



The Motor Vehicle Procurement Act

The borough's street sweeper has cleaned the borough's roads for more than 20 years and now it's time to replace it. The borough officials have scrutinized purchasing groups' contracts, but nothing's currently available. It's time to write the specs for another vehicle, but are you sure that you've covered everything? What did you miss?

Pennsylvania enacted the Motor Vehicle Procurement Act (Act 40-1984 or 62 PaCSA § 3731 et seq) to protect the Pennsylvania steel industry and stimulate the Commonwealth's economy. It requires all municipalities that purchase, rent or lease a motorized vehicle to contract with a manufacturer in North America.

Section 3734 of the this procurement law states that "a motor vehicle is manufactured in North America if a substantial majority of the principal components are assembled into the final produce in an assembly plant in North America." Furthermore, this clause shall be required in the advertisement for every contract for a motorized vehicle.

There is only one exception to this law however it must be carefully reviewed with the borough solicitor. If the head of the governmental agency (president of council) states in writing that it will cost more to comply with this procurement act or if it's not in the best interest of the public, then he may not follow the law.