

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 492

Session of
1981

INTRODUCED BY CALTAGIRONE, FEBRUARY 10, 1981

REFERRED TO COMMITTEE ON TRANSPORTATION, FEBRUARY 10, 1981

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for removal of vehicles by a
3 property owner and providing an implied lien for the costs of
4 removal.

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

7 Section 1. Subsections (b) and (c) of section 3353 of Title
8 75, act of November 25, 1970 (P.L.707, No.230), known as the
9 Pennsylvania Consolidated Statutes, subsection (b) amended
10 October 10, 1980 (No.147), are amended to read:

11 § 3353. Prohibitions in specified places.

12 * * *

13 (b) Unattended vehicle on public or private property.

14 (1) No person shall park or leave unattended a vehicle
15 on public or private property without the consent of the
16 owner or other person in control or possession of the
17 property except in the case of emergency or disablement of
18 the vehicle, in which case the operator shall arrange for the

removal of the vehicle as soon as possible.

(2) The provisions of this subsection shall not apply to private parking lots unless such lots are posted to notify the public of any parking restrictions and the operator of the vehicle violates such posted restrictions. For the purposes of this section "private parking lot" means a parking lot open to the public or used for parking without charge; or a parking lot used for parking with charge. The department shall define by regulation what constitutes adequate posting for public notice.

(c) Property owner may remove vehicle.--The owner or other person in charge or possession of any property on which a vehicle is parked or left unattended in violation of the provisions of subsection (b) may remove or have removed the vehicle at the reasonable expense of the owner of the vehicle. Such person who removes a vehicle left parked or unattended in violation of the provisions of subsection (b) shall have a lien against the owner of the vehicle, in the amount of the reasonable value of the costs of removing the vehicle. Any city, borough, incorporated town or township may, by ordinance, provide for rates to be charged for removal of vehicles and for municipal regulation of authorized towing services.

* * *

Section 2. Title 75 is amended by adding sections to read:

§ 3355. Movement of vehicles without owner's consent.

A salvor or tower may remove a vehicle from public or private property in accordance with section 3353(c) (relating to prohibitions in specified places).

§ 3356. Implied lien.

Every driver, owner and registrant of a vehicle in this

1 Commonwealth shall be deemed to have given consent to having the
2 vehicle removed at their reasonable expense and detained to
3 insure payment if the vehicle is removed under the provisions of
4 section 3352 (relating to removal of vehicle by or at direction
5 of police) or section 3353(c) (relating to prohibitions in
6 specified places).

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