

JOHN R. MCGINLEY, JR., ESQ., CHAIRMAN
ALVIN C. BUSH, VICE CHAIRMAN
DANIEL F. CLARK, ESQ.
ARTHUR COCCODRILLI
MURRAY UFBERG, ESQ.
ROBERT E. NYCE, EXECUTIVE DIRECTOR
MARY S. WYATTE, CHIEF COUNSEL



PHONE: (717) 783-5417
FAX: (717) 783-2664
irrc@irrc.state.pa.us
<http://www.irrc.state.pa.us>

INDEPENDENT REGULATORY REVIEW COMMISSION
333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

July 15, 2004

Edwin K. Galbreath, Jr., Chairman
State Board of Vehicle Manufacturers, Dealers and Salespersons
2601 North 3rd Street
Harrisburg, PA 17110

Re: Regulation #16A-605 (IRRC #2325)
State Board of Vehicle Manufacturers, Dealers and Salespersons
Branch Lots

Dear Chairman Galbreath:

The Independent Regulatory Review Commission approved the subject regulation today. Our Order is enclosed and will be available on our website at www.irrc.state.pa.us.

We appreciate the joint effort that went into producing a regulation that meets the criteria and intent of the Regulatory Review Act.

Sincerely,

Alvin C. Bush
Vice Chairman

wbg

Enclosure

cc: 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 Thomas P. Gannon, Majority Chairman, House Professional Licensure Committee
Honorable William W. Rieger, Democratic Chairman, House Professional Licensure Committee
Honorable Pedro A. Cortes, Secretary, Department of State

**INDEPENDENT REGULATORY REVIEW COMMISSION
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held July 15, 2004

John R. McGinley, Jr., Esq., Chairman, by Phone
Alvin C. Bush, Vice Chairman
Daniel F. Clark, Esq.
Arthur Coccodrilli
Murray Ufberg, Esq.

Regulation No. 16A-605
State Board of Vehicle Manufacturers,
Dealers and Salespersons
Branch Lots

On February 12, 2003, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Vehicle Manufacturers, Dealers and Salespersons (Board). This rulemaking amends 49 Pa. Code Chapter 19. The proposed regulation was published in the March 1, 2003 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on June 8, 2004.


This regulation permits a licensed vehicle dealer to store vehicles at an unlicensed location where no business activity takes place. The regulation also allows a licensed vehicle dealer to place a single vehicle at an unlicensed location as long as the placement of the vehicle is used only for advertising purposes.

We have determined this regulation is consistent with the statutory authority of the Board (63 P.S. § 818.4(a)(9)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

BY ORDER OF THE COMMISSION:

This regulation is approved.





Alvin C. Bush, Vice Chairman