

INSTRUCTIONS FOR OBTAINING A COURT ORDER ON OWNERSHIP OF AN ABANDONED MOTOR VEHICLE

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 Pennsylvania and Crawford County Rules of Civil Procedure and all applicable laws even if you do not have an attorney.

TRANSFER OF OWNERSHIP

This procedure is for obtaining a court order as evidence of your ownership of an abandoned motor vehicle,¹ enabling the Pennsylvania Department of Transportation (PennDOT) to issue you a Certificate of Title *provided that* you thereafter submit to PennDOT all required forms, taxes and fees, and comply with any other necessary PennDOT procedures. These instructions should be used only if you are unable to obtain the vehicle's current Certificate of Title, and you are NOT a salvor.²

You will need to obtain the following to complete the attached forms and obtain a court order:

1. The name and address of the prior owner of the vehicle, obtained by completing Sections A, C, D (check only ENCUMBRANCE box) and F (#4) of PennDOT Form 135 ("Request for Vehicle Information," available on-line as a fillable form), and submitting it to PennDOT with the \$14.00 fee.
2. ***Unless your vehicle is a trailer, semi-trailer, mobile home [not motor home], or special mobile equipment*** – A National Motor Vehicle Titling Information System (NMVTIS) Vehicle History Report, available on-line, which is based upon the vehicle identification number (VIN). A list of approved providers can be found at https://vehiclehistory.bja.ojp.gov/nmvtis_vehiclehistory#0-0.
3. The name(s) and address(es) of any lienholder or suspected lienholder. Lienholders are listed on the response to PennDOT Form 135 and the NMVTIS report (if any).

¹ There is a rebuttable presumption that a vehicle (other than highway or utility maintenance vehicles or equipment) has been abandoned if it (1) has remained on private property without the consent of the owner or person in control of the property for more than 24 hours, (2) is physically inoperable and is left unattended on a highway or other public property for more than 48 hours, (3) has remained illegally on a highway or other public property for a period of more than 48 hours, or (4) is left unattended on or along a highway or other public property for more than 48 hours and does not bear all of the following: (A) A valid registration plate. (B) A current certificate of inspection. (C) An ascertainable VIN. See 75 Pa.C.S.A. § 102.

² A "salvor" is 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." *Id.*

Detailed Instructions

Step 1: Complete a Pennsylvania Supreme Court Civil Cover Sheet. The form can be obtained from the Prothonotary's Office or on-line at <https://www.pacourts.us/forms/for-the-public> (fillable form).

Under "Commencement of Action," check the box for "Petition"; under "Lead Plaintiff's Name," give your name (leave "Lead Defendant's Name" blank); and under "Nature of the Case," in the "Miscellaneous" box, check the box for "Other" and write "Motor Vehicle Ownership."

Step 2: Fill out the local cover sheet (page 3 of these Instructions). Begin by filling out the case caption at the top of the sheet with your name as the "Petitioner" and, on the second line, the VIN. (The Prothonotary's Office will fill in the case number.) Then at the bottom, add your name (again), address, and phone number.

Step 3: Complete the "Petition for Court Order on Ownership of a Motor Vehicle" form (page 4). Begin by filling out the case caption with your name and the VIN, then fill in the date, answer the questions in the six numbered paragraphs, and sign (twice) at the end.

Attach a photocopy of the supporting documents with a paperclip.

Step 4: Fill in ONLY the caption of the "Scheduling Order" form (page 6) with your name and the VIN. The hearing (if any) will be scheduled after you file the Petition (Step 7).

Step 5: Fill in the caption of the proposed "Order" (page 7) with your name and the VIN. Also fill in the year, make and model of the motor vehicle on the line indicated, and your name on the other blank line. DO NOT date or sign the Order.

Step 6: Make a copy of the Petition (including the local cover sheet and attachment(s)) for yourself, for the seller/prior owner, and for each lienholder and suspected lienholder.

Step 7: File the Petition, with the two cover sheets on top, along with the (unsigned) Scheduling Order and proposed Order, in the Prothonotary's Office, and pay the filing fee (currently \$141.00).

The Prothonotary's Office will deliver the filings to Court Administration. If the Court signs (and dates) the Scheduling Order, the Prothonotary's Office will mail you a copy (or a copy of the signed [proposed] Order if the Court determines that a hearing is unnecessary).

Step 8: Mail or hand deliver a copy of the Petition (including the local cover sheet and attachment(s)) and the Scheduling Order signed by the Court to the prior owner and to each lienholder, at least ten days before the scheduled hearing. (The prior owner and lienholder(s) are not required to attend the hearing.)

Step 9: Complete the Certificate of Service (page 8), and file it in the Prothonotary's office (no charge).

Step 10: Attend the hearing, bringing with you your copy of the Petition and any documents proving your ownership of the vehicle. The Prothonotary will mail you a copy of the Judge's Order.

Step 11: Obtain a certified copy of the Order granting you ownership from the Prothonotary (currently 20¢/page) to mail along with Form MV-1 to PennDOT, together with the appropriate fee(s), etc.

IN THE COURT OF COMMON PLEAS OF CRAWFORD COUNTY, PENNSYLVANIA

CIVIL ACTION – LAW

In the Matter of Vehicle Ownership

name of petitioner

VIN

:
:
:
:
:
:
:
:
:
:
:

No. AD 20_____ – _____

Type of Document:

Petition for Vehicle Ownership Order

Filed on Behalf of: Petitioner, *pro se*

Name

Address:

Phone # _____

E-mail: _____

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

In the Matter of Vehicle Ownership :

name of petitioner

VIN

No. AD 20 ____ - _____

PETITION FOR COURT ORDER
ON OWNERSHIP OF A MOTOR VEHICLE

AND NOW, _____, 20____, comes the undersigned
pro se Petitioner and files this Petition, stating as follows:

1) The Petitioner is an adult individual residing in Crawford County at

_____.

2) This Petition concerns the motor described as follows:

_____.

(year, make, model, type of vehicle)

3) The Petitioner came into possession of the vehicle as follow:

_____.

4) The prior owner of the vehicle is _____
whose address is _____.

5) There are no liens or encumbrances against the vehicle except:

_____.

6) Attached to this Petition are the following supporting documents:
 Photograph of VIN NMVTIS Report PennDOT Form 135 report
 Other: _____.

WHEREFORE, the Petitioner requests the Court to enter an order awarding ownership of the above referenced motor vehicle to the Petitioner, in lieu of a certificate of title, for the purpose of applying for a certificate of title from the Pennsylvania Department of Transportation.

Signature of Petitioner

VERIFICATION AND CERTIFICATION

I verify that the facts and statements in this Petition are true and correct. I understand that false statements contained herein are subject to the penalties of 18 Pa.C.S.A. § 4904 (relating to unsworn falsification to authorities).

I also certify that this filing complies with the provisions of the Case Records Public Access Policy of the United Judicial System of Pennsylvania that require filing confidential information and documents differently than non-confidential information and documents.

Signature of Petitioner

IN THE COURT OF COMMON PLEAS OF CRAWFORD COUNTY, PENNSYLVANIA

CIVIL ACTION – LAW

In the Matter of Vehicle Ownership :

_____ :
name of Petitioner :

No. AD 20____ - _____

_____ :
VIN :

SCHEDULING ORDER

AND NOW, _____, 20____, the Court is presented with a petition for a court order on ownership of a motor vehicle bearing the VIN stated the caption (“the Petition”).

A hearing on the Petition is scheduled for _____, 20____ at _____ a.m/p.m. in Courtroom #1, Crawford County Judicial Center, Meadville, PA 16335. The Petitioner shall be present for the hearing to testify, and must present all evidence that proves ownership of the subject vehicle.

A copy of the Petition and of this Scheduling Order is to be served by the Petitioner upon the person(s) identified in the Petition as the prior owner, as well as any known or suspected lienholders, at their last known addresses, by hand delivery or first-class mail, postage prepaid.

BY THE COURT,

John F. Spataro, P.J.

cc: Petitioner

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

In the Matter of Vehicle Ownership :
:
:
_____ :
 name of Petitioner : No. AD 20____ - _____
:
:
_____ :
 VIN :

CERTIFICATE OF SERVICE

I certify under penalty of 18 Pa.C.S.A. § 4904 (relating to Unsworn Falsification to Authorities), that copies of the Scheduling Order and Petition were served on _____, 20____, by hand delivery or by first class mail, postage prepaid, to the following, at the addresses listed on the Petition unless otherwise indicated below:

Date

Signature of Petitioner