



Pennsylvania Auctioneers



June 6, 2023

Pennsylvania Attorney General Bureau of Consumer Protection
Office of Attorney General
Strawberry Square, 15th Floor.
Harrisburg, PA 17120

Subject: Support for Amending Proposed Pa. Code, Chapter 301

Dear Sir/Madam,

I am writing on behalf of the Pennsylvania Auctioneers Association ("PAA") to express our support for amending the proposed Pa. Code by amending Chapter 301, which relates to automotive industry trade practices. We believe that the current definition of "Dealer" in this regulation is overly broad and could be interpreted to encompass auction activities, irrespective of whether the auctioneer is selling on behalf of estates or other entities.

One of our primary concerns with the proposed regulation is the requirement for auctioneers to inspect vehicles they offer prior to advertising. This would impose significant costs and time constraints on auctioneers. Auctioneers, committed to operating with integrity, diligently follow best practices that prioritize good faith and aim to safeguard consumer interests, ensuring transparency and fairness throughout the auction process. This proposed regulation would go beyond that and negatively impact the business of Pennsylvania auctioneers, as well as their clients and consumers.

To address these concerns, we propose an amendment to the regulation that exempts any business licensed as an auction pursuant to Pennsylvania Law, specifically 63 P.S. § 818.303, whose business may include the auction of vehicles on behalf of third parties, from the certified inspection requirement. By incorporating this amendment, the proposed regulation would appropriately acknowledge the unique nature of auctioneers' operations and alleviate the undue burden of the certified inspection requirement.

We kindly request that you consider our concerns and proposed amendment during the review and revision process for the proposed amendment to Pa. Code, Chapter 301. The PAA is committed to fostering a fair and thriving auctioneer industry in Pennsylvania, and we believe that a collaborative approach to regulation will best serve the interests of all stakeholders involved.

Thank you for your attention to this matter. We look forward to continued engagement and dialogue on this important issue.

Sincerely,

Lon Clemmer

2023 President

Pennsylvania Auctioneers Association