



Pennsylvania  
Association of Notaries

HERE'S HOW TO USE THE CONTENTS OF  
**PAN'S MESSENGER PACKET**

**DISCLAIMER:** The forms and information contained in this document are intended to serve as a guide. This document is for your reference only and should not be construed as legal, financial or business advice. The Pennsylvania Association of Notaries does not represent or endorse the suitability, accuracy, reliability or completeness of any information in this document, and expressly disclaims all representations and warranties of any kind as to the results that may be obtained from the use of the information in this document. You agree that your access to, and use of, the information in this document is on an 'as-is', 'as available' basis and you acknowledge that any reliance upon any information in this document shall be at your sole risk.

<b>Use this checklist to complete your PennDOT Messenger contract application.</b>	
	<b>Date</b>
<p><b>A messenger is an individual or business registered by PennDOT which, for a fee, advertises, offers, or provides to the public the service of delivering and obtaining documents to and from PennDOT.</b></p> <ul style="list-style-type: none"> <li>• A messenger who is also approved as an issuing agent may apply to become a decentralized services agent who can issue a registration plate to a vehicle already titled in Pennsylvania but not registered; or reissue a registration plate to a vehicle already titled and registered in Pennsylvania.</li> <li>• A messenger and full agent with at least three (3) months of service with no sanctions, no suspensions on record, and a 98% or better audit score may apply to become an Online Messenger.</li> </ul>	
<p><b>Read PennDOT's Messenger Service Requirements to Open a Main Office</b></p> <ul style="list-style-type: none"> <li>• Read the Messenger Service Application Requirements, Pages 3-5.</li> </ul>	
<p><b>Read PennDOT's Messenger Manual</b></p> <ul style="list-style-type: none"> <li>• Read the Sample Contract on Pages 33-54.</li> <li>• You must complete an affidavit swearing or affirming that you have read and understand the provisions in the Messenger Manual.</li> </ul>	
<p><b>Order a PA State Police Criminal Record Check.</b></p> <ul style="list-style-type: none"> <li>• <b>From the State Police:</b> Complete Part I of Form SP4-164 and mail it to the State Police Central Repository. A response may take three weeks or longer. Fee is \$22. —OR— <b>From PAN:</b> Complete PAN's Request for Criminal Record Check and mail or fax it to PAN. We will send a <b>response</b> ("no record" OR "under review") by fax within 24 hours. Fee is \$32.</li> <li>• You will send the <b>results</b> of the criminal record check(s) to PennDOT with your application.</li> </ul>	

	Date Done
<p><b>Order a \$50,000 messenger bond for each location.</b></p> <ul style="list-style-type: none"> <li>• Complete the Liberty Mutual Commercial Surety Application and Indemnity Agreement from PAN's insurance broker, E. R. Munro and Company. <b>Note:</b> If you have filed for personal or business bankruptcy within the last seven (7) years, our underwriting requirements prohibit us from providing your bond.</li> <li>• Make a check payable to E. R. Munro and Company for \$400 for one year, or \$1,000 for three years.</li> <li>• Return the bond application and payment to E. R. Munro and Company. Munro will send you the completed bond, Form MV-375, that you will need to send to PennDOT with your application.</li> </ul>	
<p><b>Read and understand the following laws:</b></p> <ul style="list-style-type: none"> <li>• Pa.C.S. Title 75 Vehicles, Chapter 75</li> <li>• Pa.C.S. Title 75 Vehicles, Chapter 61, Section 6114</li> <li>• Pa. Code Title 67 Transportation, Chapters 43, 69, 255</li> </ul>	
<p><b>Complete PennDOT's Messenger Service Application.</b></p> <ul style="list-style-type: none"> <li>• Choose the appropriate application (New or Existing/Renewing)</li> <li>• Read and follow the instructions for each section.</li> <li>• Type or print legibly.</li> </ul>	
<p><b>Send the contract application and supporting materials to PennDOT:</b></p> <p style="text-align: center;">Email Address: RA-PDAGENTCONTRACTS@PA.GOV</p> <p style="text-align: center;">Postal Mail Address: Department of Transportation Bureau of Support Services Contract Section 1101 South Front Street, Fourth Floor Harrisburg, PA 17104</p>	
<p><b>Allow a minimum of sixty (60) days for processing.</b> <b>Incomplete applications will be returned.</b> <b>If PennDOT approves your application, you will receive an authorization in the mail.</b></p> <ul style="list-style-type: none"> <li>• You must display the authorization prominently in your place of business.</li> </ul>	
<p><b>Visit PennDOT's Authorized Agents and Messengers page.</b></p> <ul style="list-style-type: none"> <li>• <a href="https://www.pa.gov/agencies/dmv/resources/business-partners/authorized-agents-messengers.html">https://www.pa.gov/agencies/dmv/resources/business-partners/authorized-agents-messengers.html</a></li> </ul>	

Thank you for choosing PAN.

# PAN'S CRIMINAL RECORD CHECK

PLEASE TYPE OR PRINT CLEARLY

## CUSTOMER INFORMATION

Name of Person Requesting Record: \_\_\_\_\_

Business Name (if applicable): \_\_\_\_\_

PAN Customer Number (if known): \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

Please send the results via:  Fax  E-mail  Mail

## SUBJECT INFORMATION

First, Middle, Last Name: \_\_\_\_\_

Social Security Number (optional): \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

Birth Date (MM / DD / YYYY): \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

Gender: (optional)  Male  Female Race: (optional) \_\_\_\_\_

Is this record check request for a PennDOT contract?  Yes  No

**Cost is \$32 (\$22 State Police Fee and \$10 PAN Service Fee)**

## PAYMENT INFORMATION

Type of Card (check one):  VISA  MasterCard  Discover  American Express

Name on Card: \_\_\_\_\_

Card Number: \_\_\_\_\_ Expiration Date: \_\_\_\_\_ \*Security Code: \_\_\_\_\_

Billing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Cardholder's Signature: \_\_\_\_\_

\*The security code is the three or four-digit number printed on the face or the signature panel of your credit card.

**Upon completion, please submit this form to PAN via Mail, Fax or E-mail.  
PAN will process your order and send a response back to you.**



**Pennsylvania  
Association of Notaries**

One Gateway Center, Suite 401  
420 Fort Duquesne Boulevard  
Pittsburgh, PA 15222-1498

Phone: 800.944.8790  
Fax: 800.707.7075  
E-mail: PAN@notary.org

**PENNSYLVANIA STATE POLICE  
REQUEST FOR CRIMINAL RECORD CHECK  
1-888-QUERYPA (1-888-783-7972)**

This form is to be completed in ink by the requester – (information will be mailed to the requester only). If this form is not legible or not properly completed, it will be returned unprocessed to the requester.

**TRY OUR WEBSITE FOR A QUICKER RESPONSE**  
<https://epatch.pa.gov>

REQUESTER NAME	
ADDRESS	
CITY/STATE/ ZIP CODE	
TELEPHONE NO. (AREA CODE)	

<b>FOR CENTRAL REPOSITORY USE ONLY CONTROL NUMBER</b>
AFTER COMPLETION MAIL TO: PENNSYLVANIA STATE POLICE CENTRAL REPOSITORY – 164 1800 ELMERTON AVENUE HARRISBURG, PA 17110-9758  <b>DO NOT SEND CASH OR PERSONAL CHECK</b>
<p align="center"><b>CHECK ONE BLOCK</b></p> <p><input type="radio"/> INDIVIDUAL/NONCRIMINAL JUSTICE AGENCY – ENCLOSE A CERTIFIED CHECK/MONEY ORDER IN THE AMOUNT OF \$22.00, PAYABLE TO: "COMMONWEALTH OF PENNSYLVANIA" THE FEE IS NONREFUNDABLE</p> <p><input type="radio"/> NOTARIZED INDIVIDUAL/NONCRIMINAL JUSTICE AGENCY – ENCLOSE A CERTIFIED CHECK/MONEY ORDER IN THE AMOUNT OF \$27.00, PAYABLE TO: "COMMONWEALTH OF PENNSYLVANIA" THE FEE IS NONREFUNDABLE</p> <p><input type="radio"/> FEE EXEMPT-NONCRIMINAL JUSTICE AGENCY – NO FEE</p>

<b>SUBJECT OF RECORD CHECK</b>				
(FIRST)	(MIDDLE)	(LAST)		
MAIDEN NAME AND/OR ALIASES	SOCIAL SECURITY NUMBER	DATE OF BIRTH (MM/DD/YYYY)	SEX	RACE

**The Pennsylvania State Police response will be based on the comparison of the data provided by the requester against the information contained in the files of the Pennsylvania State Police Central Repository only.**

**FEEES FOR REQUESTS - \$22.00. NOTARIZED FEE REQUESTS - \$27.00.  
\*\*\*MAKE ALL MONEY ORDERS PAYABLE TO: COMMONWEALTH OF PENNSYLVANIA \*\*\***

<b>REASON FOR REQUEST</b>	
◀◀◀◀◀CHECK THE BOX THAT MOST APPLIES TO THE PURPOSE OF THIS REQUEST▶▶▶▶▶	
<input type="radio"/> INTERNATIONAL ADOPTION - INTERNATIONAL ADOPTION MUST BE NOTARIZED AND MAILED IN. (\$27.00 FOR REQUEST)	
<input type="radio"/> ADOPTION (DOMESTIC)	<input type="radio"/> EMPLOYMENT
<input type="radio"/> VISA	<input type="radio"/> OTHER

**WARNING: 18 Pa.C.S. 4904(b) UNDER PENALTY OF LAW - MISIDENTIFICATION OR FALSE STATEMENTS OF IDENTITY TO OBTAIN CRIMINAL HISTORY INFORMATION OF ANOTHER IS PUNISHABLE AS AUTHORIZED BY LAW.**

**E. R. MUNRO**  
  
**COMPANY**  
*bonds and insurance*

One Gateway Center, Suite. 400 • 420 Fort Duquesne Boulevard • Pittsburgh, PA 15222-1460  
Phone: 877.376.8676 • Fax: 412.281.6195 • E-mail: [info@ermunro.com](mailto:info@ermunro.com) • Web site: [www.ermunro.com](http://www.ermunro.com)

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MESSENGER BOND

Thank you for your inquiry regarding a \$50,000 messenger bond. If you are a full agent issuing registration plates or dealer selling vehicles, this bond can also cover the issuing agent and dealer obligations.

Complete this application on full. All owners must sign as an Indemnitor on the General Indemnity Agreement Page

Send the completed application to E. R. Munro and Company by mail, fax to (412) 281-6195 or, email to [bonds@ermunro.com](mailto:bonds@ermunro.com). Approval of the bond is dependent upon the results of a credit review.

The cost of the bond is \$300 a year or \$750 for 3 years. If the application is approved, we can accept a mailed check or money order, take payment information by phone, or we will send an invoice by email or fax to submit payment using our online payment system. Processing fees apply to phone and online payments.

If you have any questions, please give us a call. It is a pleasure to be of service.

Sincerely,

E. R. MUNRO AND COMPANY

Bond Department



Agency Name: E R Munro and Company  
Agency Code: 37-0544  
Bond Number: \_\_\_\_\_

## LICENSE, PERMIT OR MISCELLANEOUS BOND APPLICATION

New Business Billing Option: Agency Bill

Renewal Business Billing Option: Agency Bill

### APPLICANT INFORMATION:

Applicant(s) Name in Full (as it will appear on the bond): \_\_\_\_\_

Fein #: \_\_\_\_\_ # of Years in Business: \_\_\_\_\_

Business Address (street, city, state and zip code): \_\_\_\_\_

# of Years Related Experience: \_\_\_\_\_ Type of Business or Individual's Occupation: \_\_\_\_\_

Applicant(s) Structure:

Name & Address of Owner/ Co-Applicant/ Indemnitor: \_\_\_\_\_

SS#: \_\_\_\_\_ % of Ownership: \_\_\_\_\_

Name & Address of Owner/ Co-Applicant/ Indemnitor: \_\_\_\_\_

SS#: \_\_\_\_\_ % of Ownership: \_\_\_\_\_

Obligee Name (Party Requiring the Bond) and Address: Commonwealth of Pennsylvania, Bureau of Motor Vehicles, PO Box 68594, Harrisburg, PA 17106

If Applicable, Description of the License or Permit (to be Listed on the Bond Form): Messenger Service Bond Amount: \$50,000.00

If the bond will be replacing coverage for an active Messenger Service contract, provide your messenger ID # \_\_\_\_\_

Does your designation include Manufacturer/Dealer?	Yes	No
Does your designation include Full/Issuing Agent?	Yes	No
Does your designation include Messenger Service?	Yes	No

Effective Date: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

What is the Bond Term?  1 Year  3 Years

\*Is the applicant(s) a U.S. Citizen or Business?  Yes  No

**Please provide details regarding any "yes" answer:**

\*Has any applicant/ owner/ indemnitor ever been convicted of a felony or crime involving dishonesty, including theft or fraud?  Yes  No

\*Has any applicant/ owner/ indemnitor ever had a bond claim filed or paid against them?  Yes  No

\*Does any applicant(s) have any suits, liens or judgments filed against them?  Yes  No

\*Has the requested bond been declined by another Surety Company?  Yes  No

# GENERAL INDEMNITY AGREEMENT

The undersigned, hereinafter called the Indemnitor(s) (if there be more than one Indemnitor they jointly and severally and for each other do) hereby undertake, represent, warrant and agree as follows:

That the foregoing statements made and answers given in the submitted application are the truth without reservation, and are made for the purpose of inducing the NGM Insurance Company, Old Dominion Insurance Company and/or Spring Valley Mutual Insurance Company, their affiliates, successors or assigns hereinafter referred to as the Company, to execute or procure the execution of a certain bond or undertaking herein applied for. The Indemnitor(s) hereby expressly authorize the Company to access their credit reports at any time until all obligations of said Indemnitor(s) have been fully discharged for any of the following purposes: (a) to verify information provided to the Company; (b) for underwriting purposes; (c) to investigate claims or potential claims relating to the underwriting of bonds; (d) for debt collection. That this Agreement shall apply to the bond or undertaking herein applied for, and any and all extensions, increases, modifications or renewals thereof, or additions or substitutions therefore, any and all such instruments separately and collectively being hereinafter called the Bond. That the Indemnitor(s) shall pay all premiums and renewal premiums as may become due until the Company shall be discharged and released from any and all liability and responsibility under the Bond. That the Indemnitor(s) shall at all times indemnify, save the Company harmless from, and place the Company in funds to meet any claim, demand, loss, liability, costs, charge, attorney's fee, expense, suit, order, judgment, or adjudication arising from the existence of the Bond. That if the Company shall set up a reserve to cover any claim, demand, loss, liability, cost, charge, attorney's fee, expense, suit, order judgement or adjudication arising from the existence of the Bond the Indemnitor(s) shall, immediately upon demand, deposit with the Company a sum of money equal to such reserve, such sum to be held by the Company as collateral security for the Bond obligation. That the Company shall have exclusive right to determine for itself and the Indemnitor(s) whether any claim or suit brought against the Company or the Indemnitor(s), as a result of the existence of the Bond, shall be settled or defended and its decision shall be binding and conclusive upon the indemnitor(s). That this Agreement shall bind the heirs, executors, administrators, successors and assigns of the Idemnitor(s). That nothing herein contained shall be in derogation of any right or remedy which the Company might have independently hereof. A facsimile signature of this document shall be deemed an original signature for any and all purposes. Regardless of the date of signature(s), this Indemnity Agreement is effective as of the date of execution of the Bond and is continuous until the Company is satisfactorily discharged from liability pursuant to the terms and conditions contained herein. **If the Applicant/Indemnitor is an Entity (Corporation, Limited Liability Company or Partnership), the undersigned affirms to the Company that such Entity has the power and authority to enter into this Agreement and that the individual(s) executing this Agreement on behalf of such Entity is duly authorized to do so.**

**“ANY PERSON WHO KNOWINGLY AND WITH INTENT TO DEFRAUD ANY INSURANCE COMPANY OR OTHER PERSON FILES AN APPLICATION FOR INSURANCE OR STATEMENT OF CLAIM CONTAINING ANY MATERIALLY FALSE INFORMATION, OR CONCEALS FOR THE PURPOSE OF MISLEADING, INFORMATION CONCERNING ANY FACT MATERIAL THERETO, COMMITS A FRAUDULENT INSURANCE ACT, WHICH IS A CRIME, AND SUBJECTS SUCH PERSON CRIMINAL AND CIVIL PENALTIES.”**

Signed, Sealed and Dated this \_\_\_\_\_ day of \_\_\_\_\_.

*The parties agree that this Indemnity Agreement may be executed in one or more counterparts, each of which shall be deemed to be an original.*

\*Witness only required if bond amount exceeds \$250,000.00

\*Applicant-Indemnitor

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Indemnitor (Authorized Rep and Individually)

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Indemnitor (Authorized Rep and Individually)

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Indemnitor (Authorized Rep and Individually)

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Indemnitor (Authorized Rep and Individually)

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Indemnitor (Spouse, if applicable)

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Indemnitor (Spouse, if applicable)

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Indemnitor (Spouse, if applicable)

# FACT SHEET

## Agent Service Training

### PURPOSE

This fact sheet explains the requirement for all authorized agent services and card agents to enter into contract with PennDOT. These contracts require certain personnel to attend a PennDOT-certified Agent Services Training Course. The purpose of this fact sheet is to provide specifics as to training requirements for agent services and card agents and any business or association interested in being certified to provide training.

### WHO NEEDS TRAINING

#### DEFINITION:

- Agent Service - Any person who primarily is involved in completing motor vehicle transactions (Forms MV-1, MV-4ST and MV-120) and is responsible for accuracy of motor vehicle applications.
- Card agent - A notary public, commissioned by the Department of State, Bureau of Legislation, Commissions and Elections, who is approved by PennDOT to issue temporary registration cards in conjunction with applications for transfer of registration plates. A notary public from another state may also serve as a card agent and may issue a temporary registration card to a commonwealth registrant who has purchased a vehicle in the state and who wishes to apply for transfer of a commonwealth registration plate. The notary shall be commissioned or licensed as a notary by a governmental agency of the state.

Persons required to attend a PennDOT-certified Agent Services Training Course are determined by the agent service or card agent and include, but are not limited to, business owners, corporate officers, title clerks, finance and insurance personnel and office managers. Through the course of any routine audit or investigation, should PennDOT determine an employee of an agent service falls within the definition above, PennDOT will require the agent service or card agent to obtain the requested training for that individual within an established time period.

Any agent service or card agent found out of compliance with any portion of their contract may be directed to send any or all of their employees to attend a PennDOT-certified Agent Services Training Course.

### ENFORCEMENT OF TRAINING REQUIREMENT

During an audit or investigation, commonwealth personnel may request proof that employees who require training based on the definition above have attended a PennDOT-certified Agent Services Training course. The request for proof of completion of a PennDOT-certified Agent Services Training Course may also be made at any time when an agent service or card agent is not in full compliance with their contract.



## ATTENDANCE/RECOGNITION

Attendees must provide government-issued photo identification to enter a PennDOT-certified Agent Services Training Course. Upon completion of any PennDOT-certified Agent Services Training Course, certified trainers must present each attendee with a document or certificate, which must include the individual's name, the name of the training class, the certified training business or association's name, and the date and location of the training class. This information must be provided to PennDOT and retained electronically by the certified trainer for a period of three years.

The original document or certificate should be retained by the attendee. The agent service or card agent employer must retain a copy on file at the place of business for audit purposes.

## TIMEFRAME FOR TRAINING

Applicants for an Agent Services or Card Agent Agreement shall complete and ensure that each employee involved in providing agent services completes the PennDOT-certified Agent Services Basic Title and Registration Training Course prior to the applicant or it's employee's involvement in provisions of service.

Agent service or card agent employees with more than one year of experience as an employee of an agent service or card agent, whose direct responsibilities fall within the definition of those requiring training, and who have no history of sanctions or contractual non-compliance are required to take a PennDOT-certified Agent Services Training Course not more than one year from entering into a contract or date of hire. This PennDOT-certified Agent Service Training Course may be either the Basic Title and Registration Training Course or the Advanced Refresher Agent Services Training Course.

All employees are required to attend a PennDOT-certified Advanced Refresher Agent Services Training Course at least every two years.

## WEB TRAINING

PennDOT acknowledges and agrees that the use of PennDOT-certified web-based training will be recognized as an acceptable means to administer training. While the training content will be identical to that of classroom courses, the web-based course must be reviewed and approved by PennDOT prior to the course being offered to agent services and card agents.

## BECOMING A PENNDOT CERTIFIED AGENT SERVICES TRAINER

Any business or association interested in providing a PennDOT-certified Agent Services Training Course should contact PennDOT for additional information. Inquiries should be directed to:

Bureau of Motor Vehicles  
Attn: BMV Training Coordinator  
Research and Support Operations Section, Third Floor  
1101 S. Front Street  
Harrisburg, PA 17104

A list of PennDOT-certified Agent Services Training Course businesses and associations can be obtained on PennDOT's Driver and Vehicle Services website, [www.pa.gov/dmv](http://www.pa.gov/dmv), by clicking the Business Partners link in the left-hand navigation bar and selecting the Certified Trainers for Messenger and Agent Seminars link.

*Please Note: Authorized agents are under contract to PennDOT and may charge a market driven service (delivery) fee; these are in addition to any PennDOT statutory fees for temporary, or in some cases, permanent motor vehicle registration plates and cards or other related products and services offered by the agent. The agent's service (delivery) fees are market driven, and vary by agent. To compare service (delivery) fees, you are encouraged to contact the authorized agents in your area for the applicable service (delivery) fees charged.*



[BMV Fees](#)

**APPLICATION FOR INITIAL REQUEST/RENEWAL/CHANGE AND/OR REPLACEMENT OF CERTIFICATE OF AUTHORIZATION AS MOTOR VEHICLE MESSENGER SERVICE FEE REQUIRED**

(The space above is for Department use only)  
Bureau of Motor Vehicles • 1101 South Front Street • Harrisburg, PA 17104

**CHECK (✓) APPROPRIATE BLOCKS BELOW:**

- Initial Request or Additional Place of Business - Complete Sections A, B & F. **FEE REQUIRED:** for either Main Office or Branch Office.
- Annual Renewal/Reigstration - Complete Sections A, B & F. **FEE REQUIRED:** for either Main Office or Branch Office.
- Duplicate Certificate of Authorization - Complete Sections A, C & F
- Change of Address/Location Transfer - Complete Sections A, D & F. **FEE REQUIRED**
- Replacement of Photo ID Card - Complete Sections A, E & F. **FEE REQUIRED**

**NOTE: To add, delete or change employee information, you MUST complete [Form MV-73B, "Messenger and / or Agent service Employee Report for PennDOT"](#)**

**NOTE: This form requires a fee. Please review the instructions below carefully prior to submitting the application. For a complete listing of motor vehicle fees, refer to [Form MV-70S, "Bureau of Motor Vehicles Schedule of Fees,"](#) found on our website at [www.pa.gov/dmv](http://www.pa.gov/dmv) or scan the QR code at the top of this application.**

**A CURRENT REGISTERED NAME AND ADDRESS OF MESSENGER SERVICE**

Name as Now Registered		Messenger Number	
Street Address as Now Registered (Principal Place of Business)			
City	County	State	Zip

**B RENEWAL APPLICATION**

I/We are applying for renewal of certificate(s) of authorization for the following office(s) holding registration number(s):

1. Main Office	2. Branch	3. Branch	4. Branch
5. Branch	6. Branch	7. Branch	8. Branch
9. Branch	10. Branch	11. Branch	12. Branch

**CERTIFICATION OF BOND** - The following must be completed by surety in conjunction with renewal.

I certify that this messenger service is bonded by:

Bonding Company Name	Bond Number	For the registration year ending June 30, 20 _____
Signature of Bonding Agent	Print Bonding Agent's Name as Signed	Bonding Agent's Telephone Number
Messenger Contract Number	<b>CHECK ONE:</b> <input type="checkbox"/> Bond Renewal <input type="checkbox"/> New Bond (Must be Attached)	

**C APPLICATION FOR DUPLICATE CERTIFICATE OF AUTHORIZATION**

I/We are applying for a duplicate certificate with no changes because the original certificate was:     Lost     Stolen     Defaced     Never Received

**D APPLICATION FOR REPLACEMENT OF CERTIFICATE DUE TO CHANGE OF BUSINESS ADDRESS**

Photos of office interior and exterior must be attached. Rider from bonding company must also be submitted.

New Street Address

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Will the new business address be used solely for messenger service business?     YES     NO  
If no, list below other type(s) of business(es) which will be conducted at this location.

**CHECK ONE:** The property at the new address is:     Owned     Leased (Attach copy of lease or deed to this application)

**E APPLICATION FOR REPLACEMENT OF PHOTO IDENTIFICATION CARD**

Please issue a new photo ID card to the following employee currently designated to conduct business in the Bureau of Motor Vehicles:

Name \_\_\_\_\_ **CHECK ONE:** Reason:     Lost     Stolen     Defaced

Messenger Services that wish to obtain a messenger badge for entry into the PennDOT Riverfront Office Center's Messenger Unit must contact Regulated Client Services Section to set up the appointment for a swipe badge. Please email Regulated Client Services at [RA-PDMESSSENGERBADGE@pa.gov](mailto:RA-PDMESSSENGERBADGE@pa.gov) and a representative will respond within one business day. Please include the name of your business, phone number, name of individual needing a messenger badge, messenger number and date and time you would like an appointment.

**F CERTIFICATION**

I/We certify under penalty of law that the above information is complete, TRUE and CORRECT. **WARNING:** The mis-statement of facts or failure to notify PennDOT of changes on this application shall be grounds for suspension of your contract.

\_\_\_\_\_  
Signature of Owner or President of Corporation                      Signature of Co-Owner or Other Corporate Officer                      Date

# Messenger Service Requirements to Open a Main Office

This publication contains the messenger service contract requirements packet. The packet includes application information, samples and frequently asked questions. Once these requirements are met, a contract between you and PennDOT will be executed.

Contract requirements can be mailed to:

Bureau of Motor Vehicles  
Regulated Client Services Section  
Issuing Agent Registration Unit  
1101 S. Front Street  
Harrisburg, PA 17104

Requirements may also be submitted through the Messenger Service Center. A sort bin has been established for contract requirements.

Should you have any questions regarding this process, please call the Regulated Client Services Section at (717) 705-1101 or write to the address listed above.

# MESSENGER SERVICE APPLICATION REQUIREMENTS

## I. General Requirements

- v Applicants must submit two copies of their requirements documents to the Department.
- v Applicants should provide as much information as possible regarding their ability to meet or exceed the requirements for messenger service.
- v Applicants must address each factor specified below.
- v Information must be submitted in the format specified in the Sample Document.
- v There is a fee that must be submitted for opening a new main office and a different fee for opening a branch location. **For a current listing of fees, refer to [Form MV-70S, "Bureau of Motor Vehicles Schedule of Fees."](#)**

## II. Experience

- v The cover of the application should include the business name, address, phone number, fax number, email address and Federal ID Number. If you are currently an authorized messenger service, your messenger number should also be listed on the cover.
- v If a corporation, include the names of the president, vice-president, secretary and treasurer; if a sole proprietorship, the name of the owner; if a partnership, the names of the partners; or if a limited partnership, the name of the general partner. All applicants must also include the name(s) of support staff that will be involved in the messenger service and indicate the responsibilities each will have within the service.
- v Neither applicant, nor any applicant's employee(s) shall be under sanction or investigation by the Department for violations of 75 Pa.C.S. or Departmental regulations.
- v Prior violations of 75 Pa.C.S. or Department regulations may disqualify an applicant, as such violations, depending on the circumstances, may be taken into account in the evaluation of the application.
- v Applicants shall provide letter(s) of reference from a bank or other financial institution, which indicates that accounts of the applicant are handled in a satisfactory manner that is consistent with standard banking practices.
- v Applicants shall provide three letters of reference from business concerns, on business stationery, attesting to the character of the applicant.
- v Applicants shall provide a notarized statement that no monies are due and owing to the Commonwealth of Pennsylvania by the applicant business or by the owners and officers of the business.
- v The applicant shall provide the drivers license number of any owner, officer or agent, who will be transporting documents.
- v The applicant shall provide the prescribed annual fee for the principal place of business of the applicant and branch offices, if any. The fee will be returned if the application is denied. (75 Pa.C.S. Chapter 19, Section 1959, Messenger Services). No fee is required if the business is already an authorized messenger service. There is a fee for principal place of business and a different fee for a branch office. **For a current listing of fees, refer to [Form MV-70S, "Bureau of Motor Vehicles Schedule of Fees."](#)**

### **III. Facilities**

- v Each applicant must submit photographs of the interior and exterior of the proposed place of business, including branch offices, if any.
- v The photographs must show the following items:
  - u Entrance way
  - u Exterior signs, including business hours
  - u Desk and phone area
  - u Secure area for storage of Pennsylvania Motor Vehicle and Driver Licensing products and forms
  - u Licensing and the contractors service fees
  - u Schedule of Fees: Department vs. Messenger Service

### **IV. Criminal Background Check**

- v A criminal record check must be obtained from the Pennsylvania State Police for each owner or corporate officer and every employee engaged in the messenger service to determine if they have been convicted of a criminal offense. If such a conviction exists, the messenger service must furnish the facts of the offense, and secure Department approval before hiring or utilizing the person involved.
- v The criminal record check must be less than one year old at the time the application is reviewed.

### **V. Security Plan**

- v The messenger service must submit its proposal for the method of security it intends to use for safeguarding all supplies, including applications.

### **VI. Bond**

- v The messenger service shall file and maintain with the Department a bond in the amount of \$50,000 for each approved messenger service. If the messenger service has more than one location, additional bonds in the amount of \$50,000 for each location not to exceed \$250,000 must be submitted. The bonds shall be executed by a surety company authorized by law to transact business in this commonwealth and shall state that it is for the use and benefit of the commonwealth and persons who have sustained a monetary loss within the limitations of this bond attributable to the intentional or negligent conduct of the agent service or employees, including losses incurred in negotiating checks or other instruments drawn by the agent service.
- v If the Department does not have your current bond information on file, then you must submit your original bond information to us.

### **VII. Denial of Application**

- v The Department may deny an application for messenger service agreement upon determining the applicant is not capable of performing the duties of a messenger service in a manner consistent with the public interest.

## **VII. Ineligible**

- v No official or employee of the Commonwealth of Pennsylvania shall be eligible to enter into a contract with the Department to own or operate a messenger or agent service nor shall a messenger or agent employ an official or employee of the Commonwealth of Pennsylvania.

# SAMPLE DOCUMENT

## Cover Page of Requirement Packet

John Q. Customers Messenger Service, Inc.  
1101 S. Front Street  
Harrisburg, PA 17104  
Messenger # 00000  
(717) 999-9999  
Fax #: (717) 111-1111  
E-mail address: johnqcustomer@xxx.com

## PAGE BREAK

### Requirements

#### Experience

John Q. Customer Messenger Service, Inc. located at 1101 S. Front Street has been a messenger service for the past five years. We currently operate a main location and five branch offices.

The owner of the corporation is John Q. Customer, Vice President is Joan A. Customer, Secretary is Mary B. Customer and Treasurer is Joe C. Customer.

The support staff consists of (place name of each employee who will be involved in the messenger service and indicate their responsibilities within the service).

Neither John Q. Customer Messenger Service, nor any of its employees are under sanction or have ever been sanctioned by PennDOT for violations under 75 Pa.C.S. or Departmental regulations.

## PAGE BREAK

Attach your letter of reference from a bank or financial institution. Please make sure your letter indicates that accounts are handled in a satisfactory manner consistent with standard banking practices.

## PAGE BREAK

Attach three letters of reference from business concerns, on business stationery, attesting to the character of the applicant.

# PAGE BREAK

Attach a notarized statement that no monies are due and owing to the Commonwealth by the owners and officers of the business.

# PAGE BREAK

Provide the driver's license number of any owner, officer or agent, who will be transporting documents.

# PAGE BREAK

## Facilities

Attach photographs of the interior and exterior of the place(s) of business. The photographs of the exterior must show the entrance, business hours and signs. The interior photographs must show the desk, phone, secure area for storage of products and forms, and a complete schedule of fees and charges for Pennsylvania Motor Vehicles/Driver Licensing and the contractor fees.

# PAGE BREAK

## Criminal Background Check

Attach a criminal background check, obtained from the Pennsylvania State Police, for each owner or corporate officer and every employee engaged in the messenger service. If a conviction exists, the messenger service must furnish the facts of the offense and secure Department approval before hiring or retaining employee.

# PAGE BREAK

## Security Plan

Attach the messenger service's proposal for the method of security it intends to use for safeguarding all supplies, products and applications.

# PAGE BREAK

## Bond

Attach your bond information ([MV-375](#) or rider to the bond). Each Messenger Service must file and maintain a bond in the amount of \$50,000 for each approved messenger service. If the messenger service has more than one location, additional bonds in the amount of \$50,000 for each location, not to exceed \$250,000, must be submitted.

## PENNSYLVANIA AGENT AMERICANS WITH DISABILITIES ACT (ADA) CHECKLIST

As a provider of a public service, you are required to ensure the areas of your facility used for customer transactions involving Department of Transportation documents meet the accessibility requirements of Title II of the Americans with Disabilities Act (ADA). If you answer "no" to questions 2, 3, 4, 6, 10, 11, 13, 14, 15, 16, 17, 18, 20, 21 or 22, your facility does not meet the ADA accessibility requirements.

### EXTERIOR:

1. Does your place of business provide parking spaces for the general public? . . . . .  YES  NO  
If no, skip to Question 4.
2. Are there designated persons with disabilities parking spaces? . . . . .  YES  NO  
If no, skip to Question 4.
3. Are there signs for the designated person with disabilities space(s)? . . . . .  YES  NO
4. Is there a clear unobstructed path of travel at least 36 inches from where your customers park to your door? . . . . .  YES  NO
5. Are curb cuts necessary for access? . . . . .  YES  NO  
If no, skip to Question 9.
6. Have the curb cuts been installed? . . . . .  YES  NO  
If no, skip to Question 9.
7. Is the length of the curb cut at least one foot for every inch of curb height? .  YES  NO
8. Is the width of the curb cut at least 36 inches? . . . . .  YES  NO
9. Are ramps necessary for access? . . . . .  YES  NO  
If no, skip to Question 14.
10. Have the ramps been installed? . . . . .  YES  NO
11. Is the height of the ramp such to reach the level of the entrance? . . . . .  YES  NO
12. Is the length of the ramp at least one foot long for every inch of height? . . . .  YES  NO

**ENTRY:**

- 13. Is the width of the ramp at least 36 inches? . . . . .  YES  NO
- 14. Does your entrance door provide a minimum of 32 inches of clearance? . . .  YES  NO
- 15. Is your entrance door's threshold less than one-half inch high? . . . . .  YES  NO  
**NOTE:** Thresholds at doorways should not exceed  $\frac{3}{4}$  inch in height for exterior sliding doors; not in excess of  $\frac{1}{2}$  inch for other types of doors.
- 16. Is your entrance door's threshold beveled or slanted on both ends? . . . . .  YES  NO
- 17. Is your door handle 48 inches high or less? . . . . .  YES  NO
- 18. Can the door be easily opened using a closed fist? . . . . .  YES  NO
- 19. Is there an interior door? . . . . .  YES  NO  
If no, skip to Question 21.
- 20. Does the interior door meet the same specifications of the entry door as described above? . . . . .  YES  NO

**INTERIOR:**

- 21. Is the route to where PennDOT customer services are provided 36 inches wide? . . . . .  YES  NO
- 22. Are the counters where PennDOT customer services are provided no more than 36 inches high and at least 36 inches? . . . . .  YES  NO

**ATTACHED IS A SAMPLE CONTRACT**

**THE CONTRACT HAS NO VALIDITY UNTIL ALL REQUIREMENTS ARE MET AND ALL SIGNATURES ARE OBTAINED AND A COMPLETELY EXECUTED CONTRACT IS RETURNED TO YOU**

**This sample is being provided for your review. Should you meet all the requirements and enter into a contract with the Department, you will become bound by this contract. Once again, this is only a SAMPLE for information and does not guarantee that a contract will be offered.**

**THANK YOU.**

Effective Date: \_\_\_\_\_  
(Department will insert)

Contract #:  
Federal ID #:

## MESSENGER SERVICES AGREEMENT

This Agreement, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2014, by and between the Commonwealth of Pennsylvania, acting through the Department of Transportation (Department),

a n d

John Doe Messenger Service

WHEREAS Act 152 of 2002 requires the Department to enter into contracts for the provision of messenger services for delivering and obtaining documents to and from the Department, for a fee; and

WHEREAS, Contractor desires to contract with the Department to provide such services to vehicle owners and operators and any business entity relating to Motor Vehicle or Driver Licensing products in the Commonwealth; and

WHEREAS, the Department has determined that Contractor is qualified to provide the necessary messenger services.

NOW THEREFORE, the parties agree, with the intention of being legally bound, to the following:

### AUTHORITY TO PROVIDE MESSENGER SERVICES

1. Department will allow Contractor to provide messenger service, delivering and obtaining driver licensing and vehicle registration documents to and from the Department for consumers in the Commonwealth.
2. Contractor may charge a reasonable service fee for messenger services provided. It is understood that the Department will make no payment to the Contractor; payment for any services rendered shall be billed by the Contractor to the public users of its services.
3. If providing counter service to the public, Contractor shall at all times maintain a facility which is acceptable in appearance to the Department and is in compliance with all applicable federal, state, and local laws, including local zoning ordinances and building codes, and is fully accessible to persons with disabilities in accordance with the provisions of Title II of the Americans with Disabilities Act.

## **FACILITIES**

4. The facility(ies) of the Contractor shall provide for adequate parking to accommodate the anticipated volume of business and shall provide specified parking for persons with disabilities, in accordance with applicable standards promulgated by the Department of Labor and Industry, at 34 Pa. Code, Chapter 47.
5. The facility shall include secure storage during non business hours for all products being delivered and obtained from the Department. The Department expressly reserves the right to amend this Agreement to provide for the implementation of additional security measures as shall be determined to be required by the Department in its discretion.
6. The facility shall have active telephone service, a fax machine and a copy machine; the Department, at its discretion, may require the Contractor to also have a connection through a personal computer to the Internet, an active e-mail account accessible via the Internet, access to the Department's Driver and Vehicle Systems, or may require other technology the Department may deem appropriate for the provision of messenger services.
7. Prior to the relocation of the messenger service business to another location, Contractor agrees to submit to the Department only the facility-related information required as if the Contractor were making and initial application to contract to provide messenger services.

## **HOURS OF OPERATION**

8. If offering personal counter services to the public, Contractor's facility shall be open a minimum of 20 hours per week between the hours of 7:00 a.m. and 9:00 p.m. The facility may be closed for reasonable periods of time due to vacation or illness, subject to the requirements of paragraph 14.

## **STAFFING**

9. Contractor will, at the time of appointment or hiring and annually thereafter, obtain a criminal record check from the Pennsylvania State Police for all corporate officers of the Contractor and employees who are involved in providing the messenger service and will make such criminal record checks available to the Department upon request.
10. Contractor will, at the time of hiring and annually secure an affidavit from each employee involved in providing the messenger service that the employee has read and understood the provisions of 75 Pa.C.S. Chapters 75 (relating to authorization of messenger and agent services), 75 Pa.C.S. § 6114 (relating to limitation on sale, publication and disclosure of records), 67 Pa. Code, Chapter 255 (relating to Messenger Services), and the Department's Messenger Manual (regarding messenger application, processing information and procedures); Contractor will retain the statement(s) on file for inspection upon request by the Department.

11. Contractor will direct at least one management employee involved in providing the messenger service to attend at least one of the Department's Quarterly Messenger Meetings per year.

### **SIGNING AND MATERIALS**

12. Contractor will conspicuously post a schedule of Department motor vehicle fees and fees charged by Contractor for messenger services.
13. If open to the public, contractor will prominently post on the outside of the business an identifying sign, of durable material, which contains the words "authorized messenger service" or "authorized motor vehicle messenger service."
14. If open to the public, contractor will post a schedule of hours so as to be visible from the exterior of the place of business. If the facility is closed due to vacation or illness, the closure will be prominently posted at the entrance to the facility.
15. Contractor will prominently post the certificate of authorization for the messenger service at the place of business.

### **SECURITY**

16. At the close of the hours of operation of the messenger service, Contractor shall place all documents which were obtained from the Department or for delivery to the Department, in the place of secured storage approved by the Department.
17. If any completed forms or Motor Vehicle or Driver License products, which are being delivered to the Department or obtained from the Department, are lost or stolen, the Contractor must notify the Department of the loss or theft immediately or the next business day after discovery of the loss. This notice shall be in the form of an affidavit and shall give complete details of the loss or theft. In the event of theft, the theft shall be reported to appropriate police officials within 48 hours of discovery of the theft.

### **PROVISION OF TIMELY SERVICE**

18. Completed documents for processing must be submitted to the Department within 5 calendar days of the messenger's receipt of all necessary and fully executed documents. If Contractor has also contracted with the Department as an Agent Service, Contractor nonetheless must submit completed applications and fees within 5 calendar days, not within 20 calendar days as provided in paragraph 21 of the Agent Service Agreement.
19. Contractor will pick up all work processed by the Department within 48 business hours after being placed in the box of the messenger service.
20. The Department, at its sole discretion, may require Contractor to submit source documents to the Department utilizing digital imaging technology or electronically in a manner prescribed by the Department.

## **BOND**

21. Contractor shall file and maintain with the Department a bond in the amount of \$50,000 for each messenger service. If the agent service has more than one location, additional bonds in the amount of \$50,000 for each location, not to exceed \$250,000 in the aggregate, shall be filed and maintained. The bonds shall be executed by a surety company authorized by law to transact business in this Commonwealth and shall be for the use and benefit of the Commonwealth and persons who have sustained a monetary loss attributable to the intentional or negligent conduct of the Contractor or Contractor's employees, including losses incurred in negotiating checks or other instruments drawn by the Contractor, in accordance with the limitations in 67 Pa. Code §255.4(a).
22. If the amount available under the bond is decreased, or if there is a final judgment outstanding on the bond, the rights of the Contractor to deliver and obtain documents to and from the Department, may be suspended or terminated until steps are taken, satisfactory to the Department, to restore the original amount of the bond, provide an additional bond or satisfy the outstanding judgment.
23. If the bond is terminated or becomes unsatisfactory for any reason, the Contractor's authorization to operate the messenger service will be suspended until the Contractor furnishes the Commonwealth with a satisfactory substitute bond in the amount required by the Department.

## **AUDITS AND INSPECTION**

24. The Department reserves the right to make unannounced visits to audit, observe and inspect Contractor's messenger service operations. Records of transactions conducted by the messenger service and related documents shall be available for inspection, with or without notice, by authorized Commonwealth employees or designees, including the Pennsylvania State Police. Records required by the Department to be maintained by the Contractor in carrying out the duties under this Agreement shall be subject to periodic inspection by authorized representatives of the Commonwealth or its designated agents under the following conditions:
  - (1) Place -The inspection may be conducted at the issuing agent's established place of business.
  - (2) Time -The inspection may be conducted during regular and usual business hours.
  - (3) Scope -The inspection may be limited to examination of the records, plates, permit or other products designated by the Department, inventory which are subject to the record keeping requirement of this Agreement and Department regulations or, based on the initial findings, may be expanded to include investigation of violations of the other terms of this Agreement or Department regulations.

## RENEWAL

25. This Agreement shall be for a term of three (3) years commencing with the effective date. The parties shall have the option to renew this Agreement by letter agreement for additional three (3) year periods.

## SUSPENSION AND TERMINATION

26. Contractor agrees that Contractor and its employees will be bound by the provisions of and 75 Pa.C.S. Chapter 75 (relating to authorization of messenger and agent services) 75 Pa.C.S. § 6114 (relating to limitation on sale, publication and disclosure of records), and 67 Pa. Code Chapter 255 (relating to messenger services), as well as the provision in this Agreement, and that where this Agreement provides a more rigorous standard of conduct, the provisions of this Agreement shall control.
27. Contractor agrees that if it is determined by the Department that Contractor or any of its employees has engaged in any of the activity described in the following table, operation of the messenger service may be suspended in accordance with the corresponding time period in the table which follows. Second and subsequent offenses will be determined on the basis of previous offenses of the same nature committed within a three (3) year period.

Prohibited Activity	Period of Suspension of Operation
(1) The authorized messenger service has failed to report a change of business address within 10 days of the change - <b>first offense</b> .	Suspension until the application related to the change has been approved.
(2) The messenger service has operated an unauthorized branch office - <b>first offense</b> .	Suspension until the branch office is approved by the Department or closed by the messenger.
(3) The messenger service has failed to submit documents to the Department within 5 days after the messenger's receipt of all necessary and fully executed documents - <b>first offense</b> .	Written Warning.
(4) The messenger service has failed to submit documents to the Department within 5 days after the messenger's receipt of all necessary and fully executed documents - <b>second offense</b> .	Operation suspended for (3) months.
(5) The messenger service has failed to post the Certificate of Authorization, schedule of motor vehicle fees as supplied by the Bureau, schedule of messenger fees, identifying sign conforming to Department regulations, or hours of operation in a conspicuous manner at places of business - <b>first offense</b> .	Written Warning.
(6) The messenger service has failed to post the Certificate of Authorization, schedule of motor vehicle fees as supplied by the Bureau, schedule of messenger fees, identifying sign conforming to Department regulations, or hours of operation in a conspicuous manner at places of business - <b>second offense</b> .	Operation suspended for one (1) month.
(7) The messenger service has repeatedly failed to record messenger number and date of submission on applications and checks submitted to the Commonwealth - <b>first offense</b> .	Written Warning.
(8)The messenger service has repeatedly failed to record messenger number and date of submission on applications and checks submitted to the Commonwealth - <b>second offense</b> .	Operation suspended for three (3) months.
(9) The messenger service has failed to pick up work processed by the Department within 48 hours after deposit in proper box - <b>first offense</b> .	Written Warning.
(10)The messenger service has failed to pick up work processed by the Department within 48 hours after deposit in proper box - <b>second offense</b> .	Operation suspended for three (3) months.
(11) The messenger has: (i) Failed to furnish receipts as required by § 255.5(g) (relating to duties of messenger service).(ii) Failed to retain a duplicate copy of receipts for 3 years - <b>first offense</b> .	Written Warning.
(12)The messenger has: Failed to furnish receipts as required by § 255.5(g) (relating to duties of messenger service).	Operation suspended for three (3) months.

Prohibited Activity	Period of Suspension of Operation
(13) The messenger service has failed to maintain proper records as provided in § 255.5(h) - <b>first offense.</b>	Written Warning.
(14)The messenger service has failed to maintain proper records as provided in § 255.5(h) - <b>second offense.</b>	Operation suspended for three (3) months.
(15) The messenger or employee has failed to conspicuously display identification card at all times when in the Department on business related to the messenger service - <b>first offense.</b>	Written Warning.
(16) The messenger or employee has failed to conspicuously display identification card at all times when in the Department on business related to the messenger service - <b>second offense.</b>	Operation suspended for one (1) month.
(17) The messenger service has failed to allow inspection of all documents in the possession of the messenger service by authorized Commonwealth employees - <b>first offense.</b>	Operation suspended until 30 days after the documents are made available for inspection.
(18) The messenger service offering personal counter services has failed on two or more occasions to be open during posted business hours - <b>first offense.</b>	Written Warning.
(19) The messenger service offering personal counter services has failed on two or more occasions to be open during posted business hours - <b>second offense.</b>	Operations suspended for three (3) months.
(20) An owner or officer of the messenger service is a Commonwealth employee or the messenger service is employing a Commonwealth employee - <b>first offense.</b>	Operation suspended for one (1) month.
(21) An owner or officer of the messenger service is a Commonwealth employee or the messenger service is employing a Commonwealth employee - <b>second offense.</b>	Operation suspended for six (6) months.
(22) The messenger service has failed to maintain security of documents as required by section 255.5(c) - <b>first offense.</b>	Written warning.
(23) The messenger service has failed to maintain security of documents as required by section 255.5(c) - <b>second offense.</b>	Operations suspended for three (3) months.
(24) The messenger service has failed to maintain the established place of business in accordance with contract requirements - <b>first offense.</b>	Operation suspended until the established place of business is brought into compliance with contract requirements.
(25) The messenger service has failed to submit documents in accordance with Department regulations and procedures at locations designated by the Department - <b>first offense.</b>	Written Warning.

Prohibited Activity	Period of Suspension of Operation
(26) The messenger service has failed to submit documents in accordance with Department regulations and procedures at locations designated by the Department - <b>second offense</b> .	Operation suspended for one (3) months.
(27) The messenger service has repeatedly failed to ensure proper execution of documents or failed to ensure that all documents necessary to complete the paperwork was submitted to the Department for processing - <b>first offense</b> .	Written warning.
(28) The messenger service has repeatedly failed to ensure proper execution of documents or failed to ensure that all documents necessary to complete the paperwork was submitted to the Department for processing - <b>second offense</b> .	Operation suspended for three (3) months.
(29) The messenger service has submitted documents to the Department for processing which have been accompanied by uncollectible checks drawn on the account of the messenger - <b>first offense</b> .	Suspension until the uncollectible checks, protest fees, and collection charges are paid, plus a warning letter.
(30) The messenger service has submitted documents to the Department for processing which have been accompanied by uncollectible checks drawn on the account of the messenger - <b>second offense</b> .	Suspension until all uncollectible checks, protest fees, and collection charges are paid, plus three (3) months.
(31)The messenger service has failed to comply with an order from the Department to submit certified checks, postal or other money orders with a document to the Department for processing - <b>first offense</b> .	Operation suspended for one (1) month.
(32)The messenger service has failed to comply with an order from the Department to submit certified checks, postal or other money orders with a document to the Department for processing - <b>second offense</b> .	Operation suspended for three (3) months.
(33)The messenger service has failed to notify the Department of the names and social security numbers of all new employees of the messenger service within 30 days of hire - <b>first offense</b> .	Written warning.
(34)The messenger service has failed to notify the Department of the names and social security numbers of all new employees of the messenger service within 30 days of hire - <b>second offense</b> .	Operation suspended for three (3) months.
(35) The messenger has failed to return all documents which it has held for 90 days and it has been unable to deliver to the applicant - <b>first offense</b> .	Written warning.
(36) The messenger has failed to return all documents which it has held for 90 days and it has been unable to deliver to the applicant - <b>second offense</b> .	Operation suspended for one (1) month.
(37) The Contractor has violated the inquiry policy set forth by the Department in accessing the Department's Driver and Vehicle Systems - <b>first offense</b> .	Operation suspended for three (3) months.

28. Contractor agrees that if it is determined by the Department that Contractor or any of its employees has engaged in any of the activity described in the following listing, such activity shall be considered breach of this Agreement and operation of the messenger service under this Agreement may be terminated:
- (1) The agent service, one of its owners, officers or employees, has committed a fraudulent act including the fraudulent keeping of records, or the fraudulent completion of an application submitted to the Department, or has failed to submit to the Department completed applications and fees and taxes due the Commonwealth in connection with the issuance of the temporary cards or plates.
  - (2) The authorized messenger service has failed to report a change of business address within 10 days of the change - **second offense**.
  - (3) The messenger service has operated an unauthorized branch office - **second offense**.
  - (4) The messenger service has failed to submit documents to the Department within 5 days after the messenger's receipt of all necessary and fully executed documents - **third offense**.
  - (5) The messenger service has failed to maintain security of documents as required by § 255.5(c) - **third offense**.
  - (6) The messenger service has failed to submit documents in accordance with Department regulations and procedures at locations designated by the Department - **third offense**.
  - (7) The messenger service has repeatedly failed to ensure proper execution of documents or failed to ensure that all documents necessary to complete the paperwork was submitted to the Department for processing - **third offense**.
  - (8) The messenger service has submitted documents to the Department for processing which have been accompanied by uncollectible checks drawn on the account of the messenger - **third offense**.
  - (9) The messenger services has failed to comply with an order from the Department to submit certified checks, postal or other money orders with a document to the Department for processing - **third offense**.
  - (10) An owner, officer or employee of the messenger service has been convicted of a felony or misdemeanor relating to the titling, registration or collection of sales tax and fees for a vehicle or the agent has been convicted of another felony relating to motor vehicles within the last 10 years.
  - (11) The messenger service, or any of its owners, officers or employees has offered or delivered money, gifts or other items of substantial value to a Commonwealth employee.
  - (12) The messenger service has failed to maintain the established place of business in accordance with contract requirements - **second offense**.
  - (13) The messenger service has failed to post the Certificate of Authorization, schedule of motor vehicle fees as supplied by the Bureau, schedule of messenger fees, identifying sign conforming to Department regulations, or hours of operation in a conspicuous manner at places of business - **third offense**.

- (14) The messenger service offering personal counter services has failed on two or more occasions to be open during posted business hours - **third offense**.
  - (15) The messenger service has repeatedly failed to record messenger number and date of submission on applications and checks submitted to the Commonwealth - **third offense**.
  - (16) The messenger service has failed to pick up work processed by the Department within 48 hours after deposit in proper box - **third offense**
  - (17) The messenger has failed to furnish receipts as required by § 255.5(g) (relating to duties of messenger service) or failed to retain a duplicate copy of receipts for 3 years - **third offense**.
  - (18) The messenger or employee has failed to conspicuously display identification card at all times when in the Department on business related to the messenger service - **third offense**
  - (19) The messenger has failed to return all documents which it has held for 90 days and it has been unable to deliver to the applicant - **third offense**.
  - (20) The messenger service has failed to notify the Department of the names and social security numbers of all new employees of the messenger service within 30 days of hire - **third offense**.
  - (21) The Contractor has violated the inquiry policy set forth by the Department in accessing the Department's Driver and Vehicle Systems - **second offense**.
29. In determining whether to suspend service under this Agreement or terminate the Agreement pursuant to paragraphs 27 or 28, the Department will consider any mitigating circumstances or factors presented by the Contractor and may take such lesser action under the terms of paragraphs 27 or 28 as it may deem appropriate. Within 5 business days after the Department has suspended service or terminated this agreement pursuant to paragraphs 27 and 28, or terminated the Agreement under paragraph 30, Contractor may request a meeting with the Department to present mitigating circumstances or factors; such meeting shall be held within 30 days of the request.
30. The Department may also terminate this Agreement at any time for good cause shown, including, but not limited to, misrepresentation or fraud in the Contractor's application which formed the basis for this contract, or if the agent service is operated, managed, controlled or affiliated with a person who would be ineligible to be authorized to engage in providing agent services.

### **CONTRACTOR INTEGRITY**

31. The Contractor agrees to be bound by the Provisions Concerning the Americans With Disabilities Act, attached hereto as Exhibit "A."
32. The Contractor shall comply with the Commonwealth Contractor Integrity Provisions attached hereto as Exhibit "B."

## **INDEMNIFICATION**

33. The Contractor, its agents and employees, shall act in independent capacity and shall not act or be deemed to act as officers, employees or agents of the Department.
34. The Contractor agrees to comply with all applicable federal and state laws and regulations and local ordinances in carrying out its obligations under this Agreement.
35. The Contractor agrees to save harmless, indemnify and, if requested, defend the Commonwealth of Pennsylvania, the Department, their officers, employees or agents from and against all claims, suits or actions for damages, costs or expenses arising, or alleged to have arisen from death or injury to person or property, or other damage as a result of any act or omission of the Contractor.

## **CONFLICT OF LAWS**

36. Regardless of any provision to the contrary found elsewhere in the provisions of this Agreement, the laws of the Commonwealth of Pennsylvania shall be used in the interpretation of this Agreement.
37. In the event of conflict between the provisions of this Agreement and any attachment hereto, the provisions of the Agreement shall control.

## **AMENDMENT**

38. This Agreement and attachments hereto constitute the entire agreement between the parties.
39. This Agreement may be amended at any time by letter agreement executed by both parties.

IN WITNESS WHEREOF, the parties have executed this Agreement the date first above written.

ATTEST

CONTRACTOR

\_\_\_\_\_  
Title: DATE

BY \_\_\_\_\_  
Title: DATE

*If a Corporation, only the Chairman, President, Vice-President, Chief Executive Officer or Chief Operating Officer must sign; if a sole proprietorship, only the owner must sign; if a partnership, only one partner need sign; if a limited partnership, only the general partner may sign; if a limited liability company, only a member or managing member may sign. If a Municipality, Authority or other entity, please attach a resolution.*

**DO NOT WRITE BELOW THIS LINE - FOR COMMONWEALTH USE ONLY**

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

BY \_\_\_\_\_  
Deputy Secretary DATE  
Driver and Vehicle Services

APPROVED AS TO LEGALITY  
AND FORM

BY \_\_\_\_\_  
for Chief Counsel DATE

## EXHIBIT "A"

### PROVISIONS CONCERNING THE *AMERICANS WITH DISABILITIES ACT*

For the purpose of these provisions, the term contractor is defined as any person, including, but not limited to, a bidder, offeror, supplier, or grantee, who will furnish or perform or seeks to furnish or perform, goods, supplies, services, construction or other activity, under a purchase order, contract, or grant with the Commonwealth of Pennsylvania (Commonwealth).

During the term of this agreement, the contractor agrees as follows:

1. Pursuant to federal regulations promulgated under the authority of the *Americans with Disabilities Act*, 28 C. F. R. § 35.101 et seq., the contractor understands and agrees that no individual with a disability shall, on the basis of the disability, be excluded from participation in this agreement or from activities provided for under this agreement. As a condition of accepting and executing this agreement, the contractor agrees to comply with the "*General Prohibitions Against Discrimination*," 28 C. F. R. § 35.130, and all other regulations promulgated under *Title II of the Americans with Disabilities Act* which are applicable to the benefits, services, programs, and activities provided by the Commonwealth through contracts with outside contractors.
2. The contractor shall be responsible for and agrees to indemnify and hold harmless the Commonwealth from all losses, damages, expenses, claims, demands, suits, and actions brought by any party against the Commonwealth as a result of the contractor's failure to comply with the provisions of paragraph 1.

## EXHIBIT "B"

### CONTRACTOR INTEGRITY PROVISIONS

It is essential that those who seek to contract with the Commonwealth of Pennsylvania ("Commonwealth") observe high standards of honesty and integrity. They must conduct themselves in a manner that fosters public confidence in the integrity of the Commonwealth procurement process.

In furtherance of this policy, Contractor agrees to the following:

1. Contractor shall maintain the highest standards of honesty and integrity during the performance of this contract and shall take no action in violation of state or federal laws or regulations or any other applicable laws or regulations, or other requirements applicable to Contractor or that govern contracting with the Commonwealth.
2. Contractor shall establish and implement a written business integrity policy, which includes, at a minimum, the requirements of these provisions as they relate to Contractor employee activity with the Commonwealth and Commonwealth employees, and which is distributed and made known to all Contractor employees.
3. Contractor, its affiliates, agents and employees shall not influence, or attempt to influence, any Commonwealth employee to breach the standards of ethical conduct for Commonwealth employees set forth in the *Public Official and Employees Ethics Act, 65 Pa.C.S. §§1101 et seq.*; the *State Adverse Interest Act, 71 P.S. §776.1 et seq.*; and the *Governor's Code of Conduct, Executive Order 1980 -18, 4 Pa. Code §7.151 et seq.*, or to breach any other state or federal law or regulation.
4. Contractor, its affiliates, agents and employees shall not offer, give, or agree or promise to give any gratuity to a Commonwealth official or employee or to any other person at the direction or request of any Commonwealth official or employee.
5. Contractor, its affiliates, agents and employees shall not offer, give, or agree or promise to give any gratuity to a Commonwealth official or employee or to any other person, the acceptance of which would violate the *Governor's Code of Conduct, Executive Order 1980 18, 4 Pa.Code §7.151 et seq.* or any statute, regulation, statement of policy, management directive or any other published standard of the Commonwealth.
6. Contractor, its affiliates, agents and employees shall not, directly or indirectly, offer, confer, or agree to confer any pecuniary benefit on anyone as consideration for the decision, opinion, recommendation, vote, other exercise of discretion, or violation of a known legal duty by any Commonwealth official or employee.
7. Contractor, its affiliates, agents, employees, or anyone in privity with him or her shall not accept or agree to accept from any person, any gratuity in connection with the performance of work under the contract, except as provided in the contract.
8. Contractor shall not have a financial interest in any other contractor, subcontractor, or supplier providing services, labor, or material on this project, unless the financial interest is disclosed to the Commonwealth in writing and the Commonwealth consents to Contractor's financial interest prior to Commonwealth execution of the contract. Contractor shall disclose the financial interest to the Commonwealth at the time of bid or proposal submission, or if no bids or proposals are solicited, no later than Contractor's submission of the contract signed by Contractor.
9. Contractor, its affiliates, agents and employees shall not disclose to others any information, documents, reports, data, or records provided to, or prepared by, Contractor

under this contract without the prior written approval of the Commonwealth, except as required by the *Pennsylvania Right-to-Know Law, 65 P.S. §§ 67.101-3104*, or other applicable law or as otherwise provided in this contract. Any information, documents, reports, data, or records secured by Contractor from the Commonwealth or a third party in connection with the performance of this contract shall be kept confidential unless disclosure of such information is:

- a. Approved in writing by the Commonwealth prior to its disclosure; or
  - b. Directed by a court or other tribunal of competent jurisdiction unless the contract requires prior Commonwealth approval; or
  - c. Required for compliance with federal or state securities laws or the requirements of national securities exchanges; or
  - d. Necessary for purposes of Contractor's internal assessment and review; or
  - e. Deemed necessary by Contractor in any action to enforce the provisions of this contract or to defend or prosecute claims by or against parties other than the Commonwealth; or
  - f. Permitted by the valid authorization of a third party to whom the information, documents, reports, data, or records pertain: or
  - g. Otherwise required by law.
10. Contractor certifies that neither it nor any of its officers, directors, associates, partners, limited partners or individual owners has been officially notified of, charged with, or convicted of any of the following and agrees to immediately notify the Commonwealth agency contracting officer in writing if and when it or any officer, director, associate, partner, limited partner or individual owner has been officially notified of, charged with, convicted of, or officially notified of a governmental determination of any of the following:
- a. Commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements or receiving stolen property.
  - b. Commission of fraud or a criminal offense or other improper conduct or knowledge of, approval of or acquiescence in such activities by Contractor or any affiliate, officer, director, associate, partner, limited partner, individual owner, or employee or other individual or entity associated with:
    - (1) obtaining;
    - (2) attempting to obtain; or
    - (3) performing a public contract or subcontract.Contractor's acceptance of the benefits derived from the conduct shall be deemed evidence of such knowledge, approval or acquiescence.
  - c. Violation of federal or state antitrust statutes.
  - d. Violation of any federal or state law regulating campaign contributions.
  - e. Violation of any federal or state environmental law.
  - f. Violation of any federal or state law regulating hours of labor, minimum wage standards or prevailing wage standards; discrimination in wages; or child labor violations.
  - g. Violation of the *Act of June 2, 1915 (P.L.736, No. 338)*, known as the *Workers' Compensation Act, 77 P.S. 1 et seq.*

- h.** Violation of any federal or state law prohibiting discrimination in employment.
- i.** Debarment by any agency or department of the federal government or by any other state.
- j.** Any other crime involving moral turpitude or business honesty or integrity.

Contractor acknowledges that the Commonwealth may, in its sole discretion, terminate the contract for cause upon such notification or when the Commonwealth otherwise learns that Contractor has been officially notified, charged, or convicted.

- 11.** If this contract was awarded to Contractor on a non-bid basis, Contractor must, (as required by *Section 1641 of the Pennsylvania Election Code*) file a report of political contributions with the Secretary of the Commonwealth on or before February 15 of the next calendar year. The report must include an itemized list of all political contributions known to Contractor by virtue of the knowledge possessed by every officer, director, associate, partner, limited partner, or individual owner that has been made by:
- a.** Any officer, director, associate, partner, limited partner, individual owner or members of the immediate family when the contributions exceed an aggregate of one thousand dollars (\$1,000) by any individual during the preceding year; or
  - b.** Any employee or members of his immediate family whose political contribution exceeded one thousand dollars (\$1,000) during the preceding year.

To obtain a copy of the reporting form, Contractor shall contact the Bureau of Commissions, Elections and Legislation, Division of Campaign Finance and Lobbying Disclosure, Room 210, North Office Building, Harrisburg, PA 17120.

- 12.** Contractor shall comply with requirements of the *Lobbying Disclosure Act, 65 Pa.C.S. §13A01 et seq.*, and the regulations promulgated pursuant to that law. Contractor employee activities prior to or outside of formal Commonwealth procurement communication protocol are considered lobbying and subjects the Contractor employees to the registration and reporting requirements of the law. Actions by outside lobbyists on Contractor's behalf, no matter the procurement stage, are not exempt and must be reported.
- 13.** When Contractor has reason to believe that any breach of ethical standards as set forth in law, the Governor's Code of Conduct, or in these provisions has occurred or may occur, including but not limited to contact by a Commonwealth officer or employee which, if acted upon, would violate such ethical standards, Contractor shall immediately notify the Commonwealth contracting officer or Commonwealth Inspector General in writing.
- 14.** Contractor, by submission of its bid or proposal and/or execution of this contract and by the submission of any bills, invoices or requests for payment pursuant to the contract, certifies and represents that it has not violated any of these contractor integrity provisions in connection with the submission of the bid or proposal, during any contract negotiations or during the term of the contract.
- 15.** Contractor shall cooperate with the Office of Inspector General in its investigation of any alleged Commonwealth employee breach of ethical standards and any alleged Contractor non-compliance with these provisions. Contractor agrees to make identified Contractor employees available for interviews at reasonable times and places. Contractor, upon the inquiry or request of the Office of Inspector General, shall provide, or if appropriate, make promptly available for inspection or copying, any information of any type or form deemed relevant by the Inspector General to Contractor's integrity and compliance with these

provisions. Such information may include, but shall not be limited to, Contractor's business or financial records, documents or files of any type or form that refers to or concern this contract.

16. For violation of any of these Contractor Integrity Provisions, the Commonwealth may terminate this and any other contract with Contractor, claim liquidated damages in an amount equal to the value of anything received in breach of these provisions, claim damages for all additional costs and expenses incurred in obtaining another contractor to complete performance under this contract, and debar and suspend Contractor from doing business with the Commonwealth. These rights and remedies are cumulative, and the use or non-use of any one shall not preclude the use of all or any other. These rights and remedies are in addition to those the Commonwealth may have under law, statute, regulation, or otherwise.
17. For purposes of these Contractor Integrity Provisions, the following terms shall have the meanings found in this Paragraph 17.
  - a. "Confidential information" means information that a) is not already in the public domain; b) is not available to the public upon request; c) is not or does not become generally known to Contractor from a third party without an obligation to maintain its confidentiality; d) has not become generally known to the public through a act or omission of Contractor; or e) has not been independently developed by Contractor without the use of confidential information of the Commonwealth.
  - b. "Consent" means written permission signed by a duly authorized officer or employee of the Commonwealth, provided that where the material facts have been disclosed, in writing, by pre-qualification, bid, proposal, or contractual terms, the Commonwealth shall be deemed to have consented by virtue of execution of this contract.
  - c. "Contractor" means the individual or entity that has entered into this contract with the Commonwealth, including those directors, officers, partners, managers, and owners having more than a five percent interest in Contractor.
  - d. "Financial interest" means:
    - (1) Ownership of more than a five percent interest in any business; or
    - (2) Holding a position as an officer, director, trustee, partner, employee, or holding any position of management.
  - e. "Gratuity" means tendering, giving or providing anything of more than nominal monetary value including, but not limited to, cash, travel, entertainment, gifts, meals, lodging, loans, subscriptions, advances, deposits of money, services, employment, or contracts of any kind. The exceptions set forth in the Governor's Code of Conduct, Executive Order 1980-18, the 4 Pa. Code §7.153(b), shall apply.
  - f. "Immediate family" means a spouse and any unemancipated child.
  - g. "Non-bid basis" means a contract awarded or executed by the Commonwealth with Contractor without seeking bids or proposals from any other potential bidder or offeror.
  - h. "Political contribution" means any payment, gift, subscription, assessment, contract, payment for services, dues, loan, forbearance, advance or deposit of money or any valuable thing, to a candidate for public office or to a political committee, including but not limited to a political action committee, made for the purpose of influencing any election in the Commonwealth of Pennsylvania or for paying debts incurred by or for a candidate or committee before or after any election.

## **EXHIBIT "C"**

### **NONDISCRIMINATION/SEXUAL HARASSMENT CLAUSE [Contracts]**

The Contractor agrees:

1. In the hiring of any employee(s) for the manufacture of supplies, performance of work, or any other activity required under the contract or any subcontract, the Contractor, each subcontractor, or any person acting on behalf of the Contractor or subcontractor shall not, by reason of gender, race, creed, or color, discriminate against any citizen of this Commonwealth who is qualified and available to perform the work to which the employment relates.
2. Neither the Contractor nor any subcontractor nor any person on their behalf shall in any manner discriminate against or intimidate any employee involved in the manufacture of supplies, the performance of work, or any other activity required under the contract on account of gender, race, creed, or color.
3. The Contractor and each subcontractor shall establish and maintain a written sexual harassment policy and shall inform their employees of the policy. The policy must contain a notice that sexual harassment will not be tolerated and employees who practice it will be disciplined.
4. The Contractor and each subcontractor shall not discriminate by reason of gender, race, creed, or color against any subcontractor or supplier who is qualified to perform the work to which the contracts relates.
5. The Contractor and each subcontractor shall, within the time periods requested by the Commonwealth, furnish all necessary employment documents and records and permit access to their books, records, and accounts by the contracting agency and the Bureau of Minority and Women Business Opportunities (BMWBO), for purpose of ascertaining compliance with provisions of this Nondiscrimination/Sexual Harassment Clause. Within fifteen (15) days after award of any contract, the Contractor shall be required to complete, sign and submit Form STD-21, the "Initial Contract Compliance Data" form. If the contract is a construction contract, then the Contractor shall be required to complete, sign and submit Form STD-28, the "Monthly Contract Compliance Report for Construction Contractors", each month no later than the 15th of the month following the reporting period beginning with the initial job conference and continuing through the completion of the project. Those contractors who have fewer than five employees or whose employees are all from the same family or who have completed the Form STD-21 within the past 12 months may, within the 15 days, request an exemption from the Form STD-21 submission requirement from the contracting agency.
6. The Contractor shall include the provisions of this Nondiscrimination/Sexual Harassment Clause in every subcontract so that those provisions applicable to subcontractors will be binding upon each subcontractor.
7. The Commonwealth may cancel or terminate the contract and all money due or to become due under the contract may be forfeited for a violation of the terms and conditions of this Nondiscrimination/Sexual Harassment Clause. In addition, the agency may proceed with debarment or suspension and may place the Contractor in the Contractor Responsibility File.

## EXHIBIT "D"

### Contract Provisions – Right to Know Law

- a. The Pennsylvania Right-to-Know Law, 65 P.S. §§ 67.101-3104, ("RTKL") applies to this Contract. For the purpose of these provisions, the term "the Commonwealth" shall refer to the contracting Commonwealth agency.
- b. If the Commonwealth needs the Contractor's assistance in any matter arising out of the RTKL related to this Contract, it shall notify the Contractor using the legal contact information provided in this Contract. The Contractor, at any time, may designate a different contact for such purpose upon reasonable prior written notice to the Commonwealth.
- c. Upon written notification from the Commonwealth that it requires the Contractor's assistance in responding to a request under the RTKL for information related to this Contract that may be in the Contractor's possession, constituting, or alleged to constitute, a public record in accordance with the RTKL ("Requested Information"), the Contractor shall:
  1. Provide the Commonwealth, within ten (10) calendar days after receipt of written notification, access to, and copies of, any document or information in the Contractor's possession arising out of this Contract that the Commonwealth reasonably believes is Requested Information and may be a public record under the RTKL; and
  2. Provide such other assistance as the Commonwealth may reasonably request, in order to comply with the RTKL with respect to this Contract.
- d. If the Contractor considers the Requested Information to include a request for a Trade Secret or Confidential Proprietary Information, as those terms are defined by the RTKL, or other information that the Contractor considers exempt from production under the RTKL, the Contractor must notify the Commonwealth and provide, within seven (7) calendar days of receiving the written notification, a written statement signed by a representative of the Contractor explaining why the requested material is exempt from public disclosure under the RTKL.
- e. The Commonwealth will rely upon the written statement from the Contractor in denying a RTKL request for the Requested Information unless the Commonwealth determines that the Requested Information is clearly not protected from disclosure under the RTKL. Should the Commonwealth determine that the Requested Information is clearly not exempt from disclosure, the Contractor shall provide the Requested Information within five (5) business days of receipt of written notification of the Commonwealth's determination.
- f. If the Contractor fails to provide the Requested Information within the time period required by these provisions, the Contractor shall indemnify and hold the Commonwealth harmless

for any damages, penalties, costs, detriment or harm that the Commonwealth may incur as a result of the Contractor's failure, including any statutory damages assessed against the Commonwealth.

- g.** The Commonwealth will reimburse the Contractor for any costs associated with complying with these provisions only to the extent allowed under the fee schedule established by the Office of Open Records or as otherwise provided by the RTKL if the fee schedule is inapplicable.
- h.** The Contractor may file a legal challenge to any Commonwealth decision to release a record to the public with the Office of Open Records, or in the Pennsylvania Courts, however, the Contractor shall indemnify the Commonwealth for any legal expenses incurred by the Commonwealth as a result of such a challenge and shall hold the Commonwealth harmless for any damages, penalties, costs, detriment or harm that the Commonwealth may incur as a result of the Contractor's failure, including any statutory damages assessed against the Commonwealth, regardless of the outcome of such legal challenge. As between the parties, the Contractor agrees to waive all rights or remedies that may be available to it as a result of the Commonwealth's disclosure of Requested Information pursuant to the RTKL.
- i.** The Contractor's duties relating to the RTKL are continuing duties that survive the expiration of this Contract and shall continue as long as the Contractor has Requested Information in its possession.

## DECENTRALIZED SERVICES

The Pennsylvania Department of Transportation implemented the Decentralized Services Program in order to provide more complete and convenient Motor Vehicle and Driver License Services to citizens of the Commonwealth. This program is to be used for those agents without on-line capabilities.

The Decentralized Services Program allows messengers who are also approved as issuing agents to provide distinct services to their customers. These services are: 1) issuing a registration plate to a vehicle already titled in Pennsylvania, but not registered; 2) reissuing a registration plate to a vehicle already titled and registered in Pennsylvania.

There are several benefits to the Decentralized Services Program. PennDOT and the messenger are able to immediately serve a customer, and processing of the permanent output can occur after the customer has been initially served.

Under the Decentralized Services Program, a customer is able to visit the office of an authorized agent and receive a "temporary output" document after properly completing all required forms and paying a fee. The agent then telephones a special number to receive PennDOT authorization to complete any decentralized transaction. The temporary output document is actually a copy of the application form. The agent is then responsible for submitting the application form to PennDOT, where the application is processed. The permanent output is then returned to the agent for the customer.

Participation in the Decentralized Services Program is optional for messenger services that are also registered as issuing agents. Messengers interested in participating in this program should contact Messenger Services for more information.

The Decentralized Services Program phone lines are open Monday thru Friday 9:00 a.m. - 4:00 p.m. The phone number is (717) 346-0605.

# MESSENGER SERVICE PROCESSING PROCEDURE

## MV-120/MV-140 TAG ISSUANCE (For vehicles already titled, but not registered in PA)

1. Receive from applicant two forms of identification bearing a signature.
2. Call the decentralized phone line, (717) 346-0605, between 9:00 a.m. and 4:00 p.m., Monday-Friday. Messengers with inquiry access may self-authorize.
  - a. Identify yourself by giving your messenger service name, messenger number and social agent number.
  - b. Identify application type: MV-120/[MV-140](#).
  - c. Provide applicant information: name(s), address, title number, and VIN.
  - d. Request authorization number, if not given.
  - e. Verify validity of record, current and valid expiration, no stops on record.
3. If applicant's record is not in order, authorization to issue a product will be denied. **NOTE:** If applicant's record shows a tag, they may need a replacement on [Form MV-44](#) rather than a tag issued through this procedure.
4. If applicant's record is in order, you will be issued an authorization number. Complete Forms MV-120/[MV-140](#), listing tag number being issued on both forms where applicable and authorization number you were given through the decentralized telephone line.
5. Authorization number, date, time and initials must be listed in the upper right hand corner of the MV-120.
6. Acquire signature of applicant on both forms where applicable.
7. Acquire applicable payment.
8. The pink copy of application and tag should be given to applicant to serve as temporary authorization to operate their vehicle.
10. Retain yellow copy of Form MV-120 for your files, in chronological order, for no less than three years. **NOTE:** PennDOT recommends Form MV-120's issued through this procedure be distinguishable from Form MV-120's issued in conjunction with title applications. One way to easily distinguish between the two would be to attach a photocopy of the accompanying [Form MV-140](#) to your file copy.
11. Assemble PennDOT documents in the following manner:
  - a. BUD Sheet.
  - b. Check (placed horizontally).
  - c. Form [MV-140](#) (placed horizontally).
  - d. Form MV-120 (white copy).
  - e. Photocopy of applicants valid PA Drivers License or I.D.
12. Stamp messenger number and date of submission on all documents.
13. Transmit application to be processed via your authorized employee within five days from date of issuance in accordance with Departmental regulations.
14. Deposit in decentralized bin in Messenger Service Center bin deposit area.

**REQUIREMENTS FOR MESSENGER, DEALER, AGENT SERVICES, CARD AGENTS AND MISCELLANEOUS MOTOR VEHICLE BUSINESS APPLICANTS**

All applicants for card agent, agent services authorization, motor vehicle messenger service certification, dealer and miscellaneous motor vehicle business registration are required to complete Form SP 4-164, "Request for Criminal Record Check" and include the results received from the Pennsylvania State Police with their completed application as part of the documentation required for review. Forms 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

Under "Reason for Request," check the box that most applies to the type of authorization being applied for.

Forward the completed form and the required fee to the appropriate address listed on Form SP 4-164.

**PENNSYLVANIA STATE POLICE  
REQUEST FOR CRIMINAL RECORD CHECK  
1-888-QUERYPA (1-888-783-7972)**

This form is to be completed in ink by the requester – (information will be mailed to the requester only). If this form is not legible or not properly completed, it will be returned unprocessed to the requester.

**TRY OUR WEBSITE FOR A QUICKER RESPONSE**  
<https://epatch.pa.gov>

REQUESTER NAME	
ADDRESS	
CITY/STATE/ ZIP CODE	
TELEPHONE NO. (AREA CODE)	

<b>FOR CENTRAL REPOSITORY USE ONLY CONTROL NUMBER</b>
<b>AFTER COMPLETION MAIL TO: PENNSYLVANIA STATE POLICE CENTRAL REPOSITORY – 164 1800 ELMERTON AVENUE HARRISBURG, PA 17110-9758</b>
<b>DO NOT SEND CASH OR PERSONAL CHECK</b>
<b>CHECK ONE BLOCK</b>
<input type="checkbox"/> INDIVIDUAL/NONCRIMINAL JUSTICE AGENCY – ENCLOSE A CERTIFIED CHECK/MONEY ORDER IN THE AMOUNT OF <u>\$22.00</u> , PAYABLE TO: "COMMONWEALTH OF PENNSYLVANIA" THE FEE IS NONREFUNDABLE
<input type="checkbox"/> NOTARIZED INDIVIDUAL/NONCRIMINAL JUSTICE AGENCY – ENCLOSE A CERTIFIED CHECK/MONEY ORDER IN THE AMOUNT OF <u>\$27.00</u> , PAYABLE TO: "COMMONWEALTH OF PENNSYLVANIA" THE FEE IS NONREFUNDABLE
<input type="checkbox"/> FEE EXEMPT-NONCRIMINAL JUSTICE AGENCY – NO FEE

<b>SUBJECT OF RECORD CHECK</b>				
(FIRST)	(MIDDLE)	(LAST)		
MAIDEN NAME AND/OR ALIASES	SOCIAL SECURITY NUMBER	DATE OF BIRTH (MM/DD/YYYY)	SEX	RACE
The Pennsylvania State Police response will be based on the comparison of the data provided by the requester against the information <u>contained in the files of the Pennsylvania State Police Central Repository only.</u>				
FEEES FOR REQUESTS - \$22.00. NOTARIZED FEE REQUESTS - \$27.00. ***MAKE ALL MONEY ORDERS PAYABLE TO: <u>COMMONWEALTH OF PENNSYLVANIA</u> ***				
<b>REASON FOR REQUEST</b>				
◀◀◀◀◀CHECK THE BOX THAT MOST APPLIES TO THE PURPOSE OF THIS REQUEST▶▶▶▶▶				
<input type="checkbox"/> INTERNATIONAL ADOPTION - INTERNATIONAL ADOPTION MUST BE NOTARIZED AND MAILED IN. (\$27.00 FOR REQUEST)				
<input type="checkbox"/> ADOPTION (DOMESTIC) <input type="checkbox"/> EMPLOYMENT <input type="checkbox"/> VISA <input type="checkbox"/> OTHER				

**WARNING: 18 Pa.C.S. 4904(b) UNDER PENALTY OF LAW - MISIDENTIFICATION OR FALSE STATEMENTS OF IDENTITY TO OBTAIN CRIMINAL HISTORY INFORMATION OF ANOTHER IS PUNISHABLE AS AUTHORIZED BY LAW.**

**Homeland Security is Everyone's Responsibility - Pennsylvania Terrorism Tip Line 1-888-292-1919**

**Annex A**  
**Title 67. TRANSPORTATION**  
**PART I. DEPARTMENT OF TRANSPORTATION**  
**SUBPART A. VEHICLE CODE PROVISION**  
**ARTICLE III. REGISTRATION**  
**CHAPTER 255. MESSENGER SERVICES**

**§ 255.1. Purpose.**

This chapter establishes rules governing the qualifications and duties of messenger services as provided in 75 Pa.C.S. § 7501 (relating to authorization of messenger service).

**§ 255.2. Definitions.**

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

*Bureau*—The Bureau of Motor Vehicles of the Department of Transportation. *Decentralized service agent*—A messenger service which is also authorized to issue on behalf of the Department to qualified applicants temporary learner's permits, vehicle registration renewals, driver's license renewals, and the like.

*Documents*—Certificates of title, motor vehicle registrations or renewals, learners' permits, drivers' licenses or renewals, vehicle sales and use tax returns, duplicates of certificates of title, motor vehicle registrations or drivers' licenses, inspection stickers, changes of address and applications and supporting documents, such as birth and death certificates, court orders, and the like.

*Messenger service*—A person who, for a fee, advertises, offers or provides to the public the service of delivering and obtaining documents to and from the Department. A dealer or employe who delivers and obtains documents only for purchasers of vehicles from the dealer is not a messenger service. This exclusion does not apply to a person who handles documents for more than one dealer.

*Person*—Includes a corporation, partnership and association, as well as a natural person.

*Place of business*—The place occupied either continuously or at regular periods by a messenger service where the books and records are kept and where a messenger service which offers personal counter service to customers transacts a large share of its business.

**§ 255.3. Certificate of Authorization.**

(a) *Application procedure.* A person wishing to be authorized to operate a messenger service shall make application to the Bureau on forms furnished by the Bureau. The application shall include all of the following:

- (1) Photographs, interior and exterior, of the proposed place of business of the applicant, including branch offices, if any.
- (2) A letter of reference from a bank.
- (3) Three letters of reference from reputable business concerns.
- (4) A set of fingerprints of the applicant, or principals of a partnership or corporation.

- (5) The prescribed annual fee for the principal place of business of the applicant and branch offices, if any. The fee will be returned if the application is denied.
  - (6) The prescribed bond, on the form of the Department or a surety's binding commitment to issue the bond upon approval of the application.
  - (7) A listing of outstanding liabilities due and owing to the Commonwealth, if any.
  - (8) The names and social security numbers of owners, officers and employes of the messenger service.
- (b) *Review of application.* The Department will examine and determine the genuineness, regularity and legality of every application for a certificate of authorization as a messenger service. The Department may cause an investigation of the applicant to be made with regard to any of the following:
- (1) Condition of the applicant's proposed business premises.
  - (2) Department and other Commonwealth records pertaining to the business or an owner, officer or agent.
  - (3) The personal history of an owner, officer or agent.
  - (4) An unsatisfied judgment against the business, owner or officer in the county where the business is doing business, or where the owner and officers reside.
  - (5) The driving record of an owner, officer or agent, who will be transporting documents.
  - (6) Credit rating of the business and its owners, and officers.
  - (7) Assets and liabilities of the business.
- (c) The Department may deny an application for a certificate of authorization upon determining that the applicant is not capable of performing the duties of a messenger service in a manner consistent with the public interest due to any of the following:
- (1) Information revealed in the investigation.
  - (2) The applicant's failure to disclose required material information.
  - (3) The applicant's making of a materially false statement on the application.
- (d) *Opportunity for review.* If the Department denies an application for a certificate of authorization, the Department will provide the applicant with an opportunity to show cause why the application should not be denied.
- (e) *Temporary certificate of authorization.* After reviewing an application, the Bureau may issue a temporary certificate of authorization. The temporary certificate of authorization will be issued for 60 days, during which period the Bureau may cause an investigation to be made of the operations of the messenger service. When the temporary certificate of authorization expires, the Bureau may either deny or issue a regular certificate of authorization.
- (f) *Issuance of certificate of authorization.* If the Bureau determines that the applicant is capable of performing the duties of a messenger service in a manner consistent with the public interest and the applicable fees are paid, a certificate of authorization will be issued to the applicant. The certificate of authorization will be issued on a fiscal year basis. In no case will a certificate of authorization be issued for more than 12 months. Certificates of authorization will expire on June 30 of each calendar year.

- (g) *Renewal of certificate of authorization.* A certificate of authorization shall be renewed annually on a form provided by the Bureau.
- (h) *Transfer of certificate of authorization.* A certificate of authorization may not be transferred and shall be valid only for the owners in whose names it is issued.
  - (1) In the case of a change of ownership, the messenger service shall notify the Bureau within 5 days.
  - (2) The following are regarded as changes of ownership:
    - (i) Whenever the owner takes a new partner.
    - (ii) Whenever the owner sells the business.
    - (iii) Incorporation of a business.
    - (iv) Sale of controlling interest in a corporation.

**§ 255.4. Bond.**

- (a) *General.* Messengers shall file and maintain with the Department bonds in the amount as set forth in the Messenger Services Agreement, executed by a surety company authorized by law to transact business within this Commonwealth.
  - (1) The bond shall be for the use of the Commonwealth and persons who have sustained a monetary loss attributable to the intentional or negligent conduct of the messenger service or its agents or employees, including, but not limited to, losses incurred in negotiating checks or other instruments drawn by the messenger service.
  - (2) If the amount of the bond is decreased, or if there is a final judgment outstanding on the bond, the messenger service's certificate of authorization shall be suspended until steps are taken, satisfactory to the Department, to do one of the following:
    - (i) Restore the original amount of the bond.
    - (ii) Satisfy the judgment.
- (b) *Substitute.* If the bond is terminated or becomes unsatisfactory for any reason, the authorization to operate a messenger service will be suspended or terminated until the messenger service furnishes the Commonwealth with a satisfactory substitute bond in the amount required by the Messenger Services Agreement.

**§ 255.5. Duties of messenger service.**

- (a) *Posting.* Messenger services shall post in a conspicuous manner at their place of business, including branch offices:
  - (1) Their certificates of authorization.
  - (2) The schedule of motor vehicle fees provided by the Bureau.
  - (3) The schedule of fees of the messenger service.
- (b) *Schedule.* Messenger services which offer personal counter services to customers shall maintain a place of business, open to the public during regularly scheduled hours. The schedule shall be posted so as to be visible from the exterior of the place of business.

- (c) *Security.* Messenger services shall maintain at each place of business facilities, such as locking cabinets or other similar equipment, for assuring the security of documents. The documents shall be secured in these facilities during nonbusiness hours.
- (d) *Submission of documents.* Messenger services shall submit documents for processing by the Department through the Messenger Service Center. The Department may provide facilities for handling priority work to the extent that the facilities can be made available without burdening its general public service facilities.
- (e) *Time limits.* Messenger services shall submit documents to the Department within 5 days after the messenger's receipt of all necessary and fully executed documents. Work processed by the Department shall be picked up by the messenger service within 48 hours after being placed in the box of the messenger service. At the time when a suspension notice is served on a messenger service, executed documents are to be provided to the authorized Commonwealth employes for processing by the Department. Work processed in this situation will be mailed by the Department to the customer of the messenger service.
- (f) *Number and date of submission.* Messenger services shall place their messenger number and date of submission on documents, including checks, submitted to the Department.
- (g) *Receipts.* Messenger services, when providing personal counter services to customers, shall complete an itemized receipt, in duplicate, which lists the fees payable to the Commonwealth, as well as the fees charged for the messenger's services. The original shall be given to the customer, and the duplicate shall be retained by the messenger service for a period of 2 years.
- (h) *Records.* Messenger services shall maintain a record of documents submitted to the Department for a period of 2 years, the records to include the date of submission to the Department, the name, vehicle identification or operator number of the applicant, and any other information pertinent to the particular document.
- (i) *Identification card.* The Bureau shall issue identification cards to messengers and employes who deliver documents to and obtain documents from the Department, which identification cards shall be displayed at all times these persons are in the Department on business related to the messenger service. If a duplicate card is required to replace one that was lost, stolen, destroyed or became illegible, a duplicate card will be issued upon the filing of an application and payment of a fee of \$2.
- (j) *Inspections.* Documents in the possession of the messenger service and records of transactions conducted by the messenger service shall be open to inspection by an authorized Commonwealth employe during normal working hours.
- (k) *Sign.* Authorized messenger services which offer personal counter services to customers shall display on the outside of each place of business an identifying sign of durable material which meets the following specifications:
  - (1) Shall contain the words "authorized messenger service" or "authorized motor vehicle messenger service."
  - (2) May not:
    - (i) Contain a Pennsylvania Department of Transportation emblem.
    - (ii) Contain the terms "Bureau of Motor Vehicles", "official" or another term which could be construed by the general public to imply the messenger service is an agency of the Commonwealth.

- (l) *New employes.* Messenger services shall notify the Bureau of the names and social security numbers of new employes of the messenger service within no more than 30 days of the Bureau's request for the information.
- (m) *Return of documents to the Department.* The messenger service is responsible for returning to the Department a registration card or plate, driver license, dealer title or similar document which the messenger service has held for 60 days and has been unable to deliver to the applicant.

**§ 255.5a. Decentralized service program.**

- (a) *Decentralized service agent.* A messenger service may participate in the decentralized service program by obtaining authorization from the Bureau to issue on behalf of the Department to qualified applicants temporary learner's permits, vehicle registration renewals, driver license renewals and other specified items. To obtain authorization as a decentralized service agent, a messenger service agent shall agree to handle decentralized service program forms in the manner outlined in subsection (b).
- (b) *Decentralized service forms.* A messenger service which participates in the decentralized service program is responsible for obtaining and handling decentralized service forms as follows:
  - (1) Department to provide. Decentralized service forms will be provided by the Bureau through its Messenger Service Center to decentralized service agents.
  - (2) Request for Departmental forms. A decentralized service agent shall request decentralized service forms in a manner specified by the Department. Authorization shall be given in writing by the owner of the messenger service for an employe to receive completed orders of the forms. The completed order shall be signed for by the owner of the messenger service or the authorized employe of the messenger service, who shall present proper identification as issued by the Department.
  - (3) Lost or stolen Departmental forms. In the event that decentralized service forms are lost or stolen, the decentralized service agent shall report the occurrence to the Department within 48 hours after the agent's discovery of the loss or theft of the forms.
  - (4) Mutilated Departmental forms. In the event that a decentralized service form is mutilated by the decentralized service agent, the agent shall apply for replacement of the document on forms provided by the Department. Copies of the form shall be returned to the Department in order for the agent to receive a replacement.
  - (5) Invalid Departmental forms. In the event that a decentralized service form is deemed invalid due to defect or an error on the part of the Department, the decentralized service agent shall apply for a replacement of the document on forms provided by the Department. Copies of the defective form shall be returned to the Department with the application for replacement.
  - (6) Issuance of forms. Decentralized service forms shall be issued in numerical sequence by control number. The agent shall obtain permission for the Bureau in the manner prescribed, to issue the forms, in those cases where prior permission is required by the Department.
  - (7) Submission of applications. Decentralized service agents shall submit the appropriate copy of a form used for decentralized services to the Messenger Service Center of the Bureau within 5 days of the date of issuance to an applicant.

- (8) Identification and other documentation. Decentralized service agents shall require that an applicant present proper identification and other documentation as required by the Department's operating procedures for decentralized services, before issuing a decentralized service form.
- (9) Maintenance of copies of forms. Decentralized service agents shall maintain copies of all decentralized service forms issued to customers and of all related documents submitted to the Department for at least 2 years from the date of issuance. These records are to be maintained in numerical sequence by form control number at the office where the form was issued.

**§ 255.6. Certified checks may be required.**

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

**§ 255.7. (Reserved).**

**§ 255.8. Restoration.**

The Department will charge a fee of \$25 to restore a messenger service certificate of authorization following a suspension.

# MESSENGER MANUAL

An Informational Guide for Authorized Messenger Services



# TABLE OF CONTENTS

	Page
Introduction.....	3
Contact Phone Numbers.....	4
Forms/Fact Sheets/Publications.....	5
PA I.D. and Address Requirements for Titling and Registering a Vehicle.....	6
Fraudulent Identification.....	7
Decentralized Services.....	8
On-Line Messenger Program.....	11
Messenger Inquiries.....	12
Assembly of Forms Submitted to PennDOT.....	21
Messenger Room Sort Bins.....	31
Regulations (Title 67).....	32
Sample Contract.....	33

# INTRODUCTION

This publication is designed to assist you, as a bonded messenger service, in submitting customer applications to PennDOT. Please take the time to read and review each section carefully. This manual reviews and explains messenger service policies and procedures and also details additional services messengers can provide for their customers.

# CONTACT TELEPHONE NUMBERS

As an authorized messenger service, you may use any of the telephone numbers listed below. These numbers are not to be given out to the general public, notaries, dealers or any other titling clerks, for any reason:

Messenger Room	Riverfront Office Center	(717) 787-5458
		(717) 787-8861
Monday/Friday Hours	6:00 a.m. - 5:00 p.m.	(717) 783-3875
Counter Hours		
DL - 7:30 a.m. - 11:30 a.m.	12:30 p.m. - 4:00 p.m.	
VR - 7:30 a.m. - 11:30 a.m.	12:30 p.m. - 4:00 p.m.	

Decentralized Registration Issuance (Monday - Friday, 9 a.m. to 4 p.m.) - (717) 346-0605

The number below may be given to the public.

(Monday - Friday 8 a.m. - 5 p.m.)

Customer Call Center . . . . .	(717) 412-5300
If calling on a TDD . . . . .	(717) 412-5380
Commercial Registration. . . . .	(717) 346-0608

# FORMS/FACT SHEETS

Most of our forms and fact sheets can now be obtained via PennDOT's Driver and Vehicle Services website. This site serves as a virtual service center that enables messengers to fill out and print forms and download fact sheets.

These online services are being offered as one more way for messengers to quickly and efficiently complete driver and vehicle services for their customers.

Messengers will be able to access most forms from this website by entering [www.pa.gov/dmv](http://www.pa.gov/dmv). (To search for forms, click on "Forms and Publications.") To view forms within a category, click on the appropriate link. If you know the name or form number of the form you need, then scroll down the page until you find it, or you can use your browser's search function to locate the form's name or form number.

If you require a form that is not yet available on our website, you will need to complete [Form MV-511B](#) to obtain that form from our Forms Supply Room.

If you require a form that is available on the website, you are responsible for downloading the form.

## PUBLICATIONS

To assist in completing forms and to gain a better understanding of our procedures and requirements, it is recommended that messenger services utilize PennDOT's website, [www.pa.gov/dmv](http://www.pa.gov/dmv) to view the following reference materials:

The Fleet Registration Manual ([Pub 479](#))

The Apportioned Registration Manual ([Pub 181](#))

Pennsylvania Consolidated Statutes, Title 75, Vehicle Code, is also available on our website, however, should you desire a printed copy of the PA Vehicle Code, Title 75, you may order copies at the following address:

Legislative Reference Bureau  
641 Main Capitol Building  
Harrisburg, PA 17120-0033  
(717) 783-1960

You will be billed at the current rate upon receipt of the order.

# PENNSYLVANIA IDENTIFICATION AND PENNSYLVANIA ADDRESS REQUIREMENTS

Effective January 31, 2006, PennDOT introduced a change to the proof of identification an agent may accept for motor vehicle titling and registration documents. In addition, the address requirements were changed. Information concerning the Pennsylvania ID and Pennsylvania address requirements was provided in the Driver and Vehicle Services Update Bulletin, Edition 06-02.

The following credentials must be used for identification purposes when titling and registering a vehicle in Pennsylvania:

- ❖ A valid Pennsylvania Photo Driver's License
- ❖ A valid Pennsylvania Photo Identification Card
- ❖ A valid Pennsylvania Photo Exempt Driver's License
- ❖ A valid Pennsylvania Photo Exempt Identification Card
- ❖ A valid Pennsylvania Camera Card and Pennsylvania Expired Identification Credential; or
- ❖ A valid Pennsylvania 15-day temporary internet driver's license or identification card renewal credential and expired DL/ID:
- ❖ A valid U.S. Armed Forces Common Access Card - Dependents of Armed Forces Personnel must provide a valid U.S. Uniformed Services Identification and Privilege Card (DD Form 1173) or a valid Next Generation Uniformed Services ID Card.

Each of the above documents must be in the same name as the name listed on the motor vehicle application. In addition, the address must be listed on the application as it appears on the above proof of ownership documentation.

**NOTE:** The requirements for Pennsylvania ID do not apply to the sellers of the vehicle. However, this does not exempt the seller or sellers from providing valid government issued photo identification for identification purposes when completing motor vehicle documents as the seller of the vehicle.

The address requirements for titling and registering a vehicle in Pennsylvania are as follows:

Pennsylvania requires that only the customer's bona fide Pennsylvania numbered street address may be listed on the application to title, register, renew a registration or change an address. In addition, effective Jan. 31, 2006, motor vehicle documents may not be issued to an out-of-state address.

There are a few exceptions to the Pennsylvania address requirement for titling and registering a vehicle in Pennsylvania. The following exceptions allow for motor vehicle documents to be processed reflecting an out-of-state address:

- ❖ U.S. Armed Forces personnel or their dependents.
- ❖ Employees of federal or state government or their immediate families whose workplace is located outside of Pennsylvania.
- ❖ An out-of-state leasing company as long as the lessee is a Pennsylvania resident.
- ❖ An out-of-state company with no office in Pennsylvania, however, the vehicles are regularly operated in carrying on business within the commonwealth as provided in Section 1303(a) of the Vehicle Code.

- ❖ Park Model Trailer permanently located in Pennsylvania

If the applicant is entitled to the out-of-state address exception, [Form MV-8, "Self Certification for Proof of Residency."](#) must be completed and submitted to the Department for processing along with the supporting documentation. **NOTE:** No agent, including an on-line agent, may process any motor vehicle applications containing an out-of-state address. [Form MV-8](#) may be found on our website at [www.pa.gov/dmv](http://www.pa.gov/dmv).

## **FRAUDULENT IDENTIFICATION**

The criminal use of false identification is a multi-billion dollar national, state and local problem. An array of criminals using false credentials in welfare fraud, illegal immigration, drug trafficking, passing bad checks, phony credit cards and hundreds of other crimes is growing. These crimes have one thing in common: each of us pays the price in taxes, in the increased cost of goods and in the human suffering and tragedy caused by the success of false identification crimes.

False identification is a criminal's best friend. With it, criminals can appear and disappear by creating fictitious "paper people." Many government agencies and companies, who are defrauded by false identification schemes, are not aware they are being victimized. This is because false identification crimes are often not detected until long after the crime is committed. The growing use of false identification must be stopped.

In order to curtail these illegal activities, PennDOT has implemented the following:

- ❖ Misuse Investigations - conducted upon receipt of notarized letter from a customer regarding citations or duplicate counters on their driving record they know nothing about.

### **Messenger Services Can Play a Large Part in Preventing Fraud**

When administering an affidavit or acknowledgement, a notary is required to identify the customer. As a messenger, you may be directly involved when notarizing driver licensing forms and particularly the application for duplicate driver's license on Form DL-80.

Always ask for identification. You should be satisfied that the person in front of you is who they claim to be. Two forms of identification are required.

### **A List of Acceptable Forms of Identification for Driver License Applications is:**

1. Birth Certificate with raised seal (U.S. issued by an authorized government agency, including U.S. territories or Puerto Rico. Non-U.S. Birth Certificates will not be accepted.)
2. Certificate of United States Citizenship (Immigration and Naturalization Form N-560)
3. Certificate of Naturalization (Form N-550 or N-570)
4. Alien Registration Receipt Card (Immigration and Naturalization Form I-151 or I-551)
5. Marriage Record
6. Military Identification Card
7. Pennsylvania Driver's License
8. Driver's License from Another State
9. Pennsylvania Identification Card

Applicant's under 18 years of age should be accompanied by a parent, guardian or spouse who has acceptable proof of identity.

## **Decentralized Agent Services**

Decentralized Agent Services allows messengers who are also approved as issuing agents to provide other services to their customers. These services are: 1) issuing a registration plate to a vehicle already titled in Pennsylvania, but not registered; 2) reissuing a registration plate to a vehicle already titled and registered in Pennsylvania.

Under the Decentralized Agent Services Program, a customer is able to visit the office of an authorized agent and receive a "temporary output" document after properly completing all required forms and paying a fee. The agent then telephones a special number to receive PennDOT authorization to complete any decentralized transaction. The temporary output document is actually a copy of the application form. The agent is then responsible for submitting the application form to PennDOT, where the application is processed. The permanent output is then returned to the agent for the customer.

Participation in the Decentralized Agent Services Program is optional for messenger services that are also registered as issuing agents. Messengers interested in participating in this program should contact Regulated Client Services for more information.

The Decentralized Services Program telephone lines are open Monday thru Friday 9 a.m. - 4 p.m. The telephone number is (717) 346-0605.

**MV-120/[MV-140](#) TAG ISSUANCE**  
**For vehicle already titled, but not registered in PA**

- ❖ Receive from applicant acceptable valid proof of identification.
- ❖ Call the decentralized phone line, (717) 346-0605, between 9 a.m. and 4 p.m., Monday - Friday. Messengers with inquiry access must self-authorize.
- ❖ Identify yourself by giving your messenger service name, messenger number and agent number.
- ❖ Identify application type, example: MV-120/[MV-140](#).
- ❖ Provide applicant information: name(s), address, title number, VIN number.
- ❖ If applicant's record is not in order, authorization to issue a product will be denied.
- ❖ If applicant's record is in order, you will be issued an authorization number. Complete forms MV-120/[MV-140](#) listing tag number being issued on both forms where applicable and the authorization number you were given through the decentralized telephone line.
- ❖ Authorization number, date, time and initials must be listed in the top right hand corner of the MV-120.
- ❖ Acquire signature of applicant on both forms.
- ❖ Collect applicable payment.
- ❖ The pink copy of the application should be given to the applicant to serve as temporary authorization to operate their vehicle.
- ❖ Retain yellow copy of MV-120 and [MV-140](#) for your files, in chronological order, for no less than three years.
- ❖ Assemble Department documents in the following order:
  - MV-120/[MV-140](#)
  - a. BUD Sheet
  - b. Check (placed horizontally)
  - c. [MV-140](#)
  - d. MV-120 (white copy)
  - e. Photocopy of applicants valid PA Drivers License or I.D.

## **MV-120/[MV-44](#) TAG ISSUANCE**

**(For vehicle already titled and registered in PA but plate was lost, stolen or mutilated)**

- ❖ Receive from applicant acceptable valid proof of identification and a copy of the current registration card.
- ❖ Call the decentralized phone line, (717) 346-0605 between 9 a.m. and 4 p.m., Monday - Friday. Messengers with inquiry access must self-authorize.
- ❖ Identify yourself by giving your messenger service name, messenger number and agent number.
- ❖ Identify application type, example: MV-120/[MV-44](#).
- ❖ Provide applicant information: name(s), address, title number, VIN number.
- ❖ If applicant's record is not in order, authorization to issue a product will be denied.
- ❖ If applicant's record is in order, you will be issued an authorization number. Complete forms MV-120/[MV-44](#) listing tag number being issued on both forms where applicable and the authorization number that you were given through the decentralized phone line.
- ❖ Authorization number, date, time and initials must be listed in the top right hand corner of the MV-120.
- ❖ Acquire signature of applicant on both forms.
- ❖ Collect applicable payment.
- ❖ The pink copy of the application should be given to the applicant to serve as temporary authorization to operate their vehicle.
- ❖ Retain yellow copy of MV-120 for your files, in chronological order, for no less than three years.
- ❖ Assemble Bureau documents in the following order:
  - MV-120/[MV-44](#)
  - a. BUD Sheet
  - b. Check
  - c. [MV-44](#)
  - d. MV-120
  - e. Photocopy of applicants valid PA Drivers License or Photo I.D.

# ONLINE MESSENGER PROGRAM

The Pennsylvania Department of Transportation is encouraging all contracted messengers to join our Online Messenger Program and become an online messenger.

Messengers with at least one year of service and no sanctions are eligible to apply for this program.

Becoming an online messenger would enable you to increase your business by providing enhanced over-the-counter customer services, such as:

- ❖ Transfer of Registration (**NOTE:** Not all on-line messengers can provide.)
- ❖ DL Renewals
- ❖ Photo ID Card Renewals
- ❖ VR Renewals
- ❖ DL/VR Change of Addresses
- ❖ Insurance Restorations
- ❖ DL/VR Duplicate Replacements
- ❖ Restoration Requirement Letters
- ❖ Heavy Truck Registration Renewals
- ❖ Issuance of Special Fund Plates
- ❖ Retired Status VR Renewals
- ❖ Duplicate Titles
- ❖ Basic Non-Commercial Driving Records
- ❖ Three-year Driving Records
- ❖ Ten-year Commercial Driving Records
- ❖ Request for Vehicle Information
- ❖ Posting of Restoration Fees
- ❖ Proof of Insurance for Driver's License Suspensions
- ❖ Full Driver Records

If you are interested in applying to become an online messenger or have any questions, please contact the Online Messenger Program manager at (717) 787-0489.

## Online Messenger Service

To become an Online Messenger Service, you must have been in business as a messenger for a period of at least one year. If you have met this minimum requirement and wish to become an online messenger, please contact the Online Messenger Program manager at (717) 787-0489.

Once you have obtained access to the mainframe, you will be able to view transactions or status of transactions in both the CARATS and DL&C systems. The following pages contain reference guides to assist you in maneuvering through the mainframe systems and to help you identify the status of a customer's application or receipt of products.

# MESSENGER INQUIRIES

The sole purpose of messenger inquiry access is to assist messengers in helping their customers. **Inquiries may only be made to complete or process an application or to check the status of an application submitted through your messenger service.** The link to any inquiry is a matching application processed or submitted through the messenger service.

Within the course of every day business, there may be an occurrence of an inquiry made, where there is not a matching application or transaction due to extenuating circumstances, such as a vehicle or driver suspension. In any of these cases, the customer must sign a form permitting the access of their information. For driver license and motor vehicle inquiries, [Form MV-753, "Authorization for Release of Motor Vehicle/Driver Record Information,"](#) must be completed and signed. **NOTE:** [Form MV-753](#) may be found on our website at [www.pa.gov/dmv](http://www.pa.gov/dmv).

Every inquiry made by a messenger service must be justified by complying with the previous two paragraphs. This means every inquiry can be matched to one of the following four items:

1. An application processed by your messenger service
2. An application submitted to PennDOT by your messenger service
3. A completed [Form MV-753, "Authorization for Release of Motor Vehicle/Driver Record Information,"](#)

**UNDER NO CIRCUMSTANCES MAY ANY OTHER RECORDS BE ACCESSED.**

## DL - 15 CUSTOMER INQUIRY CONVERSATION

### PURPOSE:

Inquiry allows the operator to view a customer's driving history record.

### SCREEN DESCRIPTIONS:

```
2DL00502  MENU MAINTENANCE - SELECTION AND TEXT

      MENU IDENTIFIER :  DECENTS          DECENTRALIZED SERVICES MENU

12  COUNTER DATA ENTRY
15  CUSTOMER INQUIRY
42  RESTORATIONS (COUNTER)
54  REQUESTOR SALES (COUNTER)
81  TRANSACTION HISTORY MAINTENANCE
70  CASH DRAWER RECONCILLIATION

SELECTION:  ....          X  SIGNOFF
15-RETURN   16-SIGNOFF
```

### ACTION:

**KEY the number 15 in the Selection field**

**DEPRESS the Enter key.** The Customer Inquiry Prompt screen, DL01503, will appear:

```
C7201500  2DL01503          CUSTOMER INQUIRY PROMPT          mm/dd/yy

CUSTOMER INFORMATION
  Record Number           :
  Customer Name           :
  Date of Birth           :
  Social Security Number   :
  City                    :

WORK IDENTIFICATION
  WID Number             :

24-RESEST  20-FEEREMIT          15-RETURN
```

This screen, 2DL01503, provides several fields for data entry to select a customer record.

**FIELDS:**

Record Number - Identifies the record of the last customer; it is an eight-digit numeric field.

Customer Name - Identifies the name of the customer; it is a 35-character field which displays the LAST NAME first.

Date of Birth - Customer's date of birth, using the mm/dd/yy format

Social Security Number - The Social Security Number is a primary or secondary means of identifying a customer.

City - The customer's city of residence.

WID Number - Identifies the document being processed. It is an 18-character numeric field.

**SCREEN DESCRIPTIONS:**

C7201500	2DL01505	CUSTOMER INQUIRY SUBMENU	mm/dd/yy
Customer	:		
Address Line 1	:	DOB	:
Address Line 2	:	SSN	:
City/State/Zip	:	Height	:
Driv Privilege	:	CDL Restrict	:
Med Restrict	:	Organ Donor	:
Prod Class	:	RECORD TYPE	:
Duplicates	:	Endorsements	:
		Sex/Eye Color:	
		License Expires	:
1	General Customer Inquiry		
2	Recipient Inquiry List		
3	Transaction History Inquiry		
4	Traffic Safety Inquiry		
5	Failure to Respond Inquiry		
6	Medical Inquiry		
7	Print Restoration Requirements		
8	OOS Conviction List		
Selection: 1			
15-RETURN			

**NOTE:** Whenever inquiring, look at the following fields: driver privilege, record type, date of birth, product class and license expiration date. Most important, verify this is the correct customer by verifying their address.

**KEY #1 in selection field. DEPRESS Enter.** Customer Submenu 2 Inquiry Screen appears.

Customer : 26486336 PUBLIC,JOHN,G  
Address Line 1 : 1101 S STREET  
Address Line 2 : SOMEWHERE  
City/State/Zip : HARRISBURG PA 17101  
Driv Privilege :  
Med Restrict :  
Prod Class : C ! Record Type : RL  
Duplicates : 6 Endorsements:  
OOS Res Code: N INS Status: Number:  
Exp Date:

Date of Birth : 05/20/83 1  
SSN: 178902345  
Height : 5 10  
CDL Restrict :  
Organ Donor: Y  
Sex/Eye Color : M BR  
License Expires: 05/21/07 2

- 1 General Customer Inquiry
  - 2 Recipient Inquiry List
  - 3 Transaction History Inquiry
  - 4 Traffic Safety Inquiry
  - 5 Failure To Respond Inquiry
  - 6 Medical Inquiry
  - 7 Print Restoration Requirements
  - 8 OOS Conviction List
  - 9 (O)LL/(P)L Eligibility Inquiry
- Selection :

## CARATS INQUIRY

IMV00002 MESSENGER TRANSACTION (MVMSGRS) -- -

MESSENGER SERVICE TRANSACTIONS

INQUIRY CONVERSATIONS

07 MV07 - DUPLICATE TITLE

73 MV73 - FEE REMIT INQUIRY

09 MV09 - CHANGE OF ADDRESS

75 MV75 - TITLE INQUIRY

30 MV30 - REISSUE OF MATERIALS

76 MV76 - TAG INQUIRY

33 MV33 - VEHICLE INFO SALES

70 MV70 - OPEN/CLOSE A CASH DRAWER

77 MV77 - VIN INQUIRY

93 MV93 - RENEW REGISTRATION

79 MV79 - SUSPENSE INQUIRY

87 MV87 - OWNER NAME INQUIRY

RESTORATION REQUIREMENTS

46 FR46 - FR/SUSPENSION INQUIRY

SELECTION: 75

15-RETURN 16-SIGNOFF

IMV00002 is the 'Main Menu' of options.

### **ACTION:**

**KEY** the number associated with the transaction. Type into selection field (in this case, type '75')

**DEPRESS** the Enter key.

C7500600 2MV0XXXX

VEHICLE INQUIRY DETAIL BY TITLE

D1714012 5/02/14

OWNER  
CARATS Passenger Test  
Record  
PENNDOT  
Address 2  
Harrisburg PA 17777

Lessee: LLL  
Title: 90000020 8  
TI Seq: 12  
TI Dt: 01/01/90  
TI Dup: 1  
Non PA TI:

Ckdt: CA Carrier:  
Tag:  
Exp Dt:  
Rg Fee  
Axle Tx:  
Prv Rn:  
Reg Dups:  
Tag Tp: 01  
P Tag: 123ABC  
Reg Pro:

ARP: Flt:  
GVW:  
GCWT:  
Unl Wt:  
Axles:  
GVWR:  
GCWR:  
AWR:

LESSEE

MAKE: Chev  
Model: CSA  
Year: 94  
Body: Sdn  
VIN 1HBT3RU55XC044532  
Dealer:  
Junk:  
A/C:  
Van:

Unclaimed:  
Stolen Veh Dt:  
Stolen Tag Dt:

R TAX UNPAID  
Class:

Equip No:

Renew WID: 96000 0000 000000 000

Est WID: 96000 0000 000000 000

Stops:

21-IMINFO

22-DETAIL2

15-RETURN

16-NOTEPAD 18-LIENINFO 19-WIDHIST

## DL Record Types

RCD-TYPE-CODE	RCD-TYPE-DECODE
A2	2YR LIC/LP/ID
A4	4YR LIC/LP/SB
BP	SCHBUS/PERMIT
B2	2YR LIC/LP
B4	4 YR LIC/LP
CS	CHGSOR INPROG
DC	DECEASED
FI	FICT OPERATOR
ID	PHOTO ID
II	INTERLOCK LIC
IL	INTERLOCK LP
IN	INTERNATIONAL
IO	II PA MVD OOS
IP	REG LP/ID
IR	PHOTO ID REES
JA	JR LIC/LP/ID
JB	JR LIC/LP
JL	JR LICENSE
JP	JR PERMIT
LB	LICENSE/SB
LI	JR LIC/ID
LL	OCC LIM LIC
LM	LIC/MECHANIC
LR	LIC RE-EST
L2	REG 2YR LIC
MI	MILITARY
ND	NON-DRIVER
NI	II ND OOS
OB	OUT OF ST SB
OI	REG LIC/ID
OL	REG LIC/OLL
OM	OUT/STATE MEC
OS	OUT OF STATE
PD	LP PD 2YR/ID
PI	JR LP/ID
PL	REG LIC/ PL
PP	JR LP PD
PR	LP RE-EST
P2	LP PD 2YRS
P4	LP PD 4YRS
RA	REG LIC/LP/ID
RL	REG LICENSE
RP	REG LP
SB	SCHOOL BUS
SI	2YR LIC/ID
SL	SR LICENSE
SR	SCH BUS RE-ES
XX	INTERLOCK OLL

## Self Authorization Procedures (CARATS)

### CARATS INQUIRY

IMV00002	MESSENGER TRANSACTION (MVMSGRS)	--	-
MESSENGER SERVICE TRANSACTIONS		INQUIRY CONVERSATIONS	
07 MV07 - DUPLICATE TITLE		73 MV73 - FEE REMIT INQUIRY	
09 MV09 - CHANGE OF ADDRESS		75 MV75 - TITLE INQUIRY	
30 MV30 - REISSUE OF MATERIALS		76 MV76 - TAG INQUIRY	
33 MV33 - VEHICLE INFO SALES			
70 MV70 - OPEN/CLOSE A CASH DRAWER		77 MV77 - VIN INQUIRY	
93 MV93 - RENEW REGISTRATION		79 MV79 - SUSPENSE INQUIRY	
		87 MV87 - OWNER NAME INQUIRY	
RESTORATION REQUIREMENTS			
46 FR46 - FR/SUSPENSION INQUIRY			
SELECTION: 75			
15-RETURN	16-SIGNOFF		

IMV00002 is the 'Main Menu' of options.

#### **ACTION:**

**KEY the number associated with the transaction.** Type into selection field (in this case, type '75')

**DEPRESS the Enter key.**

C7500600 2MV0XXXX

VEHICLE INQUIRY DETAIL BY TITLE D1714012 5/02/14

OWNER  
CARATS PASSENGER TEST  
RECORD FOR MONTHLY  
RENEWAL STRIP  
1101 S FRONT ST  
DO NOT ALTER/USE RECORD  
HARRISBURG

Lessee: OOO Ckdt: CA  
Title: 42685081 5  
TI Seq: 00  
TI Dt: 02/15/90  
TI Dup: 1  
Non Pa TI:  
Local Use Fee: N  
Make: STUDEBAKER  
Model:  
Year: 1994  
Body: SDN  
VIN: RENEWALSTRIPTEST  
Assign DIN:  
Junk: Unclaimed:  
A/C: Stolen Veh Dt:  
Van: Stolen Tag Dt:

Carrier:  
Tag: PD3017V  
Exp Dt: 01/18  
Rg Fee: 36.00  
Axle Tx: .00  
Prv Rn: 09/20/16  
Reg Dups:  
Tag Tp: K9 AWR:  
P Tag: TEST635  
Tag Color Code: N  
Reg Pro:

ARP: Flt:  
GVW:  
GCWT:  
Unl Wt:  
Axles:  
GVWR:  
GCWR:  
REG YEARS: 01  
Class: 01  
Equip No:

LESSEE

Renew WID: 16293 3902 010064 001 Est. WID: 90017 0058 004971 007  
Stops:

# ASSEMBLY OF FORMS SUBMITTED TO PENNDOT BY MESSENGER SERVICES

## MOTOR VEHICLE TRANSACTIONS

1. MV-1 - Temporary Plate Issued with an MCO or Out-of-State Title
  - BUD (MV-127) - Stamp messenger number on lower right corner of the BUD and all documents
  - Check - upper left corner
  - MV-1
  - MCO or out-of-state title, etc. - face up
  - Supporting documents
2. MV-1 or MV-4ST - Title Only
  - BUD (MV-127) - Stamp messenger number on lower right corner of the BUD and all documents
  - Check - upper left corner
  - MV-1 or MV-4ST
  - PA title - reverse side up, out-of-state title or MCO - face up
  - Supporting documents
3. MV-1 or MV-4ST - Plate to be issued by Bureau
  - BUD (MV-127) - Stamp messenger number on lower right corner of the BUD and all documents
  - Check - upper left corner
  - MV-1 or MV-4ST
  - PA Title - reverse side up, out-of-state title or MCO - face up
  - Attach a photocopy of proof of insurance for applicable types of vehicles
  - Photocopy of proof of identification
4. MV-1 or MV-4ST - Transfer of Plate
  - BUD (MV-127) - Stamp messenger number on lower right corner of the BUD and all documents
  - Check - upper left corner
  - MV-1 or MV-4ST
  - PA title - reverse side up, out-of-state title or MCO - face up
  - Supporting documents

**NOTE:** Do not submit registration card with title application.
5. [MV-1L - Application to Add, Change or Delete Lessee Information](#)
  - BUD (MV-127) - Stamp messenger number on lower right corner of the BUD and all documents
  - Check - if renewing
  - [MV-1L](#)
  - [MV-140](#) - if renewing
  - Original Power of Attorney, if applicable
6. MV-4ST - Temporary Plate Issued with a PA Title
  - BUD (MV-127) - Stamp messenger number on lower right corner of the BUD and all documents
  - Check - upper left corner
  - MV-4ST
  - PA Title - reverse side up
  - Supporting documents
7. [MV-6 - Applying for a Certificate of Salvage](#)
  - BUD (MV-127) - Stamp messenger number on lower right corner of the BUD and all documents
  - Check (if applicable) - upper left corner
  - [MV-6](#)
  - Title

8. [MV-6SV Insurance Company Application for Certificate of Salvage for Stolen Vehicle](#)
  - BUD (MV-127) - Stamp messenger number on lower right corner of the BUD and all documents
  - [MV-6SV](#)
  - PA Title or Out-of-State Title
  - Supporting documents
  
9. [MV-11 - Application for an Antique or Classic Registration Plate with or without an MV-1 or MV-4ST](#)
  - BUD (MV-127) - Stamp messenger number on lower right corner of the BUD and all documents
  - Check - upper left corner
  - Title - Face up
  - MV-1 or MV-4ST - if applicable
  - [MV-11](#)

**NOTE:** Photocopy of proof of insurance always required when applying for an antique or classic registration plate.

  - Photocopy of proof of identification
  
10. [MV-11V - Application to Display a Vintage Registration Plate](#)
  - BUD (MV-127) - Stamp messenger number on lower right hand corner of the BUD and all documents
  - Check - upper left corner
  - [MV-11V](#)
  - Color Photograph of Vintage registration plate

**NOTE:** Photocopy of proof of insurance is required when applying to display a vintage registration plate.
  
11. [MV-16 - Cancellation of Title](#)
  - BUD (MV-127) - Stamp messenger number on lower right corner of the BUD and all documents
  - Check - (if applicable) - upper left corner
  - [MV-16](#)
  - PA Title – Face up
  
12. [MV-38D - Application for Duplicate Certificate of Title by a Registered Dealer](#)
  - BUD (MV-127) - Stamp messenger number on lower right corner of the BUD and all documents
  - Check - upper left corner
  - [MV-38D](#)
  - Copy of [MV-27A](#) or [MV-27B](#) (Dealer Notification)
  - Photocopy of front and back of the title.
  
13. [MV-38L or MV-38O - Applying for a Duplicate Title and/or Never Received Duplicate Title](#)
  - BUD (MV-127) - Stamp messenger number on lower right corner of the BUD and all documents
  - Check (if applicable) - upper left corner
  - [MV-38O](#) or [MV-38L](#)
  - Title - if applicable
  
14. [MV-39 - Death Procedure](#)
  - BUD (MV-127) - Stamp messenger number on lower right corner of the BUD and all documents
  - Check (if renewing) - upper left corner
  - MV-4ST or MV-1 - if applicable
  - [MV-140](#) (if renewing)
  - [MV-39](#)
  - PA Title - reverse side up or out-of-state title - face up
  - Supporting documents if applicable, such as Death Certificate if Funeral Director or Attending Physician did not sign Form MV-39.

15. [MV-41 - Applying for a Correction or a Change of Vehicle Information on a PA title](#)
  - BUD (MV-127) - Stamp messenger number on lower right corner of the BUD and all documents
  - Check (if applicable) - upper left corner
  - [MV-41](#)
  - Title (if applicable)
  - Supporting documents (if applicable)
  
16. [MV-41A - Application for Correction or Change of Name](#)
  - BUD (MV-127) - Stamp messenger number on lower right corner of the BUD and all documents
  - Check (if applicable) - upper left corner
  - [MV-41A](#)
  - Title - if applicable
  - Supporting documents - if applicable
  
17. [MV-44 - Applying for a Duplicate Registration Card](#)
  - BUD (MV-127) - Stamp messenger number on lower right corner of the BUD and all documents
  - Check - upper left corner
  - [MV-44](#)
  
18. [MV-44 - Application for a Duplicate Registration Plate](#)
  - BUD (MV-127) - Stamp messenger number on lower right corner of the BUD and all documents
  - Check - upper left corner
  - [MV-44](#)
  - Photocopy of proof of identification
  - Notarization required

**NOTE:** If renewing at the same time attach completed Form MV-140 or MV-105.
  
19. [MV-44 - Application for a Never Received Registration Plate or Registration Card](#)
  - BUD (MV-127) - Stamp messenger number on lower right corner of the BUD and all documents
  - [MV-44](#) - must be notarized if never received
  - Supporting documents (if applicable)
  - Photocopy of proof of identification if applying for plate
  
20. [MV-63 - Change of Address](#)

**BUD not required**

  - [MV-63](#)

**NOTE:** If your office wishes to receive the driver's license update card or registration card, stamp your messenger number on the [MV-63](#); otherwise the output will be mailed from PennDOT to the customer. If changing an address for a lessee, complete [Form MV-1L](#). Commercial drivers must complete Form DL-80CD and pay a duplicate driver's license fee to obtain a CDL camera card reflecting an address change.

21. [MV-77 - Request for Farm Vehicle Registration Plate](#)
- BUD (MV-127) - Stamp messenger number on lower right corner of the BUD and all documents
  - Check - upper left corner
  - MV-1 or MV-4ST - if applicable
  - Title - if applicable
  - [MV-77](#)
  - Supporting documents
  - Photocopy of proof of identification
22. [MV-91 - Application for Replacement Plate After a Voluntary Surrender of Plate by Owner](#)
- BUD (MV-127) - Stamp messenger number on lower right corner of the BUD and all documents
  - [MV-91](#)
  - MV-120 if a registration plate was issued
  - Proof of Insurance if plate is to be issued by PennDOT
23. [MV-105 - Renewal of Registration - Clean \(No address changes\)](#)
- BUD (MV-127) - Stamp messenger number on lower right corner of the BUD and all documents. No staples and no paper clips.
  - MV-371 - if applicable
  - Check
  - Insurance Binder - if applicable
  - Schedule 1 Form 2290 - required for trucks over 55,000 lbs.
  - Do not send blanket checks for MV-105s and MV-140s submitted together. Separate checks are required for MV-105s and MV-140s.
  - PennDOT will accept up to five MV-105s or five MV-140s with one blanket check (but do not mix the MV-105s and MV-140s and submit with one blanket check).
24. [MV-105 - Renewal of Registration - with Address Changes](#)
- BUD (MV-127) - Stamp messenger number on lower right corner of the BUD and all documents. No staples and no paper clips.
  - MV-105
  - Insurance Binder - if applicable
  - Schedule 1 Form 2290 - required for trucks over 55,000 lbs.
  - PennDOT will accept up to five MV-105 C/A's with a blanket check.
25. [MV-120 - Transfer of Plate](#)
- BUD (MV-127) - Stamp messenger number on lower right corner of the BUD and all documents
  - Check - upper left corner
  - [MV-140](#) - if renewing and transferring simultaneously
  - MV-120
- NOTE:** Do not submit registration card.
26. [MV-120/MV-44 - \(Decentralized Procedure\) to Replace a Lost, Stolen or Mutilated Registration Plate](#)
- BUD (MV-127) - Stamp messenger number on lower right corner of the BUD and all documents
  - Check - upper left corner
  - [MV-44](#)
  - [MV-140](#) - if the lost, stolen, or mutilated plate is expired
  - Photocopy of proof of Identification
  - MV-120 - (write authorization number from the Messenger Service Center or if you are an on-line messenger, your initials and the date/time in upper right hand corner of Form MV-120)

27. [MV-120/140 - \(Decentralized Procedure\) to Issue a Registration Plate](#)
- BUD (MV-127) - Stamp messenger number on lower right corner of the BUD and all documents
  - Check - upper left corner
  - [MV-140](#) – Required when PennDOT processes this transaction. Not required when issuing a plate to a vehicle owner that already owns the vehicle if processed at an On-Line Messenger Service Center.
  - MV-120 - (write authorization number from Messenger Service Center or if you are an on-line messenger, your initials and the date/time in upper right hand corner of Form MV-120.
28. [MV-125 - Discrepancy Correction Routing Sheet](#)
- Staple - Stamp messenger number on all documents
  - Check (if applicable)
  - MV-125 - Complete form to correct Bureau errors (other than a name, address, VIN, year, or Purged Records and other miscellaneous Bureau errors) - Include a brief explanation of the correction or problem in the space provided on Form MV-125. Complete MV-125 for Tag corrections; Suspended (rejected) applications not received by the messenger, corrections of ownership, miscellaneous complicated corrections and odometer discrepancies. MV-125 must be legible and have a concise and accurate explanation of the problem/discrepancy.
  - PA title (if applicable)
  - Supporting documents
  - **BUD not required**
29. [DL-135 - Request for Information a Vertically Mounted Display Bracket](#)
- DL-135 - Stamp messenger number on all documents
  - Staple check to upper left hand corner
  - BUD not required
30. [MV-140 - Renewal of Registration](#)
- BUD (MV-127) - Stamp messenger number on lower right corner of the BUD and all documents
  - [MV-140](#)
  - Insurance Binder - if applicable
  - Schedule 1 Form 2290 - required for trucks over 55,000 lbs.
- NOTE:** If requesting a plate to be issued by the Bureau on [Form MV-140](#), submit a photocopy of proof of insurance. PennDOT will accept up to five MV-140s with one blanket check.
31. [MV-141 - Surrender of a Registration Plate](#)
- Paper clip or rubber band
  - [MV-141](#) - Stamp messenger number on all documents
  - Registration plate
  - Registration card (if available)
  - **BUD not required**
32. [MV-145 - Application for Person with a Disability, Severely Disabled Veteran, Disabled Veteran or Hearing Impaired Plate](#)
- BUD (MV-127) - Stamp messenger number on lower right corner of the BUD and all documents
  - Check - upper left corner
  - [MV-145](#)
  - Photocopy of proof of identification required
33. [MV-145A - Application for Person with a Disability Parking Placard](#)
- [MV-145A](#) - Stamp messenger number on all documents
  - **BUD not required**

34. [MV-145V - Application for Disabled Veteran, Severely Disabled Veteran Registration Plate or Severely Disabled Veteran Motorcycle Plate Decal](#)
- BUD (MV-127) - Stamp messenger number on lower right corner of the BUD and all documents
  - Check if applicable - upper left hand corner
  - [MV-145V](#)
  - Supporting documents
35. [MV-150 - Applying for a Special U.S. Military Service Plate](#)
- BUD (MV-127) - Stamp messenger number on lower right corner of the BUD and all documents
  - Check - upper left corner
  - [MV-150](#)
  - Supporting documents
  - Photocopy of proof of identification
36. [MV-217 - Application for Certificate of Title after Default by Owner](#)
- BUD (MV-127) - Stamp messenger number on lower right corner of the BUD and all documents
  - Check - upper left corner
  - [MV-217](#)
  - Completed MV-1
  - PA Title - reverse side up
  - Supporting documents
37. [MV-217A - Application by Financial Institution for Certificate of Title after Default by Owner](#)
- BUD (MV-127) - Stamp messenger number on lower right corner of the BUD and all documents
  - Check - upper left corner
  - [MV-217A](#)
  - PA Title - reverse side up
  - MV-120 - If issuing or transferring registration plate
  - Supporting documents
38. [MV-421 – County of Residence Verification](#)
- [MV-421](#)
  - **BUD not required**
39. [MV-426B/MV-1 - \(Plate to be issued by Bureau\) - Reconstructed Vehicle \(if it can't be processed on-line\), Specially Constructed, Collectible, Modified, Recovered Theft, Out-of-State Branded Title, Out-of-State Salvage Certificate, Reconstructed/Recovered Theft, Specially Constructed Street Rod and Street Rod](#)
- BUD (MV-127) - Stamp messenger number on lower right corner of the BUD and all documents
  - Check - upper left corner
  - [MV-426B](#)
  - MV-1 (if applicable)
  - PA Title - reverse side up, out-of-state title - face up, Salvage Certificate - face up, or MCO (for kit trailer) - face up
  - Supporting documents - For a Specially Constructed, Kit Trailer, or Reconstructed Vehicle [Form MV-426B](#) will be completed by an Enhanced Inspection Mechanic; 4 color photographs taped to an 8 1/2" x 11" paper that are signed and dated by an Enhanced Inspection Mechanic, etc. A temporary plate **MAY NOT BE ISSUED** except for an out-of-state titled vehicle that is branded "Rebuilt, Rebuilt Salvage, S, etc. when submitted with the [MV-426B](#) and the vehicle had an enhanced inspection per formed.
- \*\*\*PLEASE REMOVE ALL STAPLES AND THE INSTRUCTION PAGES FROM THE [MV-426B](#)\*\*\***

- 40. [MV-700 - Application for Refund](#)
  - One staple in upper left corner
  - [MV-700](#) - Stamp messenger number on all documents
  - Copy of canceled check(s) or money order(s)
  - Registration card, registration plate, or camera card, if applicable
  - **BUD not required**
- 41. [MV-904 - Application for Personalized, Amateur Radio Operator or Press Photographer Registration Plate](#)
  - BUD (MV-127) - Stamp messenger number on lower right corner of the BUD and all documents
  - Check - upper left corner
  - [MV-904](#)
- 42. [MV-911 - Application for Special Fund Registration Plate](#)
  - BUD (MV-127) - Stamp messenger number on lower right corner of the BUD and all documents
  - Check - upper left corner
  - [MV-911](#)

## **NON COMMERCIAL DRIVER LICENSE TRANSACTIONS**

- 43. [DL-31 – Non-Commercial Driver's Permit Application to Add/Extend/Replace/Change/Correct](#)
  - BUD (MV-127) - Stamp messenger number on lower right corner of the BUD and all documents
  - Check – If applicable
  - DL-31
- 44. [DL-58A - Renewal of Driver's License](#)
  - Check - Stamp messenger number on all documents
  - DL-58A
  - **NOTE:** The driver number or last name & DOB must be written on the check.
  - **BUD not required**
- 45. [DL-58EF - Applying for a Photo License \(to Replace Photo Exempt Driver's License\) when returning to PA](#)
  - BUD (MV-127) - Stamp messenger number on lower right corner of the BUD and all documents
  - DL-58EF - must be notarized
- 46. [DL-59 - Applying for Change from a Junior Driver's License to a Regular Non-Commercial Driver's License](#)
  - BUD (MV-127) - Stamp messenger number on lower right corner of the BUD and all documents
  - DL-59
  - **MUST BE A LICENSED DRIVER FOR 1 YEAR TO APPLY FOR A SENIOR LICENSE**
- 47. [DL-54A - Application for Non-Driver Photo ID Card for Pennsylvania Drivers](#)
  - BUD (MV-127) - Stamp messenger number on lower right corner of the BUD and all documents
  - Check (if applicable)
  - DL-54A - attach driver's license or camera card with tape to form
  - **NOTE:** The driver number or last name & DOB must be written on the check.
- 48. [DL-80 – Non-Commercial Driver's License Application to for Change/Correction/Replacement](#)
  - BUD (MV-127) - Stamp messenger number on lower right corner of the BUD and all documents
  - Check – If applicable
  - DL-80

49. DL-125EXP - Messenger Discrepancy Submittal Sheet

- Staple
- DL-125EXP - Include a brief explanation explaining the error on the D.L., L.P., or PA I.D. Card
- Stamp messenger number on all documents
- Attach the Camera Card, PA I.D. Card, or Learner's Permit if applicable.
- Supporting documents - Example: DL-80, etc.
- **BUD not required**

50. DL-143 – Non-Commercial Driver's License Application for Renewal

- BUD (MV-127) - Stamp messenger number on lower right corner of the BUD and all documents
- Check – If applicable
- DL-143

51. DL-503 - Request for Information (driving record)

- One staple in upper left corner
- Check – Upper left hand corner
- DL-503 - Stamp messenger number on all documents
- **BUD not required**

## **COMMERCIAL DRIVER LICENSE TRANSACTIONS**

52. DL-31CD - Commercial Learner's Permit Application

- BUD (MV-127) - Stamp messenger number on lower right corner of the BUD and all documents
- Check - Top of form
- DL-31CD
- **NOTE:** The driver number or last name & DOB must be written on the check.

53. DL-80CD - Commercial Driver's License Application to Replace or Correct

- BUD (MV-127) - Stamp messenger number on lower right corner of the BUD and all documents
- Check - (required unless it was a Bureau error or never received)
- DL-80CD
- **NOTE:** The driver number or last name & DOB must be written on the check.

54. DL-100CD - Application for Revision/Return of CDL Classification

- BUD (MV-127) - Stamp messenger number on lower right corner of the BUD and all documents
- Check (if applicable)
- DL-100CD
- **NOTE:** The driver number or last name & DOB must be written on the check.

55. DL-143CD - Commercial Driver's License Renewal Application

- BUD (MV-127) - Stamp messenger number on lower right corner of the BUD and all documents
- Check - Top of form
- DL-143CD
- **NOTE:** The driver number or last name & DOB must be written on the check.

## **MISCELLANEOUS TRANSACTIONS**

56. Application for Unclaimed Registration Products – (Form name) - For Bonded Messenger Use Only

- BUD (MV-127) - Stamp messenger number on lower right corner of the BUD and all documents
- Form - For Bonded Messenger Use Only – Application for Unclaimed Registration Card, Certificate of Title or Certificate of Salvage
- Stamp messenger number at bottom of this form

57. CARATS Re-entry Title/Registration Transactions

- Original BUD (MV-127) - Messenger number will be stamped in lower right corner of the BUD and all documents
- Check - if additional fees are due
- CARATS Rejection letter
- Remaining original documents assembled in the correct order as originally submitted.
- **NO STAPLES and NO PAPER CLIPS**

58. RETURN CHECKS

- One staple in upper left corner
- Messenger Submittal/Rejection Sheet for Return Check Cases
- Check
- Supporting documents (if applicable)
- **BUD not required**

59. SME-Implement of Husbandry

- BUD (MV-127) - Stamp messenger number on lower right corner of the BUD and all documents
- Check
- [MV-190](#)
- Title and supporting documents
- Photographs attached with scotch tape to 8.5" x 11" paper

60. Transactions That Require (white) Traffic Safety Transmittal Sheets - DL-601MRT (half sheet of paper) for Driver License Transactions

- Staple
- BUD (MV-127) - Stamp messenger number on lower right corner of the BUD and all documents
- DL-601MRT - White traffic safety transmittal sheet
  - a. Medical reports;
  - b. DL Suspension with receipts from traffic violations, etc;
  - c. DL-100 Voluntary surrender of Driver's License or Learner's Permit or DL-100A Withdrawal of Parental Consent;
  - d. Requests for Special Exam Letters, Hearings, etc;
  - e. Requests for Restoration Requirement Letters;
  - f. Requests for Letter of Clearance - DL-130;
  - g. DL-16LC - Acknowledgment of Suspensions Forms;
  - h. DL-81 - Application for Photo I.D. card for PA drivers;
  - i. Request for Replacement School Bus Certificate;
  - j. Submitting medical exams for school bus drivers; and
  - k. Submitting a Driver's License for a deceased person - include the obituary notice or Death Certificate
- **NOTE:** DL-601MRT is not required for a Certified Driving Record.

61. Transactions That Require VR Messenger Rejection/Transmittal Sheets For Insurance Suspensions

- 1 staple through all documents in upper left corner
- Messenger Rejection/Transmittal Sheets for Insurance Suspensions (size 8 1/2 x 11)
- Stamp messenger number on all documents
- Check(s) (If applicable) – **NOTE:** Do not include a restoration fee with a renewal fee.
- Separate checks are required for the restoration fee and renewal fee.
  - a. F Stops with proof of insurance, restoration fee, if applicable etc. (**NOTE:** If an F & I stop is on record only one restoration fee is due)
  - b. I Stops with proof of insurance, restoration fees, etc. (**NOTE:** If an F & I stop is on record only one restoration fee is due)  
[MV-140](#) or [MV-44](#) - if applicable  
Proof of Insurance  
[MV-221](#) - if applicable  
Official notice for requirement of insurance  
Other supporting documents
  - c. Return Plates submitted with [Form MV-141](#) for a vehicle registration going under suspension where credit for serving the suspension must be started
- **NOTE:** In lieu of serving a registration suspension, customers have the option to make a payment of a civil penalty in lieu of serving a 3 month suspension. Additionally, customers are required to pay a restoration fee. The optional civil penalty may not be paid more than once in a 12-month period. Payment of the civil penalty, along with the restoration fee and proof of current insurance will allow customers to maintain registration of their vehicle without the requirement to serve a 3 month suspension. To use this option, visit PennDOT's website at [www.pa.gov/dmv](http://www.pa.gov/dmv) and click the link "Pay Civil Penalty" or mail a **certified** check or money order payable to the PA Department of Transportation in the amount of the civil penalty plus the required restoration fee along with current proof of insurance.
- **BUD not required**
- **NOTE:** For a current listing of fees, refer to [Form MV-70S, "Bureau of Motor Vehicles Schedule of Fees."](#)

Stamp your messenger number on all documents submitted to PennDOT with the exception of camera cards. Do not stamp your messenger number on the front side of a camera card (stamp on back of camera card if not already printed on the front). Please remove all check register receipts when submitting checks to PennDOT for processing. Please place the check(s) **horizontally** and at the top of the forms.

Please use 8.5" x 11" BUD (MV-127) on all driver license and motor vehicle transactions that require a BUD. Do not write anything on the BUD. Stamp your messenger number on the BUD in the lower right corner and nowhere else on the BUD.

**Please do not submit photographs to PennDOT on BUDS. Tape them to a sheet of paper that does not contain a bar code.**

Sort 1 transactions should be submitted in batches of no more than 75 MV-1s or MV-4STs.

**MESSENGER SERVICES - SORT BINS - MESSENGERS VIEW**

Commercial Registration ARP	RMO/ORM STOLEN VEHICLES	CMV ONLINE TA AGENTS	REPO DEALER TITLE	DEALER TITLE	PERSONALIZE D PLATES MV-904	MV-904SO	Disability Placard Discrepancy	Fee Accounting Staff	QC Audit/OLM/OL RP	DL-15 OLL DL-20 Probationary License	MV-63 Change of Address	Operator Discrepancy	Messenger Full Agent Contracts
Commercial Registration Fleet/SME School Vehicle	FLEET Y INDICATOR MV-587 COMM. REGS STAFF	RSOS/Research and Support	Dealer Specially Constructed RECON MV-426B	RECON	RENEWALS MV-140 MV-105 MV-140 NR	White Ticket	MV-421 County Fees	Special Services Unit Staff		DL-82	Restoration Requirements Letters	MV-402 Medical DL-100 Voluntary Surrender	Dealer Forms
ARP Invoices w/ Payments	RED FOLDER FUEL TAX FORM	EV PLATES	Specially Constructed	CARATS A & B Reentry Applications	ANTIQUE CLASSIC VINTAGE	Disability Placards MV-145A	F Stops I Stops Insurance Suspensions			Dealer Audit Unit Staff/Intransit Tag	Operator Suspension Restoration	DL-58A	Dealer Temp Tag Orders MV-351
ARP Renewals	DEX Staff Office	MG PLATES	Reentry Specially Constructed Reentry Recon	MV-77 MV-77A MV-145 MV-145V	SECURE POWER OF ATTORNEY POA	RUC - ROAD USER CHARGE	Grey Market Imported Vehicles	Duplicate Dealer Title			DL-54A DL-54B DL-59 DL-58EF DL-180R	DL-143	DL-135
Return Check A- STOP	SPECIAL TAG DISCREPANCY	REPOSSESSION MV-217 MV-217A	MV-16 MV-16A	CARATS B SPECIAL FUND MV-150 MV-910-920	MV-1 & MV-4	MV-1 & MV-4	MV-27A MV-27B Dealer Notification	Work Thrown Wrong			DL-31	CDL DL-100CD	DL 135 WITH WID
Refunds	DCNR/ATV	MV-38D	BLANKET CHECKS	School Bus			Unclaimed Documents	TAX Unpaid			DL-80	DL-11CD MED CERTS	DL 503 DL 130 Letter of Clearance

# Regulations Title 67

Along with messenger contracts, regulations also govern the operations of Messenger Services. Title 67 Regulations are now available via the Internet.

To view copies of Chapters, 43, 69 and 255 of Title 67 visit [www.pacodeandbulletin.gov](http://www.pacodeandbulletin.gov).

From the home page click on Pennsylvania Code online

Select Browse from the side menu

Scroll to Title 67 (Transportation)

Highlight and click on Select

Select Chapter that you would like to view

Chapter 43 - Temporary Registration Cards & Plates

Chapter 69 - Temporary Weight Increase Permits

Chapter 255 - Messenger Services

**ATTACHED IS A SAMPLE CONTRACT**

**THE CONTRACT HAS NO VALIDITY UNTIL:**

**ALL REQUIREMENTS ARE MET**

**AND**

**ALL SIGNATURES ARE OBTAINED**

**AND**

**A COMPLETELY EXECUTED CONTRACT IS RETURNED TO YOU**

**This sample is being provided for your review. Should you meet all the requirements and enter into contract with the Department, you will become bound by this contract. Once again, this is only a SAMPLE for information and does not guarantee that a contract will be offered.**

**THANK YOU.**

**Effective Date:** \_\_\_\_\_  
(Department will insert)

**Contract #:**  
**Federal ID #:**

## **MESSENGER SERVICES AGREEMENT**

This Agreement, made and entered into by and between the Commonwealth of Pennsylvania, acting through the Department of Transportation (Department),

a n d

John Doe Messenger Services, LLC (Contractor).

WHEREAS Act 152 of 2002 requires the Department to enter into contracts for the provision of agent services for the issuance and processing of vehicle registration documents and fees; and,

WHEREAS, Contractor desires to contract with the Department to provide such services to vehicle owners and operators in the Commonwealth; and

WHEREAS, the Department has determined that Contractor is qualified to provide the necessary agent services.

NOW THEREFORE, the parties agree, with the intention of being legally bound, to the following:

### **AUTHORITY TO PROVIDE AGENT SERVICES**

1. The Department will allow Contractor to provide messenger service, delivering and obtaining driver licensing and vehicle registration documents to and from the Department for consumers in the Commonwealth.
2. Contractor may charge a reasonable service fee for messenger services provided. It is understood that the Department will make no payment to the Contractor, payment for any services rendered shall be billed by the Contractor to the public users of its services.

### **FACILITIES**

3. If providing counter service to the public, Contractor shall at all times maintain a facility which is acceptable in appearance to the Department and is in compliance with all applicable

federal, state, and local laws, including local zoning ordinances and building codes, and is fully accessible to persons with disabilities in accordance with the provisions of Title II of the Americans with Disabilities Act.

4. The facility(ies) of the Contractor shall provide for adequate parking to accommodate the anticipated volume of business and shall provide specified parking for persons with disabilities, in accordance with applicable standards promulgated by the Department of Labor and Industries, at 34 Pa. Code, Chapter 47.
5. The facility shall include secure storage during non business hours for all products being delivered and obtained from the Department. The Department expressly reserves the right to amend this Agreement to provide for the implementation of additional security measures as shall be determined to be required by the Department in its discretion.
6. The facility shall have active telephone service, a fax machine and a copy machine; the Department, at its discretion, may require the Contractor to also have a connection through a personal computer to the Internet, an active e-mail account accessible via the Internet, access to the Department's Driver and Vehicle Systems, or may require other technology the Department may deem appropriate for the provision of messenger services.
7. Prior to the relocation of the messenger service business to another location, Contractor agrees to submit to the Department only the facility-related information required as if the Contractor were making and initial application to contract to provide messenger services.

#### **HOURS OF OPERATION**

8. If offering personal counter services to the public, Contractor's facility shall be open a minimum of 20 hours per week between the hours of 7:00 a.m. and 9:00 p.m. The facility may be closed for reasonable periods of time due to vacation or illness, subject to the requirements of paragraph 14.

#### **STAFFING**

9. Contractor will, at the time of appointment or hiring and annually thereafter, obtain a criminal record check from the Pennsylvania State Police for all corporate officers of the Contractor and employees who are involved in providing the messenger service and will make such criminal record checks available to the Department upon request.
10. Contractor will, at the time of hiring and annually secure an affidavit from each employee involved in providing the messenger service that the employee has read and understood the provisions of 75 Pa.C.S. Chapters 75 (relating to authorization of messenger and agent services), 75 Pa.C.S. § 6114 (relating to limitation on sale, publication and disclosure of

records), 67 Pa. Code, Chapter 255 (relating to Messenger Services), and the Department's Messenger Manual (regarding messenger application, processing information and procedures); Contractor will retain the statement(s) on file for inspection upon request by the Department.

11. Contractor will direct at least one management employee involved in providing the messenger service to attend at least one of the Department's Quarterly Messenger Meetings per year.

### **SIGNING AND MATERIALS**

12. Contractor will conspicuously post a schedule of Department motor vehicle fees and fees charged by Contractor for messenger services.
13. If open to the public, contractor will prominently post on the outside of the business an identifying sign, of durable material, which contains the words "authorized messenger service" or "authorized motor vehicle messenger service."
14. If open to the public, contractor will post a schedule of hours so as to be visible from the exterior of the place of business. If the facility is closed due to vacation or illness, the closure will be prominently posted at the entrance to the facility.
15. Contractor will prominently post the certificate of authorization for the messenger service at the place of business.

### **SECURITY**

16. At the close of the hours of operation of the messenger service, Contractor shall place all documents which were obtained from the Department or for delivery to the Department, in the place of secured storage approved by the Department.
17. If any completed forms or Motor Vehicle or Driver License products, which are being delivered to the Department or obtained from the Department, are lost or stolen, the Contractor must notify the Department of the loss or theft immediately or the next business day after discovery of the loss. This notice shall be in the form of an affidavit and shall give complete details of the loss or theft. In the event of theft, the theft shall be reported to appropriate police officials within 48 hours of discovery of the theft.

### **PROVISION OF TIMELY SERVICE**

18. Completed documents for processing must be submitted to the Department within 5 calendar days of the messenger's receipt of all necessary and fully executed documents. If Contractor has also contracted with the Department as an Agent Service, Contractor nonetheless must submit completed applications and fees within 5 calendar days, not within 20 calendar days as provided in paragraph 21 of the Agent Service Agreement.

19. Contractor will pick up all work processed by the Department within 48 business hours after being placed in the box of the messenger service.
20. The Department, at its sole discretion, may require Contractor to submit source documents to the Department utilizing digital imaging technology or electronically in a manner prescribed by the Department.

### **BOND**

21. Contractor shall file and maintain with the Department a bond in the amount of \$50,000 for each messenger service. If the agent service has more than one location, additional bonds in the amount of \$50,000 for each location, not to exceed \$250,000 in the aggregate, shall be filed and maintained. The bonds shall be executed by a surety company authorized by law to transact business in this Commonwealth and shall be for the use and benefit of the Commonwealth and persons who have sustained a monetary loss attributable to the intentional or negligent conduct of the Contractor or Contractor's employees, including losses incurred in negotiating checks or other instruments drawn by the Contractor, in accordance with the limitations in 67 Pa. Code §255.4(a).
22. If the amount available under the bond is decreased, or if there is a final judgment outstanding on the bond, the rights of the Contractor to deliver and obtain documents to and from the Department, may be suspended or terminated until steps are taken, satisfactory to the Department, to restore the original amount of the bond, provide an additional bond or satisfy the outstanding judgment.
23. If the bond is terminated or becomes unsatisfactory for any reason, the Contractor's authorization to operate the messenger service will be suspended until the Contractor furnishes the Commonwealth with a satisfactory substitute bond in the amount required by the Department.

### **AUDITS AND INSPECTION**

24. The Department reserves the right to make unannounced visits to audit, observe and inspect Contractor's messenger service operations. Records of transactions conducted by the messenger service and related documents shall be available for inspection, with or without notice, by authorized Commonwealth employees or designees, including the Pennsylvania State Police. Records required by the Department to be maintained by the Contractor in carrying out the duties under this Agreement shall be subject to periodic inspection by authorized representatives of the Commonwealth or its designated agents under the following conditions:
  - (1) Place - The inspection may be conducted at the messengers established place of business.

- (2) Time - The inspection may be conducted during regular and usual business hours.
- (3) Scope - The inspection may be limited to examination of the records which are subject to the record keeping requirement of this Agreement and Department regulations or, based on the initial findings, may be expanded to include investigation of violations of the terms of this agreement or Department regulations.

### **RENEWAL**

- 25. This Agreement shall be for a term of three (3) years commencing with the effective date. The parties shall have the option to renew this Agreement by letter agreement for additional three (3) year periods.

### **SUSPENSION AND TERMINATION**

- 26. Contractor agrees that Contractor and its employees will be bound by the provisions of 75 Pa.C.S. Chapter 75 (relating to authorization of messenger and agent services) 75 Pa.C.S. § 6114 (relating to limitation on sale, publication and disclosure of records), and 67 Pa. Code Chapter 255 (relating to messenger services), as well as the provision in this Agreement, and that where this Agreement provides a more rigorous standard of conduct, the provisions of this Agreement shall control.
- 27. Contractor agrees that if it is determined by the Department that Contractor or any of its employees has engaged in any of the activity described in the following table, operation of the messenger service may be suspended in accordance with the corresponding time period in the table which follows. Second and subsequent offenses will be determined on the basis of previous offenses of the same nature committed within a three (3) year period

Prohibited Activity	Period of Suspension of Operation
(1) The authorized messenger service has failed to report a change of business address within 10 days of the change - <b>first offense.</b>	Suspension until the application related to the change has been approved.
(2) The messenger service has operated an unauthorized branch office - <b>first offense.</b>	Suspension until the branch office is approved by the Department or closed by the messenger.
(3) The messenger service has failed to submit documents to the Department within 5 days after the messenger's receipt of all necessary and fully executed documents - <b>first offense.</b>	Written Warning
(4) The messenger service has failed to submit documents to the Department within 5 days after the messenger's receipt of all necessary and fully executed documents - <b>second offense.</b>	Operation suspended for (3) months.
(5) The messenger service has failed to post the certificate of authorization, schedule of motor vehicle fees as supplied by the Bureau, schedule of messenger fees, identifying sign conforming to Department regulations, or hours of operation in a conspicuous manner at places of business - <b>first offense.</b>	Written Warning
(6) The messenger service has failed to post the certificate of authorization, schedule of motor vehicle fees as supplied by the Bureau, schedule of messenger fees, identifying sign conforming to Department regulations, or hours of operation in a conspicuous manner at places of business - <b>second offense.</b>	Operation suspended for one (1) month.
(7) The messenger service has repeatedly failed to record messenger number and date of submission on applications and checks submitted to the Commonwealth - <b>first offense.</b>	Written Warning
(8) The messenger service has repeatedly failed to record messenger number and date of submission on applications and checks submitted to the Commonwealth - <b>second offense.</b>	Operation suspended for three (3) months.
(9) The messenger service has failed to pick up work processed by the Department within 48 hours after deposit in proper box - <b>first offense.</b>	Written Warning

Prohibited Activity	Period of Suspension of Operation
(10) The messenger service has failed to pick up work processed by the Department within 48 hours after deposit in proper box - <b>second offense.</b>	Operation suspended for three (3) months.
(11) The messenger has: (i) Failed to furnish receipts as required by § 255.5(g) (relating to duties of messenger service). (ii) Failed to retain a duplicate copy of receipts for 3 years - <b>first offense.</b>	Written Warning
(12) The messenger has: (i) Failed to furnish receipts as required by § 255.5(g) (relating to duties of messenger service). (ii) Failed to retain a duplicate copy of receipts for 3 years - <b>second offense.</b>	Operation suspended for three (3) months.
(13) The messenger service has failed to maintain proper records as provided in § 255.5(h) - <b>first offense.</b>	Written Warning
(14) The messenger service has failed to maintain proper records as provided in § 255.5(h) - <b>second offense.</b>	Operation suspended for three (3) months.
(15) The messenger or employee has failed to conspicuously display identification card at all times when in the Department on business related to the messenger service - <b>first offense.</b>	Written Warning
(16) The messenger or employee has failed to conspicuously display identification card at all times when in the Department on business related to the messenger service - <b>second offense.</b>	Operation suspended for one (1) month.
(17) The messenger service has failed to allow inspection of all documents in the possession of the messenger service by authorized Commonwealth employees - <b>first offense.</b>	Operation suspended until 30 days after the documents are made available for inspection.
(18) The messenger service offering personal counter services has failed on two or more occasions to be open during posted business hours - <b>first offense.</b>	Written Warning
(19) The messenger service offering personal counter services has failed on two or more occasions to be open during posted business hours - <b>second offense.</b>	Operations suspended for three (3) months.

Prohibited Activity	Period of Suspension of Operation
(20) An owner or officer of the messenger service is a Commonwealth employee or the messenger service is employing a Commonwealth employee - <b>first offense.</b>	Operation suspended for one (1) month.
(21) An owner or officer of the messenger service is a Commonwealth employee or the messenger service is employing a Commonwealth employee - <b>second offense.</b>	Operation suspended for six (6) months.
(22) The messenger service has failed to maintain security of documents as required by § 255.5(c) - <b>first offense.</b>	Written Warning
(23) The messenger service has failed to maintain security of documents as required by § 255.5(c) - <b>second offense.</b>	Operations suspended for three (3) months.
(24) The messenger service has failed to maintain the established place of business in accordance with contract requirements - <b>first offense.</b>	Operation suspended until the established place of business is brought into compliance with contract requirements.
(25) The messenger service has failed to submit documents in accordance with Department regulations and procedures at locations designated by the Department - <b>first offense.</b>	Written Warning
(26) The messenger service has failed to submit documents in accordance with Department regulations and procedures at locations designated by the Department - <b>second offense.</b>	Operation suspended for three (3) months.
(27) The messenger service has repeatedly failed to ensure proper execution of documents or failed to ensure that all documents necessary to complete the paperwork was submitted to the Department for processing - <b>first offense.</b>	Written Warning
(28) The messenger service has repeatedly failed to ensure proper execution of documents or failed to ensure that all documents necessary to complete the paperwork was submitted to the Department for processing - <b>second offense.</b>	Operation suspended for three (3) months.
(29) The messenger service has submitted documents to the Department for processing which have been accompanied by uncollectible checks drawn on the account of the messenger - <b>first offense.</b>	Suspension until the uncollectible checks, protest fees, and collection charges are paid, plus a warning letter.

Prohibited Activity	Period of Suspension of Operation
(30) The messenger service has submitted documents to the Department for processing which have been accompanied by uncollectible checks drawn on the account of the messenger - <b>second offense.</b>	Suspension until all uncollectible checks, protest fees, and collection charges are paid, plus three (3) months.
(31) The messenger services has failed to comply with an order from the Department to submit certified checks, postal or other money orders with a document to the Department for processing - <b>first offense.</b>	Operation suspended for one (1) month.
(32) The messenger services has failed to comply with an order from the Department to submit certified checks, postal or other money orders with a document to the Department for processing - <b>second offense.</b>	Operation suspended for three (3) months.
(33) The messenger service has failed to notify the Department of the names and social security numbers of all new employees of the messenger service within 30 days of hire - <b>first offense.</b>	Written Warning
(34) The messenger service has failed to notify the Department of the names and social security numbers of all new employees of the messenger service within 30 days of hire - <b>second offense.</b>	Operation suspended for three (3) months.
(35) The messenger has failed to return all documents which it has held for 90 days and it has been unable to deliver to the applicant - <b>first offense.</b>	Written Warning
(36) The messenger has failed to return all documents which it has held for 90 days and it has been unable to deliver to the applicant - <b>second offense.</b>	Operation suspended for one (1) month.
(37) The Contractor has violated the inquiry policy set forth by the Department in accessing the Department's Driver and Vehicle Systems - <b>first offense.</b>	Operation suspended for three (3) months.

28. Contractor agrees that if it is determined by the Department that Contractor or any of its employees has engaged in any of the activity described in the following listing, such activity shall be considered breach of this Agreement and operation of the messenger service under this Agreement may be terminated:
- (1) The agent service, one of its owners, officers or employees, has committed a fraudulent act including the fraudulent keeping of records, or the fraudulent completion of an application submitted to the Department, or has failed to submit to the Department completed applications and fees and taxes due the Commonwealth in connection with the issuance of the temporary cards or plates.
  - (2) The authorized messenger service has failed to report a change of business address within 10 days of the change - **second offense.**
  - (3) The messenger service has operated an unauthorized branch office - **second offense.**
  - (4) The messenger service has failed to submit documents to the Department within 5 days after the messenger's receipt of all necessary and fully executed documents - **third offense.**
  - (5) The messenger service has failed to maintain security of documents as required by § 255.5(c) - **third offense.**
  - (6) The messenger service has failed to submit documents in accordance with Department regulations and procedures at locations designated by the Department - **third offense.**
  - (7) The messenger service has repeatedly failed to ensure proper execution of documents or failed to ensure that all documents necessary to complete the paperwork was submitted to the Department for processing - **third offense.**
  - (8) The messenger service has submitted documents to the Department for processing which have been accompanied by uncollectible checks drawn on the account of the messenger - **third offense.**
  - (9) The messenger services has failed to comply with an order from the Department to submit certified checks, postal or other money orders with a document to the Department for processing - **third offense.**
  - (10) An owner, officer or employee of the messenger service has been convicted of a felony or misdemeanor relating to the titling, registration or collection of sales tax and fees for a vehicle or the agent has been convicted of another felony relating to motor vehicles within the last 10 years.
  - (11) The messenger service, or any of its owners, officers or employees has offered or delivered money, gifts or other items of substantial value to a Commonwealth employee.

- (12) The messenger service has failed to maintain the established place of business in accordance with contract requirements - **second offense.**
  - (13) The messenger service has failed to post the certificate of authorization, schedule of motor vehicle fees as supplied by the Bureau, schedule of messenger fees, identifying sign conforming to Department regulations, or hours of operation in a conspicuous manner at places of business - **third offense.**
  - (14) The messenger service offering personal counter services has failed on two or more occasions to be open during posted business hours - **third offense.**
  - (15) The messenger service has repeatedly failed to record messenger number and date of submission on applications and checks submitted to the Commonwealth - **third offense.**
  - (16) The messenger service has failed to pick up work processed by the Department within 48 hours after deposit in proper box- **third offense.**
  - (17) The messenger has failed to furnish receipts as required by § 255.5(g) (relating to duties of messenger service) or failed to retain a duplicate copy of receipts for 3 years - **third offense.**
  - (18) The messenger or employee has failed to conspicuously display identification card at all times when in the Department on business related to the messenger service - **third offense.**
  - (19) The messenger has failed to return all documents which it has held for 90 days and it has been unable to deliver to the applicant - **third offense.**
  - (20) The messenger service has failed to notify the Department of the names and social security numbers of all new employees of the messenger service within 30 days of hire - **third offense.**
  - (21) The Contractor has violated the inquiry policy set forth by the Department in accessing the Department's Driver and Vehicle Systems - **second offense.**
29. In determining whether to suspend service under this Agreement or terminate the Agreement pursuant to paragraphs 27 or 28, the Department will consider any mitigating circumstances or factors presented by the Contractor and may take such lesser action under the terms of paragraphs 27 or 28 as it may deem appropriate. Within 5 business days after the department has suspended service or terminated this agreement pursuant to paragraphs 27 and 28, or terminated the Agreement under paragraph 30, Contractor may request a meeting with the Department to present mitigating circumstances or factors; such meeting shall be held within 30 days of the request.
30. The Department may also terminate this Agreement at any time for good cause shown, including, but not limited to, misrepresentation or fraud in the Contractor's application which formed the basis for this contract, or if the agent service is operated, managed, controlled or affiliated with a person who would be ineligible to be authorized to engage in providing agent services.

## **CONTRACTOR INTEGRITY**

31. The Contractor agrees to be bound by the Provisions Concerning the Americans With Disabilities Act, attached hereto as Exhibit "A."
32. The Contractor shall comply with the Commonwealth Contractor Integrity Provisions attached hereto as Exhibit "B."
33. The Contractor shall comply with the Commonwealth Nondiscrimination/Sexual Harassment Clause, attached hereto as Exhibit "C."
34. The Contract agrees to abide by and shall comply with the Right to Know Law, attached hereto as Exhibit "D."

## **INDEMNIFICATION**

35. The Contractor, its agents and employees, shall act in independent capacity and shall not act or be deemed to act as officers, employees or agents of the Department.
36. The Contractor agrees to comply with all applicable federal and state laws and regulations and local ordinances in carrying out its obligations under this Agreement.
37. The Contractor agrees to save harmless, indemnify and, if requested, defend the Commonwealth of Pennsylvania, the Department, their officers, employees or agents from and against all claims, suits or actions for damages, costs or expenses arising, or alleged to have arisen from death or injury to person or property, or other damage as a result of any act or omission of the Contractor.

## **CONFLICT OF LAWS**

38. Regardless of any provision to the contrary found elsewhere in the provisions of this Agreement, the laws of the Commonwealth of Pennsylvania shall be used in the interpretation of this Agreement.
39. In the event of conflict between the provisions of this Agreement and any attachment hereto, the provisions of the Agreement shall control.

## **AMENDMENT**

40. This Agreement and attachments hereto constitute the entire agreement between the parties.
41. This Agreement may be amended at any time by letter agreement executed by both parties.

IN WITNESS WHEREOF, the parties have executed this Agreement the date first above written.

ATTEST

CONTRACTOR

BY \_\_\_\_\_  
Title: \_\_\_\_\_ DATE \_\_\_\_\_

BY \_\_\_\_\_  
Title: \_\_\_\_\_ DATE \_\_\_\_\_

If a Corporation, only the Chairman, President, Vice President, Senior Vice-President, Executive Vice-President, Assistant Vice-President, Chief Executive Officer or Chief Operating Officer must sign; if a sole proprietorship, only the owner must sign; if a partnership, only one partner need sign; if a limited partnership; only the general partner may sign; if a limited liability company, only a member or managing member may sign. If a Municipality, Authority or other entity, please attach a resolution.

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**DO NOT WRITE BELOW THIS LINE--FOR COMMONWEALTH USE ONLY**

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

BY \_\_\_\_\_  
Deputy Secretary of Driver and Vehicle Services DATE \_\_\_\_\_

APPROVED AS TO LEGALITY  
AND FORM

BY \_\_\_\_\_  
for Chief Counsel Date \_\_\_\_\_

BY \_\_\_\_\_  
Assistant Counsel Date \_\_\_\_\_

Pre approved Form:  
OGC No. 18-K-2900  
Approved OAG 10/03/03

## EXHIBIT "A"

### PROVISIONS CONCERNING THE *AMERICANS WITH DISABILITIES ACT*

For the purpose of these provisions, the term contractor is defined as any person, including, but not limited to, a bidder, offeror, supplier, or grantee, who will furnish or perform or seeks to furnish or perform, goods, supplies, services, construction or other activity, under a purchase order, contract, or grant with the Commonwealth of Pennsylvania (Commonwealth).

During the term of this agreement, the contractor agrees as follows:

1. Pursuant to federal regulations promulgated under the authority of the *Americans with Disabilities Act*, 28 C. F. R. § 35.101 et seq., the contractor understands and agrees that no individual with a disability shall, on the basis of the disability, be excluded from participation in this agreement or from activities provided for under this agreement. As a condition of accepting and executing this agreement, the contractor agrees to comply with the "*General Prohibitions Against Discrimination*," 28 C. F. R. § 35.130, and all other regulations promulgated under *Title II of the Americans with Disabilities Act* which are applicable to the benefits, services, programs, and activities provided by the Commonwealth through contracts with outside contractors.
2. The contractor shall be responsible for and agrees to indemnify and hold harmless the Commonwealth from all losses, damages, expenses, claims, demands, suits, and actions brought by any party against the Commonwealth as a result of the contractor's failure to comply with the provisions of paragraph 1.

## EXHIBIT "B"

### CONTRACTOR INTEGRITY PROVISIONS

It is essential that those who seek to contract with the Commonwealth of Pennsylvania ("Commonwealth") observe high standards of honesty and integrity. They must conduct themselves in a manner that fosters public confidence in the integrity of the Commonwealth procurement process.

In furtherance of this policy, Contractor agrees to the following:

1. Contractor shall maintain the highest standards of honesty and integrity during the performance of this contract and shall take no action in violation of state or federal laws or regulations or any other applicable laws or regulations, or other requirements applicable to Contractor or that govern contracting with the Commonwealth.
2. Contractor shall establish and implement a written business integrity policy, which includes, at a minimum, the requirements of these provisions as they relate to Contractor employee activity with the Commonwealth and Commonwealth employees, and which is distributed and made known to all Contractor employees.
3. Contractor, its affiliates, agents and employees shall not influence, or attempt to influence, any Commonwealth employee to breach the standards of ethical conduct for Commonwealth employees set forth in the *Public Official and Employees Ethics Act, 65 Pa.C.S. §§1101 et seq.*; the *State Adverse Interest Act, 71 P.S. §776.1 et seq.*; and the *Governor's Code of Conduct, Executive Order 1980 -18, 4 Pa. Code §7.151 et seq.*, or to breach any other state or federal law or regulation.
4. Contractor, its affiliates, agents and employees shall not offer, give, or agree or promise to give any gratuity to a Commonwealth official or employee or to any other person at the direction or request of any Commonwealth official or employee.
5. Contractor, its affiliates, agents and employees shall not offer, give, or agree or promise to give any gratuity to a Commonwealth official or employee or to any other person, the acceptance of which would violate the *Governor's Code of Conduct, Executive Order 1980 18, 4 Pa.Code §7.151et seq.* or any statute, regulation, statement of policy, management directive or any other published standard of the Commonwealth.
6. Contractor, its affiliates, agents and employees shall not, directly or indirectly, offer, confer, or agree to confer any pecuniary benefit on anyone as consideration for the decision, opinion, recommendation, vote, other exercise of discretion, or violation of a known legal duty by any Commonwealth official or employee.
7. Contractor, its affiliates, agents, employees, or anyone in privity with them shall not accept or agree to accept from any person, any gratuity in connection with the performance of work under the contract, except as provided in the contract.
8. Contractor shall not have a financial interest in any other contractor, subcontractor, or supplier providing services, labor, or material on this project, unless the financial interest is disclosed to the Commonwealth in writing and the Commonwealth consents to Contractor's financial interest prior to Commonwealth execution of the contract. Contractor shall disclose the financial interest to the Commonwealth at the time of bid or proposal submission, or if no bids or proposals are solicited, no later than Contractor's submission of the contract signed by Contractor.
9. Contractor, its affiliates, agents and employees shall not disclose to others any information, documents, reports, data, or records provided to, or prepared by, Contractor

under this contract without the prior written approval of the Commonwealth, except as required by the *Pennsylvania Right-to-Know Law, 65 P.S. §§ 67.101-3104*, or other applicable law or as otherwise provided in this contract. Any information, documents, reports, data, or records secured by Contractor from the Commonwealth or a third party in connection with the performance of this contract shall be kept confidential unless disclosure of such information is:

- a. Approved in writing by the Commonwealth prior to its disclosure; or
  - b. Directed by a court or other tribunal of competent jurisdiction unless the contract requires prior Commonwealth approval; or
  - c. Required for compliance with federal or state securities laws or the requirements of national securities exchanges; or
  - d. Necessary for purposes of Contractor's internal assessment and review; or
  - e. Deemed necessary by Contractor in any action to enforce the provisions of this contract or to defend or prosecute claims by or against parties other than the Commonwealth; or
  - f. Permitted by the valid authorization of a third party to whom the information, documents, reports, data, or records pertain: or
  - g. Otherwise required by law.
10. Contractor certifies that neither it nor any of its officers, directors, associates, partners, limited partners or individual owners has been officially notified of, charged with, or convicted of any of the following and agrees to immediately notify the Commonwealth agency contracting officer in writing if and when it or any officer, director, associate, partner, limited partner or individual owner has been officially notified of, charged with, convicted of, or officially notified of a governmental determination of any of the following:
- a. Commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements or receiving stolen property.
  - b. Commission of fraud or a criminal offense or other improper conduct or knowledge of, approval of or acquiescence in such activities by Contractor or any affiliate, officer, director, associate, partner, limited partner, individual owner, or employee or other individual or entity associated with:
    - (1) obtaining;
    - (2) attempting to obtain; or
    - (3) performing a public contract or subcontract.Contractor's acceptance of the benefits derived from the conduct shall be deemed evidence of such knowledge, approval or acquiescence.
  - c. Violation of federal or state antitrust statutes.
  - d. Violation of any federal or state law regulating campaign contributions.
  - e. Violation of any federal or state environmental law.
  - f. Violation of any federal or state law regulating hours of labor, minimum wage standards or prevailing wage standards; discrimination in wages; or child labor violations.
  - g. Violation of the *Act of June 2, 1915 (P.L.736, No. 338)*, known as the *Workers' Compensation Act, 77 P.S. 1 et seq.*

- h.** Violation of any federal or state law prohibiting discrimination in employment.
- i.** Debarment by any agency or department of the federal government or by any other state.
- j.** Any other crime involving moral turpitude or business honesty or integrity.

Contractor acknowledges that the Commonwealth may, in its sole discretion, terminate the contract for cause upon such notification or when the Commonwealth otherwise learns that Contractor has been officially notified, charged, or convicted.

- 11.** If this contract was awarded to Contractor on a non-bid basis, Contractor must, (as required by *Section 1641 of the Pennsylvania Election Code*) file a report of political contributions with the Secretary of the Commonwealth on or before February 15 of the next calendar year. The report must include an itemized list of all political contributions known to Contractor by virtue of the knowledge possessed by every officer, director, associate, partner, limited partner, or individual owner that has been made by:
  - a.** Any officer, director, associate, partner, limited partner, individual owner or members of the immediate family when the contributions exceed an aggregate of one thousand dollars (\$1,000) by any individual during the preceding year; or
  - b.** Any employee or members of their immediate family whose political contribution exceeded one thousand dollars (\$1,000) during the preceding year.

To obtain a copy of the reporting form, Contractor shall contact the Bureau of Commissions, Elections and Legislation, Division of Campaign Finance and Lobbying Disclosure, Room 210, North Office Building, Harrisburg, PA 17120.

- 12.** Contractor shall comply with requirements of the *Lobbying Disclosure Act, 65 Pa.C.S. §13A01 et seq.*, and the regulations promulgated pursuant to that law. Contractor employee activities prior to or outside of formal Commonwealth procurement communication protocol are considered lobbying and subjects the Contractor employees to the registration and reporting requirements of the law. Actions by outside lobbyists on Contractor's behalf, no matter the procurement stage, are not exempt and must be reported.
- 13.** When Contractor has reason to believe that any breach of ethical standards as set forth in law, the Governor's Code of Conduct, or in these provisions has occurred or may occur, including but not limited to contact by a Commonwealth officer or employee which, if acted upon, would violate such ethical standards, Contractor shall immediately notify the Commonwealth contracting officer or Commonwealth Inspector General in writing.
- 14.** Contractor, by submission of its bid or proposal and/or execution of this contract and by the submission of any bills, invoices or requests for payment pursuant to the contract, certifies and represents that it has not violated any of these contractor integrity provisions in connection with the submission of the bid or proposal, during any contract negotiations or during the term of the contract.
- 15.** Contractor shall cooperate with the Office of Inspector General in its investigation of any alleged Commonwealth employee breach of ethical standards and any alleged Contractor non-compliance with these provisions. Contractor agrees to make identified Contractor employees available for interviews at reasonable times and places. Contractor, upon the inquiry or request of the Office of Inspector General, shall provide, or if appropriate, make promptly available for inspection or copying, any information of any type or form deemed relevant by the Inspector General to Contractor's integrity and compliance with these

provisions. Such information may include, but shall not be limited to, Contractor's business or financial records, documents or files of any type or form that refers to or concern this contract.

16. For violation of any of these Contractor Integrity Provisions, the Commonwealth may terminate this and any other contract with Contractor, claim liquidated damages in an amount equal to the value of anything received in breach of these provisions, claim damages for all additional costs and expenses incurred in obtaining another contractor to complete performance under this contract, and debar and suspend Contractor from doing business with the Commonwealth. These rights and remedies are cumulative, and the use or non-use of any one shall not preclude the use of all or any other. These rights and remedies are in addition to those the Commonwealth may have under law, statute, regulation, or otherwise.
17. For purposes of these Contractor Integrity Provisions, the following terms shall have the meanings found in this Paragraph 17.
  - a. "Confidential information" means information that a) is not already in the public domain; b) is not available to the public upon request; c) is not or does not become generally known to Contractor from a third party without an obligation to maintain its confidentiality; d) has not become generally known to the public through a act or omission of Contractor; or e) has not been independently developed by Contractor without the use of confidential information of the Commonwealth.
  - b. "Consent" means written permission signed by a duly authorized officer or employee of the Commonwealth, provided that where the material facts have been disclosed, in writing, by pre-qualification, bid, proposal, or contractual terms, the Commonwealth shall be deemed to have consented by virtue of execution of this contract.
  - c. "Contractor" means the individual or entity that has entered into this contract with the Commonwealth, including those directors, officers, partners, managers, and owners having more than a five percent interest in Contractor.
  - d. "Financial interest" means:
    - (1) Ownership of more than a five percent interest in any business; or
    - (2) Holding a position as an officer, director, trustee, partner, employee, or holding any position of management.
  - e. "Gratuity" means tendering, giving or providing anything of more than nominal monetary value including, but not limited to, cash, travel, entertainment, gifts, meals, lodging, loans, subscriptions, advances, deposits of money, services, employment, or contracts of any kind. The exceptions set forth in the Governor's Code of Conduct, Executive Order 1980-18, the 4 Pa. Code §7.153(b), shall apply.
  - f. "Immediate family" means a spouse and any unemancipated child.
  - g. "Non-bid basis" means a contract awarded or executed by the Commonwealth with Contractor without seeking bids or proposals from any other potential bidder or offeror.
  - h. "Political contribution" means any payment, gift, subscription, assessment, contract, payment for services, dues, loan, forbearance, advance or deposit of money or any valuable thing, to a candidate for public office or to a political committee, including but not limited to a political action committee, made for the purpose of influencing any election in the Commonwealth of Pennsylvania or for paying debts incurred by or for a candidate or committee before or after any election.

## EXHIBIT "C"

### NONDISCRIMINATION/SEXUAL HARASSMENT CLAUSE [Contracts]

The Contractor agrees:

1. In the hiring of any employee(s) for the manufacture of supplies, performance of work, or any other activity required under the contract or any subcontract, the Contractor, each subcontractor, or any person acting on behalf of the Contractor or subcontractor shall not, by reason of gender, race, creed, or color, discriminate against any citizen of this Commonwealth who is qualified and available to perform the work to which the employment relates.
2. Neither the Contractor nor any subcontractor nor any person on their behalf shall in any manner discriminate against or intimidate any employee involved in the manufacture of supplies, the performance of work, or any other activity required under the contract on account of gender, race, creed, or color.
3. The Contractor and each subcontractor shall establish and maintain a written sexual harassment policy and shall inform their employees of the policy. The policy must contain a notice that sexual harassment will not be tolerated and employees who practice it will be disciplined.
4. The Contractor and each subcontractor shall not discriminate by reason of gender, race, creed, or color against any subcontractor or supplier who is qualified to perform the work to which the contracts relates.
5. The Contractor and each subcontractor shall, within the time periods requested by the Commonwealth, furnish all necessary employment documents and records and permit access to their books, records, and accounts by the contracting agency and the Bureau of Minority and Women Business Opportunities (BMWBO), for purpose of ascertaining compliance with provisions of this Nondiscrimination/Sexual Harassment Clause. Within fifteen (15) days after award of any contract, the Contractor shall be required to complete, sign and submit Form STD-21, the "Initial Contract Compliance Data" form. If the contract is a construction contract, then the Contractor shall be required to complete, sign and submit Form STD-28, the "Monthly Contract Compliance Report for Construction Contractors", each month no later than the 15th of the month following the reporting period beginning with the initial job conference and continuing through the completion of the project. Those contractors who have fewer than five employees or whose employees are all from the same family or who have completed the Form STD-21 within the past 12 months may, within the 15 days, request an exemption from the Form STD-21 submission requirement from the contracting agency.
6. The Contractor shall include the provisions of this Nondiscrimination/Sexual Harassment Clause in every subcontract so that those provisions applicable to subcontractors will be binding upon each subcontractor.
7. The Commonwealth may cancel or terminate the contract and all money due or to become due under the contract may be forfeited for a violation of the terms and conditions of this Nondiscrimination/Sexual Harassment Clause. In addition, the agency may proceed with debarment or suspension and may place the Contractor in the Contractor Responsibility File.

## EXHIBIT "D"

### Contract Provisions – Right to Know Law

- a. The Pennsylvania Right-to-Know Law, 65 P.S. §§ 67.101-3104, ("RTKL") applies to this Contract. For the purpose of these provisions, the term "the Commonwealth" shall refer to the contracting Commonwealth agency.
- b. If the Commonwealth needs the Contractor's assistance in any matter arising out of the RTKL related to this Contract, it shall notify the Contractor using the legal contact information provided in this Contract. The Contractor, at any time, may designate a different contact for such purpose upon reasonable prior written notice to the Commonwealth.
- c. Upon written notification from the Commonwealth that it requires the Contractor's assistance in responding to a request under the RTKL for information related to this Contract that may be in the Contractor's possession, constituting, or alleged to constitute, a public record in accordance with the RTKL ("Requested Information"), the Contractor shall:
  - 1. Provide the Commonwealth, within ten (10) calendar days after receipt of written notification, access to, and copies of, any document or information in the Contractor's possession arising out of this Contract that the Commonwealth reasonably believes is Requested Information and may be a public record under the RTKL; and
  - 2. Provide such other assistance as the Commonwealth may reasonably request, in order to comply with the RTKL with respect to this Contract.
- d. If the Contractor considers the Requested Information to include a request for a Trade Secret or Confidential Proprietary Information, as those terms are defined by the RTKL, or other information that the Contractor considers exempt from production under the RTKL, the Contractor must notify the Commonwealth and provide, within seven (7) calendar days of receiving the written notification, a written statement signed by a representative of the Contractor explaining why the requested material is exempt from public disclosure under the RTKL.
- e. The Commonwealth will rely upon the written statement from the Contractor in denying a RTKL request for the Requested Information unless the Commonwealth determines that the Requested Information is clearly not protected from disclosure under the RTKL. Should the Commonwealth determine that the Requested Information is clearly not exempt from disclosure, the Contractor shall provide the Requested Information within five (5) business days of receipt of written notification of the Commonwealth's determination.
- f. If the Contractor fails to provide the Requested Information within the time period required by these provisions, the Contractor shall indemnify and hold the Commonwealth harmless

for any damages, penalties, costs, detriment or harm that the Commonwealth may incur as a result of the Contractor's failure, including any statutory damages assessed against the Commonwealth.

- g.** The Commonwealth will reimburse the Contractor for any costs associated with complying with these provisions only to the extent allowed under the fee schedule established by the Office of Open Records or as otherwise provided by the RTKL if the fee schedule is inapplicable.
- h.** The Contractor may file a legal challenge to any Commonwealth decision to release a record to the public with the Office of Open Records, or in the Pennsylvania Courts, however, the Contractor shall indemnify the Commonwealth for any legal expenses incurred by the Commonwealth as a result of such a challenge and shall hold the Commonwealth harmless for any damages, penalties, costs, detriment or harm that the Commonwealth may incur as a result of the Contractor's failure, including any statutory damages assessed against the Commonwealth, regardless of the outcome of such legal challenge. As between the parties, the Contractor agrees to waive all rights or remedies that may be available to it as a result of the Commonwealth's disclosure of Requested Information pursuant to the RTKL.
- i.** The Contractor's duties relating to the RTKL are continuing duties that survive the expiration of this Contract and shall continue as long as the Contractor has Requested Information in its possession.

# MESSENGER SERVICES CONTRACT APPLICATION

**\*INCOMPLETE APPLICATIONS WILL BE RETURNED\***

**ALLOW 60 DAYS FOR PROCESSING**

**Type or Print Legibly**

## SECTION 1 – TYPE OF APPLICATION

Please select the applicable box below as either a New Agent Services applicant or a current Agent Services participant seeking to renew their Agent Services Contract. **New Applicants must include a check or money order made out to: Motor Vehicle Transaction Recovery Fund.**

- New Application- Please include a check or money order for \$261.00**
- New Branch- Please include a check or money order for \$130.00**

## SECTION 2 – COMPANY INFORMATION

DIN/Agent# \_\_\_\_\_ (If Applicable)

Federal Identification Number (EIN) \_\_\_\_\_

Company Legal Name \_\_\_\_\_

DBA \_\_\_\_\_

Type of Entity:  Sole Proprietorship  Corporation  Partnership  Other \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ County \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Company Phone Number (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_ Company Fax Number (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

Email Address \_\_\_\_\_

Is this location: \_\_\_\_\_ Owned \_\_\_\_\_ Leased

Drivers License Data Verification (DLDV) Integrator: \_\_\_\_\_

**SECTION 3 – OWNER/PARTNER/OFFICER INFORMATION**

Owner/Partner/Officer Name \_\_\_\_\_

Position/Title \_\_\_\_\_

Responsibilities within the Service \_\_\_\_\_

Date of Birth: \_\_\_\_\_ DL State: \_\_\_\_\_ DL/ID Number: \_\_\_\_\_

Authorized to Pick up: \_\_\_\_\_ Yes \_\_\_\_\_ No

Address \_\_\_\_\_

City \_\_\_\_\_ County \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Business Telephone Number \_\_\_\_\_ Business Fax \_\_\_\_\_

Email Address \_\_\_\_\_

Last Training Date \_\_\_\_\_ Training Type \_\_\_\_\_

Trainer Organization/Name \_\_\_\_\_

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Owner/Partner/Officer Name \_\_\_\_\_

Position/Title \_\_\_\_\_

Responsibilities within the Service \_\_\_\_\_

Date of Birth: \_\_\_\_\_ DL State: \_\_\_\_\_ DL/ID Number: \_\_\_\_\_

Authorized to Pick up: \_\_\_\_\_ Yes \_\_\_\_\_ No

Address \_\_\_\_\_

City \_\_\_\_\_ County \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Business Telephone Number \_\_\_\_\_ Business Fax \_\_\_\_\_

Email Address \_\_\_\_\_

Last Training Date \_\_\_\_\_ Training Type \_\_\_\_\_

Trainer Organization/Name \_\_\_\_\_

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**SECTION 3 – OWNER/PARTNER/OFFICER INFORMATION- CONTINUED**

Owner/Partner/Officer Name \_\_\_\_\_

Position/Title \_\_\_\_\_

Responsibilities within the Service \_\_\_\_\_

Date of Birth: \_\_\_\_\_ DL State: \_\_\_\_\_ DL/ID Number: \_\_\_\_\_

Authorized to Pick up: \_\_\_\_\_ Yes \_\_\_\_\_ No

Address \_\_\_\_\_

City \_\_\_\_\_ County \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Business Telephone \_\_\_\_\_ Business Fax \_\_\_\_\_

Email Address \_\_\_\_\_

Last Training Date \_\_\_\_\_ Training Type \_\_\_\_\_

Trainer Organization/Name \_\_\_\_\_

If you have additional Owner, Partner or Officer information to be reported please continue the list, in the same format as above, on an additional piece of paper, with the header **SECTION 3 – OWNER/PARTNER/OFFICER INFORMATION Continued** and attach it to this application with your submission.

**SECTION 4 – SUPPORT STAFF INFORMATION**

Name \_\_\_\_\_ Position/Title \_\_\_\_\_

Home Address \_\_\_\_\_

City \_\_\_\_\_ County \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

DOB \_\_\_\_\_ DL/ID State \_\_\_\_\_ DL/ID Number \_\_\_\_\_

Phone Number \_\_\_\_\_

Email Address \_\_\_\_\_ Authorized to Pick up \_\_\_\_\_ Y/N

Last Training Date \_\_\_\_\_ Training Type \_\_\_\_\_

Trainer Organization/Name \_\_\_\_\_

Responsibilities within the Service \_\_\_\_\_

**SECTION 4 – SUPPORT STAFF INFORMATION Continued**

Name \_\_\_\_\_ Position/Title \_\_\_\_\_

Home Address \_\_\_\_\_

City \_\_\_\_\_ County \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

DOB \_\_\_\_\_ DL/ID State \_\_\_\_\_ DL/ID Number \_\_\_\_\_

Phone Number \_\_\_\_\_

Email Address \_\_\_\_\_ Authorized to Pick up \_\_\_\_\_ Y/N

Last Training Date \_\_\_\_\_ Training Type \_\_\_\_\_

Trainer Organization/Name \_\_\_\_\_

Responsibilities within the Service \_\_\_\_\_

Name \_\_\_\_\_ Position/Title \_\_\_\_\_

Home Address \_\_\_\_\_

City \_\_\_\_\_ County \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

DOB \_\_\_\_\_ DL/ID State \_\_\_\_\_ DL/ID Number \_\_\_\_\_

Phone Number \_\_\_\_\_

Email Address \_\_\_\_\_ Authorized to Pick up \_\_\_\_\_ Y/N

Last Training Date \_\_\_\_\_ Training Type \_\_\_\_\_

Trainer Organization/Name \_\_\_\_\_

Responsibilities within the Service \_\_\_\_\_

If you have additional Support Staff to be reported please continue the list, in the same format as above, on an additional piece of paper, with the header **SECTION 4 – SUPPORT STAFF INFORMATION Continued** and attach it to this application with your submission.

**\*\*PLEASE MAKE ADDITIONAL COPIES OF THIS PAGE AS NECESSARY\*\***

**SECTION 5 – QUESTIONNAIRE**

**Please complete the below Questionnaire details.**

**1) 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** \_\_\_\_\_

**2) Have any owners, partners, or corporate officers filed bankruptcy within the past seven years?**

- Yes**
- No**

**If yes, explain** \_\_\_\_\_

**3) Does your business location meet all local zoning and land use ordinances and building codes?**

- Yes**
- No**

**4) Does your business meet ADA accessibility requirements?**

- Yes**
- No**

**5) Have all owners, partners, and officers read and understood Title 67, Chapter 53(Manufacturer, Dealer, and Motor Vehicle Business Registration Plates) and Chapters 11, 13, and 23 of Title 75 of the Vehicle Code?**

- Yes**
- No**

**6) Was the location previously a vehicle dealership?**

- Yes**
- No**

**If yes, please list the name of the dealership and Dealer Identification Number(s) if known.**

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**7) Has this business or the owners, partners, or 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 Dealer/Agent/Messenger Identification Number(s).**

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**8)** 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 or any other states or jurisdictions, including but not limited to taxes, fees, monetary penalties, or outstanding registration plates or paperwork?

- Yes**
- No**

**If yes, explain.**

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**9)** Have any owners, partners, or corporate officers of this business ever been convicted or administratively sanctioned for violations of Department regulations, Title 18 of the Pennsylvania Crimes Code, or Chapters 11, 13, or 23 of Title 75 of the Pennsylvania Vehicle Code?

- Yes**
- No**

**If yes, explain.**

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**10)** Have any owners, partners, or corporate officers of this business ever been convicted of a felony or misdemeanor?

- Yes**
- No**

**If yes, explain.**

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**11)** Have any owners, partners, 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.**

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**SECTION 6 – NOTARIZED STATEMENT OF UNDERSTANDING TITLE 67 Pa. Code Chapter 43**

This page must be completed for **EACH** Owner/Partner/Officer/Employee.

I \_\_\_\_\_, certify that I have read and understand Title 67 Pa. Code Chapter 43  
(Print Name of Applicant)

TEMPORARY REGISTRATION CARD AND PLATES, in its entirety.

\_\_\_\_\_  
(Signature of Applicant)

\_\_\_\_\_  
(Date Signed)

**Notary:**

Witnessed before me on \_\_\_\_\_ of \_\_\_\_\_ in the year \_\_\_\_\_.  
(Day) (Month) (Year)

\_\_\_\_\_  
(Signature of Notary)



**Place Notary Stamp in Box Above**

If you have additional Owners/Partners/Officers/Employees to be reported please make a copy of this page with the header **SECTION 6 – NOTARIZED STATEMENT OF UNDERSTANDING TITLE 67 Pa Code Chapter 43 Continued**, and attach it to this application for submission.

**SECTION 7 – NOTARIZED STATEMENT REGARDING MONIES OWED TO THE COMMONWEALTH**

I \_\_\_\_\_, certify that neither I nor any of \_\_\_\_\_,  
(Print Name of Applicant) (Print Company Name)  
Owners or Officers have any outstanding liabilities or monies owed or due to the Commonwealth of Pennsylvania.

\_\_\_\_\_  
(Signature of Applicant)

\_\_\_\_\_  
(Date Signed)

**Notary:**

Witnessed before me on \_\_\_\_\_ of \_\_\_\_\_ in the year \_\_\_\_\_.  
(Day) (Month) (Year)

\_\_\_\_\_  
(Signature of Notary)



**Place Notary Stamp in Box Above**

**\*\* THIS PAGE MUST BE SIGNED BY THE APPLICANT AND NOTARIZED\*\***

**SECTION 8 – APPLICANT CERTIFICATION**

I \_\_\_\_\_, certify that neither I, nor any of the Owners, Managers, Officers or  
(Print Name of Applicant)

Employees of \_\_\_\_\_ have been convicted of a crime under Title 18 of  
(Print Company Name)

The Pennsylvania Consolidated Statutes, Annotated, or the criminal laws of the United States. Nor are any under sanction nor ever have been under sanction or investigation by The Pennsylvania Department of Transportation for violations under of the Vehicle Code (75 Pa. C.S. 101 et seq.), Department Regulations, nor any existing agreement with The Pennsylvania Department of Transportation.

\_\_\_\_\_  
(Signature of Applicant)

\_\_\_\_\_  
(Date Signed)

**SECTION 9 – ZONING AND BUILDING CODE COMPLIANCE STATEMENT**

I \_\_\_\_\_, attest that the business identified in Section 2 of this application  
(Print Name of Applicant)

meets all local zoning ordinances and building codes.

\_\_\_\_\_  
(Signature of Applicant)

\_\_\_\_\_  
(Date Signed)

**SECTION 10 – PENNSYLVANIA STATE POLICE CRIMINAL BACKGROUND CHECK**

**ALL** Applicant(s), Owner(s), Corporate Officer(s) and Employee(s) are required to provide the results received from a Pennsylvania State Police background check with their Agent Services Contract Application packet.

Please read Publication 462; Messenger Service Handbook for additional guidance on how to obtain, complete and submit a Request for Criminal History Record Information to the Pennsylvania State Police.

**Please Note:** If a conviction exists, the issuing agent service must furnish the facts of the offense **AND** secure Department approval **BEFORE** hiring or retaining an employee.

**SECTION 11 – SECURITY PLAN**

In the area provided below, please explain the Issuing Agent Service’s proposal for the method of security, which it intends to use for safeguarding all supplies, products and applications both during and after business hours i.e. description of the designated secured area for storage, door design, locks, wall and ceiling construction. If you need additional space please continue your narrative on a separate sheet of paper with the header **SECTION 11 – SECURITY PLAN Continued** and attach it to this application for submission. **PLEASE TYPE OR PRINT LEGIBLY.**

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**SECTION 12 – BOND INFORMATION**

Business Name on Bond \_\_\_\_\_

Business Address \_\_\_\_\_

Bond Company Name \_\_\_\_\_

Bond Number \_\_\_\_\_ Bond Amount \_\_\_\_\_

Bond Effective Date \_\_\_\_\_

**Are there additional locations covered by this bond?** (Check the applicable box)

- Yes. If yes, how many locations? \_\_\_\_\_ \*See below for additional instructions.
- No

**Do you have any Riders to the Bond listed above?** (Check the applicable box)

- Yes. If yes, please describe \_\_\_\_\_
- No

\*If you have multiple business locations to be reported please continue the list, in the same format as above, on an additional piece of paper, with the header **SECTION 12 – BOND INFORMATION Continued**, and attach it to this application with your submission.

**Attach your MV-375, Power of Attorney and any applicable Riders to the bond, to this application for submission.**

Please read Publication 462; Messenger Service Handbook for additional guidance on how to complete this section of the application and how to obtain an MV-375.

## SECTION 13 – BANK LETTER OF REFERENCE

**Attach** your letter of reference from a bank or financial institution, **on their business stationery**, to this application for submission. The letter must state the business is in good standing and contain a signature and date from the provider.

## SECTION 14 – THREE (3) LETTERS OF REFERENCE

**Attach THREE (3)** letters of reference from business concerns, **on their business stationery**, attesting to the character of the applicant, to this application for submission. The letters must contain a signature from the provider and the date. Three references are required for each Owner/Partner/Officer listed on this application.

## SECTION 15 – TRAINING CERTIFICATES

**Attach** copies of the required Training Certificates for **“Agent Services Basic Title and Registration Training,”** and **“Advance Agent Service Training”** when applicable, for each Owner/Partner/Officer/ Employee processing title applications.

## SECTION 16 – REQUIRED SITE PHOTOGRAPHS

If your photos are smaller than an 8 <sup>1/2</sup> x 11 sheet of paper please secure them to a plain sheet of paper. Under the photo provide the location and what the photo is documenting for easy reference. Each site is required to provide photos for the following:

- Business Office Work Area including main entrance and outside signage (business sign)
- Posted Business Hours
- Completed Schedule of fees listing Department, Agent and total fees charged (Agent)
- Phone and Desk area including shredder
- Secure Area for storage of Pennsylvania Motor Vehicle and Driver Licensing products and forms
- Full Picture of solid door construction with secure hinges, ceiling, walls and dead bolt lock
- Exterior Signs
- Fraud Hotline Notice posted within the business
- Locking file cabinet or safe
- Photo copy of Driver License or State issued ID for each Owner/Partner/Officer/Staff included in this application.

**SECTION 17 – CERTIFICATION**

The Owner, Officer or Applicant of the applying business must sign this document below.

I certify that the information provided herein is true, accurate and complete to the best of my knowledge and belief. I have read and reviewed **BOTH** this **Messenger Services Application** and **Pub 462: Messenger Services Handbook**, and understand the requirements of being an Agent Services Provider.

Company Name \_\_\_\_\_

Name and Title \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_  
(Original signature is required)

**Please submit One (1) copy of the completed Checklist, Application, Photographs and All Attachments to one of the following ways:**

**Mail To: Bureau of Support Services  
Contract Administration Unit  
1101 South Front Street, 4th Floor  
Harrisburg, PA 17104**

**-or-**

**Email To: *RA-PDAGENTCONTRACTS@pa.gov***

**-or-**

**Submit through the Messenger Service Unit**

**\*ALLOW A MINIMUM 60 DAYS FOR PROCESSING\***

# MESSENGER SERVICES CONTRACT APPLICATION

**\*INCOMPLETE APPLICATIONS WILL BE RETURNED\***

**ALLOW 60 DAYS FOR PROCESSING**

**Type or Print Legibly**

## SECTION 1 – TYPE OF APPLICATION

Please select the applicable box below as either a New Agent Services applicant or a current Agent Services participant seeking to renew their Agent Services Contract.

**Existing Agent/Renewal application**

## SECTION 2 – COMPANY INFORMATION

DIN/Agent# \_\_\_\_\_ (If Applicable)

Federal Identification Number (EIN) \_\_\_\_\_

Company Legal Name \_\_\_\_\_

DBA \_\_\_\_\_

Type of Entity:  Sole Proprietorship  Corporation  Partnership  Other \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ County \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Company Phone Number (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_ Company Fax Number (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

Email Address \_\_\_\_\_

Is this location: \_\_\_\_\_ Owned \_\_\_\_\_ Leased

Drivers License Data Verification (DLDV) Integrator: \_\_\_\_\_

**SECTION 3 – OWNER/PARTNER/OFFICER INFORMATION**

Owner/Partner/Officer Name \_\_\_\_\_  
Position/Title \_\_\_\_\_  
Responsibilities within the Service \_\_\_\_\_  
Date of Birth: \_\_\_\_\_ DL State: \_\_\_\_\_ DL/ID Number: \_\_\_\_\_  
Authorized to Pick up: \_\_\_\_\_ Yes \_\_\_\_\_ No  
Address \_\_\_\_\_  
City \_\_\_\_\_ County \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Business Telephone Number \_\_\_\_\_ Business Fax \_\_\_\_\_  
Email Address \_\_\_\_\_  
Last Training Date \_\_\_\_\_ Training Type \_\_\_\_\_  
Trainer Organization/Name \_\_\_\_\_

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Owner/Partner/Officer Name \_\_\_\_\_  
Position/Title \_\_\_\_\_  
Responsibilities within the Service \_\_\_\_\_  
Date of Birth: \_\_\_\_\_ DL State: \_\_\_\_\_ DL/ID Number: \_\_\_\_\_  
Authorized to Pick up: \_\_\_\_\_ Yes \_\_\_\_\_ No  
Address \_\_\_\_\_  
City \_\_\_\_\_ County \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Business Telephone Number \_\_\_\_\_ Business Fax \_\_\_\_\_  
Email Address \_\_\_\_\_  
Last Training Date \_\_\_\_\_ Training Type \_\_\_\_\_  
Trainer Organization/Name \_\_\_\_\_

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**SECTION 3 – OWNER/PARTNER/OFFICER INFORMATION- CONTINUED**

Owner/Partner/Officer Name \_\_\_\_\_

Position/Title \_\_\_\_\_

Responsibilities within the Service \_\_\_\_\_

Date of Birth: \_\_\_\_\_ DL State: \_\_\_\_\_ DL/ID Number: \_\_\_\_\_

Authorized to Pick up: \_\_\_\_\_ Yes \_\_\_\_\_ No

Address \_\_\_\_\_

City \_\_\_\_\_ County \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Business Telephone \_\_\_\_\_ Business Fax \_\_\_\_\_

Email Address \_\_\_\_\_

Last Training Date \_\_\_\_\_ Training Type \_\_\_\_\_

Trainer Organization/Name \_\_\_\_\_

If you have additional Owner, Partner or Officer information to be reported please continue the list, in the same format as above, on an additional piece of paper, with the header **SECTION 3 – OWNER/PARTNER/OFFICER INFORMATION Continued** and attach it to this application with your submission.

**SECTION 4 – SUPPORT STAFF INFORMATION**

Name \_\_\_\_\_ Position/Title \_\_\_\_\_

Home Address \_\_\_\_\_

City \_\_\_\_\_ County \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

DOB \_\_\_\_\_ DL/ID State \_\_\_\_\_ DL/ID Number \_\_\_\_\_

Phone Number \_\_\_\_\_

Email Address \_\_\_\_\_ Authorized to Pick up \_\_\_\_\_ Y/N

Last Training Date \_\_\_\_\_ Training Type \_\_\_\_\_

Trainer Organization/Name \_\_\_\_\_

Responsibilities within the Service \_\_\_\_\_

**SECTION 4 – SUPPORT STAFF INFORMATION Continued**

Name \_\_\_\_\_ Position/Title \_\_\_\_\_  
Home Address \_\_\_\_\_  
City \_\_\_\_\_ County \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
DOB \_\_\_\_\_ DL/ID State \_\_\_\_\_ DL/ID Number \_\_\_\_\_  
Phone Number \_\_\_\_\_  
Email Address \_\_\_\_\_ Authorized to Pick up \_\_\_\_\_ Y/N  
Last Training Date \_\_\_\_\_ Training Type \_\_\_\_\_  
Trainer Organization/Name \_\_\_\_\_  
Responsibilities within the Service \_\_\_\_\_

Name \_\_\_\_\_ Position/Title \_\_\_\_\_  
Home Address \_\_\_\_\_  
City \_\_\_\_\_ County \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
DOB \_\_\_\_\_ DL/ID State \_\_\_\_\_ DL/ID Number \_\_\_\_\_  
Phone Number \_\_\_\_\_  
Email Address \_\_\_\_\_ Authorized to Pick up \_\_\_\_\_ Y/N  
Last Training Date \_\_\_\_\_ Training Type \_\_\_\_\_  
Trainer Organization/Name \_\_\_\_\_  
Responsibilities within the Service \_\_\_\_\_

If you have additional Support Staff to be reported please continue the list, in the same format as above, on an additional piece of paper, with the header **SECTION 4 – SUPPORT STAFF INFORMATION Continued** and attach it to this application with your submission.

**\*\*PLEASE MAKE ADDITIONAL COPIES OF THIS PAGE AS NECESSARY\*\***

**SECTION 5 – QUESTIONNAIRE**

**Please complete the below Questionnaire details.**

**1) 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** \_\_\_\_\_

**2) Have any owners, partners, or corporate officers filed bankruptcy within the past seven years?**

- Yes**
- No**

**If yes, explain** \_\_\_\_\_

**3) Does your business location meet all local zoning and land use ordinances and building codes?**

- Yes**
- No**

**4) Does your business meet ADA accessibility requirements?**

- Yes**
- No**

**5) Have all owners, partners, and officers read and understood Title 67, Chapter 53(Manufacturer, Dealer, and Motor Vehicle Business Registration Plates) and Chapters 11, 13, and 23 of Title 75 of the Vehicle Code?**

- Yes**
- No**

**6) Was the location previously a vehicle dealership?**

- Yes**
- No**

**If yes, please list the name of the dealership and Dealer Identification Number(s) if known.**

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**7) Has this business or the owners, partners, or 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 Dealer/Agent/Messenger Identification Number(s).**

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8) 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 or any other states or jurisdictions, including but not limited to taxes, fees, monetary penalties, or outstanding registration plates or paperwork?

- Yes
- No

If yes, explain.

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9) Have any owners, partners, or corporate officers of this business ever been convicted or administratively sanctioned for violations of Department regulations, Title 18 of the Pennsylvania Crimes Code, or Chapters 11, 13, or 23 of Title 75 of the Pennsylvania Vehicle Code?

- Yes
- No

If yes, explain.

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10) Have any owners, partners, or corporate officers of this business ever been convicted of a felony or misdemeanor?

- Yes
- No

If yes, explain.

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11) Have any owners, partners, 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.

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**SECTION 6 – NOTARIZED STATEMENT OF UNDERSTANDING TITLE 67 Pa. Code Chapter 43**

This page must be completed for **EACH** Owner/Partner/Officer/Employee.

I \_\_\_\_\_, certify that I have read and understand Title 67 Pa. Code Chapter 43  
(Print Name of Applicant)

TEMPORARY REGISTRATION CARD AND PLATES, in its entirety.

\_\_\_\_\_  
(Signature of Applicant)

\_\_\_\_\_  
(Date Signed)

**Notary:**

Witnessed before me on \_\_\_\_\_ of \_\_\_\_\_ in the year \_\_\_\_\_.  
(Day) (Month) (Year)

\_\_\_\_\_  
(Signature of Notary)



**Place Notary Stamp in Box Above**

If you have additional Owners/Partners/Officers/Employees to be reported please make a copy of this page with the header **SECTION 6 – NOTARIZED STATEMENT OF UNDERSTANDING TITLE 67 Pa Code Chapter 43 Continued**, and attach it to this application for submission.

**SECTION 7 – NOTARIZED STATEMENT REGARDING MONIES OWED TO THE COMMONWEALTH**

I \_\_\_\_\_, certify that neither I nor any of \_\_\_\_\_,  
(Print Name of Applicant) (Print Company Name)  
Owners or Officers have any outstanding liabilities or monies owed or due to the Commonwealth of Pennsylvania.

\_\_\_\_\_  
(Signature of Applicant)

\_\_\_\_\_  
(Date Signed)

**Notary:**

Witnessed before me on \_\_\_\_\_ of \_\_\_\_\_ in the year \_\_\_\_\_.  
(Day) (Month) (Year)

\_\_\_\_\_  
(Signature of Notary)



**Place Notary Stamp in Box Above**

**\*\* THIS PAGE MUST BE SIGNED BY THE APPLICANT AND NOTARIZED\*\***

**SECTION 8 – APPLICANT CERTIFICATION**

I \_\_\_\_\_, certify that neither I, nor any of the Owners, Managers, Officers or  
(Print Name of Applicant)

Employees of \_\_\_\_\_ have been convicted of a crime under Title 18 of  
(Print Company Name)

The Pennsylvania Consolidated Statutes, Annotated, or the criminal laws of the United States. Nor are any under sanction nor ever have been under sanction or investigation by The Pennsylvania Department of Transportation for violations under of the Vehicle Code (75 Pa. C.S. 101 et seq.), Department Regulations, nor any existing agreement with The Pennsylvania Department of Transportation.

\_\_\_\_\_  
(Signature of Applicant)

\_\_\_\_\_  
(Date Signed)

**SECTION 9 – ZONING AND BUILDING CODE COMPLIANCE STATEMENT**

I \_\_\_\_\_, attest that the business identified in Section 2 of this application  
(Print Name of Applicant)

meets all local zoning ordinances and building codes.

\_\_\_\_\_  
(Signature of Applicant)

\_\_\_\_\_  
(Date Signed)

**SECTION 10 – PENNSYLVANIA STATE POLICE CRIMINAL BACKGROUND CHECK**

**ALL** Applicant(s), Owner(s), Corporate Officer(s) and Employee(s) are required to provide the results received from a Pennsylvania State Police background check with their Agent Services Contract Application packet.

Please read Publication 462; Messenger Service Handbook for additional guidance on how to obtain, complete and submit a Request for Criminal History Record Information to the Pennsylvania State Police.

**Please Note:** If a conviction exists, the issuing agent service must furnish the facts of the offense **AND** secure Department approval **BEFORE** hiring or retaining an employee.

**SECTION 11 – UPDATED SECURITY PLAN**

In the area provided below, please explain the Issuing Agent Service’s proposal for the method of security, which it intends to use for safeguarding all supplies, products and applications both during and after business hours i.e. description of the designated secured area for storage, door design, locks, wall and ceiling construction. If you need additional space please continue your narrative on a separate sheet of paper with the header **SECTION 11 – SECURITY PLAN Continued** and attach it to this application for submission. **PLEASE TYPE OR PRINT LEGIBLY.**

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**SECTION 12 – BOND INFORMATION**

Business Name on Bond \_\_\_\_\_

Business Address \_\_\_\_\_

Bond Company Name \_\_\_\_\_

Bond Number \_\_\_\_\_ Bond Amount \_\_\_\_\_

Bond Effective Date \_\_\_\_\_

**Are there additional locations covered by this bond?** (Check the applicable box)

- Yes. If yes, how many locations? \_\_\_\_\_ \*See below for additional instructions.
- No

**Do you have any Riders to the Bond listed above?** (Check the applicable box)

- Yes. If yes, please describe \_\_\_\_\_
- No

\*If you have multiple business locations to be reported please continue the list, in the same format as above, on an additional piece of paper, with the header **SECTION 12 – BOND INFORMATION Continued**, and attach it to this application with your submission.

**Attach your MV-375, Power of Attorney and any applicable Riders to the bond, to this application for submission.**

Please read Publication 462; Messenger Service Handbook for additional guidance on how to complete this section of the application and how to obtain an MV-375.

### SECTION 13 – TRAINING CERTIFICATES

**Attach** copies of the required Training Certificates for “**Agent Services Basic Title and Registration Training,**” and “**Advance Agent Service Training**” when applicable, for each Owner/Partner/Officer/ Employee processing title applications.

### SECTION 14 – REQUIRED SITE PHOTOGRAPHS

If your photos are smaller than an 8 <sup>1/2</sup> x 11 sheet of paper please secure them to a plain sheet of paper. Under the photo provide the location and what the photo is documenting for easy reference. Each site is required to provide photos for the following:

- Secure Area for storage of Pennsylvania Motor Vehicle and Driver Licensing products and forms
- Full Picture of solid door construction with secure hinges, ceiling, walls, and dead bolt lock
- If applicable pictures of the safe that is secured to the wall or floor

### SECTION 15 – CERTIFICATION

The Owner, Officer or Applicant of the applying business must sign this document below.

I certify that the information provided herein is true, accurate and complete to the best of my knowledge and belief. I have read and reviewed **BOTH** this **Messenger Services Application** and **Pub 462: Messenger Services Handbook**, and understand the requirements of being an Agent Services Provider.

Company Name \_\_\_\_\_

Name and Title \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_  
(Original signature is required)

**Please submit One (1) copy of the completed Checklist, Application, Photographs and All Attachments to:**

**Mail:**


**Bureau of Support Services  
Contract Section  
1101 South Front Street  
4<sup>th</sup> Floor  
Harrisburg, Pennsylvania 17104**

**You may also submit your Application Packet through the Dealer Services Counter Area or email to:**

***RA-PDAGENTCONTRACTS@PA.GOV***

**\*\*ALLOW A MINIMUM 60 DAYS FOR PROCESSING\***

**PENNSYLVANIA DEPARTMENT OF STATE  
BUREAU OF CORPORATIONS AND CHARITABLE ORGANIZATIONS**

<input type="checkbox"/> Return document by mail to: <hr/> Name <hr/> Address <hr/> City <span style="margin-left: 150px;">State</span> <span style="margin-left: 150px;">Zip Code</span> <input type="checkbox"/> Return document by email to: _____	<b>Registration of Fictitious Name</b> <b>DSCB:54-311</b> <b>(rev. 2/2017)</b>   311
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Read all instructions prior to completing. This form may be submitted online at <https://www.corporations.pa.gov/>.

Fee: \$70                       I qualify for a veteran/reservist-owned small business fee exemption (see instructions)

In compliance with the requirements of 54 Pa.C.S. § 311 (relating to registration), the undersigned entity(ies) desiring to register a fictitious name under 54 Pa.C.S. Ch. 3 (relating to fictitious names), hereby state(s) that:

1. The fictitious name is:  
 \_\_\_\_\_

2. A brief statement of the character or nature of the business or other activity to be carried on under or through the fictitious name is:  
 \_\_\_\_\_

3. The address, including number and street, if any, of the principal place of business (P.O. Box alone is **not** acceptable):  
 \_\_\_\_\_  
 Number and street                                      City                                      State                                      Zip                                      County

4. The name and address, including number and street, if any, of each individual interested in the business is:  
 Name                                      Number and Street                                      City                                      State                                      Zip  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

5. Each entity, other than an individual, interested in such business is (are):

Name	Form of Organization	Organizing Jurisdiction
Principal Office Address		
PA Registered Office, if any		
Name	Form of Organization	Organizing Jurisdiction
Principal Office Address		
PA Registered Office, if any		

6. The applicant is familiar with the provisions of 54 Pa.C.S. § 332 (relating to effect of registration) and understands that filing under the Fictitious Names Act does not create any exclusive or other right in the fictitious name.

7. (Optional): The name(s) of the agent(s), if any, any one of whom is authorized to execute amendments to, withdrawals from or cancellation of this registration in behalf of all then existing parties to the registration, is (are):

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IN TESTIMONY WHEREOF, the undersigned have caused this Application for Registration of Fictitious Name to be executed this

\_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Individual Signature	Individual Signature
Individual Signature	Individual Signature
Entity Name	Entity Name
Signature	Signature
Title	Title

**Pennsylvania Department of State**  
**Bureau of Corporations and Charitable Organizations**  
**P.O. Box 8722**  
**Harrisburg, PA 17105-8722**  
**(717) 787-1057**  
**Website: [www.dos.pa.gov/corps](http://www.dos.pa.gov/corps)**

**Instructions for Completion of Form:**

- A. Typewritten is preferred. If handwritten, the form shall be legible and completed in black or blue-black ink in order to permit reproduction. The nonrefundable filing fee for this form is \$70 made payable to the Department of State. Checks must contain a commercially pre-printed name and address. Filers requesting a veteran/reservist-owned small business fee exemption should attach proof of the veteran's or reservist's status to the Registration of Fictitious Name form when submitted. For more information on the fee exemption, see [Fees and Payments](#).

Enter the name and mailing address to which any correspondence regarding this filing should be sent. This field must be completed for the Bureau to return the filing. If the filing is to be returned by email, an email address must be provided. An email will be sent to address provided, containing a link and instructions on how a copy of the filed document or correspondence may be downloaded. Any email or mailing addresses provided on this form will become part of the filed document and therefore public record.

- B. Under 15 Pa.C.S. § 135(c) (relating to addresses) an actual street or rural route box number must be used as an address, and the Department of State is required to refuse to receive or file any document that sets forth only a post office box address.
- C. The following, in addition to the filing fee, shall accompany this form:
- (1) Any necessary copies of form DSCB:19-17.2 (Consent to Appropriation of Name).
  - (2) Any necessary governmental approvals.
- D. For general instructions relating to fictitious name registration see 19 Pa. Code Subch. 17C (relating to fictitious names). These instructions relate to such matters as voluntary and mandatory registration, general restrictions on name availability, use of corporate designators, agent for effecting amendments, etc., execution, official advertising when an individual is a party to the registration, and effect of registration and non-registration.
- E. The name of a commercial registered office provider may not be used in Paragraph 3 in lieu of an address.
- F. Insert in Paragraph 5 for each entity which is not an individual the following information: (i) the name of the entity and a statement of its form of organization, e.g., corporation, general partnership, limited partnership, business trust, (ii) the name of the jurisdiction under the laws of which it is organized, (iii) the address, including street and number, if any, of its principal office under the laws of its domiciliary jurisdiction and (iv) the address, including street and number, if any, of its registered office, if any, in this Commonwealth. If any of the entities has an association which has designated the name of a commercial registered office provider in lieu of a registered office address as permitted by 15 Pa.C.S. § 109, the name of the provider and the venue county should be inserted in the last column.
- G. Every individual whose name appears in Paragraph 4 of the form **must sign** the form exactly as the name is set forth in Paragraph 4. The name of every other entity listed in Paragraph 5 shall be signed on its behalf by an officer, trustee or other authorized person. See 19 Pa. Code § 13.8(b) (relating to execution), which permits execution pursuant to power of attorney. A copy of the underlying power of attorney or other authorization should not be submitted to, and will not be received by or filed in, the Department.
- H. An entity (which includes an individual) that registers a fictitious name is required by 54 Pa.C.S. § 311(g) to advertise its intention to file or the filing of an application for registration of fictitious name. Proofs of publication of such advertising should not be submitted to the Department, and will not be received by or filed in the Department, but should be kept with the permanent records of the business.
- I. This form and all accompanying documents shall be mailed to the address stated above.

# Application for Employer Identification Number

(For use by employers, corporations, partnerships, trusts, estates, churches, government agencies, Indian tribal entities, certain individuals, and others.)

See separate instructions for each line. Keep a copy for your records.  
 Go to [www.irs.gov/FormSS4](http://www.irs.gov/FormSS4) for instructions and the latest information.

EIN

<b>Type or print clearly.</b>	<b>1</b> Legal name of entity (or individual) for whom the EIN is being requested	
	<b>2</b> Trade name of business (if different from name on line 1)	<b>3</b> Executor, administrator, trustee, "care of" name
	<b>4a</b> Mailing address (room, apt., suite no. and street, or P.O. box)	<b>5a</b> Street address (if different) (Don't enter a P.O. box.)
	<b>4b</b> City, state, and ZIP code (if foreign, see instructions)	<b>5b</b> City, state, and ZIP code (if foreign, see instructions)
	<b>6</b> County and state where principal business is located	
	<b>7a</b> Name of responsible party	<b>7b</b> SSN, ITIN, or EIN
<b>8a</b> Is this application for a limited liability company (LLC) (or a foreign equivalent)? <input type="checkbox"/> Yes <input type="checkbox"/> No	<b>8b</b> If 8a is "Yes," enter the number of LLC members	
<b>8c</b> If 8a is "Yes," was the LLC organized in the United States? <input type="checkbox"/> Yes <input type="checkbox"/> No		
<b>9a Type of entity</b> (check only one box). <b>Caution:</b> If 8a is "Yes," see the instructions for the correct box to check.		
<input type="checkbox"/> Sole proprietor (SSN) _____ <input type="checkbox"/> Estate (SSN of decedent) _____ <input type="checkbox"/> Partnership _____ <input type="checkbox"/> Plan administrator (TIN) _____ <input type="checkbox"/> Corporation (enter form number to be filed) _____ <input type="checkbox"/> Trust (TIN of grantor) _____ <input type="checkbox"/> Personal service corporation _____ <input type="checkbox"/> Military/National Guard <input type="checkbox"/> State/local government _____ <input type="checkbox"/> Church or church-controlled organization _____ <input type="checkbox"/> Farmers' cooperative <input type="checkbox"/> Federal government _____ <input type="checkbox"/> Other nonprofit organization (specify) _____ <input type="checkbox"/> REMIC <input type="checkbox"/> Indian tribal governments/enterprises _____ <input type="checkbox"/> Other (specify) _____ Group Exemption Number (GEN) if any _____		
<b>9b</b> If a corporation, name the state or foreign country (if applicable) where incorporated	State	Foreign country
<b>10 Reason for applying</b> (check only one box)		
<input type="checkbox"/> Started new business (specify type) _____ <input type="checkbox"/> Banking purpose (specify purpose) _____ <input type="checkbox"/> Hired employees (Check the box and see line 13.) <input type="checkbox"/> Changed type of organization (specify new type) _____ <input type="checkbox"/> Compliance with IRS withholding regulations <input type="checkbox"/> Purchased going business _____ <input type="checkbox"/> Other (specify) _____ <input type="checkbox"/> Created a trust (specify type) _____ <input type="checkbox"/> _____ <input type="checkbox"/> Created a pension plan (specify type) _____		
<b>11</b> Date business started or acquired (month, day, year). See instructions.	<b>12</b> Closing month of accounting year	
<b>13</b> Highest number of employees expected in the next 12 months (enter -0- if none). If no employees expected, skip line 14.	<b>14</b> If you expect your employment tax liability to be \$1,000 or less in a full calendar year <b>and</b> want to file Form 944 annually instead of Forms 941 quarterly, check here. (Your employment tax liability will generally be \$1,000 or less if you expect to pay \$5,000 or less, \$6,536 or less if you're in a U.S. territory, in total wages.) If you don't check this box, you must file Form 941 for every quarter. <input type="checkbox"/>	
	Agricultural	Household
		Other
<b>15</b> First date wages or annuities were paid (month, day, year). <b>Note:</b> If applicant is a withholding agent, enter date income will first be paid to nonresident alien (month, day, year)		
<b>16</b> Check <b>one</b> box that best describes the principal activity of your business.		
<input type="checkbox"/> Construction <input type="checkbox"/> Rental & leasing <input type="checkbox"/> Transportation & warehousing <input type="checkbox"/> Health care & social assistance <input type="checkbox"/> Wholesale—agent/broker <input type="checkbox"/> Real estate <input type="checkbox"/> Manufacturing <input type="checkbox"/> Finance & insurance <input type="checkbox"/> Accommodation & food service <input type="checkbox"/> Wholesale—other <input type="checkbox"/> Retail <input type="checkbox"/> _____ <input type="checkbox"/> Other (specify) _____		
<b>17</b> Indicate principal line of merchandise sold, specific construction work done, products produced, or services provided.		
<b>18</b> Has the applicant entity shown on line 1 ever applied for and received an EIN? <input type="checkbox"/> Yes <input type="checkbox"/> No		
If "Yes," write previous EIN here		
<b>Third Party Designee</b>	Complete this section <b>only</b> if you want to authorize the named individual to receive the entity's EIN and answer questions about the completion of this form.	
	Designee's name	Designee's telephone number (include area code)
	Address and ZIP code	Designee's fax number (include area code)
Under penalties of perjury, I declare that I have examined this application, and to the best of my knowledge and belief, it is true, correct, and complete.		Applicant's telephone number (include area code)
Name and title (type or print clearly)		Applicant's fax number (include area code)
Signature	Date	

## Do I Need an EIN?

File Form SS-4 if the applicant entity doesn't already have an EIN but is required to show an EIN on any return, statement, or other document.<sup>1</sup> See also the separate instructions for each line on Form SS-4.

IF the applicant...	AND...	THEN...
started a new business	doesn't currently have (nor expect to have) employees	complete lines 1, 2, 4a-8a, 8b-c (if applicable), 9a, 9b (if applicable), 10-14, and 16-18.
hired (or will hire) employees, including household employees	doesn't already have an EIN	complete lines 1, 2, 4a-6, 7a-b, 8a, 8b-c (if applicable), 9a, 9b (if applicable), and 10-18.
opened a bank account	needs an EIN for banking purposes only	complete lines 1-5b, 7a-b, 8a, 8b-c (if applicable), 9a, 9b (if applicable), 10, and 18.
changed type of organization	either the legal character of the organization or its ownership changed (for example, you incorporate a sole proprietorship or form a partnership) <sup>2</sup>	complete lines 1-18 (as applicable).
purchased a going business <sup>3</sup>	doesn't already have an EIN	complete lines 1-18 (as applicable).
created a trust	the trust is other than a grantor trust or an IRA trust <sup>4</sup>	complete lines 1-18 (as applicable).
created a pension plan as a plan administrator <sup>5</sup>	needs an EIN for reporting purposes	complete lines 1, 3, 4a-5b, 7a-b, 9a, 10, and 18.
is a foreign person needing an EIN to comply with IRS withholding regulations	needs an EIN to complete a Form W-8 (other than Form W-8ECI), avoid withholding on portfolio assets, or claim tax treaty benefits <sup>6</sup>	complete lines 1-5b, 7a-b (SSN or ITIN as applicable), 8a, 8b-c (if applicable), 9a, 9b (if applicable), 10, and 18.
is administering an estate	needs an EIN to report estate income on Form 1041	complete lines 1-7b, 9a, 10-12, 13-17 (if applicable), and 18.
is a withholding agent for taxes on nonwage income paid to an alien (that is, individual, corporation, or partnership, etc.)	is an agent, broker, fiduciary, manager, tenant, or spouse who is required to file Form 1042, Annual Withholding Tax Return for U.S. Source Income of Foreign Persons	complete lines 1, 2, 3 (if applicable), 4a-5b, 7a-b, 8a, 8b-c (if applicable), 9a, 9b (if applicable), 10, and 18.
is a state or local agency	serves as a tax reporting agent for public assistance recipients under Rev. Proc. 80-4, 1980-1 C.B. 581 <sup>7</sup>	complete lines 1, 2, 4a-5b, 7a-b, 9a, 10, and 18.
is a single-member LLC (or similar single-member entity)	needs an EIN to file Form 8832, Entity Classification Election, for filing employment tax returns and excise tax returns, or for state reporting purposes <sup>8</sup> , or is a foreign-owned U.S. disregarded entity and needs an EIN to file Form 5472, Information Return of a 25% Foreign-Owned U.S. Corporation or a Foreign Corporation Engaged in a U.S. Trade or Business	complete lines 1-18 (as applicable).
is an S corporation	needs an EIN to file Form 2553, Election by a Small Business Corporation <sup>9</sup>	complete lines 1-18 (as applicable).

<sup>1</sup> For example, a sole proprietorship or self-employed farmer who establishes a qualified retirement plan, or is required to file excise, employment, alcohol, tobacco, or firearms returns, must have an EIN. A partnership, corporation, REMIC (real estate mortgage investment conduit), nonprofit organization (church, club, etc.), or farmers' cooperative must use an EIN for any tax-related purpose even if the entity doesn't have employees.

<sup>2</sup> However, don't apply for a new EIN if the existing entity only (a) changed its business name, (b) elected on Form 8832 to change the way it is taxed (or is covered by the default rules), or (c) terminated its partnership status because at least 50% of the total interests in partnership capital and profits were sold or exchanged within a 12-month period. The EIN of the terminated partnership should continue to be used. See Regulations section 301.6109-1(d)(2)(iii).

<sup>3</sup> Don't use the EIN of the prior business unless you became the "owner" of a corporation by acquiring its stock.

<sup>4</sup> However, grantor trusts that don't file using Optional Method 1 and IRA trusts that are required to file Form 990-T, Exempt Organization Business Income Tax Return, must have an EIN. For more information on grantor trusts, see the Instructions for Form 1041.

<sup>5</sup> A plan administrator is the person or group of persons specified as the administrator by the instrument under which the plan is operated.

<sup>6</sup> Entities applying to be a Qualified Intermediary (QI) need a QI-EIN even if they already have an EIN. See Rev. Proc. 2000-12.

<sup>7</sup> See also *Household employer agent* in the instructions. **Note:** State or local agencies may need an EIN for other reasons, for example, hired employees.

<sup>8</sup> See *Disregarded entities* in the instructions for details on completing Form SS-4 for an LLC.

<sup>9</sup> An existing corporation that is electing or revoking S corporation status should use its previously assigned EIN.

# Instructions for Form SS-4

(Rev. December 2023)



Department of the Treasury  
Internal Revenue Service

## Application for Employer Identification Number (EIN)

Section references are to the Internal Revenue Code unless otherwise noted.

## General Instructions

Use these instructions to complete Form SS-4, Application for Employer Identification Number (EIN). Also, see *Do I Need an EIN?* on page 2 of Form SS-4.

## Future Developments

For the latest information related to Form SS-4 and its instructions, such as legislation enacted after they were published, go to [IRS.gov/FormSS4](https://www.irs.gov/FormSS4).

## What's New

**Line 14.** Form SS-4, line 14, now reflects the ceiling for wages paid by employers in U.S. territories electing to file Form 944. This information has been available in the instructions for [Line 14](#).

**Indian tribal governments/enterprises.** We added guidance to [Line 1](#) and [Line 9a](#), later, for Indian tribal governments, and for certain tribal enterprises that are not recognized as separate entities for federal tax purposes, under Regulations section 301.7701-1(a) (3).

**Forms SS-4 and SS-4(sp) absorb Form SS-4PR.** Form SS-4PR, Solicitud de Número de Identificación Patronal, will no longer be available after 2023. Instead, if you are an employer in Puerto Rico, you will file Form SS-4. If you prefer your form and instructions in Spanish, you can file new Form SS-4 (sp), Solicitud de Número de Identificación del Empleador (EIN).

**Pub. 51 and Pub. 80 rolled into Pub. 15, plus new Pub. 15(sp).** Pub. 51, Agricultural Employer's Tax Guide, and Pub. 80, Federal Tax Guide for Employers in the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, will no longer be available after 2023. Instead, information specific to agricultural employers and employers in the U.S. territories will be included in Pub. 15, Employer's Tax Guide, beginning with the Pub. 15 for use in 2024. Beginning in 2024, there will be a new Pub. 15 (sp) that is a Spanish-language version of Pub. 15.

## Purpose of Form

Use Form SS-4 to apply for an EIN. An EIN is a 9-digit number (for example, 12-3456789) assigned to sole proprietors, corporations, partnerships, estates, trusts, and other entities for tax filing and reporting purposes. The information you provide on this form will establish your business tax account.



See Form SS-4SP (Spanish) for the Spanish-language version of Form SS-4.



An EIN is for use in connection with your business activities only. Don't use your EIN in place of your social security number (SSN) or individual taxpayer identification number (ITIN).

## Reminders

**Apply for an EIN online.** For applicants in the U.S. or U.S. territories, you can apply for and receive an EIN free of charge on [IRS.gov](https://www.irs.gov). See [How To Apply for an EIN](#), later.

**Keep Form SS-4 information current.** Use Form 8822-B to report changes to your responsible party, address or location. Changes in responsible parties must be reported to the IRS within 60 days.

**File only one Form SS-4.** Generally, a sole proprietor should file only one Form SS-4 and needs only one EIN, regardless of the number of businesses operated as a sole proprietorship or trade names under which a business operates. However, if a sole proprietorship incorporates or enters into a partnership, a new EIN is required. Also, each corporation in an affiliated group must have its own EIN.

**EIN applied for, but not received.** If you don't have an EIN by the time a return is due, write "Applied For" and the date you applied in the space shown for the number. Don't show your SSN as an EIN on returns. If you don't have an EIN by the time a tax deposit is due, send your payment to the Internal Revenue Service Center for your filing area as shown in the instructions for the form that you are filing. Make your check or money order payable to the "United States Treasury" and show your name (as shown on Form SS-4), address, type of tax, period covered, and date you applied for an EIN.



For information about EINs and federal tax deposits, see Pub. 15.



To ensure fair and equitable treatment for all taxpayers, EIN issuances are limited to one per responsible party, per day. For trusts, the limitation is applied to the grantor, owner, or trustor. For estates, the limitation is applied to the decedent (decedent estate) or the debtor (bankruptcy estate). This limitation is applicable to all requests for EINs whether online, telephone, fax, or mail.

## How To Apply for an EIN

You can apply for an EIN online (only for applicants in the U.S. or U.S. territories), by telephone (only for applicants outside of the U.S. or U.S. territories), by fax, or by mail, depending on how soon you need to use the EIN. Use only one method for each entity so you don't receive more than one EIN for an entity.

**Apply for an EIN online.** If you have a legal residence, principal place of business, or principal office or agency in the U.S. or U.S. territories, you can receive an EIN online and use it immediately to file a return or make a payment. Go to the IRS website at [IRS.gov/EIN](https://www.irs.gov/EIN).

The principal officer, general partner, grantor, owner, trustor, etc., must have a valid taxpayer identification number (SSN, EIN, or ITIN) in order to use the online application. Taxpayers who apply online have an option to view, print, and save their EIN assignment notice at the end of the session. Authorized third-party designees, see [Line 18](#), later.



If you have NO legal residence, principal place of business, or principal office or agency in the U.S. or U.S. territories, you can't use the online application to obtain an EIN. Please use one of the other methods to apply.

**Apply by telephone—option available to international applicants only.** If you have NO legal residence, principal place of business, or principal office or agency in the U.S. or U.S. territories, you may call 267-941-1099 (not a toll-free number), 6:00 a.m. to 11:00 p.m. (Eastern time), Monday through Friday, to obtain an EIN.

The person making the call must be authorized to receive the EIN and answer questions concerning Form SS-4. Complete the Third Party Designee section only if you want to authorize the named

individual to receive the entity's EIN and answer questions about the completion of Form SS-4. The designee's authority terminates at the time the EIN is assigned and released to the designee. You must complete the signature area for the authorization to be valid.

**Note.** It will be helpful to complete Form SS-4 before contacting the IRS. An IRS representative will use the information from Form SS-4 to establish your account and assign you an EIN. Write the number you're given on the upper right corner of the form and sign and date it. Keep this copy for your records.

If requested by an IRS representative, mail or fax the signed Form SS-4 (including any third-party designee authorization) within 24 hours to the IRS address provided by the IRS representative.



*The IRS no longer issues EINs by telephone for domestic taxpayers. Only international applicants can receive an EIN by telephone.*

**Apply by fax.** Under the Fax-TIN program, you can receive your EIN by fax generally within 4 business days. Complete and fax Form SS-4 to the IRS using the appropriate fax number listed in [Where To File or Fax](#), later. A long-distance charge to callers outside of the local calling area will apply. Fax-TIN numbers can only be used to apply for an EIN. The numbers may change without notice. Fax-TIN is available 24 hours a day, 7 days a week.

Be sure to provide your fax number so the IRS can fax the EIN back to you.

**Apply by mail.** Complete Form SS-4 at least 4 to 5 weeks before you will need an EIN. Sign and date the application and mail it to the appropriate address listed in [Where To File or Fax](#), later. You will receive your EIN in the mail in approximately 4 weeks. Also, see [Third-Party Designee](#), later.

Call 800-829-4933 to verify a number or to ask about the status of an application by mail.



*Form SS-4 downloaded from IRS.gov is a fillable form and, when completed, is suitable for faxing or mailing to the IRS.*

## Where To File or Fax

If you have a principal place of business, office or agency, or legal residence in the case of an individual, located in:	File or fax to:
One of the 50 states or the District of Columbia	Internal Revenue Service Attn: EIN Operation Cincinnati, OH 45999  Fax: 855-641-6935
If you have no legal residence, principal office, or principal agency in any state or the District of Columbia (international/U.S. territories)	Internal Revenue Service Attn: EIN International Operation Cincinnati, OH 45999  Fax: 855-215-1627 (within the U.S.) Fax: 304-707-9471 (outside the U.S.)

## How To Get Tax Help, Forms, and Publications



*Tax help for your business is available at [IRS.gov/Businesses](https://www.irs.gov/Businesses).*

You can download or print all of the forms and publications you may need on [IRS.gov/FormsPubs](https://www.irs.gov/FormsPubs). Otherwise, you can go to [IRS.gov/OrderForms](https://www.irs.gov/OrderForms) to place an order and have forms mailed to you. You should receive your order within 15 business days if the items are available.

## Related Forms and Publications

The following forms and instructions may be useful to filers of Form SS-4.

- Form 11-C, Occupational Tax and Registration Return for Wagering.
- Form 637, Application for Registration (For Certain Excise Tax Activities).
- Form 720, Quarterly Federal Excise Tax Return.
- Form 730, Monthly Tax Return for Wagers.
- Form 941, Employer's QUARTERLY Federal Tax Return.
- Form 944, Employer's ANNUAL Federal Tax Return.
- Form 990-T, Exempt Organization Business Income Tax Return (and Proxy Tax Under Section 6033(e)).
- Instructions for Form 990-T, Exempt Organization Business Income Tax Return.
- Form 1023, Application for Recognition of Exemption Under Section 501(c)(3) of the Internal Revenue Code.
- Form 1024, Application for Recognition of Exemption Under Section 501(a).
- Schedule C (Form 1040), Profit or Loss From Business (Sole Proprietorship).
- Schedule F (Form 1040), Profit or Loss From Farming.
- Instructions for Form 1041 and Schedules A, B, G, J, and K-1, U.S. Income Tax Return for Estates and Trusts.
- Form 1042, Annual Withholding Tax Return for U.S. Source Income of Foreign Persons.
- Form 1042-S, Foreign Person's U.S. Source Income Subject to Withholding.
- Instructions for Form 1065, U.S. Return of Partnership Income.
- Instructions for Form 1066, U.S. Real Estate Mortgage Investment Conduit (REMIC) Income Tax Return.
- Instructions for Form 1120, U.S. Corporation Income Tax Return.
- Form 1120-S, U.S. Income Tax Return for an S Corporation.
- Form 2290, Heavy Highway Vehicle Use Tax Return.
- Form 2553, Election by a Small Business Corporation.
- Form 2848, Power of Attorney and Declaration of Representative.
- Form 8821, Tax Information Authorization.
- Form 8822-B, Change of Address or Responsible Party — Business.
- Form 8832, Entity Classification Election.
- Form 8849, Claim for Refund of Excise Taxes.

For more information about filing Form SS-4 and related issues, see:

- Pub. 15, Employer's Tax Guide.
- Pub. 538, Accounting Periods and Methods.
- Pub. 542, Corporations.
- Pub. 557, Tax-Exempt Status for Your Organization.
- Pub. 583, Starting a Business and Keeping Records.
- Pub. 966, Electronic Choices to Pay All Your Federal Taxes.
- Pub. 1635, Understanding Your EIN.

## Specific Instructions

Follow the instructions for each line to expedite processing and to avoid unnecessary IRS requests for additional information. Generally, enter "N/A" on the lines that don't apply.

**Line 1. Legal name of entity (or individual) for whom the EIN is being requested.** Enter the legal name of the entity (or individual) applying for the EIN exactly as it appears on the social security card, charter, or other applicable legal document. An entry is required.

**Individuals.** Enter your first name, middle initial, and last name. If you're a sole proprietor, enter your individual name, not your business name. Enter your business name on line 2. Don't use abbreviations or nicknames on line 1.

**Trusts.** Enter the name of the trust as it appears on the trust instrument.

**Estate of a decedent.** Enter the name of the estate. For an estate that has no legal name, enter the name of the decedent followed by "Estate."

**Partnerships.** Enter the legal name of the partnership as it appears in the partnership agreement.

**Corporations.** Enter the corporate name as it appears in the corporate charter or other legal document creating it.

**Plan administrators.** Enter the name of the plan administrator. A plan administrator who already has an EIN should use that number.

**Indian tribal governments/enterprises.** Enter the legal name of the Indian tribal government or tribal enterprise applying for the EIN.

**Line 2. Trade name of business.** Enter the trade name of the business if different from the legal name. The trade name is the “doing business as” (DBA) name.



*Use the full legal name shown on line 1 on all tax returns filed for the entity. (However, if you enter a trade name on line 2 and choose to use the trade name instead of the legal name, enter the trade name on all returns you file.) To prevent processing delays and errors, use only the legal name (or the trade name) on all tax returns.*

**Line 3. Executor, administrator, trustee, “care of” name.** For trusts, enter the name of the trustee. For estates, enter the name of the executor, administrator, personal representative, or other fiduciary. If the entity applying has a designated person to receive tax information, enter that person's name as the “care of” person. Enter the individual's first name, middle initial, and last name.

**Lines 4a–4b. Mailing address.** Enter the mailing address for the entity's correspondence. If the entity's address is outside the United States or its territories, you must enter the city, province or state, postal code, and the name of the country. Don't abbreviate the country name. If line 3 is completed, enter the address for the executor, trustee, or “care of” person. Generally, this address will be used on all tax returns.

If the entity is filing Form SS-4 only to obtain an EIN for Form 8832, use the same address where you would like to have the acceptance or nonacceptance letter sent.



*File Form 8822-B to report any subsequent changes to the entity's mailing address.*

**Lines 5a–5b. Street address.** Provide the entity's physical address only if different from its mailing address shown on lines 4a–4b. Don't enter a P.O. box number here. If the entity's address is outside the United States or its territories, you must enter the city, province or state, postal code, and the name of the country. Don't abbreviate the country name.

**Line 6. County and state where principal business is located.** Enter the entity's primary physical location.

**Lines 7a–7b. Name of responsible party.** Enter the full name (first name, middle initial, last name, if applicable) and SSN, ITIN, or EIN of the entity's responsible party.

**Responsible party defined.** The “responsible party” is the person who ultimately owns or controls the entity or who exercises ultimate effective control over the entity. The person identified as the responsible party should have a level of control over, or entitlement to, the funds or assets in the entity that, as a practical matter, enables the person, directly or indirectly, to control, manage, or direct the entity and the disposition of its funds and assets. **Unless the applicant is a government entity, the responsible party must be an individual (that is, a natural person), not an entity.**

- For entities with shares or interests traded on a public exchange, or which are registered with the Securities and Exchange Commission, “responsible party” is (a) the principal officer, if the entity is a corporation; or (b) a general partner, if a partnership. The general requirement that the responsible party be an individual applies to these entities. For example, if a corporation is the general partner of a publicly traded partnership for which Form SS-4 is filed, then the responsible party of the partnership is the principal officer of the corporation.
- For tax-exempt organizations, the responsible party is generally the same as the “principal officer” as defined in the Form 990 instructions.

- For government entities, the responsible party is generally the agency or agency representative in a position to legally bind the particular government entity.
- For trusts, the responsible party is a grantor, owner, or trustor.
- For decedent estates, the responsible party is the executor, administrator, personal representative, or other fiduciary.



*File Form 8822-B to report any subsequent changes to responsible party information.*

If you're applying for an EIN for a government entity, you may enter an EIN for the responsible party on line 7b. Otherwise, you must enter an SSN or ITIN on line 7b. But, leave line 7b blank or enter “N/A,” “foreign,” or similar language, if the responsible party doesn't have and is ineligible to obtain an SSN or ITIN.

**Lines 8a–8c. Limited liability company (LLC) information.** An LLC is an entity organized under the laws of a state or foreign country as a limited liability company. For federal tax purposes, an LLC may be treated as a partnership or corporation or be disregarded as an entity separate from its owner.

By default, a domestic LLC with only one member is disregarded as an entity separate from its owner and must include all of its income and expenses on the owner's tax return (for example, Schedule C (Form 1040)). For more information on single-member LLCs, see [Disregarded entities](#), later.

Also, by default, a domestic LLC with two or more members is treated as a partnership. A domestic LLC may file Form 8832 to avoid either default classification and elect to be classified as an association taxable as a corporation. For more information on entity classifications (including the rules for foreign entities), see Form 8832 and its instructions.

If the answer to line 8a is “Yes,” enter the number of LLC members. If the LLC is owned solely by an individual and his or her spouse in a community property state and they choose to treat the entity as a disregarded entity, enter “1” on line 8b.



*Don't file Form 8832 if the LLC accepts the default classifications above. If the LLC timely files Form 2553, it will be treated as a corporation as of the effective date of the S corporation election as long as it meets all other requirements to qualify as an S corporation. The LLC doesn't need to file Form 8832 in addition to Form 2553. See the Instructions for Form 2553.*

**Line 9a. Type of entity.** Check the box that best describes the type of entity applying for the EIN. If you're an alien individual with an ITIN previously assigned to you, enter the ITIN in place of a requested SSN.



*This isn't an election for a tax classification of an entity. See [Disregarded entities](#), later.*

**Sole proprietor.** Check this box if you file Schedule C or Schedule F (Form 1040) and have a qualified plan, or are required to file excise, employment, alcohol, tobacco, or firearms returns, or are a payer of gambling winnings. Enter your SSN or ITIN in the space provided. If you're a nonresident alien with no effectively connected income from sources within the United States, enter “N/A.” You don't need to enter an SSN or ITIN.

**Corporation.** This box is for any corporation other than a personal service corporation. If you check this box, enter the income tax form number to be filed by the entity in the space provided.



*Unless you are a church, or church-controlled organization, if you are a corporation that is a nonprofit entity, check the “other nonprofit organization” box, and specify the purpose. See [Other nonprofit organization](#), later.*



*If you entered “1120-S” after the Corporation checkbox, the corporation must file Form 2553 no later than the 15th day of the 3rd month of the tax year the election is to take effect. Until Form 2553 has been received and approved, you will be considered a Form 1120 filer. See the Instructions for Form 2553.*

**Personal service corporation.** Check this box if the entity is a personal service corporation. An entity is a personal service corporation for a tax year only if:

- The principal activity of the entity during the testing period (generally the prior tax year) for the tax year is the performance of personal services substantially by employee-owners, and
- The employee-owners own at least 10% of the fair market value of the outstanding stock in the entity on the last day of the testing period.

Personal services include performance of services in such fields as accounting, actuarial science, architecture, consulting, engineering, health (including veterinary services), law, and the performing arts. For more information about personal service corporations, see the Instructions for Form 1120 and Pub. 542.



*If the corporation is recently formed, the testing period begins on the first day of its tax year and ends on the earlier of the last day of its tax year, or the last day of the calendar year in which its tax year begins.*

**Other nonprofit organization.** Check the *Other nonprofit organization* box if the nonprofit organization is other than a church or church-controlled organization and specify the type of nonprofit organization (for example, an educational organization).



*If the organization also seeks tax-exempt status, you must file either Form 1023 (or Form 1023-EZ) or Form 1024. See Pub. 557 for more information.*

If the organization is covered by a group exemption letter, enter the four-digit group exemption number (GEN) in the last entry. (Don't confuse the GEN with the 9-digit EIN.) If you don't know the GEN, contact the parent organization. See Pub. 557 for more information about group exemption letters.

If the organization is a section 527 political organization, check the *Other nonprofit organization* box and specify "Section 527 organization" in the space to the right. To be recognized as exempt from tax, a section 527 political organization must electronically file Form 8871, Political Organization Notice of Section 527 Status, within 24 hours of the date on which the organization was established. The organization may also have to file Form 8872, Political Organization Report of Contributions and Expenditures. Form 8872 must be filed electronically. Go to [IRS.gov/PolOrgs](https://www.irs.gov/PolOrgs) for more information.

**Estate.** An estate is a legal entity created as a result of a person's death. Enter the SSN or ITIN of the deceased person in the space provided.

**Plan administrator.** If the plan administrator is an individual, enter the plan administrator's taxpayer identification number (TIN) in the space provided.

**REMIC.** Check this box if the entity has elected to be treated as a real estate mortgage investment conduit (REMIC). See the Instructions for Form 1066 for more information.

**State/local government.** State and local governments generally have the characteristics of a government, such as powers of taxation, law enforcement, and civil authority. If you're unsure whether or not your organization is a government, search "What are government entities?" at [IRS.gov](https://www.irs.gov) for clarification.

**Federal government.** The federal government is made up of the Executive, Legislative, and Judicial branches, as well as independent federal agencies. Unions, Veterans of Foreign Wars (VFW) organizations, and political organizations aren't federal agencies.

**Indian tribal government/enterprise.** Check the box for Indian tribal governments/enterprises for a governing body of any tribe, band, community, village, or group of Indians, or (if applicable) Alaska Natives, but only if the Secretary of the Treasury (after consultation with the Secretary of the Interior) determines that the governing body exercises governmental functions.

Similarly, check this box if you are requesting an EIN for a tribal enterprise that is not recognized as a separate entity for federal income tax purposes, for example, a corporation under Section 17 of

the Indian Reorganization Act of 1934, or Section 3 of the Oklahoma Indian Welfare Act.

For more information, see Regulations section 301.7701-1(a)(3), Rev. Rul. 94-16, 1994-1 C.B. 19, available at [IRS.gov/pub/irs-tege/rr94\\_16.pdf](https://www.irs.gov/pub/irs-tege/rr94_16.pdf), and Rev. Rul. 94-65, 1994-2 C.B. 14, available at [IRS.gov/pub/irs-tege/rr94\\_65.pdf](https://www.irs.gov/pub/irs-tege/rr94_65.pdf).

**Other.** If not specifically listed, check the *Other* box and enter the type of entity and the type of return, if any, that will be filed (for example, "Common trust fund, Form 1065" or "Created a pension plan"). Don't enter "N/A." If you're an alien individual applying for an EIN, see [Lines 7a-7b](#), earlier.

• **Household employer.** If you're an individual that will employ someone to provide services in your household, check the *Other* box and enter "Household employer" and your SSN. If you're a trust that qualifies as a household employer, you don't need a separate EIN for reporting tax information relating to household employees; use the EIN of the trust.

• **Household employer agent.** If you're an agent of a household employer that is a disabled individual or other welfare recipient receiving home care services through a state or local program, check the *Other* box and enter "Household employer agent." For more information, see Rev. Proc. 84-33 and Rev. Proc. 2013-39. If you're a state or local government, also check the state/local government box.

• **QSub.** For a qualified subchapter S subsidiary (QSub) check the *Other* box and specify "QSub." See Rev. Rul. 2008-18, 2008-13 I.R.B. 674, if the QSub election is made pursuant to a reorganization under section 368(a)(1)(F), and [Disregarded entities](#) below.

• **Withholding agent.** If you're a withholding agent required to file Form 1042, check the *Other* box and enter "Withholding agent."

**Disregarded entities.** A disregarded entity is an eligible entity that is treated as an entity not separate from its single owner for income tax purposes. Disregarded entities include single-member limited liability companies (LLCs) and certain qualified foreign entities. See the instructions for Forms 8832 and 8869, and Regulations section 301.7701-3 for more information on domestic and foreign disregarded entities.

The disregarded entity is required to use its name and EIN for reporting and payment of employment taxes; to register for excise tax activities on Form 637; to pay and report excise taxes reported on Forms 720, 730, 2290, and 11-C; to claim any refunds, credits, and payments on Form 8849; and where a U.S. disregarded entity is wholly owned by a foreign person, to file information returns on Form 5472. See the instructions for the employment and excise tax returns and Form 5472 for more information.

Complete Form SS-4 for disregarded entities as follows.

- If a disregarded entity is filing Form SS-4 to obtain an EIN because it is required to report and pay employment and excise taxes, or for non-federal purposes such as a state requirement, check the *Other* box for line 9a and write "Disregarded entity" (or "Disregarded entity-sole proprietorship" if the owner of the disregarded entity is an individual).
- If the disregarded entity is requesting an EIN for purposes of filing Form 5472, as required under section 6038A for a U.S. disregarded entity that is wholly owned by a foreign person, check the *Other* box for line 9a and write "Foreign-owned U.S. disregarded entity-Form 5472."
- If the disregarded entity is requesting an EIN for purposes of filing Form 8832 to elect classification as an association taxable as a corporation, or Form 2553 to elect S corporation status, check the *Corporation* box for line 9a and write "Single-member" and the form number of the return that will be filed (Form 1120 or 1120-S).
- If the disregarded entity is requesting an EIN because it has acquired one or more additional owners and its classification has changed to partnership under the default rules of Regulations section 301.7701-3(f), check the *Partnership* box for line 9a.
- If a foreign eligible entity is requesting an EIN for purposes of filing Form 8832 to elect classification as a disregarded entity, check the *Other* box for line 9a and write "foreign disregarded entity."

**Line 10. Reason for applying.** Check only one box. Don't enter "N/A." A selection is required.

**Started new business.** Check this box if you're starting a new business that requires an EIN. If you check this box, enter the type of business being started. Don't apply if you already have an EIN and are only adding another place of business.

**Hired employees.** Check this box if the existing business is requesting an EIN because it has hired or is hiring employees and is therefore required to file employment tax returns. Don't apply if you already have an EIN and are only hiring employees. For information on employment taxes (for example, for family members), see Pub. 15.



*You must make electronic deposits of all depository taxes (such as employment tax, excise tax, and corporate income tax) using EFTPS. See Pub. 15 and Pub. 966.*

**Banking purpose.** Check this box if you're requesting an EIN for banking purposes only, and enter the banking purpose (for example, a bowling league for depositing dues or an investment club for dividend and interest reporting).

**Changed type of organization.** Check this box if the business is changing its type of organization. For example, the business was a sole proprietorship and has been incorporated or has become a partnership. If you check this box, specify in the space provided (including available space immediately below) the type of change made. For example, "From sole proprietorship to partnership."

**Purchased going business.** Check this box if you purchased an existing business. Don't use the former owner's EIN unless you became the "owner" of a corporation by acquiring its stock.

**Created a trust.** Check this box if you created a trust, and enter the type of trust created. For example, indicate if the trust is a nonexempt charitable trust or a split-interest trust.

**Exception.** Don't file this form for certain grantor-type trusts. The trustee doesn't need an EIN for the trust if the trustee furnishes the name and TIN of the grantor/owner and the address of the trust to all payers. However, grantor trusts that don't file using Optional Method 1 and IRA trusts that are required to file Form 990-T must have an EIN. For more information on grantor trusts, see the Instructions for Form 1041.



*Don't check this box if you're applying for a trust EIN when a new pension plan is established. Check the Created a pension plan box.*

**Created a pension plan.** Check this box if you have created a pension plan and need an EIN for reporting purposes. Also, enter the type of plan in the space provided. For more information about pension plans, visit IRS.gov and enter "Types of retirement plans" in the search box.



*Check this box if you're applying for a trust EIN when a new pension plan is established. In addition, check the Other box on line 9a and write "Created a pension plan" in the space provided.*

**Other.** Check this box if you're requesting an EIN for any other reason, and enter the reason. For example, a newly formed state government entity should enter "Newly formed state government entity" in the space provided. A foreign-owned U.S. disregarded entity required to file Form 5472 should enter "Foreign-owned U.S. disregarded entity filing Form 5472" in the space provided.

**Line 11. Date business started or acquired.** If you're starting a new business, enter the starting date of the business. If the business you acquired is already operating, enter the date you acquired the business. For foreign applicants, this is the date you began or acquired a business in the United States. If you're changing the form of ownership of your business, enter the date the new ownership entity began. Trusts should enter the date the trust was funded or the date that the trust was required to obtain an EIN under Regulations section 301.6109-1(a)(2). Estates should enter the date of death of the decedent whose name appears on line 1 or the date when the estate was legally funded.

**Line 12. Closing month of accounting year.** Enter the last month of your accounting year or tax year. An accounting or tax year is usually 12 consecutive months, either a calendar year or a fiscal

year (including a period of 52 or 53 weeks). A calendar year is 12 consecutive months ending on December 31. A fiscal year is either 12 consecutive months ending on the last day of any month other than December or a 52-53 week year. For more information on accounting periods, see Pub. 538.

**Individuals.** Your tax year will generally be a calendar year.

**Partnerships.** Partnerships must adopt one of the following tax years.

- The tax year of the majority of its partners.
- The tax year common to all of its principal partners.
- The tax year that results in the least aggregate deferral of income.
- In certain cases, some other tax year.

See the Instructions for Form 1065 for more information.

**REMICs.** REMICs must have a calendar year as their tax year.

**Personal service corporations.** A personal service corporation must generally adopt a calendar year unless it meets one of the following requirements.

- It can establish a business purpose for having a different tax year.
- It elects under section 444 to have a tax year other than a calendar year.

**Trusts.** Generally, a trust must adopt a calendar year except for the following trusts.

- Tax-exempt trusts.
- Charitable trusts.
- Grantor-owned trusts.

**Line 13. Highest number of employees expected in the next 12 months.** Complete each box by entering the number (including zero (-0-)) of *Agricultural, Household, or Other* employees expected by the applicant in the next 12 months.

If no employees are expected, skip line 14.

**Line 14. Do you want to file Form 944?** If you expect your employment tax liability to be \$1,000 or less in a full calendar year, you're eligible to file Form 944 annually (once each year) instead of filing Form 941 quarterly (every 3 months). Your employment tax liability will generally be \$1,000 or less if you expect to pay \$5,000 or less in total wages subject to social security and Medicare taxes and federal income tax withholding. For employers in the U.S. territories, generally, if you pay \$6,536 or less in wages subject to social security and Medicare taxes, you're likely to pay \$1,000 or less in employment taxes. If you qualify and want to file Form 944 instead of Forms 941, check the box on line 14. If you don't check the box, then you must file Form 941 for every quarter.



*Once you check the box, you must continue to file Form 944, regardless of the amount of tax shown on your return, until the IRS instructs you to file Form 941.*

For more information on employment taxes, see Pub. 15.

**Line 15. First date wages or annuities were paid.** If the business has employees, enter the date on which the business began to pay wages or annuities. For foreign applicants, this is the date you began to pay wages in the United States. If the business doesn't plan to have employees, enter "N/A."

**Withholding agent.** Enter the date you began or will begin to pay income (including annuities) to a nonresident alien. This also applies to individuals who are required to file Form 1042 to report alimony paid to a nonresident alien. For foreign applicants, this is the date you began or will begin to pay income (including annuities) to a nonresident alien in the United States.

**Line 16.** Check the one box on line 16 that best describes the principal activity of the applicant's business. Check the *Other* box (and specify the applicant's principal activity) if none of the listed boxes applies. You must check a box.

**Construction.** Check this box if the applicant is engaged in erecting buildings or engineering projects (for example, streets, highways, bridges, and tunnels). The term "construction" also includes special trade contractors (for example, plumbing, HVAC, electrical, carpentry, concrete, excavation, etc., contractors).

**Real estate.** Check this box if the applicant is engaged in renting or leasing real estate to others; managing, selling, buying, or renting

real estate for others; or providing related real estate services (for example, appraisal services). Also, check this box for mortgage real estate investment trusts (REITs). Mortgage REITs are engaged in issuing shares of funds consisting primarily of portfolios of real estate mortgage assets with gross income of the trust solely derived from interest earned.

**Rental & leasing.** Check this box if the applicant is engaged in providing tangible goods such as autos, computers, consumer goods, or industrial machinery and equipment to customers in return for a periodic rental or lease payment. Also, check this box for equity real estate investment trusts (REITs). Equity REITs are engaged in issuing shares of funds consisting primarily of portfolios of real estate assets with gross income of the trust derived from renting real property.

**Manufacturing.** Check this box if the applicant is engaged in the mechanical, physical, or chemical transformation of materials, substances, or components into new products. The assembling of component parts of manufactured products is also considered to be manufacturing.

**Transportation & warehousing.** Check this box if the applicant provides transportation of passengers or cargo; warehousing or storage of goods; scenic or sight seeing transportation; or support activities related to transportation.

**Finance & insurance.** Check this box if the applicant is engaged in transactions involving the creation, liquidation, or change of ownership of financial assets and/or facilitating such financial transactions; underwriting annuities/insurance policies; facilitating such underwriting by selling insurance policies or in providing other insurance or employee-benefit related services.

**Health care & social assistance.** Check this box if the applicant is engaged in providing physical, medical, or psychiatric care; or in providing social assistance activities, such as youth centers, adoption agencies, individual/family services, temporary shelters, daycare, etc.

**Accommodation & food services.** Check this box if the applicant is engaged in providing customers with lodging, meal preparation, snacks, or beverages for immediate consumption.

**Wholesale-agent/broker.** Check this box if the applicant is engaged in arranging for the purchase or sale of goods owned by others or purchasing goods on a commission basis for goods traded in the wholesale market, usually between businesses.

**Wholesale-other.** Check this box if the applicant is engaged in selling goods in the wholesale market generally to other businesses for resale on their own account, goods used in production, or capital or durable nonconsumer goods.

**Retail.** Check this box if the applicant is engaged in selling merchandise to the general public from a fixed store; by direct, mail-order, or electronic sales; or by using vending machines.

**Other.** Check this box if the applicant is engaged in an activity not described above. Describe the applicant's principal business activity in the space provided.

**Line 17.** Use line 17 to describe the applicant's principal line of business in more detail. For example, if you checked the *Construction* box on line 16, enter additional detail such as "General contractor for residential buildings" on line 17. An entry is required. For mortgage REITs, indicate mortgage REIT; and for equity REITs, indicate what type of real property is the principal type (residential REIT, nonresidential REIT, miniwarehouse REIT, etc.).

**Line 18.** Check the applicable box to indicate whether or not the applicant entity applying for an EIN was issued one previously.

**Third-Party Designee.** Complete this section only if you want to authorize the named individual to answer questions about the completion of Form SS-4 and receive the entity's newly assigned EIN. You must complete the signature area for the authorization to be valid. The designee's authority terminates at the time the EIN is assigned and released to the designee. EINs are released to authorized third-party designees by the method they used to obtain

the EIN (online, telephone, or fax); however, the EIN notice will be mailed to the taxpayer.



If the third-party designee's address or telephone number matches the address or telephone number of the taxpayer, the application must be mailed or faxed.

**Signature.** When required, the application must be signed by (a) the individual, if the applicant is an individual; (b) the president, vice president, or other principal officer, if the applicant is a corporation; (c) a responsible and duly authorized member or officer having knowledge of its affairs, if the applicant is a partnership, government entity, or other unincorporated organization; or (d) the fiduciary, if the applicant is a trust or an estate. Foreign applicants may have any duly authorized person (for example, division manager) sign Form SS-4.

**Privacy Act and Paperwork Reduction Act Notice.** We ask for the information on this form to carry out the Internal Revenue laws of the United States. We need it to comply with section 6109 and the regulations thereunder, which generally require the inclusion of an employer identification number (EIN) on certain returns, statements, or other documents filed with the Internal Revenue Service. If your entity is required to obtain an EIN, you're required to provide all of the information requested on this form. Information on this form may be used to determine which federal tax returns you're required to file and to provide you with related forms and publications.

We disclose this form to the Social Security Administration (SSA) for their use in determining compliance with applicable laws. We may give this information to the Department of Justice for use in civil and/or criminal litigation, and to cities, states, the District of Columbia, and U.S. commonwealths and territories for use in administering their tax laws. We may also disclose this information to other countries under a tax treaty, to federal and state agencies to enforce federal nontax criminal laws, and to federal law enforcement and intelligence agencies to combat terrorism.

We will be unable to issue an EIN to you unless you provide all of the requested information that applies to your entity. Providing false information could subject you to penalties.

You're not required to provide the information requested on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB control number. Books or records relating to a form or its instructions must be retained as long as their contents may become material in the administration of any Internal Revenue law. Generally, tax returns and return information are confidential, as required by section 6103.

The time needed to complete and file this form will vary depending on individual circumstances. The estimated average time is:

<b>Recordkeeping</b> . . . . .	8 hr., 36 min.
<b>Learning about the law or the form</b> . . . . .	42 min.
<b>Preparing, copying, assembling, and sending the form to the IRS</b> . . . . .	52 min.

If you have comments concerning the accuracy of these time estimates or suggestions for making this form simpler, we would be happy to hear from you. You can send us comments at [IRS.gov/FormComments](https://www.irs.gov/FormComments). Or you can write to the Internal Revenue Service, Tax Forms and Publications Division, 1111 Constitution Ave. NW, IR-6526, Washington, DC 20224. Don't send Form SS-4 to this address. Instead, see [Where To File or Fax](#), earlier.

# CHAPTER 43. TEMPORARY REGISTRATION CARDS AND PLATES

Sec.

- 43.1. Purpose.
- 43.2. Definitions.
- 43.3. Card agents.
- 43.4. Authorization to issue temporary registration plates.
- 43.5. Issuance of temporary registration cards.
- 43.6. Issuance of temporary registration plates.
- 43.7. Inventory of temporary registration cards and plates.
- 43.8. Return or surrender of temporary registration cards and plates.
- 43.9. Bond.
- 43.10. Prohibited acts.
- 43.11. (Reserved).
- 43.12. Use of temporary registration plate.
- 43.13. Special temporary registration cards and plates.

## Authority

The provisions of this Chapter 43 issued under the Vehicle Code, 75 Pa.C.S. § § 1310, 1331 and 6103, unless otherwise noted.

## Source

The provisions of this Chapter 43 adopted September 2, 1977, effective September 3, 1977, 7 Pa.B. 2561, unless otherwise noted.

## Cross References

This chapter cited in 67 Pa. Code § 60.6 (relating to temporary registration).

## § 43.1. Purpose.

This chapter established rules and regulations governing the issuance of temporary registration plates and cards by authorized dealers, manufacturers, full agents and card agents under 75 Pa.C.S § § 1310 and 1331 (relating to temporary registration cards; and issuance and reissuance of registration plates).

## Source

The provisions of this § 43.1 adopted September 2, 1977, effective September 3, 1977, 7 Pa.B. 2561; amended March 24, 1978, effective March 25, 1978, 8 Pa.B. 790; readopted January 5, 1990, effective immediately and apply retroactively to November 17, 1989, 20 Pa.B. 21; amended July 9, 1993, effective July 10, 1993, 23 Pa.B. 3347; amended October 5,

2012, effective October 6, 2012, 42 Pa.B. 6290. Immediately preceding text appears at serial page (232783).

## **§ 43.2. Definitions.**

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

*Act*—75 Pa.C.S. § § 101—9821 (relating to the Vehicle Code).

*Applicant*—A person, as defined in the act, who applies for registration of a vehicle and for a temporary registration card or plate.

*Bureau*—The Bureau of Motor Vehicles of the Department.

*Card agent*—A notary public, commissioned by the Department of State, Bureau of Legislation, Commissions and Elections, who is approved by the Department to issue temporary registration cards in conjunction with applications for transfer of registration plates. A notary public from another state may also serve as a card agent and may issue a temporary registration card to a Commonwealth registrant who has purchased a vehicle in the state and who wishes to apply for transfer of a Commonwealth registration plate. The notary shall be commissioned or licensed as a notary by a governmental agency of the state.

*Certificate of authorization*—The document issued to an agent which indicates the agent has complied with the requirements of the Department and is permitted to issue temporary registration cards or plates, or both.

*Dealer*—A person engaged in the business of buying, selling or exchanging vehicles, including passenger cars, trucks, implements of husbandry, special mobile equipment and trailers, who is registered by the Department under § 53.3(b) (relating to issuance of plates). The term does not include a miscellaneous motor vehicle business, unless the business is also registered as a dealer under § 53.3(b).

*Department*—The Department of Transportation of the Commonwealth.

*Established place of business*—The place occupied either continuously or at regular periods by a dealer, manufacturer or full agent, where the books and records are kept, where a large share of the business is transacted and which meets local zoning rules, ordinances and building codes.

*Full agent*—A county treasurer or a person other than a manufacturer or dealer authorized by the Bureau to issue temporary registration cards and plates.

*Issuing agent*—A full agent or card agent, or a dealer or manufacturer, who has been authorized by the Bureau to issue temporary registration cards and plates.

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

*Regular registration plate*—A metal registration plate issued by the Bureau for a specific vehicle in conjunction with a permanent registration card, or a metal registration plate issued by an authorized dealer, manufacturer or full agent as a temporary plate and validated for regular use by issuance of a regular registration card.

*Temporary registration card*—A form provided by the Department for issuance to an applicant for registration or transfer of registration for use by the applicant until receipt of the regular registration card. A form issued with a temporary registration plate for a vehicle which is to be driven or otherwise moved to another state or country for titling, registration, use or resale there.

*Temporary registration plate*—A registration plate to be used by the applicant until regular registration is received. There are two types of temporary registration plates: metal registration plates, for issuance only for vehicles which are being registered in this Commonwealth, and cardboard registration plates for issuance only for vehicles which are to be driven or otherwise moved to another state or country for titling, registration, use or resale there.

(i) Metal temporary plates are issued to an applicant for use during the time in which the application for regular registration is being submitted to and processed by the Department.

(ii) A cardboard registration plate may also be issued under special conditions, as authorized by the Department.

#### Source

The provisions of this § 43.2 adopted September 2, 1977, effective September 3, 1977, 7 Pa.B. 2561; amended May 18, 1979, effective May 19, 1979, 9 Pa.B. 1630; readopted January 5, 1990, effective immediately and apply retroactively to November 17, 1989, 20 Pa.B. 21; amended July 9, 1993, effective July 10, 1993, 23 Pa.B. 3347. Immediately preceding text appears at serial pages (144703) to (144705).

### § 43.3. Card agents.

(a) *Card agent shall be a notary public.* In order to be approved as a card agent by the Department, a person shall be commissioned as a notary public by the Department of State, Bureau of Legislation, Commissions and Elections, or by a similar agency in another state.

(b) *Application for forms.* When a card agent applies to the Department for an official form, he shall affix his notarial seal and signature to the application to the Department for forms to

be issued by the card agent.

(c) *Revocation of commission as a notary public.* A card agent shall comply with rules and regulations under The Notary Public Law (57 P. S. § § 147—169). In the event that the commission of a notary public is revoked, his status as a card agent will also be revoked until the commission as a notary public has been reinstated.

(d) *Other requirements.* A card agent is subject to other provisions of this chapter concerning the issuance of temporary registration cards.

#### Source

The provisions of this § 43.3 adopted September 2, 1977, effective September 3, 1977, 7 Pa.B. 2561; amended May 18, 1979, effective May 19, 1979, 9 Pa.B. 1630; readopted January 5, 1990, effective immediately and apply retroactively to November 17, 1989, 20 Pa.B. 21. Immediately preceding text appears at serial page (95315).

### **§ 43.4. Authorization to issue temporary registration plates.**

(a) *Application procedure.* A person wishing to be authorized to issue temporary registration plates shall apply to the Department on forms furnished by the Department. For a person to be authorized, the person shall be a resident of this Commonwealth. The application shall include:

(1) Photographs, interior and exterior, of the proposed place of business, including branch offices. The photographs of the exterior shall show the entrance way and signs, required under subsection (b)(2). Photographs of the interior of the proposed agent's office shall show the desk, phone, secure area for storage of temporary cards and plates, and the complete schedule of fees and charges relating to the issuance of temporary cards and plates, posted in accordance with subsection (b)(1).

(2) A letter of reference from a bank or other financial institution which indicates that accounts of the applicant are handled in a satisfactory manner that is consistent with standard banking practices.

(3) Three letters of reference from business concerns, on their business stationery, attesting to the character of the applicant.

(4) The bond prescribed by § 43.9 (relating to bond), on the form of the Department, or a surety's binding commitment to issue the bond upon approval of the application.

(5) A notarized statement listing outstanding liabilities of the business or of the owners and officers of the business that are due and owing to the Commonwealth or, if none, a notarized statement to that effect.

(6) The names, addresses and social security numbers of owners or corporate officers, and employes authorized to issue temporary registration cards and plates, of the manufacturer's, dealer's or full agent's business.

(7) A criminal history record, obtained from the State Police, of each owner or corporate officer.

(8) A notarized statement attesting that the applicant has read and understands this chapter.

(9) The name, address and notary seals of a notary who is an employe during all of the hours of operation. The owner may be the notary.

(10) A schedule of business hours. This schedule shall contain a minimum of 20 business hours per week, or a minimum of 10 business hours per week plus an additional 10 business hours when a person may make an appointment. Business hours of operation shall be convenient to the public and be indicated on the sign required under subsection (b)(2).

(11) A statement that the business location meets local zoning ordinances and building codes.

(b) *Established place of business.* Authorized dealers and full agents shall maintain an established place of business. A copy of business records shall be maintained at the established place of business for 3 years. The following shall be posted in a conspicuous place in view of the public:

(1) A complete schedule of fees and charges pertaining to the issuance of temporary registration cards and plates.

(i) The schedule shall indicate amounts payable to the Department and amounts charged by the issuing agent.

(ii) The schedule shall be at least 3 square feet in size with lettering at least 1/2-inch high.

(2) The hours during which the place of business is open to the public.

(3) The certificate of authorization to issue temporary registration plates.

(c) *Review of application.* The Department will examine and determine the genuineness, regularity and legality of every application for a certificate of authorization. The Department may investigate the applicant with regard to one or more of the following:

(1) The condition of the applicant's proposed business premises.

(2) Departmental and other Commonwealth records pertaining to the business of an owner or officer.

(3) The personal history of an owner, officer or employe related to a conviction for a crime, under 18 Pa.C.S. (relating to the Crimes Code) or under the penal law of the United States, which involves moral turpitude or which reflects adversely on the owner's or officer's business integrity or responsibility.

(4) Unsatisfied judgments against the business, owner or officer.

(5) The credit rating of the business and its owners and officers.

(6) The assets and liabilities of the business.

(d) *Denial of application.* The Department may deny an application for a certificate of authorization on the basis of information revealed in an investigation, or if the applicant fails to disclose material information required or if the applicant has made a materially false statement on the application, or if the applicant's business is operated, managed or otherwise controlled or affiliated with a person who is ineligible for authorization, including a relative, family member, corporate officer or shareholder.

(e) *Opportunity for review.* If the Department denies an application for a certificate of authorization, the Department will provide the applicant with an opportunity to show cause why the application should not be denied.

(f) *Temporary certificate of authorization.* After reviewing an application, the Department may issue a temporary certificate of authorization. The temporary certificate of authorization will be issued for 60 days, during which period the Bureau may investigate the operations of the dealer, manufacturer or full agent. When the temporary certificate of authorization expires, the Bureau may issue a regular certificate of authorization.

(g) *Issuance of a certificate of authorization.* The Department will issue a certificate of authorization to an approved applicant.

(h) *Transfer of certificate of authorization.* A certificate of authorization may not be transferred and shall be valid only for the owner in whose name it is issued.

(1) In the case of a change of ownership, the dealer, manufacturer or full agent shall notify the Bureau within 10 days. It is the responsibility of a new owner to comply with this section.

(2) The following are regarded as changes of ownership:

- (i) The owner takes on a new partner.
- (ii) The owner sells the business.
- (iii) The business is incorporated.
- (iv) A controlling interest in a corporation is sold.
- (v) The owner retires or dies.

(i) *Change in location of place of business.* If a manufacturer, dealer or full agent changes the location of the office, he shall notify the Department within 10 days. Other provisions of this chapter concerning the place of business shall apply to a change in location of the office. The issuance or transfer of temporary registration plates may not be conducted at the new location until the location has been approved by the Department.

#### Source

The provisions of this § 43.4 adopted September 2, 1977, effective September 3, 1977, 7 Pa.B. 2561; amended September 26, 1980, effective September 27, 1980, 10 Pa.B. 3797;

readopted January 5, 1990, effective immediately and apply retroactively to November 17, 1989, 20 Pa.B. 21; amended July 9, 1993, effective July 10, 1993, 23 Pa.B. 3347; amended November 27, 1998, effective November 28, 1998, 28 Pa.B. 5872. Immediately preceding text appears at serial pages (232786) to (232788).

**§ 43.5. Issuance of temporary registration cards.**

(a) *General rule.* Cards will be issued in the following manner:

(1) Temporary registration cards will be issued only by the Bureau, by dealers, manufacturers, card agents and full agents authorized by the Bureau and by government agencies authorized by the Bureau. When required by law, dealers and manufacturers shall be licensed by the State Board of Vehicle Manufacturers, Dealers and Salespersons as a prerequisite to authorization by the Bureau.

(2) Temporary registration cards will be issued only in conjunction with issuance of a temporary registration plate by the Bureau, an authorized dealer, manufacturer, full agent or authorized government agency, or in conjunction with the transfer of a registration plate.

(b) *Obtaining temporary registration cards.* Issuing agents may obtain temporary registration cards at offices of the Bureau or upon written request to the Bureau.

(c) *Issuance of temporary registration cards in connection with transfer of registration.* Every issuing agent shall, upon request, issue a temporary registration card to the owner or lessee of a vehicle who has made proper application for transfer of registration on an application for certificate of title or other appropriate Departmental form. The agent information on the Departmental forms shall be completed in full by the agent.

(d) *Duty to examine documents.* The duty to examine documents includes the following:

(1) Before issuing a temporary registration card, the issuing agent shall examine the documents necessary to the transaction.

(2) A temporary registration card may not be issued unless the following items are found to be in order:

(i) *Insurance information.*

(A) Except as provided in clause (B), determination shall be made that the vehicle is insured by examining one of the following documents covering the subject vehicle, the vehicle traded for the subject vehicle or another vehicle owned by the applicant:

(I) An identification card as required in 31 Pa. Code Chapter 67, Subchapter B (relating to evidence of financial responsibility).

(II) The declaration page of an insurance policy.

(III) A valid binder of insurance issued by an insurance company licensed to sell motor vehicle liability insurance in this Commonwealth.

(IV) A copy of an application to the Pennsylvania Automobile Insurance Plan.

(V) A certificate of self-insurance issued by the Department.

(B) The requirement to check one of the documents listed in clause (A) does not require the agent to verify the information submitted unless the agent has reason to believe the documents are fraudulent.

(C) If the vehicle was acquired in this Commonwealth for transportation under its own power to another state for registration there, the issuing agent shall examine the driver's license or other appropriate identification of the applicant to ascertain that:

(I) The applicant is an out-of-State resident.

(II) The vehicle was purchased within the previous 60 days.

(III) The applicant possesses one of the proof of insurance items identified in clause (A) issued by a company authorized to transact business in this Commonwealth or in the state to which the vehicle is being transported for title and registration therein.

(ii) *Application.* The application shall be properly and completely executed and notarized, as required, accompanied by the correct fees, taxes and other required forms or documents.

(e) *Preparation of application.* The issuing agent shall complete in ink, or by typewriter, or by data processing equipment the application for temporary registration. The issuing agent identification number shall be on all documents, including checks submitted by the issuing agent, submitted to the Bureau for processing.

(f) *Copies of temporary registration card.* Copies of the temporary registration card shall be handled as follows:

(1) The original copy of the temporary registration card, including the copy completed for the cardboard temporary, the regular registration card, and documents and fees necessary to the transaction shall be forwarded by the issuing agent to the Bureau within 20 days of issuance of the temporary registration card. These materials shall be forwarded either by an authorized messenger service, by mail or by delivery to an area designated by the Bureau.

(2) The applicant's copy of the temporary registration card shall be given to the applicant, for possession by the driver of the vehicle whenever the vehicle is being driven on the highway.

(3) The agent's copy of the temporary registration card, copies of related documents including bills of sale when the agent is also the dealer and a copy of the document used for identification and copies of the documents used for insurance verification shall be retained at the place of business of the issuing agent for at least 3 years and shall be made available for inspection only by police and authorized representatives of the Department. Cards issued in conjunction with the transfer of registration plates shall be kept separate from cards issued in conjunction with temporary registration plates. Cards shall be kept in chronological order according to the date of issuance.

(g) *Fee not to be charged.* An issuing agent may not charge a fee for issuing a temporary registration card in connection with transfer of registration except fees for notarization and messenger service, if requested by the applicant.

(h) *Expiration or voidance of temporary registration cards.* Temporary registration cards shall expire and become void upon the occurrence of one of the following:

(1) The receipt of the regular registration card from the Bureau.

(2) The rescission of a contract to purchase a vehicle.

(3) The expiration of 60 days from the date of issuance, or, in the case of a vehicle which was acquired in this Commonwealth for transportation to another state for registration or other use there, the expiration of 30 days from the date of issuance.

(4) The temporary registration plate is lost, stolen or defaced.

(i) *Confidentiality.* The agent's copy of the temporary registration card and documents related to the application for title or registration shall be kept in strict confidentiality by the issuing agent, unless otherwise required by law or legal purpose.

(j) *Receipts.* An agent shall complete an itemized receipt, in duplicate, which lists the total fees payable to the Commonwealth on one line, and each fee charged for the agent's services on a separate line. A copy shall be given to the customer and the other copy shall be retained by the agent for 3 years and shall be made available for inspection.

#### Source

The provisions of this § 43.5 adopted September 2, 1977, effective September 3, 1977, 7 Pa.B. 2561; amended May 18, 1979, effective May 19, 1979, 9 Pa.B. 1630; readopted January 5, 1990, effective immediately and apply retroactively to November 17, 1989, 20 Pa.B. 21; amended July 9, 1993, effective July 10, 1993, except subsection (f)(3) is effective September 9, 1993, 23 Pa.B. 3347; amended November 27, 1998, effective November 28, 1998, 28 Pa.B. 5872. Immediately preceding text appears at serial pages (232788) to (232791).

#### Notes of Decisions

##### *Burden of Proof*

The Department met its burden of proving a motor vehicle dealership's failure to timely file permanent documents for certificates of title by the uncontroverted testimony of a State trooper that the documents were not filed. *Department of Transportation v. Notary Shoppe*, 544 A.2d 98 (Pa. Cmwlth. 1988).

##### *Duty Owed by Issuers*

The duty owed by issuer of a temporary registration to person who has been injured by issuer's neglect is limited to the extent that injured party is unable to recover first party benefits under 75 Pa.C.S. Chapter 17 (relating to Motor Vehicle Financial Responsibility Law). *Capuzzi v. Heller*, 614 A.2d 775 (Pa. Super. 1992).

Tag service which failed to require proof of insurance when issuing temporary tag was not liable to victim of uninsured motorist since the victim would have access to basic loss benefits through the Assigned Claims Plan, established by the Legislature to protect uninsured victims of uninsured motorists, and the victim therefore was not injured by the tag services allegedly negligent act. *Lieberman v. Abat's Auto Tag Services, Inc.*, 496 A.2d 831 (Pa. Super. 1985).

An automobile dealer who fails to ascertain the existence of no-fault insurance coverage prior to issuance of a temporary registration card and plate is answerable in trespass to one injured by the dealer's neglect. *Lyngarkos v. Department of Transportation*, 426 A.2d 1195 (Pa. Cmwlth. 1981).

#### **Cross References**

This section cited in 67 Pa. Code § 43.6 (relating to issuance of temporary registration plates); and 67 Pa. Code § 97.3 (relating to vehicle registration).

### **§ 43.6. Issuance of temporary registration plates.**

(a) *Limits on issuance.* Temporary registration plates will be issued in the following manner:

(1) Temporary registration plates other than those specified in paragraph (4) will be issued only by the Bureau, approved governmental agencies, dealers, manufacturers and full agents authorized by the Bureau.

(2) Temporary registration plates shall be issued only in conjunction with an application for title and registration of a vehicle within this Commonwealth or for the purpose of driving or otherwise moving a vehicle purchased in this Commonwealth to another state or country for titling, registration, use or resale there.

(3) Notwithstanding paragraphs (1) and (2), a full agent who is also an authorized messenger service under Chapter 255 (relating to messenger services), may issue a temporary registration plate in one of the following circumstances after receiving authorization from the Department indicating the vehicle record is clear of a suspension or other impediment to issuance of the registration plate:

(i) For a vehicle for which the applicant already has a Pennsylvania certificate of title.

(ii) To a person who is applying for replacement of a lost, stolen or defaced registration plate.

(iii) For a vehicle for which the applicant has an out-of-State title and registration, but is also required to be registered, but not titled, in this Commonwealth.

(4) Temporary registration plates for reconstructed and specially constructed vehicles will be issued only by the Bureau.

(b) *Issuance at other locations.* The Department may provide written authorization for individual dealers, manufacturers or full agents to issue temporary registration plates at a

location other than the places of business of the dealer, manufacturer or full agent for a period not to exceed 1 year. The privilege to issue temporary registration plates from a location other than the designated dealer, manufacturer or full agent's place of business is revocable if the Department finds that the dealer, manufacturer or full agent has violated this chapter or the terms of the written authorization.

(c) *Obtaining temporary registration plates.* Temporary registration plates shall be obtained by submitting the appropriate form and paying the applicable fee to the Bureau.

(d) *Issuance of temporary registration card in conjunction with issuance of temporary registration plates.* Upon the issuance of a temporary registration plate, the authorized dealer, full agent or manufacturer shall issue a temporary registration card, in the manner prescribed on forms provided by the Department and in § 43.5 (relating to issuance of temporary registration cards).

(1) The number of the temporary registration plate shall be indicated on the temporary registration card.

(2) If the vehicle is not to be titled in this Commonwealth, it shall be noted on the temporary registration card.

(e) *Issuance of temporary registration plates.* Temporary registration plates shall be issued in consecutive order, beginning with the lowest number in each series.

(f) *Issuance of cardboard temporary registration plates.* Upon issuance of a cardboard temporary registration plate, the authorized dealer, manufacturer or full agent shall punch out the month, day and year of expiration at the space provided and shall record the following information clearly and indelibly on the face of the temporary plate:

(1) The date of issuance.

(2) The year, make and model of vehicle.

(3) The vehicle identification number.

(4) The identification number of the authorized dealer, manufacturer or full agent.

(g) *Fee charged.* The fee charged for providing an applicant with a temporary plate may not exceed:

(1) Ten dollars if the plate was obtained from the Department for a fee of \$5.

(2) Five dollars if the plate was obtained from the Department for a fee of \$1.

#### **Source**

The provisions of this § 43.6 adopted September 2, 1977, effective September 3, 1977, 7 Pa.B. 2561; amended May 18, 1979, effective May 19, 1979, 9 Pa.B. 1630; readopted January 5, 1990, effective immediately and apply retroactively to November 17, 1989, 20 Pa.B. 21; amended July 9, 1993, effective July 10, 1993, 23 Pa.B. 3347; amended November 27, 1998,

effective November 28, 1998, 28 Pa.B. 5872. Immediately preceding text appears at serial pages (232791) to (232793).

#### **Cross References**

This section cited in 67 Pa. Code § 43.10 (relating to prohibited acts); and 67 Pa. Code § 97.3 (relating to vehicle registration).

#### **§ 43.7. Inventory of temporary registration cards and plates.**

(a) *Inventory report.* Every dealer, manufacturer and full agent is responsible for providing the Bureau with a report on the temporary registration plates which it has in inventory, within 30 days of the Bureau's request for the information.

(b) *Security.* Temporary registration cards and plates shall be kept in a secure place, which shall meet the approval of the Bureau. Issuing agents shall be responsible for security of temporary registration cards and plates obtained by them until they are issued to applicants.

(c) *Report on lost or stolen plates.* If plates are lost or stolen, the dealer, manufacturer or full agent shall notify the Department of the loss or theft within 48 hours of the occurrence. This notice shall be in the form of a notarized statement and shall give complete details of the loss or theft of the plates. In the event of theft, a police report shall be submitted to the Department within 10 days of the theft.

(d) *Available for inspection.* Temporary registration plates and related documents shall be available for inspection, with or without notice, by authorized Commonwealth employees which includes the State Police. Records required by the Department to be maintained by the issuing agent in carrying out its duties under this chapter shall be subject to periodic inspection by authorized representatives of the Commonwealth or its designated agents under the following conditions:

(1) *Place.* The inspection will be conducted at the issuing agent's established place of business.

(2) *Time.* The inspection will be conducted during regular and usual business hours.

(3) *Scope.* The inspection will be limited to examination of the records and plate inventory which are subject to the recordkeeping requirements of this chapter and which are on the premises.

#### **Source**

The provisions of this § 43.7 adopted September 2, 1977, effective September 3, 1977, 7 Pa.B. 2561; amended March 24, 1978, effective March 25, 1978, 8 Pa.B. 790; readopted January 5, 1990, effective immediately and apply retroactively to November 17, 1989, 20 Pa.B. 21; amended July 9, 1993, effective July 10, 1993, 23 Pa.B. 3347; amended November 27, 1998, effective November 28, 1998, 28 Pa.B. 5872. Immediately preceding text appears at serial pages (232793) to (232794).

### **§ 43.8. Return or surrender of temporary registration cards and plates.**

(a) *Discontinued business.* An issuing agent, other than a card agent, who discontinues his business shall, within 5 days, return to the Department the certificate of authorization and the temporary registration cards and plates in the agent's possession. The Bureau will make appropriate refunds under subsection (c).

(b) *Suspension.* An issuing agent, other than a card agent, whose right to issue temporary registration cards and plates has been suspended shall surrender the certificate of authorization and the registration cards and plates in the agent's possession at the agent's established place of business to an authorized representative of the Department.

(c) *Refunds.* A refund of the fee paid by an agent for a temporary registration plate may be obtained upon the return of the plate by the agent, accompanied by the appropriate form provided by the Department, except when the plate is being returned by a dealer, manufacturer or full agent whose authorization has been suspended or revoked. The Bureau will deduct \$25 from the refund amount due to cover processing of the request for refund.

#### **Source**

The provisions of this § 43.8 adopted September 2, 1977, effective September 3, 1977, 7 Pa.B. 2561; amended May 18, 1979, effective May 19, 1979, 9 Pa.B. 1630; readopted January 5, 1990, effective immediately and apply retroactively to November 17, 1989, 20 Pa.B. 21; amended July 9, 1993, effective July 10, 1993, 23 Pa.B. 3347. Immediately preceding text appears at serial pages (144712) to (144713).

### **§ 43.9. Bond.**

(a) *Authorized dealers, manufacturers and full agents to be bonded.* Every authorized dealer, manufacturer and full agent shall file and maintain with the Bureau a bond executed by a surety company authorized to transact business in this Commonwealth. The bond shall be for the use and benefit of the Commonwealth and a person who has sustained a monetary loss within the limitations of the bond as specified in subsection (d).

(b) *Amount of bond.* Issuing agents, other than card agents, shall be bonded in the amount as set forth in the Agent Services Agreement.

(c) *Decrease in amount of bond.* If the amount of the bond is decreased, or if there is a final judgment outstanding against the bond, the right of the authorized dealer, manufacturer or full agent to issue temporary registration cards and plates will be suspended until steps are taken, satisfactory to the Bureau, to restore the original amount of the bond, provide additional bond or satisfy the judgment.

(d) *Limitations of bond.* The bond required under this section shall cover transactions in which the Commonwealth or a person specified in subsection (a) has sustained a monetary loss due to the agent, dealer or manufacturer submitting a dishonored or uncollectible check to

the Commonwealth (including protest and uncollectible check fees), or failing to remit to the Commonwealth a fee or tax when the monetary loss is incurred in connection with the business of the dealer or manufacturer. A check which is dishonored upon presentment, or an application for title or registration which is received without a required fee or tax, shall constitute a monetary loss. Failure to pay a monetary penalty within 45 days of assessment shall also constitute a monetary loss. The bond required under this section may not cover a loss for a transaction which is not mentioned in this subsection relating to the issuance of temporary registration cards or plates in connection with the business of the dealer, manufacturer or full agent. If the dealer, manufacturer or full agent has one or more branch offices, the amount of the bond shall be as specified in the Agent Services Agreement.

(e) *Bond already on file.* An authorized dealer, manufacturer or full agent who has filed a bond with the Commonwealth will not be required to file a separate bond under this section, if the bond already on file with the Commonwealth is in the name of the Commonwealth and at least equal to the amount and coverage of the bond required under this section.

(f) *Acceptance.* The surety and terms of bonds or riders shall be subject to review and acceptance by the Bureau.

(g) *Change of address.* When a change of address occurs, a stipulation or rider to the original bond shall be submitted for the new address.

(h) *Authorized claims.* The Bureau has the right to make and settle claims upon the bond with the surety company on behalf of the Commonwealth and a person who has incurred a monetary loss as specified in subsection (a). The Bureau will, upon written request, assign this right to a person for that person's claim; however, in this event, the Commonwealth is released from any duty to the person towards obtaining satisfaction of that person's claim. The Commonwealth will have priority, to the exclusion of all others, in receiving payment from the surety. If the aggregate amount of valid claims exceeds the amount of the bond, priority for the payment of claims shall be as follows:

- (1) Claims made by the Commonwealth.
- (2) Claims made by the Commonwealth for persons.
- (3) Claims made by persons who obtained assignment from the Bureau.

#### **Source**

The provisions of this § 43.9 adopted September 2, 1977, effective September 3, 1977, 7 Pa.B. 2561; amended April 11, 1979, effective April 14, 1979, 9 Pa.B. 1309; readopted January 5, 1990, effective immediately to November 17, 1989, 20 Pa.B. 21; amended July 9, 1993, effective July 10, 1993, 23 Pa.B. 3347; amended November 27, 1998, effective November 28, 1998, 28 Pa.B. 5872; corrected December 11, 1998, effective November 28, 1998, 28 Pa.B. 6082; amended October 5, 2012, effective October 6, 2012, 42 Pa.B. 6290. Immediately preceding text appears at serial pages (250908) to (250910).

#### **Cross References**

This section cited in 67 Pa. Code § 43.4 (relating to authorization to issue temporary registration plates).

**§ 43.10. Prohibited acts.**

(a) *False information not knowingly to be given.* An issuing agent may not knowingly issue a temporary registration card or plate containing misstatement of facts or other false information.

(b) *Alteration.* A temporary registration card or plate may not be altered. An alteration on a temporary registration card or plate, including copies submitted to the Bureau, renders it invalid.

(c) *Renewal or reissuance.* An issuing agent may not renew or reissue a temporary registration card or plate which has expired, except upon written authorization of the Department or except as provided for in § 43.6(a)(3) (relating to issuance of temporary registration plates).

(d) *Refusal to issue.* An authorized dealer, manufacturer or full agent may not refuse, upon request, to issue a temporary registration plate to the owner or lessee of a vehicle who possesses proper documentation under this chapter.

(e) *Issuance at location not approved by the Department.* Temporary registration plates may not be issued by an authorized dealer, manufacturer or full agent at a location other than the approved places of business of the authorized dealer, manufacturer or full agent, except under § 43.6(b).

(f) *Refusal to accept separate check or money order.* An issuing agent may not refuse to accept a separate check or money order made payable to the Commonwealth for fees and taxes due to the Commonwealth in association with a title application.

(g) *Consignment.* An authorized dealer, manufacturer or full agent may not consign or transfer to other issuing agents or persons, any of the inventory of temporary registration plates issued by the Department to the authorized dealer, manufacturer or full agent.

(h) *Issuance of temporary registration without proper documentation.* An authorized dealer, manufacturer or full agent may not issue a temporary registration card or plate if proper documentation is not complete and if information is not verified if required. This includes proof of ownership, insurance coverage, odometer statements, proof of identity and other documentation that may be required.

(i) *Gifts.* An issuing agent may not offer or deliver money, gifts or other items of substantial value nor offer and deliver money, gifts or other items to a Commonwealth employee.

(j) *Reportable transactions.* An issuing agent may not fail to report a transaction involving the sale or transfer of a vehicle consistent with Internal Revenue Service statutes, regulations and rules.

#### Source

The provisions of this § 43.10 adopted September 2, 1977, effective September 3, 1977, 7 Pa.B. 2561; amended June 2, 1978, effective June 3, 1978, 8 Pa.B. 1533; readopted January 5, 1990, effective immediately to November 17, 1989, 20 Pa.B. 21; amended July 9, 1993, effective July 10, 1993, 23 Pa.B. 3347. Immediately preceding text appears at serial pages (144714) to (144715).

#### § 43.11. (Reserved).

#### Source

The provisions of this § 43.11 adopted September 2, 1977, effective September 3, 1977, 7 Pa.B. 2561; amended June 2, 1978, effective June 3, 1978, 8 Pa.B. 1533; readopted January 5, 1990, effective immediately to November 17, 1989, 20 Pa.B. 21; amended July 9, 1993, effective July 10, 1993, 23 Pa.B. 3347; corrected October 21, 1994, effective January 1, 1994, 24 Pa.B. 5314; amended November 27, 1998, effective November 28, 1998, 28 Pa.B. 5872; reserved October 5, 2012, effective October 6, 2012, 42 Pa.B. 6290. Immediately preceding text appears at serial pages (250911) to (250920) and (337681) to (337682).

#### Notes of Decisions

##### *Delivery of Documents*

Where an irreconcilable conflict existed between the prescribed number of days for delivery of documents under subsection (a)(4) and 75 Pa.C.S. § 1103.1(d), the conflict did not invalidate the suspension provisions of the statute. *Department of Transportation v. Colonial Nissan*, 691 A.2d 1005 (Pa. Cmwlth. 1997).

##### *Due Process*

It is not a violation of due process for the Department to issue a warning of a violation without the opportunity for notice or a hearing as long as a suspension or sanction is not imposed. *Ernest Sunday Chrysler Plymouth, Inc. v. Department of Transportation*, 558 A.2d 921 (Pa. Cmwlth. 1989).

##### *Hearings*

The Department may consider multiple violations of this section and may issue separate sanctions for each offense in one hearing. One is not entitled to a hearing for each offense. *Abats Auto Tags v. Department of Transportation*, 627 A.2d 265, 267 (Pa. Cmwlth. 1993); appeal denied 649 A.2d 676 (Pa. 1994).

##### *Rights at Hearings*

Sections 501—508 and 701—704 of 2 Pa.C.S. do not apply to Departmental hearings; therefore, petitioner was not entitled to be informed of his right to representation by counsel or

to have a steno graphic record kept or a record of the hearing with findings of fact. *Ernest Sunday Chrysler Plymouth, Inc. v. Department of Transportation*, 558 A.2d 921 (Pa. Cmwlth. 1989); appeal denied 575 A.2d 118 (Pa. 1990).

Amendments to § 43.11(a)(4), as published on January 1, 1994, were null and void, where Department of Transportation proceeded with adoption of those amendments under section 204 of the Commonwealth Documents Law, expressly stating that it was merely readopting § § 43.1—43.13 “as they presently exist in the *Pennsylvania Code* pages 43-1 to 43-17,” and these actions “do not enlarge the scope of existing regulations” and where the January 1, 1994, version showed textual modifications from the earlier version, and subsequent corrective amendments made it obvious that adherence to the normal notice and comment procedures was far from “unnecessary.” *Department of Transportation v. Colonial Nissan*, 691 A.2d 1005 (Pa. Cmwlth. 1997).

#### *Suspensions*

Subsequent suspension of a license to issue temporary plates was properly invalidated in that no subsequent citation was issued against dealership. *Department of Transportation v. Magarity Chevrolet, Inc.*, 576 A.2d 1159 (Pa. Cmwlth. 1990).

#### *Waiver*

The Court’s final order reinstating a car dealer’s registration plates and authority to issue temporary registration plate suspended for bad check violations was determined to be a final nonappealable order. The failure by the car dealer to raise any issues before the Commonwealth Court will result in the waiver of such issues. *Department of Transportation v. Kosak*, 639 A.2d 1252 (Pa. Cmwlth. 1994).

### **§ 43.12. Use of temporary registration plate.**

(a) *Applicability.* This section pertains to the use of a temporary registration plate by the person to whom it was issued.

(b) *Temporary registration plate nontransferable.* Temporary registration plates may not be transferred from one vehicle to another. If a person purchases another vehicle before receiving the regular registration card from the Bureau, the person shall wait until receipt of the regular registration card and then transfer the registration plate in the usual manner.

(c) *Expiration of temporary registration plates.* Temporary registration plates shall expire as follows:

(1) *Rules pertaining to cardboard plates.*

(i) A cardboard temporary registration plate shall expire and become void upon the occurrence of one of the following:

(A) Issuance of registration from another state.

(B) Rescission of a contract to purchase a vehicle.

(C) Expiration of 30 days from the date of issuance.

(ii) Upon expiration of a cardboard temporary registration plate, the person to whom it was issued shall destroy it.

(2) *Rules pertaining to metal plates.* A metal temporary registration plate may not be used after the expiration of 60 days from the date of issuance of the temporary card and plate until the registrant receives a regular registration card from the Bureau.

(d) *Use of temporary registration plates on vehicles transporting a load.* Vehicles transporting a load shall comply with the following:

(1) Temporary metal registration plates may be used on a vehicle transporting a load if the vehicle has a gross vehicle weight rating of 26,000 pounds or less and the vehicle and load have a gross weight of 26,000 pounds or less.

(2) Temporary metal registration plates may not be used on a vehicle transporting a load, if the vehicle has a gross vehicle weight rating in excess of 26,000 pounds or the vehicle and load have a gross weight in excess of 26,000 pounds, unless the vehicle is operating only within this Commonwealth or through jurisdictions which are not members of the International Registration Plan.

(3) Temporary cardboard registration plates may not be used on a commercial vehicle transporting a load.

(e) *Prosecution.* A person who violates subsection (c) shall be subject to prosecution under 75 Pa.C.S. § 1301 (relating to driving unregistered vehicle prohibited).

#### Source

The provisions of this § 43.12 adopted March 24, 1978, effective March 25, 1978, 8 Pa.B. 790; amended November 16, 1984, effective November 17, 1984, 14 Pa. B. 4169; readopted January 5, 1990, effective immediately to November 17, 1989, 20 Pa.B. 21; amended November 27, 1998, effective November 28, 1998, 28 Pa.B. 5872; corrected December 11, 1998, effective November 28, 1998, 28 Pa.B. 6082. Immediately preceding text appears at serial pages (240815) to (240816).

### **§ 43.13. Special temporary registration cards and plates.**

The Secretary may authorize the issuance of special temporary registration cards and plates for special occasions which he deems to be in the best interests of the Commonwealth. Temporary registration cards and plates shall be valid for a period of time the Secretary will determine.

#### Source

The provisions of this § 43.13 adopted November 16, 1984, effective November 17, 1984, 14 Pa.B. 4169; readopted January 5, 1990, effective immediately to November 17, 1989, 20 Pa.B. 21. Immediately preceding text appears at serial page (140051).

# CHAPTER 69. TEMPORARY WEIGHT INCREASE REGISTRATION PERMITS

Sec.

- 69.1. Purpose.
- 69.2. Definitions.
- 69.3. Issuance of temporary weight increase registration permits.
- 69.4. Inventory of temporary weight increase registration permits.
- 69.5. Return or surrender of temporary weight increase registration permits.
- 69.6. Prohibited acts.
- 69.7. Use of temporary weight increase permit.

## Authority

The provisions of this Chapter 69 issued under the Vehicle Code, 75 Pa.C.S. § § 1310 and 6103, unless otherwise noted.

## Source

The provisions of this Chapter 69 adopted June 24, 1988, effective June 25, 1988, 18 Pa.B. 2831, unless otherwise noted.

### § 69.1. Purpose.

This chapter establishes rules governing the issuance of temporary weight increase registration permits by decentralized service agents and fleet owners to further implement 75 Pa.C.S. § 1310 (relating to temporary registration cards).

### § 69.2. Definitions.

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

*Applicant*—A person, as defined in 75 Pa.C.S. § 102 (relating to definitions), who applies for increase of the registered gross weight or registered combination gross weight of a vehicle.

*Bureau*—The Bureau of Motor Vehicles of the Department.

*Decentralized service agent*—A messenger service, which is also authorized to issue on behalf of the Department to qualified applicants, temporary learner's permits, vehicle registration renewals, driver's license renewals and the like under Chapter 255 (relating to

messenger services).

*Department*—The Department of Transportation of the Commonwealth.

*Fleet owner*—A person, Federal, State or local government agency or authority owning or leasing 15 or more vehicles and providing servicing or repair of the vehicles.

*Temporary weight increase registration permit*—A form provided by the Department for issuance to an applicant for increasing the registered gross weight or registered combination gross weight of a vehicle until the receipt of the regular registration card from the Department.

*Temporary weight increase registration permit agent or agent*—A fleet owner or a messenger service which is authorized as a decentralized service agent under Chapter 255.

### **§ 69.3. Issuance of temporary weight increase registration permits.**

(a) *General rule.* A temporary weight increase registration permit will be issued in the following manner:

- (1) A permit will be issued only by the Bureau or by agents authorized by the Bureau.
- (2) A permit will be issued only for vehicles currently registered in this Commonwealth.
- (3) A permit shall be issued by a fleet owner only for vehicles registered in the fleet owner's name.
- (4) A permit shall be issued in accordance with instructions contained on the application, and may not be issued for gross weights in excess of that authorized by statute.

(b) *Obtaining temporary weight increase registration permits.* An agent may obtain temporary weight increase registration permits at offices of the Bureau in lots of ten by submitting the proper forms and paying \$2 per permit to the Bureau.

(c) *Duty to examine documents.* The duty to examine documents includes the following:

(1) Before issuing a temporary weight increase registration permit, the agent shall examine the documents and data necessary to the weight increase transaction and the current registration card.

(2) No temporary weight increase registration permit will be issued unless the following items are found to be in order:

(i) The application shall be properly executed, as required, accompanied by the correct fees, taxes and other required forms or documents.

(ii) The registration card shall be valid with current registered gross weight or registered combination gross weight indicated.

(d) *Preparation of application.* The agent shall complete in ink or with typewriter the application for registered weight increase. The application shall list the name and identification number of the agent.

(e) *Copies of temporary weight increase registration permits.* Copies of the temporary weight increase registration permits shall be handled as follows:

(1) The original copy of the temporary weight increase registration permit and the documents and fees necessary to the transaction shall be forwarded by the agent to the Bureau within 5 days.

(2) The applicant's copy of the temporary weight increase registration permit shall be given to the applicant, for possession by the driver of the vehicle when the vehicle is being driven on the highway under the permit.

(3) The agent's copy of the temporary weight increase registration permit and copies of related documents shall be retained at the place of business of the agent for at least 3 years for inspection only by police and authorized representatives of the Department. Permit records shall be kept in sequential order according to permit number.

(f) *No fee to be charged.* No agent may charge a fee for issuing a temporary weight increase registration permit except that a fee for messenger service and the cost to the agent for the permit form may be charged the applicant.

(g) *Issuance order.* Temporary weight increase registration permits shall be issued in consecutive order, beginning with the lowest number in a set.

(h) *Expiration of temporary weight increase registration permits.* A temporary weight increase registration permit expires and becomes void upon the occurrence of one of the following:

(1) Receipt of the regular registration card from the Bureau.

(2) Expiration of 30 days from the date of issuance.

#### **Cross References**

This section cited in 67 Pa. Code § 69.7 (relating to use of temporary weight increase permit).

### **§ 69.4. Inventory of temporary weight increase registration permits.**

(a) *Inventory report.* An agent shall provide the Bureau with a report on the temporary weight increase registration permits which it has in inventory, within 30 days of the Bureau's request for information.

(b) *Security.* A temporary weight increase registration permit shall be kept in a secure place, such as a locked file cabinet, which meets the approval of the Bureau. An agent is responsible for security of temporary weight increase registration permits obtained by the agent until the

permits are issued to applicants.

(c) *Report on lost or stolen permits.* If a permit is lost or stolen, the agent shall notify the Department of the loss or theft within 48 hours of the agent's discovery of the loss or theft.

#### Cross References

This section cited in 67 Pa. Code § 69.6 (relating to prohibited acts).

### § 69.5. Return or surrender of temporary weight increase registration permits.

(a) *Discontinued business.* An agent who discontinues its business shall immediately return to the Department the temporary weight increase registration permits in the agent's possession. The Bureau will make appropriate refunds under subsection (c).

(b) *Revocation.* An agent, whose right to issue temporary weight increase registration permits has been revoked, shall arrange with the Department to surrender the permits in the agent's possession at the agent's established place of business to an authorized representative of the Department.

(c) *Refunds.* A refund of the fee paid by an agent for temporary weight increase registration permits may be obtained upon the return of the permits by the agent, except when the permit is being returned by an agent whose authorization has been revoked. The Bureau will deduct \$10 from the refund amount due to cover processing of the request for refund.

### § 69.6. Prohibited acts.

After providing an opportunity for a hearing, the Bureau may revoke the authorization of an agent to issue temporary weight increase permits or warn an agent under the following schedule of violations, if the Bureau finds upon sufficient evidence that:

#### *Category I*

	<i>1st Offense</i>
The agent has committed a fraudulent act, including, but not limited to, the fraudulent keeping of records in connection with the issuance of the temporary weight increase registration permits.	Revocation
The agent has failed to pay fees and taxes payable to the Commonwealth in connection with applications for weight increase.	Revocation
The agent has been convicted of a felony or a criminal act relating to motor vehicles, including the titling, registration and payment of sales tax for a vehicle, or another criminal act committed in connection with the business of the issuing agent.	Revocation
The agent has altered a temporary weight increase registration permit.	Revocation
The agent has failed to allow inspection of documents or permits in the possession of the issuing agent by police or by authorized Commonwealth employees.	Revocation

*Category II*

	<i>1st</i>	<i>2nd</i>	<i>3rd</i>
	<i>Offense</i>	<i>Offense</i>	<i>Offense</i>
The agent has consigned or transferred permits to other issuing agents or persons.	Written Warning	Written Warning	Revocation
The agent has issued permits but has not delivered documents to the Department within the prescribed period of time.	Written Warning	Written Warning	Revocation
The agent has issued a permit containing a misstatement of fact or other false information.	Written Warning	Written Warning	Revocation
The agent has submitted documents to the Department for processing which have been accompanied by an uncollectible check drawn on the account of the agent.	Written Warning	Written Warning	Revocation
The agent has failed to provide the Bureau with an inventory report within 30 days as required by § 69.4(a) (relating to inventory of temporary weight increase registration permits).	Written Warning	Written Warning	Revocation
An agent has renewed or reissued a temporary weight increase permit which has expired.	Written Warning	Written Warning	Revocation
A decentralized service agent authorized to issue temporary weight increase registration permits has refused to issue a temporary weight increase registration permit to the owner or lessee of a vehicle who has presented proper documentation to obtain a permit as prescribed in this chapter.	Written Warning	Written Warning	Revocation
The agent has not issued temporary permits in consecutive order, beginning with the lowest number in each series.	Written Warning	Written Warning	Revocation
The agent has not listed the date of the issuance on the temporary permit.	Written Warning	Written Warning	Revocation
The agent has failed to maintain proper records of temporary permits and documents related to the application for weight increase.	Written Warning	Written Warning	Revocation
The agent has failed to notify the Department of a change in ownership or other change affecting the business of the agent before or within 5 days of the change.	Written Warning	Written Warning	Revocation
The agent has not listed its name and identification number, as required, on applications submitted to the Department.	Written Warning	Written Warning	Revocation
The agent has issued a permit for a vehicle not currently registered in this Commonwealth.	Written Warning	Written Warning	Revocation
The agent has refused to accept the applicant's check or money order for fees and taxes due to the Commonwealth.	Written Warning	Written Warning	Revocation

**§ 69.7. Use of temporary weight increase permit.**

(a) *Applicability.* This section applies to the use of a temporary weight increase permit by the applicant.

(b) *Temporary permit nontransferable.* Temporary weight increase registration permits may not be transferred from one vehicle to another. If an applicant purchases another vehicle before receiving the regular registration card from the Bureau, the applicant shall wait until receipt of the regular registration card and then transfer the registration plate in the usual manner.

(c) *Prosecution.* A person who operates a vehicle with a temporary weight increase registration permit in violation of § 69.3(h) (relating to issuance of temporary weight increase registration permits) shall be subject to prosecution consistent with 75 Pa.C.S. Chapter 49 (relating to size, weight and load).

**Source**

The provisions of this § 69.7 corrected July 1, 1988, effective June 25, 1988, 18 Pa.B. 2904.

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# CHAPTER 255. MESSENGER SERVICES

Sec.

- 255.1. Purpose.
- 255.2. Definitions.
- 255.3. Certificate of authorization.
- 255.4. Bond.
- 255.5. Duties of messenger service.
- 255.5a. Decentralized service program.
- 255.6. Certified checks may be required.
- 255.7. (Reserved).
- 255.8. Restoration.

## Authority

The provisions of this Chapter 255 issued under the Vehicle Code, 75 Pa.C.S. § 7501, unless otherwise noted.

## Source

The provisions of this Chapter 255 adopted September 9, 1977, effective September 10, 1977, 7 Pa.B. 2608; readopted May 26, 1989, effective immediately and applies retroactively to May 5, 1989, 19 Pa.B. 2253, unless otherwise noted.

## Cross References

This chapter cited in 67 Pa. Code § 43.6 (relating to issuance of temporary registration plates); and 67 Pa. Code § 69.2 (relating to definitions).

## § 255.1. Purpose.

This chapter establishes rules governing the qualifications and duties of messenger services as provided in 75 Pa.C.S. § 7501 (relating to authorization of messenger service).

## Source

The provisions of this § 255.1 adopted September 9, 1977, effective September 10, 1977, 7 Pa.B. 2608; readopted May 26, 1989, effective immediately and applies retroactively to May 5, 1989, 19 Pa.B. 2253. Immediately preceding text appears at serial page (127691).

## § 255.2. Definitions.

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

*Bureau*—The Bureau of Motor Vehicles of the Department of Transportation.

*Decentralized service agent*—A messenger service which is also authorized to issue on behalf of the Department to qualified applicants temporary learner's permits, vehicle registration renewals, driver's license renewals, and the like.

*Documents*—Certificates of title, motor vehicle registrations or renewals, learners' permits, drivers' licenses or renewals, vehicle sales and use tax returns, duplicates of certificates of title, motor vehicle registrations or drivers' licenses, inspection stickers, changes of address and applications and supporting documents, such as birth and death certificates, court orders, and the like.

*Messenger service*—A person who, for a fee, advertises, offers or provides to the public the service of delivering and obtaining documents to and from the Department. A dealer or employe who delivers and obtains documents only for purchasers of vehicles from the dealer is not a messenger service. This exclusion does not apply to a person who handles documents for more than one dealer.

*Person*—Includes a corporation, partnership and association, as well as a natural person.

*Place of business*—The place occupied either continuously or at regular periods by a messenger service where the books and records are kept and where a messenger service which offers personal counter service to customers transacts a large share of its business.

#### **Authority**

The provisions of this § 255.2 amended under the Vehicle Code, 75 Pa.C.S. § § 6103 and 7501(a).

#### **Source**

The provisions of this § 255.2 adopted September 9, 1977, effective September 10, 1977, 7 Pa.B. 2608; readopted May 26, 1989, effective immediately and applies retroactively to May 5, 1989, 19 Pa.B. 2253; amended May 4, 1984, effective May 21, 1984, 14 Pa.B. 1561. Immediately preceding text appears at serial pages (127691) to (127692).

### **§ 255.3. Certificate of authorization.**

(a) *Application procedure.* A person wishing to be authorized to operate a messenger service shall make application to the Bureau on forms furnished by the Bureau. The application shall include all of the following:

- (1) Photographs, interior and exterior, of the proposed place of business of the applicant, including branch offices, if any.
- (2) A letter of reference from a bank.
- (3) Three letters of reference from reputable business concerns.

(4) A set of fingerprints of the applicant, or principals of a partnership or corporation.

(5) The prescribed annual fee for the principal place of business of the applicant and branch offices, if any. The fee will be returned if the application is denied.

(6) The prescribed bond, on the form of the Department or a surety's binding commitment to issue the bond upon approval of the application.

(7) A listing of outstanding liabilities due and owing to the Commonwealth, if any.

(8) The names and social security numbers of owners, officers and employees of the messenger service.

(b) *Review of application.* The Department will examine and determine the genuineness, regularity and legality of every application for a certificate of authorization as a messenger service. The Department may cause an investigation of the applicant to be made with regard to any of the following:

(1) Condition of the applicant's proposed business premises.

(2) Department and other Commonwealth records pertaining to the business or an owner, officer or agent.

(3) The personal history of an owner, officer or agent.

(4) An unsatisfied judgment against the business, owner or officer in the county where the business is doing business, or where the owner and officers reside.

(5) The driving record of an owner, officer or agent, who will be transporting documents.

(6) Credit rating of the business and its owners, and officers.

(7) Assets and liabilities of the business.

(c) The Department may deny an application for a certificate of authorization upon determining that the applicant is not capable of performing the duties of a messenger service in a manner consistent with the public interest due to any of the following:

(1) Information revealed in the investigation.

(2) The applicant's failure to disclose required material information.

(3) The applicant's making of a materially false statement on the application.

(d) *Opportunity for review.* If the Department denies an application for a certificate of authorization, the Department will provide the applicant with an opportunity to show cause why the application should not be denied.

(e) *Temporary certificate of authorization.* After reviewing an application, the Bureau may issue a temporary certificate of authorization. The temporary certificate of authorization will be issued for 60 days, during which period the Bureau may cause an investigation to be made

of the operations of the messenger service. When the temporary certificate of authorization expires, the Bureau may either deny or issue a regular certificate of authorization.

(f) *Issuance of certificate of authorization.* If the Bureau determines that the applicant is capable of performing the duties of a messenger service in a manner consistent with the public interest and the applicable fees are paid, a certificate of authorization will be issued to the applicant. The certificate of authorization will be issued on a fiscal year basis. In no case will a certificate of authorization be issued for more than 12 months. Certificates of authorization will expire on June 30 of each calendar year.

(g) *Renewal of certificate of authorization.* A certificate of authorization shall be renewed annually on a form provided by the Bureau.

(h) *Transfer of certificate of authorization.* A certificate of authorization may not be transferred and shall be valid only for the owners in whose names it is issued.

(1) In the case of a change of ownership, the messenger service shall notify the Bureau within 5 days.

(2) The following are regarded as changes of ownership:

(i) Whenever the owner takes a new partner.

(ii) Whenever the owner sells the business.

(iii) Incorporation of a business.

(iv) Sale of controlling interest in a corporation.

#### **Authority**

The provisions of this § 255.3 amended under the Vehicle Code, 75 Pa.C.S. § § 6103 and 7501(a).

#### **Source**

The provisions of this § 255.3 adopted September 9, 1977, effective September 10, 1977, 7 Pa.B. 2608; amended May 4, 1984, effective May 21, 1984, 14 Pa.B. 1561; readopted May 26, 1989, effective immediately and applies retroactively to May 5, 1989, 19 Pa.B. 2253. Immediately preceding text appears at serial pages (127692) and (90320) to (90321).

### **§ 255.4. Bond.**

(a) *General.* Messengers shall file and maintain with the Department bonds in the amount as set forth in the Messenger Services Agreement, executed by a surety company authorized by law to transact business within this Commonwealth.

(1) The bond shall be for the use of the Commonwealth and persons who have sustained a monetary loss attributable to the intentional or negligent conduct of the messenger service or its agents or employees, including, but not limited to, losses incurred in negotiating checks or

other instruments drawn by the messenger service.

(2) If the amount of the bond is decreased, or if there is a final judgment outstanding on the bond, the messenger service's certificate of authorization shall be suspended until steps are taken, satisfactory to the Department, to do one of the following:

- (i) Restore the original amount of the bond.
- (ii) Satisfy the judgment.

(b) *Substitute*. If the bond is terminated or becomes unsatisfactory for any reason, the authorization to operate a messenger service will be suspended or terminated until the messenger service furnishes the Commonwealth with a satisfactory substitute bond in the amount required by the Messenger Services Agreement.

#### **Authority**

The provisions of this § 255.4 amended under the Vehicle Code, 75 Pa.C.S. § § 6103 and 7501(a).

#### **Source**

The provisions of this § 255.4 adopted September 9, 1977, effective September 10, 1977, 7 Pa.B. 2608; amended May 4, 1984, effective May 21, 1984, 14 Pa.B. 1561; readopted May 26, 1989, effective immediately and applies retroactively to May 5, 1989, 19 Pa.B. 2253; amended October 5, 2012, effective October 6, 2012, 42 Pa.B. 6291. Immediately preceding text appears at serial pages (227746) to (227747).

### **§ 255.5. Duties of messenger service.**

(a) *Posting*. Messenger services shall post in a conspicuous manner at their place of business, including branch offices:

- (1) Their certificates of authorization.
- (2) The schedule of motor vehicle fees provided by the Bureau.
- (3) The schedule of fees of the messenger service.

(b) *Schedule*. Messenger services which offer personal counter services to customers shall maintain a place of business, open to the public during regularly scheduled hours. The schedule shall be posted so as to be visible from the exterior of the place of business.

(c) *Security*. Messenger services shall maintain at each place of business facilities, such as locking cabinets or other similar equipment, for assuring the security of documents. The documents shall be secured in these facilities during nonbusiness hours.

(d) *Submission of documents*. Messenger services shall submit documents for processing by the Department through the Messenger Service Center. The Department may provide facilities for handling priority work to the extent that the facilities can be made available without

burdening its general public service facilities.

(e) *Time limits.* Messenger services shall submit documents to the Department within 5 days after the messenger's receipt of all necessary and fully executed documents. Work processed by the Department shall be picked up by the messenger service within 48 hours after being placed in the box of the messenger service. At the time when a suspension notice is served on a messenger service, executed documents are to be provided to the authorized Commonwealth employees for processing by the Department. Work processed in this situation will be mailed by the Department to the customer of the messenger service.

(f) *Number and date of submission.* Messenger services shall place their messenger number and date of submission on documents, including checks, submitted to the Department.

(g) *Receipts.* Messenger services, when providing personal counter services to customers, shall complete an itemized receipt, in duplicate, which lists the fees payable to the Commonwealth, as well as the fees charged for the messenger's services. The original shall be given to the customer, and the duplicate shall be retained by the messenger service for a period of 2 years.

(h) *Records.* Messenger services shall maintain a record of documents submitted to the Department for a period of 2 years, the records to include the date of submission to the Department, the name, vehicle identification or operator number of the applicant, and any other information pertinent to the particular document.

(i) *Identification card.* The Bureau shall issue identification cards to messengers and employees who deliver documents to and obtain documents from the Department, which identification cards shall be displayed at all times these persons are in the Department on business related to the messenger service. If a duplicate card is required to replace one that was lost, stolen, destroyed or became illegible, a duplicate card will be issued upon the filing of an application and payment of a fee of \$2.

(j) *Inspections.* Documents in the possession of the messenger service and records of transactions conducted by the messenger service shall be open to inspection by an authorized Commonwealth employee during normal working hours.

(k) *Sign.* Authorized messenger services which offer personal counter services to customers shall display on the outside of each place of business an identifying sign of durable material which meets the following specifications:

(1) Shall contain the words "authorized messenger service" or "authorized motor vehicle messenger service."

(2) May not:

(i) Contain a Pennsylvania Department of Transportation emblem.

(ii) Contain the terms “Bureau of Motor Vehicles”, “official” or another term which could be construed by the general public to imply the messenger service is an agency of the Commonwealth.

(l) *New employes.* Messenger services shall notify the Bureau of the names and social security numbers of new employes of the messenger service within no more than 30 days of the Bureau’s request for the information.

(m) *Return of documents to the Department.* The messenger service is responsible for returning to the Department a registration card or plate, driver license, dealer title or similar document which the messenger service has held for 60 days and has been unable to deliver to the applicant.

#### **Authority**

The provisions of this § 255.5 amended under the Vehicle Code, 75 Pa.C.S. § § 6103 and 7501(a).

#### **Source**

The provisions of this § 255.5 adopted September 9, 1977, effective September 10, 1977, 7 Pa.B. 2608; amended May 4, 1984, effective May 21, 1984, 14 Pa.B. 1561; readopted May 26, 1989, effective immediately and applies retroactively to May 5, 1989, 19 Pa.B. 2253. Immediately preceding text appears at serial pages (90322) to (90324).

#### **Notes of Decisions**

##### *Timely Delivery of Documents*

Delivery of automobile title application to licensed messenger service is not the equivalent of delivery of the document to the Department and does not act as timely delivery of the application. However, when a car dealer gave automobile title applications to a messenger service within 7 days of purchase, it reasonably assumed that the service would comply with subsection (e) and deliver the documents within the requisite 20-day period. Thus, the car dealer was under no continuing obligation to monitor the delivery of the title documents once they were in the possession of the service. *Gary Barbera Dodge, Inc. v. DOT, Bureau of Motor Vehicles*, 700 A.2d 922 (Pa. 1997).

#### **§ 255.5a. Decentralized service program.**

(a) *Decentralized service agent.* A messenger service may participate in the decentralized service program by obtaining authorization from the Bureau to issue on behalf of the Department to qualified applicants temporary learner’s permits, vehicle registration renewals, driver license renewals and other specified items. To obtain authorization as a decentralized service agent, a messenger service agent shall agree to handle decentralized service program forms in the manner outlined in subsection (b).

(b) *Decentralized service forms.* A messenger service which participates in the decentralized service program is responsible for obtaining and handling decentralized service forms as follows:

(1) *Department to provide.* Decentralized service forms will be provided by the Bureau through its Messenger Service Center to decentralized service agents.

(2) *Request for Departmental forms.* A decentralized service agent shall request decentralized service forms in a manner specified by the Department. Authorization shall be given in writing by the owner of the messenger service for an employe to receive completed orders of the forms. The completed order shall be signed for by the owner of the messenger service or the authorized employe of the messenger service, who shall present proper identification as issued by the Department.

(3) *Lost or stolen Departmental forms.* In the event that decentralized service forms are lost or stolen, the decentralized service agent shall report the occurrence to the Department within 48 hours after the agent's discovery of the loss or theft of the forms.

(4) *Mutilated Departmental forms.* In the event that a decentralized service form is mutilated by the decentralized service agent, the agent shall apply for replacement of the document on forms provided by the Department. Copies of the form shall be returned to the Department in order for the agent to receive a replacement.

(5) *Invalid Departmental forms.* In the event that a decentralized service form is deemed invalid due to defect or an error on the part of the Department, the decentralized service agent shall apply for a replacement of the document on forms provided by the Department. Copies of the defective form shall be returned to the Department with the application for replacement.

(6) *Issuance of forms.* Decentralized service forms shall be issued in numerical sequence by control number. The agent shall obtain permission for the Bureau in the manner prescribed, to issue the forms, in those cases where prior permission is required by the Department.

(7) *Submission of applications.* Decentralized service agents shall submit the appropriate copy of a form used for decentralized services to the Messenger Service Center of the Bureau within 5 days of the date of issuance to an applicant.

(8) *Identification and other documentation.* Decentralized service agents shall require that an applicant present proper identification and other documentation as required by the Department's operating procedures for decentralized services, before issuing a decentralized service form.

(9) *Maintenance of copies of forms.* Decentralized service agents shall maintain copies of all decentralized service forms issued to customers and of all related documents submitted to the Department for at least 2 years from the date of issuance. These records are to be maintained in numerical sequence by form control number at the office where the form was issued.

#### **Authority**

The provisions of this § 255.5a issued under the Vehicle Code, 75 Pa.C.S. § § 6103 and 7501(a).

**Source**

The provisions of this § 255.5a adopted May 4, 1984, effective May 21, 1984, 14 Pa.B. 1561; readopted May 26, 1989, effective immediately and applies retroactively to May 5, 1989, 19 Pa.B. 2253. Immediately preceding text appears at serial pages (90324) to (90325).

**§ 255.6. Certified checks may be required.**

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

**Authority**

The provisions of this § 255.6 issued under the Vehicle Code, 75 Pa.C.S. § § 6103 and 7501(a).

**Source**

The provisions of this § 255.6 adopted September 9, 1977, effective September 10, 1977, 7 Pa.B. 2608; amended May 4, 1984, effective May 21, 1984, 14 Pa.B. 1561; readopted May 26, 1989, effective immediately and applies retroactively to May 5, 1989, 19 Pa.B. 2253. Immediately preceding text appears at serial page (90326).

**§ 255.7. (Reserved).**

**Authority**

The provisions of this § 255.7 issued under the Vehicle Code, 75 Pa.C.S. § § 6103 and 7501(a); rescinded under The Vehicle Code § 6103.

**Source**

The provisions of this § 255.7 adopted September 9, 1977, effective September 10, 1977, 7 Pa.B. 2608; amended May 4, 1984, effective May 21, 1984, 14 Pa.B. 1561; readopted May 26, 1989, effective immediately and applies retroactively to May 5, 1989, 19 Pa.B. 2253; reserved October 5, 2012, effective October 6, 2012, 42 Pa.B. 6291. Immediately preceding text appears at serial pages (245571), (227751) to (227754) and (240943) to (240944).

**§ 255.8. Restoration.**

The Department will charge a fee of \$25 to restore a messenger service certificate of authorization following a suspension.

**Authority**

The provisions of this § 255.8 issued under the Vehicle Code, 75 Pa.C.S. § § 6103 and 7501(a).

**Source**

The provisions of this § 255.8 adopted May 4, 1984, effective May 21, 1984, 14 Pa.B. 1561; readopted May 26, 1989, effective immediately and applies retroactively to May 5, 1989, 19 Pa.B. 2253. Immediately preceding text appears at serial page (90331).

**§ 6114. Limitation on sale, publication and disclosure of records.**

**(a) Offenses defined.--**It is unlawful for:

(1) Any police officer, or any officer, employee or agent of any Commonwealth agency or local authority which makes or receives records or reports required to be filed under this title to sell, publish or disclose or offer to sell, publish or disclose records or reports which relate to the driving record of any person.

(2) Any person to purchase, secure or procure or offer to purchase, secure or procure records or reports described in paragraph (1).

**(b) Exceptions.--**This section does not apply to records or reports:

(1) Required or authorized under this title to be sold, published or disclosed.

(2) Authorized in writing by the person who is the subject of the record or report to be sold, published or disclosed. A police officer, or officer, employee or agent of a Commonwealth agency or local authority may rely on a certification from a person requesting a record or report under this paragraph that its sale, publication or disclosure has been authorized by the person who is the subject of the record or report. In the event such sale, publication or disclosure shall not have been authorized, the person who made the false certification, rather than the police officer or officer, employee or agent of the Commonwealth agency or local authority, shall be guilty of the offense defined by this section.

(3) Required to be released by order of court.

(4) Authorized by departmental regulation to be sold, published or disclosed to any Federal, State or local governmental agency for the sole purpose of exercising a legitimate governmental function or duty. Such records or reports shall not be resold, published or disclosed by the receiving agency for any commercial purpose nor without prior departmental approval.

(4.1) Of a constituent released to a member of Congress or of the General Assembly or to an employee of a member of Congress or of the General Assembly. Under this paragraph, records or reports may not be sold, published or disclosed by the member or the employee for any commercial purpose without prior approval by the department.

(5) Purchased by a person who, in compliance with the Fair Credit Reporting Act (84 Stat. 1127-1136, 15 U.S.C. § 1601 et seq.), has filed with the department an affidavit, in form acceptable to the department, certifying the intended use of said record or reports.

(6) Obtained in any form, including computer access, by a messenger service which has filed an affidavit of intended use with the department and which maintains on file at its office of record an authorization in writing by the person who is the subject of the obtained record or report. The authorizations are subject to inspection by the department and shall be retained for a period of two years. The records

or reports may not be accessed, sold, published or disclosed by the messenger service for any commercial purpose except the filed intended use without prior approval by the department.

**(c) Penalty.**--Any offense under this section is a summary offense punishable by a fine of not less than \$500 nor more than \$1,000.

**(d) Additional requirement.**--Notwithstanding any other provision of this section, in the case of a driver under 18 years of age, the department shall notify the parent or guardian of the minor licensee, at the address of record of the minor, of any convictions recorded against the minor's record or any action to suspend or revoke the minor's operating privilege. Failure of the person to receive the notice shall not prevent the action taken by the department.

(Apr. 29, 1993, P.L.3, No.3, eff. imd.; June 25, 1999, P.L.164, No.23, eff. 180 days; Oct. 4, 2002, P.L.845, No.123, eff. 60 days)

**2002 Amendment.** Act 123 amended subsec. (c).

**1999 Amendment.** Act 23 added subsec. (d).

**1993 Amendment.** Act 3 added subsec. (b)(4.1) and (6).

**Cross References.** Section 6114 is referred to in section 1955 of this title; section 8619 of Title 20 (Decedents, Estates and Fiduciaries).

**CHAPTER 75**  
**MESSENGER SERVICE**

**Sec.**

- 7501. Authorization of messenger and agent services.
- 7502. Certificate of authorization (Deleted by amendment).
- 7502.1. Supersession.
- 7503. Suspension of authorization (Deleted by amendment).
- 7503.1. Bond required.
- 7504. Place of business (Deleted by amendment).
- 7504.1. Agent duties and responsibilities.
- 7505. Transaction of business with department.
- 7506. Violations and penalties.
- 7507. Certified checks may be required.
- 7508. Nonperformance.
- 7509. Messenger and Agent Advisory Committee.

**Enactment.** Chapter 75 was added June 17, 1976, P.L.162, No.81, effective July 1, 1977.

**Cross References.** Chapter 75 is referred to in section 1959 of this title.

**§ 7501. Authorization of messenger and agent services.**

(a) **General rule.**--The department shall enter into contracts for messenger and agent services.

(b) **Unauthorized operation prohibited.**--No person shall operate a messenger or agent service without a valid contract.

(c) **Penalty.**--Any person operating a messenger or agent service without a valid contract is guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of \$500. (Dec. 9, 2002, P.L.1278, No.152)

**2002 Amendment.** Act 152 amended the entire section, effective in six months as to subsec. (a) and two years as to the remainder of the section.

**§ 7502. Certificate of authorization (Deleted by amendment).**

**2002 Amendment.** Section 7502 was deleted by amendment December 9, 2002, P.L.1278, No.152, effective in six months.

**§ 7502.1. Supersession.**

(a) **Regulations.**--Regulations pertaining to messengers and agents regarding the amount of a bond, hearings, written warnings, suspensions, revocations or fines shall not apply to messengers and agents who enter into contracts with the department to provide messenger or agent services.

(b) **Previous authorization.**--Any certificate of authorization previously issued to a person to provide messenger or agent services shall be invalid 30 days after the effective date of this section.

(c) **Commonwealth employees ineligible.**--No official or employee of the Commonwealth shall be eligible to enter into a contract with the department to own or operate a messenger or agent service nor shall a messenger or agent service employ an official or employee of the Commonwealth. Nothing in this subsection prohibits the department from entering into an agreement with another government agency to allow the agency to provide agent services for its own use.

(Dec. 9, 2002, P.L.1278, No.152)

**2002 Amendment.** Act 152 added section 7502.1, effective in six months as to subsecs. (a) and (c) and two years as to subsec. (b).

**§ 7503. Suspension of authorization (Deleted by amendment).**

**2002 Amendment.** Section 7503 was deleted by amendment December 9, 2002, P.L.1278, No.152, effective in two years.

**§ 7503.1. Bond required.**

Before entering into a contract with any person to act as a messenger or agent service, the department shall require a person to furnish and maintain a bond indemnifying the public and the department in an amount specified by the department.

(Dec. 9, 2002, P.L.1278, No.152, eff. 6 months)

**2002 Amendment.** Act 152 added section 7503.1.

**§ 7504. Place of business (Deleted by amendment).**

**2002 Amendment.** Section 7504 was deleted by amendment December 9, 2002, P.L.1278, No.152, effective in two years.

**§ 7504.1. Agent duties and responsibilities.**

(a) **General rule.**--An agent shall faithfully abide by and comply with all laws pertaining to the issuance of temporary registration plates and cards.

(b) **Return or surrender of temporary registration cards and plates.**--

(1) An agent who discontinues the business shall, within five days of discontinuance, return to the department all temporary registration cards and plates in the agent's possession. The department shall make appropriate refunds under paragraph (3).

(2) An agent whose contract has been terminated shall surrender all registration cards and plates in the agent's possession as directed by the department or its designee.

(3) The fee paid by an agent for a temporary registration plate shall be refunded to the agent upon the return of the plate if the plate is accompanied by the appropriate form provided by the department except when the contract to operate as an agent is terminated. The department shall deduct \$25 from the refund to cover processing of the request for refund.

(c) **Seizure of registration plates.**--Designated department employees and designees of the department may seize temporary registration plates and related documents from a messenger or agent who does not have a contract with the department to provide agent services.

(d) **Display of sign and certificate.**--Every messenger or agent service shall display on the outside of each place of business an identifying sign conforming to regulations of the department and shall prominently display within each place of business its certificate of authorization. No person other than an authorized messenger or agent service shall display a similar identifying sign or certificate.

(Dec. 9, 2002, P.L.1278, No.152, eff. 6 months)

**2002 Amendment.** Act 152 added section 7504.1.

**§ 7505. Transaction of business with department.**

The department may designate those locations, facilities and hours of operation at which messenger or agent services may transact business with the department. Every messenger or agent service with whom a contract has been signed pursuant to this chapter shall be permitted to transact business with the department at the locations and facilities and during the hours of operation designated by the department. The department may

prescribe such regulations as may be necessary for the administration of this chapter.

(Dec. 9, 2002, P.L.1278, No.152, eff. 2 years)

**§ 7506. Violations and penalties.**

A person violating any provision of this chapter or the rules and regulations promulgated thereunder for which a specific penalty is not provided is guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of \$100.

(Dec. 9, 2002, P.L.1278, No.152, eff. 6 months)

**§ 7507. Certified checks may be required.**

The department may, in its discretion, require certified checks, postal or other money orders or cash from a messenger or agent service after a default in the payment of checks or drafts of the messenger or agent service.

(Dec. 9, 2002, P.L.1278, No.152, eff. imd.)

**2002 Amendment.** Act 152 added section 7507.

**§ 7508. Nonperformance.**

**(a) Nonperformance factors.**--It shall not be a breach of contract by a messenger or agent service if the department determines that the failure to timely submit an application, taxes or fees was the result of:

(1) an act of God;

(2) criminal or fraudulent action by an employee of the messenger or agent service which was unknown and could not have been prevented by the messenger or agent service unless the department determines that the messenger or agent service, or an employee of the messenger or agent service, altered the date of the purchase of a vehicle upon an application;

(3) a failure by a lienholder to forward a title as required by section 1135 (a)(1) (relating to satisfaction of security interest) provided the lienholder received prompt satisfaction; or

(4) criminal, fraudulent or negligent action by a messenger service of the department if the agent and messenger service are not controlled by the same person and the agent submitted the application, taxes or fees to the messenger service within 15 days of receipt by the agent service.

**(b) Burden of proof.**--A messenger or agent service has the burden to prove the existence of subsection (a)(1), (2), (3) or (4). The messenger or agent service shall also prove that its submission was in accordance with business practices requiring prompt submission of applications, taxes or fees to the department.

(Dec. 9, 2002, P.L.1278, No.152, eff. 6 months)

**2002 Amendment.** Act 152 added section 7508.

**§ 7509. Messenger and Agent Advisory Committee.**

**(a) Purpose.**--The Messenger and Agent Advisory Committee, consisting of 13 members, shall be created by the department to develop contract language and propose regulations governing messenger and agent services.

**(b) Membership.**--The advisory committee shall consist of the following members:

(1) One member appointed by the Governor from names submitted by each of the following organizations to represent the messenger and agent services industries and the needs of the motoring public:

(i) The Pennsylvania AAA Federation.

(ii) The Pennsylvania Automotive Association.

(iii) The Pennsylvania Association of Notaries.

(iv) The Pennsylvania Independent Auto Dealers Association.

(v) The Pennsylvania Association of Auto License Brokers.

(2) Two members from the general public appointed by the Governor.

(3) The Secretary of Transportation or the secretary's designee.

(4) The Commissioner of the Pennsylvania State Police or the commissioner's designee.

(5) The chairman and minority chairman of the Transportation Committee of the Senate and the chairman and minority chairman of the Transportation Committee of the House of Representatives.

**(c) Meetings.--**The advisory committee shall meet from time to time as necessary to resolve issues pertaining to development of contract language and proposal of regulations. The first meeting shall take place within 60 days of the effective date of this section.

**(d) Termination.--**The advisory committee shall terminate upon the department's issuance of proposed regulations governing messenger and agent services.

(Dec. 9, 2002, P.L.1278, No.152, eff. 60 days)

**2002 Amendment.** Act 152 added section 7509.