



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 632

PRINTERS NO. 1739

PRIME SPONSOR: Rothman

COST / (SAVINGS)

FUND	FY 2018/19	FY 2019/20
Motor License Fund	\$0	\$0

SUMMARY: Permits the use of ePOA documents for transferring a vehicle's title to an insurance company. This legislation would take effect in 60 days.

ANALYSIS: This legislation amends Section 7134 (related to odometer disclosure requirements) of Title 75 (Vehicles) to allow for a licensed dealer or insurer to use a secure power of attorney that may be signed electronically, and does not have to be notarized, when transferring a vehicle. This legislation also eliminates the requirement that odometer and disclosure statements be furnished in "written" format when transferring a vehicle.

Nothing in this legislation requires PennDOT to certify an electronic signature process or an electronic signature process vendor before accepting a power of attorney that is executed with an electronic signature.

PennDOT shall permit an insurer to use a secure power of attorney to transfer a salvage vehicle whether or not the certificate of title is encumbered with a lien or when the title has been lost by the transferor and the insurer is applying for a duplicate title. The power of attorney need not be notarized and may be signed electronically; however, the insurer is responsible for ensuring the power of attorney complies with the requirements of the Electronic Signatures in Global and National Commerce Act, the requirements of 49 U.S.C. § 32705 (relating to disclosure requirements on transfer of motor vehicles) and any requirements imposed by the Commonwealth. PennDOT may permit the use of a secure power of attorney as described in this subsection for the transfer of other vehicles in addition to salvage vehicles. If the United States Secretary of Transportation promulgates regulations regarding the use of a power of attorney as described in this subsection, the regulations shall supersede this subsection in accordance with 49 U.S.C. § 32705(g).

FISCAL IMPACT: This legislation would have no adverse fiscal impact on Commonwealth funds.

PREPARED BY: Tim Rodrigo
House Appropriations Committee (R)

DATE: May 6, 2019

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.