

DRIVER'S LICENSE APPEAL

PLEASE READ ALL OF THE INFORMATION CONTAINED IN THIS PACKET BEFORE YOU START FILLING OUT THE FORMS.

THIS PACKET DOES NOT CONSTITUTE LEGAL ADVICE. IF YOU HAVE ANY QUESTIONS ABOUT THIS PROCESS, YOU SHOULD SEEK THE ADVICE OF AN ATTORNEY. THE COURT ASSUMES NO RESPONSIBILITY AND ACCEPTS NO LIABILITY FOR ACTIONS TAKEN BY USERS OF THESE DOCUMENTS, INCLUDING RELIANCE ON THEIR CONTENTS.

We encourage you to contact an attorney to advise you on this matter. If you cannot afford an attorney, the Court will not appoint an attorney for you. You may contact Northwestern Legal Services at (800) 665-6957 or (814) 724-1040 to see if they will provide free legal services to you. They are not obligated to do so.

You will be required to follow the State and Crawford County Rules of Civil Procedure and all applicable laws even if you do not have an attorney.

Under Pennsylvania's Motor Vehicle Code (75 Pa. C.S.A. § 1550), if you have been denied a driver's license, your driver's license has been cancelled or your operating privilege has been recalled, suspended, revoked or disqualified by the Pennsylvania Department of Transportation (PennDOT) you have the right to appeal the decision to the Court of Common Pleas. You have 30 days from the date PennDOT mailed your "Notice of Action" letter to file your appeal.

In many cases, filing an appeal will act as a supersedeas, which means that any fines or penalties imposed by PennDOT will be automatically postponed until your hearing. However, your appeal will **NOT** automatically postpone the recall, suspension, revocation or disqualification of your license if the matter you are appealing falls under any of the following:

- Section 1503 (relating to persons ineligible for licensing; license issuance to minors; junior driver's license);
- Section 1504 (relating to classes of licenses);
- Section 1509 (relating to qualifications for school bus driver endorsement);
- Section 1514 (relating to expiration and renewal of driver's license);
- Section 1519 (relating to determination of incompetency); or
- Section 1572 (relating to cancellation of driver's license).

If necessary, you can file a Motion for Supersedeas (included in this packet) asking the Court to stop the recall, suspension, revocation or disqualification of your license until your appeal can be heard.

To complete this packet, you will need:

- Your contact information;
- Your driver's license number; and
- The "Notice of Action" letter sent to you by PennDOT.

PLEASE READ ALL OF THESE INSTRUCTIONS BEFORE YOU BEGIN

1. When filling out these forms, please write as clearly and neatly as possible.
2. Fill out these forms to the best of your abilities. DO NOT LEAVE ANY LINES BLANK, unless otherwise specified in these instructions. Use “None” or “0” if necessary. Do NOT use “N/A” anywhere on these forms.
3. Be sure the caption is filled out EXACTLY the same on all forms; you should fill in your name on the line for “Appellant”. The “A.D.” line is for the case number, which will be assigned by the Prothonotary’s Office when you file these forms.
4. Fill out and sign the “Petition for Appeal” [page 3]. The “Certificate of Compliance” [page 4], and ONLY the caption on the “Order” [page 5]. Make two photocopies of the completed forms.
5. Take the “Notice of Action” letter you received from PennDOT along with the original and photocopies of the “Petition,” “Certificate,” and “Order” to the Prothonotary’s Office in the Crawford County Judicial Center. File the original forms and letter, then ask the Prothonotary to file stamp the photocopies. Keep one copy for your records.
6. Take the second copy of your forms to the Post Office and mail them to the address listed in the “Order” using Certified Mail, Return Receipt Requested. Wait for the return receipt to be returned to you.
7. After you receive your returned receipt, fill out the “Certificate of Service – Appeal Petition” [page 6] and the “Certificate of Compliance” [page 7] and attach the returned receipt to the form. File these forms at the Prothonotary’s Office.
8. You will receive a letter from the Court containing an “Order” stating the date and time of your hearing. When you receive that “Order,” you must mail a copy of the “Order” to PennDOT at the address listed in the “Order” using Certified Mail, Return Receipt Requested. PennDOT must receive their copy at least thirty (30) days before the hearing.
9. Once you receive the second returned receipt, fill out the “Certificate of Service – Hearing Notice” [page 8] and the “Certificate of Compliance” [page 9]. Attach the second returned receipt to the forms and file them at the Prothonotary’s Office.
10. If you need to request a separate supersedeas because the action taken against you by PennDOT falls under one of the categories on page 1 of this packet, fill out the caption, date of filing and signature line on the “Motion for Supersedeas” [page 10], the entire “Notice” [page 11], and the “Certificate of Compliance” [page 12]. When filling out the “Notice”:
 - a. The first section sets the date you will present your motion in Motions Court. Motions Court occurs at 8:45 a.m. every Monday, Wednesday and Friday, excluding holidays; you must request a date for your presentation that is at least three (3) business days after the day you file the Motion.
 - b. The second section is the “Certificate of Notice and Service”. You have to serve the Motion and Notice on the other party at least three (3) business days before you present your motion. Fill in the date that you will mail the forms.
 - c. The third part is the “Information for Court Administrator”. When filling out part D, state how long you think the hearing will be. The typical time requested for this type of motion is between thirty (30) minutes and one hour.
 - d. Sign the “By:” line and fill in your contact number at the bottom of the page.
11. Make two (2) photocopies of the forms. Keep one copy for yourself and mail the other copy using first class mail to the same address you used in steps 6 and 8. You must mail these forms at least three (3) business days before the date you requested for your hearing.

**IN THE COURT OF COMMON PLEAS OF CRAWFORD COUNTY, PENNSYLVANIA
CIVIL ACTION – LAW**

Appellant
v. _____ A.D.
COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF TRANSPORTATION
Appellee

PETITION FOR APPEAL

AND NOW, this ____ day of _____, 20____, comes Appellant _____, and files this Appeal of the Commonwealth of Pennsylvania, Department of Transportation’s decision recalling, suspending, revoking Appellant’s driving privileges or disqualifying the Appellant from receiving driving privileges and in support thereof, represents as follows:

1. Appellant _____, resides at _____, _____.
(Your Name) (Street Address)
Home phone: _____.
Cellular Phone: _____. Work Phone: _____.

2. Appellant’s Pennsylvania driver’s license number is _____.
Appellant has received notice that appellant’s operating privileges have been cancelled, recalled, suspended, revoked or disqualified by DOT, effective _____, 20____.
A copy of said notice is attached.

Wherefore, Appellant respectfully requests that this Honorable Court review the aforesaid action of the Department of Transportation and set a hearing date to do so.

Respectfully submitted,

Appellant, Self-Represented (signature)

VERIFICATION

I, _____, verify that the statements made in this Petition for Appeal are true and correct to the best of my knowledge, information and belief. I understand that false statements made herein are made subject to the penalties of 18 Pa.C.S.A. §4904 relating to Unsworn Falsifications to Authorities.

Date Appellant, Self-Represented (signature)

IN THE COURT OF COMMON PLEAS OF CRAWFORD COUNTY, PENNSYLVANIA

v. _____

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: _____
: _____
: _____
: _____
: _____
: _____

No. _____

CERTIFICATE OF COMPLIANCE

This form is associated with the pleading titled _____, dated _____, 20____.

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Signature

Date

Name: _____

Attorney No. (if applicable): _____

Address: _____

Telephone: _____

Email: _____

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

	:	
	:	
v.	:	A.D.
	:	
COMMONWEALTH OF PENNSYLVANIA,	:	
DEPARTMENT OF TRANSPORTATION	:	
Appellee	:	

ORDER

AND NOW, this ____ day of _____, 20____, upon presentation and consideration of the within Petition, it is hereby ORDERED and DECREED that a Hearing on the Appeal shall be held on the ____ day of _____, 20____, at ____ o'clock ____m. in Courtroom No. ____ of the Crawford County Judicial Center, Meadville, PA 16335.

It is further ordered that the Appellant shall serve this notice upon the Commonwealth of Pennsylvania, Department of Transportation, Office of Chief Counsel, Third Floor, Riverfront Office Center, Harrisburg, PA 17104-2516, by certified mail, return receipt requested, within ten (10) days. Appellant shall file a Certificate of Service with the Prothonotary.

It is further Ordered and Decreed that the instant Appeal shall act as a supersedeas so that the Appellant shall retain Appellant’s operating privileges pending the outcome of the within Appeal; unless the appeal is from a suspension or cancellation of a driver’s license under Sections 1503 (relating to persons ineligible for licensing; license issuance to minors; junior driver’s license), 1504 (relating to classes of licenses), 1509 (relating to qualifications for school bus driver endorsement), 1514 (relating to expiration and renewal of driver’s licenses), 1519 (relating to determination of incompetency) or 1572 (relating to cancellation of driver’s license). In such cases the filing of the “Petition for Appeal” shall not automatically act as a supersedeas.

By Order of the Court:

J.

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

	:		
	:	Appellant	
v.	:		A.D.
	:		
COMMONWEALTH OF PENNSYLVANIA,	:		
DEPARTMENT OF TRANSPORTATION	:		
Appellee	:		

CERTIFICATE OF SERVICE – APPEAL PETITION

I, _____, Petitioner in the above-captioned case, hereby certify that I
(Your Name)
served a true and correct date-stamped copy of my Petition for Appeal by certified mail, return receipt
requested on _____, 20____ to the Commonwealth of Pennsylvania, Department of
(Date of Mailing)
Transportation. The return receipt signed by a representative of the Pennsylvania Department of
Transportation is attached hereto.

Appellant, Self-Represented (signature)

Date

IN THE COURT OF COMMON PLEAS OF CRAWFORD COUNTY, PENNSYLVANIA

v. _____

: : : : : : : : : :
No. _____

CERTIFICATE OF COMPLIANCE

This form is associated with the pleading titled _____, dated _____, 20____.

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Signature

Date

Name: _____

Attorney No. (if applicable): _____

Address: _____

Telephone: _____

Email: _____

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

	:	
Appellant	:	
v.	:	A.D.
	:	
COMMONWEALTH OF PENNSYLVANIA,	:	
DEPARTMENT OF TRANSPORTATION	:	
Appellee	:	

CERTIFICATE OF SERVICE – HEARING NOTICE

I, _____, Petitioner in the above-captioned case, hereby certify that I
(Your Name)
served a true and correct date-stamped copy of the Order scheduling a Hearing on my Petition for Appeal
by certified mail, return receipt requested on _____, 20____ to the Commonwealth of
(Date of Mailing)
Pennsylvania, Department of Transportation. The return receipt signed by a representative of the
Pennsylvania Department of Transportation is attached hereto.

Appellant, Self-Represented (signature)

Date

IN THE COURT OF COMMON PLEAS OF CRAWFORD COUNTY, PENNSYLVANIA

v.

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No. _____

CERTIFICATE OF COMPLIANCE

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I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Signature

Date

Name: _____

Attorney No. (if applicable): _____

Address: _____

Telephone: _____
Email: _____

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

Appellant :
v. : A.D.
: :
COMMONWEALTH OF PENNSYLVANIA, :
DEPARTMENT OF TRANSPORTATION :
Appellee :

MOTION FOR SUPERSEDEAS

AND NOW, this ____ day of _____, 20____, pursuant to the provisions of 75 Pa. C.S.A. §1550(b)(1)(ii) the Appellant, having filed a “Petition for Appeal” pursuant to Section 1550 of the Motor Vehicle Code, requests the Court to schedule a hearing to determine whether a supersedeas will be granted pending the outcome of that appeal.

Respectfully submitted,

Appellant, Self-Represented (signature)

ORDER

AND NOW, this ____ day of _____, 20____, upon consideration of the Appellant’s “Motion for Supersedeas,” a hearing is scheduled for the _____ day of _____, 20____ at ____ o’clock ____m. in Court Room # _____ of the Crawford County Judicial Center.

By/For the Court,

J.

NOTICE

You are hereby notified that the attached motion will be presented by me on _____, 20_____.

- (X) to the Prothonotary as an uncontested matter;
- () in Motions Court at 8:45 a.m.

CERTIFICATION OF NOTICE AND SERVICE

The undersigned represents that three (3) business days' prior notice and a copy of this motion and proposed order have been served by (X) first class mail, () fax, or () hand delivery on the _____ day of _____, 20_____ upon all parties or their counsel of record in accordance with Pa.R.C.P. No. 440.

INFORMATION FOR COURT ADMINISTRATOR

- A. Is this an original filing in this case? ____ Yes X No
- B. Has any judge heard this matter previously? ____ Yes X No
- C. If yes, name of judge who presided over previous matter:
 ____ Vardaro ____ Spataro ____ Stevens ____ Other/Name
- D. Estimated court time required if this matter is granted:
 ____ Minutes ____ Hours ____ Days
- E. Is this motion opposed by another party?
 ____ Yes ____ No X Unknown

UNCONTESTED MOTION CERTIFICATION

The undersigned represents that (*check all that apply*):

- ____ 1. All parties or counsel have consented.
- ____ 2. Consents of all parties or counsel are attached.
- X 3. The Order seeks only a return hearing or argument date and no other relief.
- ____ 4. The Order seeks only the appointment of a master or hearing officer and no other relief.

Opposing Party or Counsel: Commonwealth of Pennsylvania, Department of Transportation
Office of Chief Counsel – 3rd Fl.
Riverfront Office Center
Harrisburg, PA 17104-2516

Telephone: (____) _____

I HEREBY CERTIFY ALL OF THE ABOVE STATEMENTS ARE TRUE AND CORRECT.

By: _____

Telephone: (____) _____

Attorney For: Self-Represented _____

IN THE COURT OF COMMON PLEAS OF CRAWFORD COUNTY, PENNSYLVANIA

v.

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No. _____

CERTIFICATE OF COMPLIANCE

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I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Signature

Date

Name: _____

Attorney No. (if applicable): _____

Address: _____

Telephone: _____

Email: _____