

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1113 Session of
2024

INTRODUCED BY STEFANO, BREWSTER, VOGEL, PHILLIPS-HILL,
HUTCHINSON, GEBHARD, PENNYCUICK AND YAW, MARCH 28, 2024

REFERRED TO TRANSPORTATION, MARCH 28, 2024

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in registration of vehicles, providing for vendor-
3 designed registration plates.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Title 75 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 1341.2. Vendor-designed registration plates.

9 (a) Duties of department.--The department shall:

10 (1) Enter into a contract with a private vendor for the
11 marketing and sale of vendor-designed registration plates
12 within 12 months of the effective date of this paragraph. The
13 department shall select a private vendor according to the
14 provisions of 62 Pa.C.S. (relating to procurement).

15 (2) Only select a private vendor who is able to fulfill
16 the requirements of this section.

17 (3) Develop policies and procedures for the
18 implementation of this section.

1 (b) Contract requirements.--A contract entered into with a
2 private vendor under subsection (a) shall be for an initial term
3 of not less than five years and be renewable by the same private
4 vendor for not less than two successive five-year terms. The
5 contract shall require the private vendor to:

6 (1) Market and sell the vendor-designed registration
7 plates on the private vendor's publicly accessible Internet
8 website.

9 (2) Process the purchase and issuance of vendor-designed
10 registration plates hosted on the private vendor's publicly
11 accessible Internet website and pay any associated costs and
12 fees.

13 (3) Permit a vendor-designed registration plate that is
14 purchased from the private vendor's publicly accessible
15 Internet website to be personalized.

16 (4) Provide to the department, at least monthly,
17 periodic accounts that accurately detail all material
18 transactions, including information reasonably required by
19 the department to support fees that are collected by the
20 private vendor, and regularly remit all money payable to the
21 department under the contract.

22 (5) Establish an electronic infrastructure coordinated
23 and compatible with the department's systems, by which motor
24 vehicle owners may electronically send and receive
25 applications, other documents or required payments, and that,
26 when secure access is necessary, can be electronically
27 validated by the department.

28 (6) Establish the amounts to be received by the
29 department from the fees imposed under subsection (d) as
30 negotiated with and agreed upon by the department.

1 (7) Comply with the provisions of section 1331(a), (b)
2 and (d) (relating to issuance and reissuance of registration
3 plates).

4 (8) Manufacture the vendor-designed registration plates
5 in accordance with current department practices.

6 (9) Provide for a minimum revenue guarantee within the
7 first five years of the contract. The guarantee shall be
8 negotiated between the department and the private vendor.

9 (10) Comply with any other requirement established by
10 the department, subject to the contract limitations in
11 subsection (c).

12 (c) Contract limitations.--The department may not
13 unreasonably do any of the following:

14 (1) Disapprove or limit an aspect of a private vendor's
15 marketing and sales plan.

16 (2) Interfere with the selection, assignment or
17 management by the private vendor of the private vendor's
18 employees, agents or subcontractors.

19 (3) Restrict the ability of the private vendor to offer
20 a variety of plate designs with personalized and
21 nonpersonalized alphanumeric patterns.

22 (4) Disapprove or limit the ability of the private
23 vendor to offer vendor-designed registration plate renewal
24 terms of more than one year.

25 (5) Disapprove or limit the ability of the private
26 vendor to offer symbols on a vendor-designed registration
27 plate that are not part of the registration plate's
28 alphanumeric pattern.

29 (d) Fees.--

30 (1) The private vendor, in consultation with the

1 department, shall establish fees for the issuance and renewal
2 of vendor-designed registration plates that are marketed and
3 sold by the private vendor. The fee shall be an amount
4 sufficient to allow for:

5 (i) The private vendor to recoup costs associated
6 with the design, marketing, issuance, renewal and sale of
7 the vendor-designed registration plates or otherwise
8 associated with fulfilling contractual requirements with
9 the department.

10 (ii) Profit by the private vendor.

11 (iii) The department to recoup administrative costs
12 associated with the implementation of this section.

13 (iv) The department to receive additional revenue
14 from the sale, issuance and renewal of vendor-designed
15 registration plates.

16 (2) The fee established for vendor-designed registration
17 plates under paragraph (1) shall be in addition to the annual
18 or biennial registration fee and, as applicable, a fee under
19 paragraph (3).

20 (3) An additional personalization fee, as determined by
21 the private vendor, in consultation with the department,
22 shall be imposed for the personalization of a vendor-designed
23 registration plate.

24 (e) Deposit.--Amounts received by the department from the
25 fees collected under subsection (d) shall be deposited into the
26 Motor License Fund.

27 (f) Issuance limitation.--

28 (1) Vendor-designed registration plates may only be sold
29 and issued for a motorcycle or a passenger car or truck with
30 a registered gross weight of not more than 14,000 pounds.

1 (2) Subject to paragraph (3), 12 vendor-designed
2 registration plate designs shall be made available by the
3 private vendor for purchase by the motoring public.

4 (3) After 12 months from the initial date that the
5 private vendor makes approved vendor-designed registration
6 plates available for purchase by the motoring public, the
7 department may approve additional vendor-designed
8 registration plate designs in excess of the limitation
9 contained in paragraph (2).

10 (g) Design limitation.--A vendor-designed registration plate
11 may not substantially mimic:

12 (1) The department's standard white, blue and yellow
13 registration plate or any future standard-issue registration
14 plates provided by the department.

15 (2) Other registration plates specifically authorized by
16 this subchapter.

17 (h) Design approval.--The department shall approve the
18 designs and color combinations for vendor-designed registration
19 plates that are exclusively marketed and sold by a private
20 vendor in consultation with the Pennsylvania State Police
21 subject to the following:

22 (1) The department may not restrict the background
23 color, color combinations or color of plate numbers or
24 letters of vendor-designed registration plates, except as
25 determined by the department as necessary for law enforcement
26 purposes.

27 (2) The department may disapprove a design, cancel a
28 vendor-designed registration plate or require the
29 discontinuation of a vendor-designed registration plate or
30 color combination that is marketed, hosted or sold by a

1 private vendor at any time if the department determines that
2 the disapproval, cancellation or discontinuation is in the
3 best interest of the Commonwealth or the motoring public.

4 (i) Ownership retained.--Each approved vendor-designed
5 registration plate design and color combination remains the
6 property of the department. A vendor-designed registration plate
7 remains the property of the department and shall not be
8 considered property of the person that is issued the vendor-
9 designed registration plate.

10 (j) Cease of operations.--If the private vendor that enters
11 into a contract with the department ceases operations:

12 (1) The department may fulfill the duties of the private
13 vendor temporarily until another private vendor is selected
14 and begins operation.

15 (2) The private vendor's share of the fee under
16 subsection (d) is deposited to the credit of the Motor
17 License Fund until a new private vendor is selected by the
18 department, at which time, the share of the fee shall be
19 transmitted to the private vendor that ceased operations.

20 (k) Construction.--Nothing in this section shall be
21 construed to prohibit:

22 (1) The seizure of a vendor-designed registration plate
23 under section 1334.1 (relating to seizure of registration
24 plate).

25 (2) The surrender of a vendor-designed registration
26 plate under section 1376 (relating to surrender of
27 registration plates and cards upon suspension or revocation).

28 Section 2. This act shall take effect in 180 days.