

## **Obtaining a Certificate of Title Through Court Order**

- Petitions for a certificate of title should be presented in open motions court. Motions court is held every Monday, Tuesday and Thursday morning promptly at 8:45 AM in Courtroom #6.
- Late motions will not be heard.
- A fee of \$154.75 is due upon filing in the Prothonotary's office after seeing the judge. Cash or check only. This fee may be waived if petitioner falls under the federal poverty guidelines. See the librarian for more information or for the paperwork to file In Forma Pauperis.
- There may be additional requirements of advertising associated with this petition. Those fees are assessed by the Beaver County Times or the Beaver County Legal Journal and cannot be waived.
- Court personnel cannot give legal advice. If you need advice, please call the Lawyer Referral Service at 724-728-4888.

# FACT SHEET

## DISPOSAL OF ABANDONED VEHICLES FROM PRIVATE PROPERTY

### PURPOSE

This Fact Sheet provides information on disposing of vehicles which have been left on private property.

### DEFINITIONS OF TERMINOLOGY USED:

**ABANDONMENT:** Abandonment involves an intention to abandon together with an act or omission to act by which such intention is carried into effect. "Abandoned property" is that to which an owner has relinquished all rights, title, claim and possession, with no intention of reclaiming it or resuming ownership or possession.

**ABANDONED VEHICLE:** Section 102 of the Vehicle Code defines an abandoned vehicle in the following manner:

(1) A vehicle (other than a pedalcycle) shall be presumed to be abandoned under any of the following 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 hours.
- (ii) The vehicle has remained illegally on a highway or other public property for a period of more than 48 hours.
- (iii) The vehicle is left unattended on or along a highway or other public property for more than 48 hours and does not bear all the following:
  - (A) A valid registration plate.
  - (B) A current 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 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.

**PRIVATE PARKING LOT:** A parking lot open to the public or used for parking without charge; or a parking lot used for parking with charge. (Section 3353(b) of the Vehicle Code).

**SALVOR:** A person engaged in the business of acquiring abandoned vehicles for the purpose of taking apart, recycling, selling, rebuilding, or exchanging the vehicles or parts thereof. (Section 102 of the Vehicle Code).

**WAREHOUSEMAN:** A person engaged in the business of storing goods for hire. (As defined in the Uniform Commercial Code U.C.C.).

July 2010

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IN THE COURT OF COMMON PLEAS OF BEAVER COUNTY, PENNSYLVANIA  
CIVIL ACTION - LAW

In Re: \_\_\_\_\_ :  
VIN# \_\_\_\_\_ : Docket No. \_\_\_\_\_  
\_\_\_\_\_ :

**Petition to Award Ownership and Issue Certificate of Title**

1. Petitioner, \_\_\_\_\_, is an adult individual residing at  
County of **BEAVER**, Commonwealth of Pennsylvania.
2. On or about \_\_\_\_\_ (Date), Petitioner purchased a  
\_\_\_\_\_ from  
\_\_\_\_\_  
Name, Address, City, State, Zip
3. The vehicle purchased by the Petitioner was assigned the Vehicle Identification Number of  
\_\_\_\_\_.
4. Due to inadvertence of the vehicle's seller, to Petitioner, the Certificate of Title to said vehicle was never transferred into the Petitioner's name.
5. Petitioner conducted a diligent search of Pennsylvania Department of Transportation records to ascertain the vehicle history and ownership status, and this search indicated that the vehicle is not reported stolen and is not subject to any liens or encumbrances. A copy of said report is attached hereto as "**Exhibit A**".
6. Despite Petitioner's efforts, the vehicle seller, \_\_\_\_\_, cannot be located to perfect transfer of said vehicle title to Petitioner.
7. By publication in the \_\_\_\_\_ on \_\_\_\_\_  
(Dates) and the \_\_\_\_\_ on \_\_\_\_\_,  
the Petitioner provided public notice of intent to apply for Certificate of Title to said vehicle and has

received no contact from any persons or organizations asserting ownership interest in said vehicle.

Proof of publications is attached hereto as "Exhibit B".

8. According to Certificate of Title results maintained by the Department of Transportation, the following persons and or entities are listed as former owners and/or lien holders with regard to said vehicle.

a. \_\_\_\_\_  
Name, Address, City, State, Zip

9. Petitioner avers that the above persons no longer maintain any ownership or security interest in said vehicle.

WHEREFORE, Petitioner, \_\_\_\_\_, prays that this Honorable Court declare him to be the owner of the \_\_\_\_\_, VIN# \_\_\_\_\_.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Petitioner

I verify that the statements made in this Complaint are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. Cons. Stat. Ann. § 4904 relating to unsworn falsification to authorities.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Petitioner

IN THE COURT OF COMMON PLEAS OF BEAVER COUNTY  
CIVIL ACTION - LAW

PENNSYLVANIA

In Re: \_\_\_\_\_ :  
VIN# \_\_\_\_\_ : Docket No. \_\_\_\_\_  
:

**ORDER FOR HEARING**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, upon consideration of the within Petition, it is HEREBY ORDERED AND DECREED that a hearing shall be held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ in Courtroom # \_\_\_\_\_ of the **BEAVER CO.** Courthouse, **BEAVER**, Pennsylvania at \_\_\_\_\_ a.m./p.m. to determine whether said Petition should be granted.

IT IS FURTHER ORDERED AND DECREED that Petitioner shall serve a copy of this Petition and notify the following persons and/or entities of the date, time, and place of said hearing by certified U.S. mail, postage pre-paid, return receipt requested.

IT IS FURTHER ORDERED AND DECREED that any person or entity objecting to the relief sought by this Petitioner shall appear at the time, date, and place of said hearing to express any objections.

BY THE COURT:

\_\_\_\_\_  
Judge

IN THE COURT OF COMMON PLEAS OF BEAVER COUNTY,  
PENNSYLVANIA  
CIVIL DIVISION

In Re: \_\_\_\_\_ : Docket No. \_\_\_\_\_  
VIN# \_\_\_\_\_ :  
:

**ORDER**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, after reasonable notice and an opportunity for hearing having been provided to all interested parties, the Court hereby awards ownership of one \_\_\_\_\_, bearing vehicle identification number \_\_\_\_\_ to \_\_\_\_\_, and the right, title and interest of any other person to said vehicle is hereby extinguished. The Department of Transportation may accept this order as evidence of ownership in lieu of a certificate of title. The Petitioner shall submit the appropriate forms, taxes and fees and comply with any other procedures of the Department of Transportation in order to receive the appropriate certificate of title for said vehicle.

BY THE COURT,

\_\_\_\_\_

J.