



JOHN R. MCGINLEY, JR., ESQ., CHAIRMAN  
ALVIN C. BUSH, VICE CHAIRMAN  
ARTHUR C. CODRILLI  
ROBERT J. HARRISON, III  
MURRAY UBERG, ESQ.  
ROBERT E. NYCE, EXECUTIVE DIRECTOR  
MARY S. WYATTE, CHIEF COUNSEL

**INDEPENDENT REGULATORY REVIEW COMMISSION  
COMMONWEALTH OF PENNSYLVANIA  
333 MARKET STREET  
14TH FLOOR  
HARRISBURG, PA 17101**

[irrc@irrc.state.pa.us](mailto:irrc@irrc.state.pa.us)  
<http://www.irrc.state.pa.us>  
**(717) 783-5417**  
**Fax (717) 783-2664**

March 6, 2003

Edward J. Cernic, Jr., Chairperson  
State Board of Vehicle Manufacturers, Dealers and Salespersons  
116 Pine Street  
Harrisburg, PA 17105

Re: Regulation #16A-607 (IRRC #2317)  
State Board of Vehicle Manufacturers, Dealers and Salespersons  
Consignment Sales

Dear Chairperson Cernic:

Enclosed are the Commission's Comments that include objections and recommendations for consideration when you prepare the final version of this regulation. These Comments are not a formal approval or disapproval of the regulation. However, they specify the regulatory review criteria that have not been met.

The Comments will soon be available on our website at [www.irrc.state.pa.us](http://www.irrc.state.pa.us). If you would like to discuss them, please contact my office at 783-5417.

Sincerely,

Robert E. Nyce  
Executive Director

wbg

Enclosure

cc: Honorable Mario J. Civera, Jr., Majority Chairman, House Professional Licensure Committee  
Honorable William W. Rieger, Democratic Chairman, House Professional Licensure Committee  
Honorable Robert M. Tomlinson, Chairman, Senate Consumer Protection and Professional Licensure Committee  
Honorable Lisa M. Boscola, Minority Chairman, Senate Consumer Protection and Professional Licensure Committee  
Honorable Benjamin Ramos, Acting Secretary, Department of State

**Comments of the Independent Regulatory Review Commission**

**on**

**State Board of Vehicle Manufacturers, Dealers and Salespersons**

**Regulation No. 16A-607**

**Consignment Sales**

**March 6, 2003**

We submit for your consideration the following objections and recommendations regarding this regulation. Each objection or recommendation includes a reference to the criteria in the Regulatory Review Act (71 P.S. § 745.5a(h) and (i)) which have not been met. The State Board of Vehicle Manufacturers, Dealers and Salespersons (Board) must respond to these Comments when it submits the final-form regulation. If the final-form regulation is not delivered within two years of the close of the public comment period, the regulation will be deemed withdrawn.

**Section 19.18a Consignment sales. - Clarity.**

The House Professional Licensure Committee recommends that the Board adopt minimum size and clarity specifications for the written disclosure required by Subsection (d) to ensure proper notice to potential buyers. We agree. The Board should consider requiring use of standard language and specifying a minimum font size for this notice.