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DEPARTMENT OF TRANSPORTATION

Driver and Vehicle Services Update

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This bulletin may be downloaded by visiting the Driver and Vehicle Services
website at www.dmv.pa.gov

Tom Wolf, Governor

Yassmin Gramian, Secretary

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SPECIAL EDITION

Act 64

Act 64, signed into law on July 23, 2020, has amended multiple sections of the Pennsylvania Vehicle Code. The following change is effective immediately:

Section 1119(a)(2) has been amended to add an additional exemption to the 90-day provision related to an application for certificate of title by an agent made not more than 90 days before the application is received by the department. Section 1119(a)(2)(IV) states:

- If the 90th day occurs during a declaration by the governor of disaster emergency under 35 Pa.C.S. § 7301(c) (relating to general authority of governor), a limited power of attorney may be used for the sale, purchase or transfer of manufactured homes during the period of the disaster emergency and for 10 days following the expiration of the disaster emergency.

Also amended by Act 64 is Section 7134, relating to odometer disclosure requirements. This change takes effect on October 21, 2020. This amendment changes Section 7134 in the following ways:

- Section 7134(a) and 7134(b)(2) no longer includes the word “written” as one of the qualifiers for an odometer disclosure statement.
- Section 7134(d.1) changes the subsection to be specific to licensed dealers and added that the dealer may use a secure power of attorney (SPOA) to transfer ownership if the title has been lost by the transferor and the licensed dealer is applying for a duplicate title, or if the Manufacturer’s Certificate of Origin (MCO) for a new vehicle is being held by a lienholder.
- Section 7134 (d.2) was added and allows insurance companies to use a SPOA to transfer a salvage vehicle under the same circumstances as licensed dealers mentioned above. The SPOA does not need to be notarized and may be signed electronically.

The legislation allows an authorized insurance company to use an Electronic Secure Power of Attorney (ePOA). Only an insurance company may use an ePOA. An ePOA is a secure power of attorney, which is executed in an electronic format. An ePOA will use an electronic signature and does not need to be notarized. An ePOA may be used by authorized insurance companies in the same manner as a paper SPOA. The insurance company is responsible for ensuring the ePOA complies with the requirements of 15 U.S.C. § 7001, 49 U.S.C. § 32705 and any other requirements imposed by the

commonwealth. NOTE: The department is unable to accept ePOA forms electronically; these forms must be printed and submitted with proof of ownership documents and motor vehicle applications.

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