

LICENSE / REGISTRATION SUSPENSION APPEALS PROCEDURE

OCTOBER 2007

1. Fill out the appropriate forms and attach a copy of the Official Notice from PennDOT.
2. Take the forms to Courtroom #8 for Judge James OR to the posted Courtroom for the Miscellaneous Motions Judge to sign. (There will be signs on the Second Floor indicating which Courtroom that will be.) Miscellaneous Motions are held each day at 9am or with Judge James on Tuesdays and Thursdays from 8:45 am to 9:15am.
3. If the Miscellaneous Motions Judge signs the Order (instead of Judge James himself) then you **MUST** take the signed forms to Courtroom #8 to get a hearing date from Judge James's Secretary.
4. Take the completed, signed, forms and the Order with the hearing date to the Prothonotary's Office to file them.
5. There is a \$105.50 filing fee plus a \$1.00 per page charge for electronic filing. Cash or checks, no credit cards.
6. If you think you cannot afford the filing fees, you must present an *in forma pauperis* form along with your petition when you go to Motions Court. **YOU MUST HAVE PROOF OF YOUR INCOME.** The Judge will decide if you qualify to have the fees waived. If the fees are not waived, you must pay the fee before the Prothonotary will file and process the paperwork.
7. After filing the papers with the Prothonotary, you must send a certified copy of the Petition and Order by certified mail to PennDOT.
8. If you still have questions, contact Court Administration who will then direct you to the appropriate person.

Sample

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

Name _____

Appellant

vs.

No. _____

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION,
Appellee

**PETITION FOR APPEAL FROM A SUSPENSION OF OPERATING
PRIVILEGE/DENIAL OF DRIVER'S LICENSE/SUSPENSION OF MOTOR
VEHICLE REGISTRATION**

1. Appellant herein is NAME residing at and
having a mailing address of Address.

2. Appellee herein is the Department of Transportation of the Commonwealth
of Pennsylvania, having a mailing address of:

_____ Department of Transportation, Bureau of Driver Licensing,
Harrisburg, Pennsylvania 17123.

_____ Department of Transportation, Bureau of Motor Vehicles,
Harrisburg, Pennsylvania 17123.

3. By letter or notice dated date of letter, a copy of which is attached
hereto as Exhibit A, the Department of Transportation need copy of notice

_____ ordered Appellant to surrender his/ her operating license/ motor
vehicle registration for a period of _____.

check
one }

check
one }

Sample

} _____ denied the issuance / renewal of a driver's license.

4. Supersedeas:

_____ Pursuant to 75 Pa.C.S.A. § 1550 (b)(1)(i), Appellant is retaining driver's license until final determination of the suspension of operating privilege.

_____ Pursuant to 75 Pa.C.S.A. § 1550 (b)(1)(ii), a hearing attended by the Appellant must be held before the Court of Common Pleas before an order of supersedeas can be issued.

_____ Pursuant to 75 Pa.C.S.A. § 1377(a), Appellant is retaining motor vehicle registration until final determination of the suspension of registration.

check one

5. The said suspension of Appellant's operating privileges/ registration is improper or unlawful for the following reasons:

brief explanation

Appellant respectfully requests that this matter be set down for a hearing and that the order of suspension / order of denial be set aside.

Respectfully submitted by,

Your Name

Appellant

SAMPLE

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

Date: Today's Date

Your Name
Appellant

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

_____ Appellant :
vs. : No.
COMMONWEALTH OF PENNSYLVANIA :
DEPARTMENT OF TRANSPORTATION, :
Appellee :

**PETITION FOR APPEAL FROM A SUSPENSION OF OPERATING
PRIVILEGE/DENIAL OF DRIVER'S LICENSE/SUSPENSION OF MOTOR
VEHICLE REGISTRATION**

1. Appellant herein is _____ residing at and
having a mailing address of _____.

2. Appellee herein is the Department of Transportation of the Commonwealth
of Pennsylvania, having a mailing address of:

_____ Department of Transportation, Bureau of Driver Licensing,
Harrisburg, Pennsylvania 17123.

_____ Department of Transportation, Bureau of Motor Vehicles,
Harrisburg, Pennsylvania 17123.

3. By letter or notice dated _____, a copy of which is attached
hereto as Exhibit A, the Department of Transportation
_____ ordered Appellant to surrender his/ her operating license/ motor
vehicle registration for a period of _____.

_____ denied the issuance / renewal of a driver's license.

4. Supersedeas:

_____ Pursuant to 75 Pa.C.S.A. § 1550 (b)(1)(i), Appellant is retaining driver's license until final determination of the suspension of operating privilege.

_____ Pursuant to 75 Pa.C.S.A. § 1550 (b)(1)(ii), a hearing attended by the Appellant must be held before the Court of Common Pleas before an order of supersedeas can be issued.

_____ Pursuant to 75 Pa.C.S.A. § 1377(a), Appellant is retaining motor vehicle registration until final determination of the suspension of registration.

5. The said suspension of Appellant's operating privileges/ registration is improper or unlawful for the following reasons:

Appellant respectfully requests that this matter be set down for a hearing and that the order of suspension / order of denial be set aside.

Respectfully submitted by,

Appellant

IN THE COURT OF COMMON PLEAS OF BEAVER COUNTY
P E N N S Y L V A N I A
CIVIL ACTION – LAW

vs.

No.

COMMONWEALTH OF PENNSYLVANIA :
DEPARTMENT OF TRANSPORTATION :

ORDER FOR HEARING

AND NOW, this _____ day of _____, 200__, upon consideration of the petition of _____ for review of an order of the Department of Transportation suspending petitioner's operating privilege, a hearing de novo is granted to determine whether the action of the Department of Transportation in suspending petitioner's operating privilege should be set aside.

HEARING on the above-captioned matter is set for _____, at _____ .M. in Courtroom _____, Beaver County Courthouse, Beaver, Pennsylvania.

The petitioner is directed forthwith to serve a notice of the appeal and copies of the petition for review and order for hearing on the Department of Transportation at the address shown in the department's notice or order, by certified mail, return receipt requested.

It is further Ordered that this petition shall/shall not act as a supersedeas in the above-referenced matter pending final order of Court after Hearing.

BY THE COURT,

J.

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

Date: _____

_____ Appellant