

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

SENATOR LANGERHOLC, TRANSPORTATION, AS AMENDED, OCTOBER 9, 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 WHICH SHALL BE AVAILABLE ON THE DEPARTMENT'S PUBLICLY <--
9 ACCESSIBLE INTERNET WEBSITE.

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

14 (3) Permit a vendor-designed registration plate that is
15 purchased from the private vendor's publicly accessible
16 Internet website to ~~be~~ FEATURE personalized OR <--
17 NONPERSONALIZED ALPHANUMERIC PATTERNS IN ACCORDANCE WITH
18 PRACTICES OF THE DEPARTMENT.

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

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

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

4 (7) Comply with the provisions of ~~section~~ SECTIONS <--
5 1331(a), (b) and (d) (relating to issuance and reissuance of
6 registration plates) AND 1333 (RELATING TO LOST, STOLEN, <--
7 DAMAGED OR ILLEGIBLE REGISTRATION PLATE).

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

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

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

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

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

20 (2) Interfere with the selection, assignment or
21 management by the private vendor of the private vendor's
22 employees, agents or subcontractors.

23 (3) Restrict the ability of the private vendor to offer
24 a variety of plate designs with personalized and
25 nonpersonalized alphanumeric patterns.

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

29 (5) Disapprove or limit the ability of the private
30 vendor to offer symbols on a vendor-designed registration

1 plate that are not part of the registration plate's
2 alphanumeric pattern.

3 (d) Fees.--

4 (1) The private vendor, in consultation with the
5 department, shall establish fees for the issuance and renewal
6 of vendor-designed registration plates that are marketed and
7 sold by the private vendor. The fee shall be an amount
8 sufficient to allow for:

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

14 (ii) Profit by the private vendor.

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

17 (iv) The department to receive additional revenue
18 from the sale, issuance and renewal of vendor-designed
19 registration plates.

20 (2) The fee established for vendor-designed registration
21 plates under paragraph (1) shall be in addition to the annual
22 or biennial registration fee and, as applicable, a fee under
23 paragraph (3).

24 (3) An additional personalization fee, as determined by
25 the private vendor, in consultation with the department,
26 shall be imposed for the personalization of a vendor-designed
27 registration plate CONSISTENT WITH PRACTICES OF THE <--
28 DEPARTMENT.

29 (e) Deposit.--Amounts received by the department from the
30 fees collected under subsection (d) shall be deposited into the

1 Motor License Fund.

2 (f) Issuance limitation.--

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

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

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

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

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

20 (2) Other registration plates specifically authorized by
21 this subchapter.

22 (h) Design approval.--The department shall approve the
23 designs, SYMBOLS and color combinations for vendor-designed <--
24 registration plates that are exclusively marketed and sold by a
25 private vendor in consultation with the Pennsylvania State
26 Police subject to the following:

27 (1) The department may not restrict the background
28 color, color combinations or color of plate numbers or
29 letters of vendor-designed registration plates, except as
30 determined by the department as necessary for law enforcement

1 purposes.

2 (2) The department may disapprove a design, cancel a
3 vendor-designed registration plate or require the
4 discontinuation of a vendor-designed registration plate or
5 color combination that is marketed, hosted or sold by a
6 private vendor at any time if the department determines that
7 the disapproval, cancellation or discontinuation is in the
8 best interest of the Commonwealth or the motoring public.

9 (i) Ownership retained.--Each approved vendor-designed
10 registration plate design and color combination remains the
11 property of the department. A vendor-designed registration plate
12 remains the property of the department and shall not be
13 considered property of the person that is issued the vendor-
14 designed registration plate.

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

17 (1) The department may fulfill the duties of the private
18 vendor temporarily until another private vendor is selected
19 and begins operation.

20 (2) The private vendor's share of the fee under
21 subsection (d) is deposited to the credit of the Motor
22 License Fund until a new private vendor is selected by the
23 department, at which time, the share of the fee shall be
24 transmitted to the private vendor that ceased operations.

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

27 (1) The seizure of a vendor-designed registration plate
28 under section 1334.1 (relating to seizure of registration
29 plate).

30 (2) The surrender of a vendor-designed registration

1 plate under section 1376 (relating to surrender of
2 registration plates and cards upon suspension or revocation).

3 (L) AUCTION.--THE FOLLOWING SHALL APPLY: <--

4 (1) THE DEPARTMENT SHALL AUTHORIZE A PRIVATE VENDOR THAT
5 CONTRACTS WITH THE DEPARTMENT UNDER THIS SUBSECTION TO
6 CONDUCT AN ONLINE OR IN-PERSON AUCTION FOR VENDOR-DESIGNED
7 REGISTRATION PLATES.

8 (2) AT A MINIMUM, THE PRIVATE VENDOR SHALL AUCTION A
9 PREMIUM EMBOSSED VENDOR-DESIGNED REGISTRATION PLATE FEATURING
10 BLACK BACKGROUND AND WHITE LETTERING, GOLD BACKGROUND AND
11 BLACK LETTERING AND CARBON FIBER BACKGROUND WITH WHITE
12 LETTERING.

13 (3) THE PRIVATE VENDOR SHALL BE REASONABLY COMPENSATED
14 TO COVER THE IMPLEMENTATION AND OPERATION COSTS OF THE
15 AUCTION, PLUS A SERVICE FEE AS NEGOTIATED BETWEEN THE
16 DEPARTMENT AND THE PRIVATE VENDOR. ANY REMAINING FUNDS FROM
17 AN AUCTION SALE UNDER THIS SUBSECTION EXISTING AFTER
18 REIMBURSEMENT UNDER THIS PARAGRAPH SHALL BE APPROPRIATED BY
19 THE GENERAL ASSEMBLY FOR THE PURPOSE OF RECRUITING, TRAINING
20 OR EQUIPPING PENNSYLVANIA STATE POLICE CADETS.

21 (4) EACH VENDOR-DESIGNED REGISTRATION PLATE UNDER THIS
22 SUBSECTION SHALL REMAIN THE PROPERTY OF THE DEPARTMENT. A
23 VENDOR-DESIGNED REGISTRATION PLATE AUCTIONED UNDER THIS
24 SUBSECTION MAY ONLY BE REAUCTIONED IF THE OWNER IS DECEASED.

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