

**CHAPTER 69. TEMPORARY WEIGHT INCREASE
REGISTRATION PERMITS**

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Authority

The provisions of this Chapter 69 issued under the Vehicle Code, 75 Pa.C.S. §§ 1310 and 6103, unless otherwise noted.

Source

The provisions of this Chapter 69 adopted June 24, 1988, effective June 25, 1988, 18 Pa.B. 2831, unless otherwise noted.

§ 69.1. Purpose.

This chapter establishes rules governing the issuance of temporary weight increase registration permits by decentralized service agents and fleet owners to further implement 75 Pa.C.S. § 1310 (relating to temporary registration cards).

§ 69.2. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

Applicant—A person, as defined in 75 Pa.C.S. § 102 (relating to definitions), who applies for increase of the registered gross weight or registered combination gross weight of a vehicle.

Bureau—The Bureau of Motor Vehicles of the Department.

Decentralized service agent—A messenger service, which is also authorized to issue on behalf of the Department to qualified applicants, temporary learner's permits, vehicle registration renewals, driver's license renewals and the like under Chapter 255 (relating to messenger services).

Department—The Department of Transportation of the Commonwealth.

Fleet owner—A person, Federal, State or local government agency or authority owning or leasing 15 or more vehicles and providing servicing or repair of the vehicles.

Temporary weight increase registration permit—A form provided by the Department for issuance to an applicant for increasing the registered gross weight or registered combination gross weight of a vehicle until the receipt of the regular registration card from the Department.

Temporary weight increase registration permit agent or agent—A fleet owner or a messenger service which is authorized as a decentralized service agent under Chapter 255.

§ 69.3. Issuance of temporary weight increase registration permits.

(a) *General rule.* A temporary weight increase registration permit will be issued in the following manner:

- (1) A permit will be issued only by the Bureau or by agents authorized by the Bureau.
- (2) A permit will be issued only for vehicles currently registered in this Commonwealth.
- (3) A permit shall be issued by a fleet owner only for vehicles registered in the fleet owner's name.
- (4) A permit shall be issued in accordance with instructions contained on the application, and may not be issued for gross weights in excess of that authorized by statute.

(b) *Obtaining temporary weight increase registration permits.* An agent may obtain temporary weight increase registration permits at offices of the Bureau in lots of ten by submitting the proper forms and paying \$2 per permit to the Bureau.

(c) *Duty to examine documents.* The duty to examine documents includes the following:

- (1) Before issuing a temporary weight increase registration permit, the agent shall examine the documents and data necessary to the weight increase transaction and the current registration card.
- (2) No temporary weight increase registration permit will be issued unless the following items are found to be in order:
 - (i) The application shall be properly executed, as required, accompanied by the correct fees, taxes and other required forms or documents.
 - (ii) The registration card shall be valid with current registered gross weight or registered combination gross weight indicated.

(d) *Preparation of application.* The agent shall complete in ink or with typewriter the application for registered weight increase. The application shall list the name and identification number of the agent.

(e) *Copies of temporary weight increase registration permits.* Copies of the temporary weight increase registration permits shall be handled as follows:

- (1) The original copy of the temporary weight increase registration permit and the documents and fees necessary to the transaction shall be forwarded by the agent to the Bureau within 5 days.
- (2) The applicant's copy of the temporary weight increase registration permit shall be given to the applicant, for possession by the driver of the vehicle when the vehicle is being driven on the highway under the permit.

(3) The agent's copy of the temporary weight increase registration permit and copies of related documents shall be retained at the place of business of the agent for at least 3 years for inspection only by police and authorized representatives of the Department. Permit records shall be kept in sequential order according to permit number.

(f) *No fee to be charged.* No agent may charge a fee for issuing a temporary weight increase registration permit except that a fee for messenger service and the cost to the agent for the permit form may be charged the applicant.

(g) *Issuance order.* Temporary weight increase registration permits shall be issued in consecutive order, beginning with the lowest number in a set.

(h) *Expiration of temporary weight increase registration permits.* A temporary weight increase registration permit expires and becomes void upon the occurrence of one of the following:

- (1) Receipt of the regular registration card from the Bureau.
- (2) Expiration of 30 days from the date of issuance.

Cross References

This section cited in 67 Pa. Code § 69.7 (relating to use of temporary weight increase permit).

§ 69.4. Inventory of temporary weight increase registration permits.

(a) *Inventory report.* An agent shall provide the Bureau with a report on the temporary weight increase registration permits which it has in inventory, within 30 days of the Bureau's request for information.

(b) *Security.* A temporary weight increase registration permit shall be kept in a secure place, such as a locked file cabinet, which meets the approval of the Bureau. An agent is responsible for security of temporary weight increase registration permits obtained by the agent until the permits are issued to applicants.

(c) *Report on lost or stolen permits.* If a permit is lost or stolen, the agent shall notify the Department of the loss or theft within 48 hours of the agent's discovery of the loss or theft.

Cross References

This section cited in 67 Pa. Code § 69.6 (relating to prohibited acts).

§ 69.5. Return or surrender of temporary weight increase registration permits.

(a) *Discontinued business.* An agent who discontinues its business shall immediately return to the Department the temporary weight increase registration permits in the agent's possession. The Bureau will make appropriate refunds under subsection (c).

(b) *Revocation.* An agent, whose right to issue temporary weight increase registration permits has been revoked, shall arrange with the Department to sur-

render the permits in the agent’s possession at the agent’s established place of business to an authorized representative of the Department.

(c) *Refunds.* A refund of the fee paid by an agent for temporary weight increase registration permits may be obtained upon the return of the permits by the agent, except when the permit is being returned by an agent whose authorization has been revoked. The Bureau will deduct \$10 from the refund amount due to cover processing of the request for refund.

§ 69.6. Prohibited acts.

After providing an opportunity for a hearing, the Bureau may revoke the authorization of an agent to issue temporary weight increase permits or warn an agent under the following schedule of violations, if the Bureau finds upon sufficient evidence that:

Category I

	<i>1st Offense</i>
The agent has committed a fraudulent act, including, but not limited to, the fraudulent keeping of records in connection with the issuance of the temporary weight increase registration permits.	Revocation
The agent has failed to pay fees and taxes payable to the Commonwealth in connection with applications for weight increase.	Revocation
The agent has been convicted of a felony or a criminal act relating to motor vehicles, including the titling, registration and payment of sales tax for a vehicle, or another criminal act committed in connection with the business of the issuing agent.	Revocation
The agent has altered a temporary weight increase registration permit.	Revocation
The agent has failed to allow inspection of documents or permits in the possession of the issuing agent by police or by authorized Commonwealth employees.	Revocation

Category II

	<i>1st Offense</i>	<i>2nd Offense</i>	<i>3rd Offense</i>
The agent has consigned or transferred permits to other issuing agents or persons.	Written Warning	Written Warning	Revocation
The agent has issued permits but has not delivered documents to the Department within the prescribed period of time.	Written Warning	Written Warning	Revocation
The agent has issued a permit containing a misstatement of fact or other false information.	Written Warning	Written Warning	Revocation
The agent has submitted documents to the Department for processing which have been accompanied by an uncollectible check drawn on the account of the agent.	Written Warning	Written Warning	Revocation

Category II

	<i>1st Offense</i>	<i>2nd Offense</i>	<i>3rd Offense</i>
The agent has failed to provide the Bureau with an inventory report within 30 days as required by § 69.4(a) (relating to inventory of temporary weight increase registration permits).	Written Warning	Written Warning	Revocation
An agent has renewed or reissued a temporary weight increase permit which has expired.	Written Warning	Written Warning	Revocation
A decentralized service agent authorized to issue temporary weight increase registration permits has refused to issue a temporary weight increase registration permit to the owner or lessee of a vehicle who has presented proper documentation to obtain a permit as prescribed in this chapter.	Written Warning	Written Warning	Revocation
The agent has not issued temporary permits in consecutive order, beginning with the lowest number in each series.	Written Warning	Written Warning	Revocation
The agent has not listed the date of the issuance on the temporary permit.	Written Warning	Written Warning	Revocation
The agent has failed to maintain proper records of temporary permits and documents related to the application for weight increase.	Written Warning	Written Warning	Revocation
The agent has failed to notify the Department of a change in ownership or other change affecting the business of the agent before or within 5 days of the change.	Written Warning	Written Warning	Revocation
The agent has not listed its name and identification number, as required, on applications submitted to the Department.	Written Warning	Written Warning	Revocation
The agent has issued a permit for a vehicle not currently registered in this Commonwealth.	Written Warning	Written Warning	Revocation
The agent has refused to accept the applicant's check or money order for fees and taxes due to the Commonwealth.	Written Warning	Written Warning	Revocation

§ 69.7. Use of temporary weight increase permit.

(a) *Applicability.* This section applies to the use of a temporary weight increase permit by the applicant.

(b) *Temporary permit nontransferable.* Temporary weight increase registration permits may not be transferred from one vehicle to another. If an applicant purchases another vehicle before receiving the regular registration card from the Bureau, the applicant shall wait until receipt of the regular registration card and then transfer the registration plate in the usual manner.

(c) *Prosecution.* A person who operates a vehicle with a temporary weight increase registration permit in violation of § 69.3(h) (relating to issuance of tem-

porary weight increase registration permits) shall be subject to prosecution consistent with 75 Pa.C.S. Chapter 49 (relating to size, weight and load).

Source

The provisions of this § 69.7 corrected July 1, 1988, effective June 25, 1988, 18 Pa.B. 2904.

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