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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1452 Session of  
1997

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INTRODUCED BY TRELLO, GEIST, OLASZ, RYAN, LAUGHLIN, FARGO,  
BATTISTO, NAILOR, GIGLIOTTI, BOYES, COLAIZZO, L. I. COHEN,  
DeLUCA, E. Z. TAYLOR, YOUNGBLOOD, SERAFINI, WOJNAROSKI,  
HORSEY, THOMAS, A. H. WILLIAMS, KIRKLAND AND M. COHEN,  
MAY 6, 1997

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REFERRED TO COMMITTEE ON TRANSPORTATION, MAY 6, 1997

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AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, further defining the term "abandoned vehicle"; and  
3 providing for the removal of vehicles abandoned on the  
4 Pennsylvania Turnpike System.

5 The General Assembly of the Commonwealth of Pennsylvania  
6 hereby enacts as follows:

7 Section 1. The definition of "abandoned vehicle" in section  
8 102 of Title 75 of the Pennsylvania Consolidated Statutes is  
9 amended to read:

10 § 102. Definitions.

11 Subject to additional definitions contained in subsequent  
12 provisions of this title which are applicable to specific  
13 provisions of this title, the following words and phrases when  
14 used in this title shall have, unless the context clearly  
15 indicates otherwise, the meanings given to them in this section:

16 "Abandoned vehicle."

17 (1) A vehicle (other than a pedalcycle) shall be

1 presumed to be abandoned under any of the following  
2 circumstances, but the presumption is rebuttable by a  
3 preponderance of the evidence:

4 (i) The vehicle is physically inoperable and is left  
5 unattended on a highway or other public property for more  
6 than 48 hours or more than 24 hours when such vehicle is  
7 located on the Pennsylvania Turnpike System.

8 (ii) The vehicle has remained illegally on a highway  
9 or other public property for a period of more than 48  
10 hours or more than 24 hours when such vehicle is located  
11 on the Pennsylvania Turnpike System.

12 (iii) The vehicle is left unattended on or along a  
13 highway or other public property for more than 48 hours  
14 or more than 24 hours when such vehicle is located on the  
15 Pennsylvania Turnpike System and does not bear all of the  
16 following:

17 (A) A valid registration plate.

18 (B) A certificate of inspection.

19 (C) An ascertainable vehicle identification  
20 number.

21 (iv) The vehicle has remained on private property  
22 without the consent of the owner or person in control of  
23 the property for more than 48 hours.

24 (2) Vehicles and equipment used or to be used in  
25 construction or in the operation or maintenance of highways  
26 or public utility facilities, which are left in a manner  
27 which does not interfere with the normal movement of traffic,  
28 shall not be considered to be abandoned.

29 \* \* \*

30 Section 2. Section 7310 of Title 75 is amended by adding a

1 subsection to read:

2 § 7310. Removal of vehicles and spilled cargo from roadway.

3 \* \* \*

4 (d) Removal from Pennsylvania Turnpike System.--

5 Notwithstanding the other provisions of this section, any  
6 vehicle on the Pennsylvania Turnpike System presumed to be  
7 abandoned pursuant to section 102 (relating to definitions)  
8 shall immediately be removed by or at the direction of the  
9 Pennsylvania State Police to the contract garage providing  
10 service for that area. In all cases, the Pennsylvania State  
11 Police shall remove or direct the removal of any such vehicle  
12 within 24 hours of the time of the vehicle's presumption of  
13 abandonment.

14 Section 3. This act shall take effect in 60 days.