

**Madison Brame**

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**From:** Jennifer Caston <jennifer.caston@copart.com>  
**Sent:** Friday, June 9, 2023 3:09 PM  
**To:** IRRC  
**Subject:** IRRC #3373

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To Whom It May Concern,

I am an employee of Copart, Inc. and have become aware of Proposed Rulemaking, Pennsylvania Regulation 6571 ( 37 PA Code Ch 301) (IRRC #3373).

I believe that "Dealer" in this regulation is defined broadly enough to include auction activities, regardless of whether the auctioneer is selling for insurance, a dealer, or an estate, etc. or if selling the vehicle to a junk yard or selling a salvaged or a totaled vehicle. I see the following issues with this proposed regulation:

- Even though vehicles auctioned are available for inspection by buyers ahead of the auction, an auctioneer would be required to inspect all or nearly all vehicles we offer prior to advertising, adding a lot of unnecessary cost and lost time .
- An auction would be required to make additional, open-ended disclosures about "material" conditions. These are salvage titled vehicles that have clearly sustained damage. Additional open-ended disclosures are redundant, time consuming and unnecessary when referring to salvage vehicles.
- We would need to re-do "as-is" sales to comply with this regulation.
- Private parties may use these regulations in private lawsuits, so enforcement is most likely to come from the plaintiff's bar.
- The disclosure requirement will be a serious burden and even include salvage, wrecked or junk vehicles, which makes no sense.

I would suggest that this proposed regulation be changed so that any business licensed as an auction pursuant to Pennsylvania Law---63 P.S. § 818.303 whose primary business is the auction of vehicles on behalf of third parties shall not be subject to this certified inspection requirement.

I am hopeful that the proposed rulemaking could be amended to something like this:

(5.1)(iii) Any business licensed as an auction pursuant to 63 P.S. § 818.303 whose primary business is the auction of vehicles on behalf of third parties shall not be subject to this certified inspection requirement.

Sincerely,

**Jennifer Caston**

CSR

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