

RULES AND REGULATIONS

Title 67—TRANSPORTATION

DEPARTMENT OF TRANSPORTATION

[67 PA. CODE CH. 21]

Odometer Reading Disclosure Statements

The Department of Transportation, under the authority in 75 Pa.C.S. § 6103 (relating to promulgation of rules and regulations by department), rescinds Chapter 21 to read as set forth in Annex A. This rulemaking is submitted as a final rulemaking with proposed rulemaking omitted under section 204(3) of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. § 1204(3)), known as the Commonwealth Documents Law (CDL). Insofar as Chapter 21 has been superseded by amendments to 75 Pa.C.S. (relating to Vehicle Code), public notice of the rulemaking is unnecessary, impractical and contrary to the public interest.

Purpose of Chapter 21

The purpose of Chapter 21 was to establish the form and manner in which odometer disclosure statements were to be made as prescribed in 75 Pa.C.S. § 1112 (repealed).

Purpose of Final-Omitted Rulemaking

The purpose of this final-omitted rulemaking is to rescind Chapter 21. Section 1112 of 75 Pa.C.S. was repealed by the act of June 14, 1983 (P. L. 16, No. 8). The requirements for providing an odometer disclosure statement have been included in 75 Pa.C.S. §§ 7131—7139 (relating to tampering with odometers).

Persons and Entities Affected

This final-omitted rulemaking will not affect any person or entity as the requirements in Chapter 21 are now included in 75 Pa.C.S. §§ 7131—7139.

Fiscal Impact

Implementation of this final-omitted rulemaking will not result in the expenditure of additional funds by the Commonwealth or local municipalities.

Regulatory Review

Under section 5.1(c) of the Regulatory Review Act (71 P. S. § 745.5a(c)), on September 1, 2011, the Department submitted a copy of the final-omitted rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House and Senate Transportation Committees. On the same date, the regulations were submitted to the Office of Attorney General for review and approval under the Commonwealth Attorneys Act (71 P. S. §§ 732-

101—732-506). A copy of the Regulatory Analysis Form is available to the public upon request.

Under section 5.1(j.2) of the Regulatory Review Act, on October 5, 2011, the final-omitted rulemaking was deemed approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on October 6, 2011, and approved the final-omitted rulemaking.

Sunset Provisions

The Department is not establishing a sunset date to revisit this final-omitted rulemaking.

Contact Person

The contact person for this final-omitted rulemaking is Penni Bernard, Customer Service Division, 3rd Floor, Riverfront Office Center, 1101 South Front Street, Harrisburg, PA 17104, pbernard@state.pa.us.

Order

The Department orders that:

(a) The regulations of the Department, 67 Pa. Code Chapter 21, are amended by deleting §§ 21.1—21.4 to read as set forth in Annex A.

(b) The Secretary of the Department shall submit this order and Annex A to the Office of General Counsel and the Office of Attorney General for approval as to legality and form as required by law.

(c) The Secretary shall certify this order and Annex A and deposit the same with the Legislative Reference Bureau as required by law.

(d) This order shall take effect upon publication in the *Pennsylvania Bulletin*.

BARRY J. SCHOCH, P.E.,
Secretary

(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 41 Pa.B. 5726 (October 22, 2011).)

Fiscal Note: 18-422. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 67. TRANSPORTATION

PART I. DEPARTMENT OF TRANSPORTATION

Subpart A. VEHICLE CODE PROVISIONS

ARTICLE II. TITLE

CHAPTER 21. (Reserved)

§§ 21.1—21.4. (Reserved).

[Pa.B. Doc. No. 11-1788. Filed for public inspection October 21, 2011, 9:00 a.m.]