

Original: 2311

MARIO J. CIVERA, JR., MEMBER
HOUSE POST OFFICE BOX 202020
MAIN CAPITOL BUILDING
HARRISBURG, PENNSYLVANIA 17120-2020
PHONE: (717) 787-3850
FAX: (717) 705-1851

830 N. LANSDOWNE AVENUE
DREXEL HILL, PENNSYLVANIA 19026
PHONE: (610) 853-4115
FAX: (610) 853-4116

232 LONG LANE
UPPER DARBY, PENNSYLVANIA 19082
PHONE: (610) 352-7800
FAX: (610) 352-3389



House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

February 25, 2003

COMMITTEES

PROFESSIONAL LICENSURE,
MAJORITY CHAIRMAN
LIQUOR CONTROL
FIREFIGHTERS' CAUCUS,
COCHAIRMAN EMERITUS

John R. McGinley, Jr., Chairman
Independent Regulatory Review Commission
14th Floor, Harrisstown 2
333 Market Street
Harrisburg, PA 17101

Dear Chairman McGinley:

I am writing to inform you that the House Professional Licensure Committee held a meeting on February 25, 2003.

The Committee voted to take no formal action on Regulation 16A-607, State Board of Vehicle Manufacturers, Dealers and Salespersons, until final form regulations are promulgated. However, the Committee submits the following comments:

1. As set forth in Annex A, the draft of the proposed regulation is not underlined to indicate that it is an amendment to the Board's regulations.
2. The Committee recommends that the Board adopt minimum size and clarity specifications for the written disclosure required by Sec. 19.18a(d) to ensure proper notice to potential buyers.

The Committee voted to take no formal action on Regulation 16A-604, State Board of Vehicle Manufacturers, Dealers and Salespersons, until final form regulations are promulgated. However, the Committee submits the following comment:

1. How is the public to be kept out of non-conforming display areas, especially during non-business hours when no dealership personnel are present? Is the lowering of public safety measures for economic reasons justified, especially when the Board indicates that no neighboring states have lowered safety standards?

The Committee voted to take no formal action on Regulation 16A-603, State Board of Vehicle Manufacturers, Dealers and Salespersons, until final form regulations are promulgated. However, the Committee submits the following comment:

1. In requiring a display area that is open to the public for public or retail auctions, should the Board not require the same safety measures in regard to grading, surfacing, etc. that are required for dealership display areas?

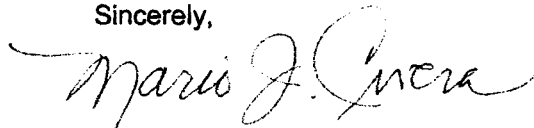
John R. McGinley, Jr., Chairman
Page 2
February 25, 2003

The Committee voted to take no formal action on Regulation 13A-454, State Board of Cosmetology, until final form regulations are promulgated. However, the Committee submits the following comment:

1. The Committee requests an explanation as to what is meant by "sufficient" equipment for each additional licensee in a shop. How would this requirement be enforceable?

Please feel free to contact my office if any questions should arise.

Sincerely,



Mario J. Civera, Chairman
House Professional Licensure Committee

MJC/sms
Enclosures

cc: Edward J. Cernic, Jr., Chairperson
State Board of Vehicle Manufacturers,
Dealers and Salespersons
Franklin K. Schoeneman, Chairman
State Board of Cosmetology
Honorable Benjamin Ramos, Acting Secretary of the Commonwealth
Department of State

Regulation 16A-604

State Board of Vehicle Manufacturers, Dealers and Salespersons

PROPOSAL: Regulation 16A-604 amends 49 PA Code, Chapter 19, regulations of the State Board of Vehicle Manufacturers, Dealers and Salespersons. The amendment would allow a special display area for up to five vehicles.

The proposed Rulemaking was published in the Pennsylvania Bulletin on December 14, 2002, and resubmitted to the Professional Licensure Committee on February 5, 2003. The Professional Licensure Committee has until February 25, 2003 to submit comments on the regulation.

ANALYSIS: In order to promote public safety, current Board regulations set forth specific grading and surfacing requirements for vehicle display areas to which customers are invited. Due to marketing concerns, dealer licensees have requested permission to display vehicles in certain non-conforming "showcase" areas to which public access would not be granted. The Board finds this request to be reasonable and proposes to amend its regulations to allow a non-conforming display area for up to five vehicles, so long as customers are not permitted in the area.

RECOMMENDATIONS: It is recommended that the Professional Licensure Committee take no formal action until final form regulations are promulgated, however the Committee submits the following comment:

1. How is the public to be kept out of non-conforming display areas, especially during non-business hours when no dealership personnel are present? Is the lowering of public safety measures for economic reasons justified, especially when the Board indicates that no neighboring states have lowered safety standards?

House of Representatives
Professional Licensure Committee
February 14, 2003

RECEIVED
PROFESSIONAL LICENSURE
COMMISSION
FEB 26 11 03 AM '03