YES  NO
- 2. Does your business meet ADA accessibility requirements?  YES  NO. **NOTE: A checklist to help you determine if you meet the guidelines is included in this packet.**
- 3. Have all owners, partners and officers read and understood Chapter 53 of Title 67 (Manufacturer, Dealer and Motor Vehicle Business Registration Plates) and Chapters 11, 13 and 23 of the Pennsylvania Vehicle Code?  YES  NO

**J NOTARIZATION**

(I/We) certify under penalty of law that the information contained herein is true and correct.

\_\_\_\_\_  
Authorized Signature Title Date

\_\_\_\_\_  
Authorized Signature Title Date

\_\_\_\_\_  
Authorized Signature Title Date

SUBSCRIBED AND SWORN TO BEFORE ME:		MONTH	DAY	YEAR
SIGNATURE OF PERSON ADMINISTERING OATH				
<b>S T A M P</b>	<b>SIGN IN PRESENCE OF NOTARY</b>			

**WARNING:** Misstatement of fact is a misdemeanor of the third degree punishable by a fine of up to \$2,500 and/or imprisonment up to one year [18 Pa.C.S. Section 4904(b)] in addition to any sanction imposed by this Department.

**NOTE:** When business is discontinued, miscellaneous motor vehicle business registration plates and cards must be returned to the Department within five days. If business is moved to another location, the Department must be notified within 10 days of the change. A completed form MV-359 and photographs of the new location must accompany this notification.

# Applications for Miscellaneous Motor Vehicle Business Registration Plates

## INSTRUCTIONS FOR COMPLETING MV-359

1. All information must be typed in full. List name of business exactly as Miscellaneous Motor Vehicle Business registration is to be issued. Address must have physical street address. Post Office Box may be used in addition to street address. Include business telephone and home telephone numbers. The license issued will be valid only at the business address listed on this application.
2. Check appropriate box for type of business and if location is owned or leased.
3. List all owners, partners or corporate officers. The official titles are required. Additional sheets may be used if necessary.
4. List other businesses at same location.
5. Answer each question and provide all information requested.
6. Section J must be signed and notarized in the presence of a notary public.

## DOCUMENTS THAT MUST ACCOMPANY THIS APPLICATION

1. Include photographs of the interior and exterior of the business which clearly show the business office work area and business identification signs.
2. Applicants for Financier or Collector-Repossessor must include the appropriate license from the Pennsylvania Department of Banking.
3. Application for Transporter registration must include copies of all active contracts with registered dealers or manufacturers to regularly transport new or used vehicles on their own wheels, which are owned by or in the possession of said dealers or manufacturers.
4. Applicants for Vehicle Salvage Dealer registration who also desire to be authorized as a salvor under Chapter 73 of the Pennsylvania Vehicle Code must also complete a Salvor Application (Form MV-951).
5. An original criminal history record (SP4-164) obtained from the State Police (not a copy), for each owner, partner or corporate officer.
6. When the Department is to issue a miscellaneous motor vehicle business registration plate, one of the following items must be used to serve as acceptable proof of insurance:
  1. An insurance identification card;
  2. The declaration page of an insurance policy or a copy thereof;
  3. A copy of a valid binder of insurance which contains all of the information required to appear on the I.D. card, excluding the policy number, and is signed by a licensed insurance agent or broker, or,
  4. A copy of application for insurance to the Pennsylvania Automobile Insurance Plan (PAIP) containing all of the information required to appear on the I.D. card, excluding the policy number, and is signed by a licensed insurance agent or broker.

A copy of one of the items listed above must be attached to the application.

7. Appropriate fee for number of dealer plates requested.
8. Copy of deed/lease or rental agreement.

**NOTE:** The contract must include the name and address of the business that will be transporting their vehicles. This contract should be written on letterhead paper from the dealer/manufacturer whom you are contracting with. The contract must state that a fee will be paid for transporting their vehicles. This contract should be signed by the person(s) representing both the transporter and the dealer/manufacturer.

Mail all completed forms to the Commonwealth of Pennsylvania, Department of Transportation, Bureau of Motor Vehicles, P.O. Box 68283, Harrisburg, PA 17106-8283.



**REQUIREMENTS FOR MESSENGER, DEALERS, FULL AGENTS, CARD AGENTS AND  
MISCELLANEOUS MOTOR VEHICLE BUSINESS APPLICANTS**

All applicants for full agent authorization, motor vehicle messenger service certification, dealer and miscellaneous motor vehicle registration are required to complete Form SPF-164, "Request for Criminal History Record Information" and include the results received from the Pennsylvania State Police with their completed application as part of the documentation required for review. This form may be obtained from your local Pennsylvania State Police barracks or:

Director, Record and Identification Division  
Pennsylvania State Police  
1800 Elmerton Avenue  
Harrisburg, PA 17110

Applicant's are required to complete Part 1, identification data in the place marked "Reason for Request," check other and indicate type of authorization being applied for. Under "Requester Information," check individual/non-criminal justice agency. In the area for requester address, please enter your address, since the completed form you receive from the state police must be included with your application.

Forward the completed form and the required fee to the appropriate address listed on the SP4-164.



**Vehicle Code  
Provisions  
Relating to the  
Issuance and Use  
of Dealer and  
Miscellaneous  
Motor Vehicle  
Business Plates**

**Annex A**  
**TITLE 67. TRANSPORTATION**  
**PART 1. DEPARTMENT OF TRANSPORTATION**  
**SUBPART A. VEHICLE CODE PROVISIONS**  
**ARTICLE III. REGISTRATION**

**Chapter 53 - Manufacturer's Dealers and Miscellaneous Motor Vehicle  
Businesses Registration Plates**

**Section 53.1 Purpose and Scope**

- (a) **Purpose** - This chapter establishes procedures for distribution and use of manufacturer, dealer and miscellaneous motor vehicle business registration plates.
- (b) **Scope** - This chapter applies to persons who apply for or use manufacturer, dealer or miscellaneous motor vehicle business registration plates.

**Section 53.2 Definitions**

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

**Dealer** - A person who maintains an established place of business and who is engaged in the business of buying, selling or exchanging vehicles, including but not limited to passenger cars, trucks, implements of husbandry, special mobile equipment and trailers.

**Dealer plate** - A registration plate issued to a dealer or manufacturer which may be displayed on vehicles owned or in possession of the dealer or manufacturer in lieu of registering each vehicle individually.

**Established place of Business** - A permanent enclosed building which is accessible and open to the public at all reasonable times and at which the business of a dealer or miscellaneous motor vehicle business, including the display and repair of vehicles, maybe lawfully conducted in accordance with the terms of applicable building codes, zoning and other land-use regulatory ordinances.

**Financier or collector-repossessor** - A person who is authorized to do business in this Commonwealth as a financier or collector-repossessor and who is regularly engaged in the business of financing sales, making loans on the security of vehicles or repossessing vehicles which are the subject of installment sales contracts as an independent contractor.

**Immediate family** - A spouse or child of the registrant or a parent, brother or sister of the registrant who lives in the same residence as the registrant.

**Licensed dealer** - A dealer licensed by the State Board of Motor Vehicle Manufacturers, Dealers and Salespersons.

**Manufacturer** - A person engaged in the business of constructing or assembling vehicles or motors or bodies of vehicles.

**Miscellaneous motor vehicle business** - A vehicle salvage dealer, transporter, financier collector/repossessor, or a person who maintains an established place of business and who is engaged in the business of repair, service or towing of motor vehicles including but not limited to passenger cars, trucks, implements of husbandry and special mobile equipment.

**Miscellaneous motor vehicle or business plate** - A registration plate issued to a miscellaneous motor vehicle business which may be displayed on vehicles owned or in possession of the business in lieu of registering each vehicle individually.

**Officer** - A president, vice president, secretary or treasurer of a corporation.

**Registered dealer** - A dealer registered by the Department under § 53.3(b) (relating to issuance of plates.)

**Transporter** - A person regularly engaged in the businesses of transporting new vehicles or new and used trailers on their own wheels, owned by or in possession of a registered dealer.

**Vehicle salvage dealer** - A person who maintains an established place of business and who is engaged in the business of buying or selling parts or buying, selling or exchanging used, wrecked or abandoned vehicles and junkers for the purpose of remodeling, taking apart or rebuilding them.

### **Section 53.3 Issuance of plates**

(a) **To whom issued.** Plates will be issued in the following manner:

- (1) Dealer plates will be issued to a manufacturer or dealer licensed by the State Board of Vehicle Manufacturers, Dealers and Salespersons and to a manufacturer or dealer of a type not licensed by the Board, if the manufacturer or dealer registered with the Department under subsection (b).
- (2) Miscellaneous motor vehicle business plates will be issued to a miscellaneous motor vehicle business which registers with the Department under subsection (b).

(b) Application for plates. Application for plates shall be made in the following manner:

- (1) Manufacturers, dealers and miscellaneous motor vehicle businesses may apply for registration plates by providing the Department with the following:
  - (i) A properly executed application furnished by the Department.
  - (ii) A copy of the deed or lease to the applicant's place of business and photos of the exterior and the interior.
  - (iii) A certificate of insurance or a statement from an insurance carrier authorized to do business in this Commonwealth - on its letterhead - that the applicant has sufficient liability insurance to cover as many vehicles as the number of plates applied for.

- (iv) A remittance payable to the Department in the proper amount for the number of plates desired.
  - (v) A listing of outstanding liabilities due and owing to the Commonwealth, if any.
  - (vi) In the case of a transporter, a copy of an active contract with a registered dealer to regularly transport the dealer's vehicles. A copy of the contract shall also be included with each application for renewal of the registration plates.
- (2) The Department will examine and determine the genuineness, regularity and legality of the application. The Department may investigate the applicant with regard to the following:
- (i) Condition of the premises.
  - (ii) Departmental and other Commonwealth records pertaining to the applicant or an owner or officer.
  - (iii) Personal history of an owner or officer.
  - (iv) Unsatisfied judgement against the applicant, owner or officer.
  - (v) Credit rating of the business and its owners and officers.
  - (vi) Assets and liabilities of the applicant.
- (3) For dealers and manufacturers licensed by the State Board of Vehicle Manufacturers, Dealers and Salespersons, a separate Department investigation will not be required.
- (4) The Department may deny an application for registration plates on the basis of information revealed in the investigation or if the applicant fails to disclose material information required or has made a materially false statement on the application. If the Department denies an application, the Department will provide the applicant with an opportunity to show cause why the application should not be denied.
- (5) In the case of dealers who are not required to be licensed by the Department of State, the Department may approve an application for dealer registration on a temporary basis for a period of 1 year. At the end of this period, the condition of the business will be evaluated by the Department and a determination will be made as to whether permanent approval will be given to the application for dealer registration. Factors which will be considered in making this determination shall include, but not be limited to, the physical condition of the business and the number of vehicles sold by the business.
- (c) **Registration renewals.** Dealer plates and miscellaneous motor vehicle business plates shall be renewed annually.

## Section 53.4 Use of plates

### (a) *Dealer plates*

- (1) Dealer plates may be used on vehicles owned or in possession of a dealer or manufacturer and operated by the dealer or manufacturer or its employees only when the vehicle is used for one of the following purposes:
  - (i) In the business of the registrant as a dealer or manufacturer. If a dealer or manufacturer is engaged in a business other than the business of motor vehicle dealer or manufacturer, dealer plates may not be used on vehicles used in the other business, nor on vehicles used in both businesses.
  - (ii) For the personal pleasure or use of the dealer or members of the dealer's immediate family, or when the dealer is a corporation, for the personal pleasure or use of the officers or members of their immediate families, or for the personal use of the regular employees of the dealer.
  - (iii) For teaching students enrolled in an approved driver education course how to operate a vehicle and for taking an examination for a driver's license by the new driver.
  - (iv) For testing vehicles in the possession of the dealer or manufacturer.
  - (v) For demonstrating vehicles in the possession of the dealer or manufacturer.
  - (vi) For loaning to customers whose vehicles are being repaired.
  - (vii) For loaning to prospective purchasers for a period not exceeding 5 days for the purpose of demonstrating vehicles.
  
- (2) Limited use of certain types of dealer plates shall be as follows:
  - (i) A motor driven cycle or motorized pedalcycle dealer plate shall be used only on motor driven cycles and motorized pedalcycles.
  - (ii) A motorcycle dealer plate shall be regularly used only on motorcycles, motor driven cycles and motorized pedalcycles. A motorcycle dealer plate may be used on other vehicles owned or in the possession of the motorcycle dealer only when the vehicle is being demonstrated for a prospective customer.
  - (iii) Other dealer plates may be used on any type of vehicles.
  
- (3) See 75 Pa. C.S. Section 1336(b) (relating to use of dealer registration plates). Permits for the use of manufacturer and dealer registration plates in the manner provided in paragraphs (1) (iii), (vi), and (vii) shall be issued and records of their issuance shall be retained as follows:
  - (i) The dealer or manufacturer shall complete in ink or by typing, in duplicate, a dealer registration plate permit (Form MV-355) for each use, including the name, address of the authorized user, the dealer registration plate number; the make and vehicle identification number of the vehicle; the date of issuance of the permit; the dealer or manufacturer's name, address and dealer identification (DIN); and the purpose for which use of the vehicle was authorized. The form shall be signed by both the authorized user and the dealer or manufacturer.
  
  - (ii) The original copy of the dealer registration plate permit shall be given to the

authorized user and shall be in the possession of the driver whenever the vehicle is being driven on a highway. The dealer registration card issued for the dealer registration plate attached to the vehicle shall also be in possession of the authorized user when the vehicle is being driven.

- (iii) The duplicate copy of the dealer registration plate permit shall be retained at the dealer's or manufacturer's place of business for at least 6 months for inspection by police and authorized representatives of the Commonwealth.

**(b) Miscellaneous Motor Vehicle Business Plates**

- (1) Miscellaneous motor vehicle business plates may be used only when the vehicle is used of one of the following purposes:
  - (i) In the conduct of the miscellaneous motor vehicle business. If the owner of the miscellaneous motor vehicle business is engaged in another business, the miscellaneous motor vehicle business plates may not be used on vehicles used in the other business, nor on vehicles used in both businesses.
  - (ii) For the personal pleasure or use of the owner of the miscellaneous motor vehicle business or members of the owner's immediately family, or when the business is a corporation, for the pleasure or use of not more than three officers or members of their families, or for the personal use of the regular employee of the business when operated by the employee.
- (2) Miscellaneous motor vehicle business plates shall be used by transporters only on motor vehicles which are hauling loads no greater than 1,000 pounds. The plates may not be used by transporters on truck tractors towing mobile homes or loaded trailers, or on loaded trailers.

**Chapter 53.5      Registration cards for manufacturers, dealers and miscellaneous motor vehicle businesses**

- (a) **General rule.** The Department, upon issuing manufacturer, dealer or miscellaneous motor vehicle business registration plates, will issue cards which will include the name and address of the registrant, the identification number assigned to the registrant, the expiration date of the registration and the number of the registration plates assigned.
- (b) **Types of cards.** Registrants will be furnished two types of registration cards:
  - (1) A separate, original card for each registration plate, containing the name and address of the registrant, the identification number assigned to the registrant, the registrant plate number for each plate assigned to the registrant, and the expiration date of the registration. The registrant may make photocopies of this type of card which shall have the same force as the original card and may be exhibited, when required, in lieu of the original card.



- (2) A summary card in the form of a computer printout, containing the name and address of the registrant, the identification number assigned to the registrant, the registration plate number for each plate assigned to the registrant, and the expiration date of the registration. The registrant may make photocopies of this type of card which shall have the same force as the original card and may be exhibited, when required, in lieu of the original card.
- (c) **Signatures.** Upon receiving the registration card or a duplicate thereof, the registrant shall sign his name in ink in the space provided.
- (d) **Exhibition of card.** One of the two types of registration cards for the registration plate being displayed on a vehicle shall be, at all times while the vehicle is being operated upon the highway, in the possession of the person driving or in control of the vehicle or carried in the vehicle and exhibited upon demand of a police officer.

**Section 53.6 Responsibilities of dealer, manufacturer and miscellaneous motor vehicle business registrants.**

- (a) **Change of ownership.** The registrant shall notify the Department on the prescribed form within 5 days of any change of ownership. The following are regarded as changes of ownership:
  - (1) Whenever the owner takes a new partner.
  - (2) Whenever the owner sells the business.
  - (3) Incorporation of a business.
  - (4) Sale of controlling interest in a corporation.
- (b) **Change of address.** The registrant shall notify the Department before changing its place of business or before opening any branch office, and shall notify the Department immediately of any change in its post office address.
- (c) **Lost or Stolen plate.** The registrant shall notify the Department within 2 days of discovering the loss or theft when any registration plate is lost or stolen. The requirement of this section is in addition to the requirement to notify police of loss or theft of a registration plate under 75 Pa. C.S. § 1333(a) (relating to lost, stolen, damaged or illegible registration plates).

**Section 53.7 Return of dealer, manufacturer and miscellaneous motor vehicle business registration plates.**

- (a) Registration plates shall be returned to the Department immediately, if one of the following occur:
  - (1) The registration has been revoked or suspended by the Department.
  - (2) The State Board of Vehicle Manufacturers, Dealers and Salespersons has suspended, revoked or not renewed the license of the registered manufacturer or dealer.

(b) Registration plates shall be returned to the Department within 5 days if one of the following occur:

- (1) A change in the nature of the registrant's business so that the registrant is no longer a dealer, manufacturer or miscellaneous motor vehicle business.
- (2) The discontinuation of business as a dealer, manufacturer or miscellaneous motor vehicle business by the registrant.

**Section 53.8 Certified Checks**

The Department may, in its discretion, require certified checks, postal or other money orders or cash from any registrant after a default in the payment of checks or drafts of the registrant.

**Section 53.9 Sanctions for violations by dealer, manufacturer or miscellaneous motor vehicle business registrants.**

(a) **Schedule.** After providing an opportunity for a hearing, the Department may impose suspensions on a registrant according to the following schedule of violations by the registrant, when the Department finds upon sufficient evidence that:

	<b>1st Offense</b>	<b>2nd Offense</b>	<b>3rd Offense</b>	<b>4th and Subsequent Offense</b>
(1) The registrant has failed to report change of business address before the change.	Written Warning	3 months	6 months	Revocation
(2) The registrant has operated a branch without notifying the Department.	Written Warning	3 months	Revocation	
(3) The registrant has made or permitted to be made an unlawful use of the vehicle, registration plate or registration card or permitted the use by a person not entitled thereto.	1 month	3 months	Revocation	
(4) The registrant has knowingly made a false statement or knowingly concealed a material fact or otherwise committed a fraud in an application submitted to the Department.	1 month	3 months	Revocation	

	<b>1st Offense</b>	<b>2nd Offense</b>	<b>3rd Offense</b>	<b>4th and Subsequent Offense</b>
(5) The registrant has failed to notify the Department of a change of ownership.	Written Warning	3 months	6 months	Revocation
(6) The registrant has submitted documents to the Department which have been accompanied by uncollectible checks drawn on the account of the registrant.	Until all uncollectible checks, protest fees, and collection charges under the Vehicle Code are paid.	Until all uncollectible checks, protest fees, and collection charges under the Vehicle Code are paid, plus 1 month.	Until all uncollectible checks, protest fees, and collection charges under the Vehicle Code are paid, plus 6 months.	Revocation
(7) The registrant has used or has allowed the use of a motor-driven cycle or motorized pedalcycle dealer plate on a vehicle other than a motor-driven cycle or motorized pedalcycle.	Written Warning	1 month	6 months	Revocation
(8) The registrant has used or has allowed the use of a motor-cycle dealer plate on a vehicle other than a motorcycle, motor-driven cycle or motorized pedalcycle, except for purposes of demonstration.	Written Warning	1 month	6 months	Revocation
(9) The registrant has failed to allow inspection of the records prescribed in §53.4 (relating to use of plates) by authorized Commonwealth employees.	1 month	3 months	Revocation	
(10) The registrant has failed to properly issue or maintain records of the issuance of a dealer registration plate permit, as prescribed in §53.4 when loaning a vehicle with a dealer plate.	Written Warning	1 Month	3 Months	6 Months

	<b>1st Offense</b>	<b>2nd Offense</b>	<b>3rd Offense</b>	<b>4th and Subsequent Offense</b>
(11) The registrant has offered or paid money, gifts or other rewards to Commonwealth employees.	6 Months	Revocation		
(12) The registrant has failed to deliver to a lawfully entitled transferee or to the Department, when as required by law, a properly assigned certificate of title.	Written Warning	1 Month	6 Months	Revocation
(13) The registrant has repeatedly violated the Vehicle Code (75 Pa.C.S. §101-9909) or this chapter.	1 Month	6 Months	Revocation	
(14) The registrant has failed to provide information regarding the location and use of all registration plates issued to the registrant to an authorized Commonwealth employee.	1 month	6 months	Revocation	

- (b) **Warning.** The Department may, in its discretion, permit the registrant to consent to the acceptance of a warning in lieu of the first violation suspension outlined in subsection (a)(3), if no owner or officer had knowledge of the violation. The consent warning shall only be issued to registrants which have had no suspendible violations for a period of 3 years prior to the date of the violation which is being considered. The registrant bears the burden of proving that they provided proper supervision of the employee who committed the violation but that the supervision could not have prevented the violation. Consent warnings replace the first violation suspension, and a second violation will be considered a second violation.
- (c) **Second and subsequent violations.** Second and subsequent violations will be determined on the basis of previous violations of the same nature committed within a 3 year period. If a third or subsequent violation occurs within 3 years of the last previous violation, it will be deemed a third or subsequent violation regardless of when other previous violations occurred.
- (d) **Multiple violations.** In the case of multiple violations considered at one time, the Department will impose separate penalties for each violation as required by the schedule. The Department may in its discretion, direct that a suspension imposed be served concurrently or consecutively.

- (e) **Suspension authority reserved.** The descriptions of reasons for suspension in subsection (a) are of a general nature, and should not be deemed to limit the suspension authority of the Department granted by 75 Pa. C.S. §1374 (relating to suspension of vehicle business registration plates).
  
- (f) **Revocation.** Upon revocation of registration, the dealer, manufacturer or miscellaneous motor vehicle business shall be barred from reapplying for a new registration for 1 year. The dealer, manufacturer or miscellaneous motor vehicle business shall immediately return all the registration cards and plates in its possession to the Department.



