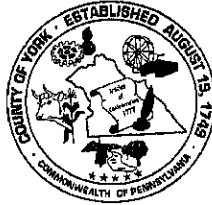


# OFFICE OF THE PROTHONOTARY

Of York County

**Pamela S. Lee**  
Prothonotary  
**Billie Jo Bones**  
Deputy Prothonotary  
**Gregory E. Gettle**  
Solicitor



York County Judicial Center  
45 North George Street  
York, Pennsylvania 17401  
Telephone (717) 771-9611  
[www.yorkcountypa.org](http://www.yorkcountypa.org)

## LICENSE SUSPENSION APPEAL INSTRUCTIONS Fee in York County \$225.00

### TIMELINESS OF APPEAL

In order to be timely, the appeal must be filed in the Prothonotary's Office within 30 days of the mail date of the suspension notice (which should be attached as an exhibit to the appeal). The mail date will be indicated on the top of the notice. Begin counting the 30 days on the day following the mail date. If the 30th day falls on a Saturday, Sunday or legal holiday, the appeal is timely if it's filed on the next business day. The filing fee of \$225 must be paid by cash, money order or credit. A copy of the appeal must be served on PennDOT at the address listed on the suspension notice.

### DRIVING PRIVILEGES

In order to determine whether you may drive once the appeal is filed, you must contact PennDOT. The privilege to continue to drive depends on the type of suspension you received. Call PennDOT at 1-800-932-4600.

### SCHEDULING A HEARING

Once you file the appeal, you must take 3 copies of the appeal to Court Administration on the 4th floor of the Judicial Center. Court Administration will give you an order with the date for the hearing. Copies of this order and your petition for appeal must be sent to PennDOT by you, and the detached certificate of service indicating when you sent notice to PennDOT must be filed by you in the Prothonotary's office. We strongly suggest that you send the documents to PennDOT by certified mail. File the receipt with your certificate of service. If you don't do this, your appeal will not be heard on the scheduled date.

### IN FORMA PAUPERIS

If you are filing In Forma Pauperis (IFP), you may be required by a Judge to attend a separate hearing to determine your eligibility for IFP. If you are granted IFP without a hearing, you will receive what is called a Stipulation of No Contest from the County Solicitor. If the IFP is not granted and you want to pursue the appeal, you must pay the \$225 filing fee within 10 days or the case will be stricken.

07/17

# Supreme Court of Pennsylvania

Court of Common Pleas  
Civil Cover Sheet

YORK

County

For Prothonotary Use Only:

Docket No:

The information collected on this form is used solely for court administration purposes. This form does not supplement or replace the filing and service of pleadings or other papers as required by law or rules of court.

SECTION A

**Commencement of Action:**

- Complaint       Writ of Summons       Petition  
 Transfer from Another Jurisdiction       Declaration of Taking

Lead Plaintiff's Name:

Lead Defendant's Name:  
COMM OF PA DOT

Are money damages requested?  Yes  No

Dollar Amount Requested:  within arbitration limits  
(check one)  outside arbitration limits

Is this a *Class Action Suit*?  Yes  No

Is this an *MDJ Appeal*?  Yes  No

Name of Plaintiff/Appellant's Attorney: \_\_\_\_\_

Check here if you have no attorney (are a Self-Represented [Pro Se] Litigant)

SECTION B

**Nature of the Case:**

Place an "X" to the left of the ONE case category that most accurately describes your **PRIMARY CASE**. If you are making more than one type of claim, check the one that you consider most important.

**TORT** (do not include Mass Tort)

- Intentional  
 Malicious Prosecution  
 Motor Vehicle  
 Nuisance  
 Premises Liability  
 Product Liability (does not include mass tort)  
 Slander/Libel/ Defamation  
 Other: \_\_\_\_\_

**CONTRACT** (do not include Judgments)

- Buyer Plaintiff  
 Debt Collection: Credit Card  
 Debt Collection: Other \_\_\_\_\_  
 Employment Dispute: Discrimination  
 Employment Dispute: Other \_\_\_\_\_  
 Other: \_\_\_\_\_

**CIVIL APPEALS**

- Administrative Agencies  
 Board of Assessment  
 Board of Elections  
 Dept. of Transportation  
 Statutory Appeal: Other \_\_\_\_\_

**MASS TORT**

- Asbestos  
 Tobacco  
 Toxic Tort - DES  
 Toxic Tort - Implant  
 Toxic Waste  
 Other: \_\_\_\_\_

**REAL PROPERTY**

- Ejectment  
 Eminent Domain/Condemnation  
 Ground Rent  
 Landlord/Tenant Dispute  
 Mortgage Foreclosure: Residential  
 Mortgage Foreclosure: Commercial  
 Partition  
 Quiet Title  
 Other: \_\_\_\_\_

**MISCELLANEOUS**

- Common Law/Statutory Arbitration  
 Declaratory Judgment  
 Mandamus  
 Non-Domestic Relations Restraining Order  
 Quo Warranto  
 Replevin  
 Other: \_\_\_\_\_

**PROFESSIONAL LIABILITY**

- Dental  
 Legal  
 Medical  
 Other Professional: \_\_\_\_\_

IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA

\_\_\_\_\_ : No.: \_\_\_\_\_  
(Print your name) :  
 :  
vs. : Driver's License / Auto Registration  
 : Appeal  
COMMONWEALTH OF PENNSYLVANIA :  
DEPARTMENT OF TRANSPORTATION :  
BUREAU OF DRIVER LICENSING :  
 :

APPEAL OF DRIVER'S LICENSE / AUTO REGISTRATION SUSPENSION

AND NOW, this \_\_\_\_\_, 20\_\_\_\_\_, comes the Appellant,  
(insert date)

\_\_\_\_\_, by his / her attorney,  
(Print your name)

\_\_\_\_\_, and states as follows:

1. Appellant's Pennsylvania operator's number or automobile registration number is:

\_\_\_\_\_.

2. PennDOT proposes, by Notice dated \_\_\_\_\_, 20\_\_\_\_\_  
(Insert "mailing" date here)

to suspend Appellant's  driving privileges  automobile registration for a period of

\_\_\_\_\_ pursuant to Section \_\_\_\_\_ of the Vehicle  
(Insert length of suspension)

Code, which suspension is to be effective \_\_\_\_\_, 20\_\_\_\_\_.  
(Insert suspension effective date)

\*\*\* A copy of the Notice sent by PennDOT is attached to this Appeal. \*\*\*

3. The suspension of Appellant's operating privileges is contrary to law in that:  
(Check those which apply)

- The police lacked reasonable grounds to request Appellant to submit to a chemical test;
- Appellant did not knowingly or intelligently refuse a chemical test;
- The conviction on which Appellant's suspension is based was overturned by successful appeal, OR is currently under appeal. (Attach a copy of the court docket to this Appeal)
- Other (specify reason:) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

-OR-

The suspension of Appellant's automobile registration is contrary to law in that:

- My failure to have insurance was for a period of less than 31 days AND I did not drive nor permit anyone else to drive my vehicle during the time it was without insurance. (Attach proof of insurance to this Appeal and either a notarized statement or PennDOT form MV-221 to document non-operation of the vehicle.)
- Other (specify reason:) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

WHEREFORE, Appellant respectfully requests this Honorable Court to sustain the appeal from the suspension of operating privileges or automobile registration.

Respectfully submitted,

\_\_\_\_\_  
(Print name here:)

VERIFICATION

The undersigned hereby states that the statements made in the attached Appeal of Suspension or Registration are true and correct to the best of my knowledge, information and belief. The undersigned understands that the statements in the attached Appeal are made subject to the penalties of 18 Pa.C.S. Sec. 4904 relating to unsworn falsification to authorities.

(Signature) \_\_\_\_\_

(Print Name:) \_\_\_\_\_

Address: \_\_\_\_\_

City / State / Zip: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

e-mail address: \_\_\_\_\_ @ \_\_\_\_\_

IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA

\_\_\_\_\_ : No.: \_\_\_\_\_  
(Print your name) :  
vs. : Driver's License / Auto Registration  
: Appeal  
COMMONWEALTH OF PENNSYLVANIA :  
DEPARTMENT OF TRANSPORTATION :  
BUREAU OF DRIVER LICENSING :  
:

**CERTIFICATE OF SERVICE**

[To be filed in the Prothonotary's Office after service of Petition and Order]

The undersigned hereby certifies that on \_\_\_\_\_, 20\_\_\_\_  
(Date of mailing)

I caused to be mailed by regular mail, postage prepaid, a copy of the Appeal, Order  
Scheduling Hearing, and all attachments, to:

Office of Chief Counsel  
Vehicle and Traffic Law Division  
Riverfront Office Center, 3<sup>rd</sup> Floor  
1101 South Front Street  
Harrisburg, PA 17104-2516

Date: \_\_\_\_\_, 20\_\_\_\_

(Signature:) \_\_\_\_\_  
(Print your name:) \_\_\_\_\_

Address: \_\_\_\_\_  
City / State / Zip: \_\_\_\_\_  
Telephone: \_\_\_\_\_

\*\*\* This form must be completely filled out and filed in the Prothonotary's office promptly

after mailing the documents to PennDOT. \*\*\*