
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 814 Session of
1997

INTRODUCED BY PETRONE, PESCI, STABACK, BATTISTO, BELARDI, RAMOS
AND PRESTON, MARCH 12, 1997

REFERRED TO COMMITTEE ON TRANSPORTATION, MARCH 12, 1997

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for abandonment and stripping of
3 vehicles.

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

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

9 § 102. Definitions.

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

15 "Abandoned vehicle."

16 (1) A vehicle (other than a pedalcycle) shall be
17 presumed to be abandoned under any of the following
18 circumstances, but the presumption is rebuttable by a

preponderance of the evidence:

(i) The vehicle is physically inoperable and is left unattended on a highway or other public property for more than [48] 24 hours.

(ii) The vehicle has remained illegally on a highway or other public property for a period of more than [48] 24 hours.

(iii) The vehicle is left unattended on or along a highway or other public property for more than [48] 24 hours and does not bear all of the following:

(A) A valid registration plate.

(B) A certificate of inspection.

(C) An ascertainable vehicle identification number.

(iv) The vehicle has remained on private property without the consent of the owner or person in control of the property for more than [48] 24 hours.

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

* * *

Section 2. Section 3712(d) of Title 75 is amended to read:

§ 3712. Abandonment and stripping of vehicles.

* * *

(d) Penalties.--

(1) [Any person violating] A violation of subsection (a) or (b) [is guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of \$50 plus]

1 constitutes an offense under 18 Pa.C.S. § 6504 (relating to
2 public nuisances). In addition to any penalty under 18
3 Pa.C.S. § 6504, the person shall be liable for all costs of
4 disposing of the vehicle under the provisions of Chapter 73
5 (relating to abandoned vehicles and cargos).

6 (2) Any person violating subsection (c):

7 (i) For a first offense, is guilty of a summary
8 offense punishable by a fine of not less than \$100 nor
9 more than \$500.

10 (ii) For a subsequent offense, is guilty of a
11 misdemeanor of the third degree.

12 Section 3. The provisions of 75 Pa.C.S. § 3712(d) shall
13 apply to sentences imposed on or after the effective date of
14 this act.

15 Section 4. This act shall take effect in 60 days.