

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1239 Session of  
1989

INTRODUCED BY TRELLO, PETRARCA, DeWEESE, GEIST, PRESTON, FARGO,  
GIGLIOTTI, COLAFELLA, HALUSKA, CORRIGAN, MERRY, CORNELL,  
JOHNSON, J. TAYLOR, E. Z. TAYLOR, McVERRY, PISTELLA, VROON,  
ROBINSON, CARLSON, BILLOW AND SERAFINI, APRIL 19, 1989

REFERRED TO COMMITTEE ON TRANSPORTATION, APRIL 19, 1989

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  
18 presumed to be abandoned under any of the following

1 circumstances, but the presumption is rebuttable by a  
2 preponderance of the evidence:

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

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

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

16 (A) A valid registration plate.

17 (B) A certificate of inspection.

18 (C) An ascertainable vehicle identification  
19 number.

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

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

28 \* \* \*

29 Section 2. Section 7310 of Title 75 is amended by adding a  
30 subsection to read:

1 § 7310. Removal of vehicles and spilled cargo from roadway.

2 \* \* \*

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

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