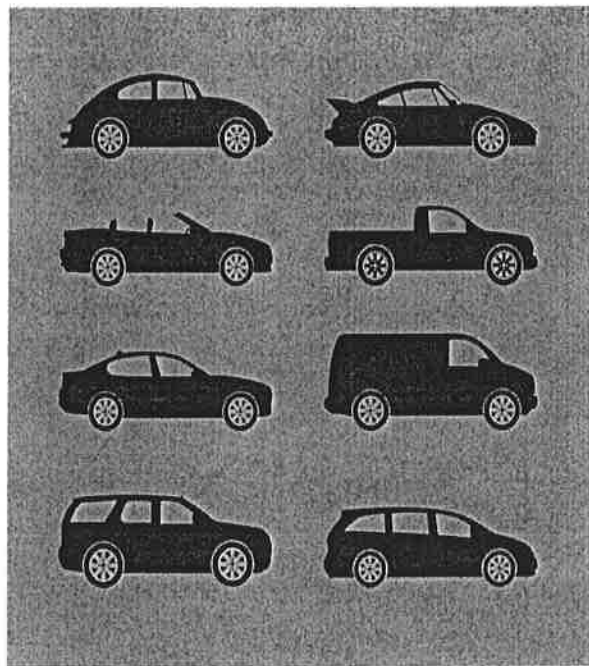


McKean County Vehicle Title Packet



PROCEDURE

- STEP 1:** File the DL-135 form (request for vehicle information) along with appropriate fees to PennDOT. The DL-135 form and instructions are provided with this packet.
- STEP 2:** Once PennDOT provides you with the vehicle information that you requested with the DL-135 form, you can commence an action with the McKean County Court. To file a Motion to Obtain Vehicle Title, it costs \$111.00 and this must be done at the McKean County Prothonotary's Office. Please fill out Form 1, Form 2, and Form 3 with all the required information. Form 3 must be notarized by a notary.
- STEP 3:** Fill out the Supreme Court of Pennsylvania, Court of Common Pleas- Civil Cover Sheet. Called Form 4.

Commencement of Action: PETITION

Lead Defendant's Name: COMMONWEALTH OF PENNSYLVANIA

No monetary damages requested.

Not a class action law suit.

Not an MDJ appeal.

Check the box indicating you are Self-Represented.

Nature of the case is MISCELLANEOUS—TRANSFER OF VEHICLE TITLE.

- STEP 4:** Fill out the Local Cover Sheet using most of the same information in Step 3. Sign at the bottom. Called Form 5.
- STEP 5:** When you commence the legal action in Step 2, you must immediately provide notice to all parties described in the vehicle information obtained from PennDOT. The notice must be sent by U.S. certified mail, return receipt required, and must include:
- A copy of all paperwork filed with or received from the Court,
 - A specific description of the vehicle including the year, make, model, title number, vehicle identification number (VIN #), and registration plate number.
 - State the location where the vehicle is being held.
 - The time, date, and place of any Court proceeding or hearing.
- STEP 6:** If you receive a response from the interested parties, please attempt to resolve the vehicle ownership without the Court's involvement.
- STEP 7:** If any of the notices sent via certified mail come back for any reason, then you must publish the contents of the notice set forth in Step 5 (b, c, and d) at least one per week for three consecutive weeks in the newspaper of general circulation where any person known to claim an interest in the vehicle may be located and where the vehicle is located, if these two locations are different.

- STEP 8:** A second notice must be sent all potential parties identified by PennDOT once a hearing has been scheduled. This notice must include items a, b, c, and d in Step 3 above.
- STEP 9:** Again, if any of the notices sent via certified mail come back for any reason, then you must publish the contents of the notice set forth above (b, c, and d) as set forth in Step 7.
- STEP 10:** Attend the hearing and be prepared to prove to the Court that you have satisfied all the steps required by this packet.

IN THE COURT OF COMMON PLEAS
OF THE 48TH JUDICIAL DISTRICT OF PENNSYLVANIA
MCKEAN COUNTY- CIVIL DIVISION

TYPE OF CASE: CIVIL ACTION

TYPE OF PLEADING: MOTION TO OBTAIN VEHICLE TITLE

FILED ON BEHALF OF: _____

IN RE: _____

TITLE TO: _____

VIN #: _____

**IN THE COURT OF COMMON PLEAS
OF THE 48TH JUDICIAL DISTRICT OF PENNSYLVANIA
MCKEAN COUNTY- CIVIL DIVISION**

IN RE: _____

TITLE TO: _____

MOTION FOR TITLE TO MOTOR VEHICLE

TO THE HONORABLE, JUDGE OF SAID COURT:

1. Your Petitioner is: _____
Address: _____
2. On the premises of your petitioner is a _____ to which there is a title.
3. Said Vehicle was purchased from _____.
4. The only number located on the _____ by the Petitioner is presumed to be the Vin #.
5. Your petitioner has been advised that an Order of Court is required so that a title may be obtained in your petitioner's name.
6. That no one has contacted your petitioner claiming ownership of said _____.

WHEREFORE, YOUR PETITIONERS ASK THAT YOUR Honorable Court issue a decree directing that the Pennsylvania Department of Transportation, Bureau of Motor Vehicle, to issue a new title to said Petitioner for the _____, Vin # _____.

Petitioner

STATE OF PENNSYLVANIA

COUNTY OF MCKEAN

SS:

_____, your Petitioner, being duly sworn according to law, deposes and says that the facts set forth in the foregoing Petition are true and correct to the best of his/her knowledge, information, and belief.

Petitioner

Sworn to and Subscribed before me

This _____ day of _____

Notary

Supreme Court of Pennsylvania

Court of Common Pleas Civil Cover Sheet



County _____

<i>For Prothonotary Use Only:</i>	TIME STAMP
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: <input type="checkbox"/> Complaint <input type="checkbox"/> Writ of Summons <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Transfer from Another Jurisdiction <input type="checkbox"/> Declaration of Taking	
Lead Plaintiff's Name: _____	Lead Defendant's Name: Commonwealth of Pennsylvania
Are money damages requested? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Dollar Amount Requested: <input type="checkbox"/> within arbitration limits (check one) <input type="checkbox"/> outside arbitration limits
Is this a <i>Class Action Suit</i> ? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Is this an <i>MDJ Appeal</i> ? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Name of Plaintiff/Appellant's Attorney: _____	
<input checked="" type="checkbox"/> 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) <input type="checkbox"/> Intentional <input type="checkbox"/> Malicious Prosecution <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Nuisance <input type="checkbox"/> Premises Liability <input type="checkbox"/> Product Liability (does not include mass tort) <input type="checkbox"/> Slander/Libel/ Defamation <input type="checkbox"/> Other: _____ _____	CONTRACT (do not include Judgments) <input type="checkbox"/> Buyer Plaintiff <input type="checkbox"/> Debt Collection: Credit Card <input type="checkbox"/> Debt Collection: Other _____ <input type="checkbox"/> Employment Dispute: Discrimination <input type="checkbox"/> Employment Dispute: Other _____ <input type="checkbox"/> Other: _____ _____	CIVIL APPEALS Administrative Agencies <input type="checkbox"/> Board of Assessment <input type="checkbox"/> Board of Elections <input type="checkbox"/> Dept. of Transportation <input type="checkbox"/> Statutory Appeal: Other _____ <input type="checkbox"/> Zoning Board <input type="checkbox"/> Other: _____ _____
MASS TORT <input type="checkbox"/> Asbestos <input type="checkbox"/> Tobacco <input type="checkbox"/> Toxic Tort - DES <input type="checkbox"/> Toxic Tort - Implant <input type="checkbox"/> Toxic Waste <input type="checkbox"/> Other: _____ _____	REAL PROPERTY <input type="checkbox"/> Ejectment <input type="checkbox"/> Eminent Domain/Condemnation <input type="checkbox"/> Ground Rent <input type="checkbox"/> Landlord/Tenant Dispute <input type="checkbox"/> Mortgage Foreclosure: Residential <input type="checkbox"/> Mortgage Foreclosure: Commercial <input type="checkbox"/> Partition <input type="checkbox"/> Quiet Title <input type="checkbox"/> Other: _____ _____	MISCELLANEOUS <input type="checkbox"/> Common Law/Statutory Arbitration <input type="checkbox"/> Declaratory Judgment <input type="checkbox"/> Mandamus <input type="checkbox"/> Non-Domestic Relations Restraining Order <input type="checkbox"/> Quo Warranto <input type="checkbox"/> Replevin <input checked="" type="checkbox"/> Other: <u>Transfer of Vehicle Title</u> _____
PROFESSIONAL LIABILITY <input type="checkbox"/> Dental <input type="checkbox"/> Legal <input type="checkbox"/> Medical <input type="checkbox"/> Other Professional: _____ _____		

Plaintiff

vs.
Commonwealth of Pennsylvania

Defendant

: IN THE COURT OF COMMON PLEAS OF
: MCKEAN COUNTY, PENNSYLVANIA

: CIVIL DIVISION - ___ Law ___ Equity
: ___ Medical Professional Liability Action

: NO. _____

LOCAL COVER SHEET

Dated: _____, 20____

1. Type of Pleading (e.g. Complaint in Divorce) Petition for Vehicle Title

2. By whom filed: Plaintiff ___ Defendant
Are monetary damages requested? ___ Yes No
Jury trial demanded ___ Yes No Complex* ___ Yes No Small Claim (<\$12,000) ___ Yes No
To be listed for Arbitration? ___ Yes No Note: A civil action is to be listed for Arbitration unless (1) the amount in controversy exceeds \$50,000 exclusive of interest and costs or (2) the case involves title to real property.
* For definition: See Note following L205.2(b)(2).

3. The plaintiff is represented by:

Attorney _____ Email _____
Firm _____
Address _____
Tel. # _____ Fax # _____ Supreme Court ID No. _____

The plaintiff appears *pro se*:

Address _____
Telephone number _____ Email _____

4. The defendant(s) is (are) represented by (attach a separate sheet of paper, if necessary):

Attorney _____ Email _____
Firm _____
Address _____
Tel. # _____ Fax # _____ Supreme Court ID No. _____

The defendant(s) appear(s) *pro se* (attach a separate sheet of paper, if necessary):

Address _____
Telephone number _____ Email _____

5. Name of the assigned Judge: _____

6. This action was commenced by:

___ filing a writ of summons on _____ filing a complaint on _____
___ filing on _____ a notice of appeal from a judgment of the Magisterial District Judge
___ filing a notice of appeal from a decision of a Board of Arbitration on _____

7. Case* type, from Initial Cover Sheet including supplement: _____

*If case includes real property, the address and tax assessment number are required.

Address _____ Tax assessment no. (Map No.) _____

Filer/Counsel for the Plaintiff/Defendant

REQUEST FOR VEHICLE INFORMATION

\$9.00 Fee required for each record requested or \$32.00 Fee for each certified record
 The most current version of this form can be found at www.dmv.pa.gov



pennsylvania
 DEPARTMENT OF TRANSPORTATION

PRINT OR TYPE ALL INFORMATION LEGIBLY - DO NOT SEND CASH

SEE REVERSE FOR INSTRUCTIONS/INFORMATION

A REQUESTER INFORMATION	B END USER OF INFORMATION BEING REQUESTED
NAME	NAME OF BUSINESS
ADDRESS: P.O. Box number may be used in addition to the actual address, but cannot be used as the only address.	ADDRESS: (P.O. Box not accepted), need to provide physical location of business/residence
CITY STATE ZIP CODE	CITY STATE ZIP CODE
DAYTIME TELEPHONE NUMBER (Required) REFERENCE NUMBER	CONTACT PERSON PHONE #
SIGNATURE X _____ NOTARIZATION <u>NOT</u> REQUIRED WHEN REQUESTING YOUR OWN RECORD	NAIC NUMBER POLICY NUMBER
	CLAIM NUMBER
C VEHICLE INFORMATION <i>(read instructions for number 2 on the back of the form)</i>	D MICROFILM Certified - <input type="checkbox"/> YES (\$32.00 Required)
TAG NUMBER TITLE NUMBER	CHECK (✓) ONE ONLY: SEE REVERSE SIDE FOR EXPLANATION OF INFORMATION YOU WILL RECEIVE.
VEHICLE IDENTIFICATION NUMBER DATE OF ACCIDENT (if applicable)	<input type="checkbox"/> TITLE - CURRENT RECORD <input type="checkbox"/> ODOMETER - CURRENT RECORD
NAME	<input type="checkbox"/> TITLE - PREVIOUS RECORD <input type="checkbox"/> ODOMETER - PREVIOUS RECORD
ADDRESS	<input type="checkbox"/> ENCUMBRANCE <input type="checkbox"/> INSURANCE <input type="checkbox"/> OTHER _____
CITY STATE ZIP CODE	E VEHICLE OWNER RELEASE
	I _____ NAME OF VEHICLE OWNER
	hereby request the PA Department of Transportation to furnish a copy of my PA vehicle record to,

	NAME OF REQUESTER

	SIGNATURE OF VEHICLE OWNER DATE

F AFFIDAVIT OF INTENDED USE - YOU MUST CHECK (✓) ONE ITEM

_____ 1. For use by any government agency, including any court or law enforcement agency, in carrying out its functions, or any private person or entity acting on behalf of a Federal, State, or local agency in carrying out its functions.

_____ 2. For use in connection with matters of motor vehicle or driver safety and theft; motor vehicle emissions; motor vehicle product alterations, recalls, or advisories; performance monitoring of motor vehicles, motor vehicle parts and dealers; motor vehicle market research activities, including survey research, and removal of non-owner records from the original owner records of motor vehicle manufacturers.

_____ 3. For use in the normal course of business by a legitimate business or its agents, employees, or contractors, but only:

a. to verify the accuracy of personal information submitted by the individual to the business or its agents, employees, or contractors; and

b. if such information as so submitted is not correct or is no longer correct, to obtain the correct information, but only for the purposes of preventing fraud by, pursuing legal remedies against, or recovering on a debt or security interest against, the individual.

_____ 4. For use in connection with any civil, criminal, administrative, or arbitral proceeding in any Federal, State, or local court or agency or before any self-regulatory body, including the service of process, investigation in anticipation of litigation, and the execution or enforcement of judgments and orders, or pursuant to an order of a Federal, State, or local court.

_____ 5. For use in research activities, and for use in producing statistical reports, so long as the personal information is not published, redisclosed, or used to contact individuals.

_____ 6. For use by an insurer or insurance support organization, or by a self-insured entity, or its agents, employees, or contractors, in connection with claims investigation activities, antifraud activities, rating or underwriting.

_____ 7. For use in providing notice to the owners of towed or impounded vehicles.

_____ 8. For use in connection with the operation of private toll transportation facilities.

NOTARIZATION	SUBSCRIBED AND SWORN TO BEFORE ME: MONTH DAY YEAR	I hereby certify that _____ will NAME OF REQUESTER use the vehicle information requested pursuant to Section 6114 of the Pennsylvania Vehicle Code, for the purpose checked above only and for no other reason. This affidavit is filed in compliance with Section 607 of the Fair Credit Reporting Act and the Federal Drivers Privacy Protection Act. I/We state that I/We have read and signed this form after its completion, and I/we swear or affirm that the statements made herein are true and correct, and that any statement made on or pursuant to this form is subject to the penalties of 18 PA C.S. Section 4903(a)(2) (relating to false swearing), which shall include punishment of a fine not exceeding \$5,000, or to a term of imprisonment of not more than two years, or both.	
	SIGNATURE OF PERSON ADMINISTERING OATH		SIGNATURE OF REQUESTER TITLE OF REQUESTER (if applicable)
	SIGN IN PRESENCE OF NOTARY		

INSTRUCTIONS

1. A \$9.00 non-refundable fee is required for each request. If the Bureau has no record for the information requested or the data supplied is insufficient, the fee will be applied to the cost of the search.
2. **PRINT OR TYPE** all requested information on front of form. Submitting **ONLY** a name or name and address does not provide enough information for a proper search of the vehicle files. If the TAG Number is the only vehicle information available, Section B must be completed and must include NAIC Number, Policy Number and Claim Number or attach a copy of the accident report or parking ticket.

Reference Number - Is a unique identifier assigned by the Requestor. This information will be printed on the vehicle record that is returned to the Requestor. The Reference Number can assist you in processing the record when it is returned to your office. This information is not required.

3. **If requesting your own record**, complete Sections A, C and D only. Notarization is NOT required. If you currently own/owned the vehicle but are requesting a Title History, you must complete Section F and have the application notarized.
4. **If requesting someone else's record**, complete Sections A, C, D, and either E or F.
5. **If requesting a record on behalf of another person**, complete Sections A, B, C, D, and either E or F. NAIC Number, Policy Number and Claim Number are only required when the only vehicle information available is the TAG Number.
6. **When requesting a title history**, a \$9.00 fee is required for each title record. To determine the appropriate fee, please contact the numbers listed below to determine the number of title records available.
7. **If choosing "Other" in Section D**, please include documentation stating what you are requesting.
8. Make check or money order payable to: **"Commonwealth of PA"**.

DO NOT SEND CASH. Attach your check or money order and send to:

**Department of Transportation
Bureau of Driver Licensing
Vehicle Record Services
P.O. Box 68691
Harrisburg, PA 17106-8691**

DESCRIPTION OF INFORMATION AVAILABLE

Vehicle record information is available for the past 10 years only

NOTE: Sales tax and purchase price are considered confidential and will only be provided to the individual who purchased the vehicle, and the dealership that sold the vehicle. Otherwise, this information will not be provided.

- **Title History**.....A copy of the title transaction documents and basic information will be provided.
- **Odometer**.....A copy of the title/renewal transaction and basic information will be provided.
- **Insurance**A copy of the title/renewal transaction and basic information will be provided.
- **Encumbrance**Includes owners name, address, title number, tag, vehicle identification number (VIN), make and expiration date of tag and lienholder(s) name, address and expiration date of lien(s).

IMPORTANT INFORMATION CONCERNING THE USE OF VEHICLE INFORMATION

- Vehicle record information is confidential and restricted information and the Requestor/End User is responsible for establishing procedures to protect the confidentiality of these records.
- Vehicle record information can only be used for the purpose stated in Section F.
- Vehicle record information cannot be sold, assigned, or otherwise transferred to any party, other than the End User.
- PennDOT retains exclusive ownership of all vehicle record information and the Requestor/End User shall not combine and/or link in with any other data on any database except as may be required by law.
- The vehicle record information cannot be used for direct mail advertising or any other type or types of mail or mailings.
- The vehicle record information cannot be disseminated or published on the Internet without the express written permission of PennDOT.
- PennDOT reserves the right to audit each request for vehicle record information. If the Requestor/End User is found to have requested vehicle record information for an unauthorized purpose, access to Pennsylvania vehicle record information will be terminated.

Visit us at www.dmv.pa.gov or call us at:

In state: 1-800-932-4600 ♦ TDD: 1-800-228-0676 ♦ Out-of-State 1-717-412-5300 ♦ TDD Out-of-State: 1-717-412-5380

FACT SHEET

Involuntary Transfer of Ownership of a Vehicle by Court Order

PURPOSE

This Fact Sheet outlines the procedures that must be followed when applying for a Certificate of Title involving the involuntary transfer of a vehicle's ownership. This procedure involves obtaining a court order and should be used only in those circumstances where it is impossible to transfer ownership of a vehicle by the use of a Certificate of Title or Vehicle Manufacturer's Certificate of Origin. Since every set of facts and surrounding circumstances will be unique, a person attempting to be declared owner of a vehicle where proper ownership documents are not available should seek the advice of a private attorney. **PennDOT WILL NOT OFFER LEGAL ADVICE REGARDING THE INVOLUNTARY TRANSFER OF OWNERSHIP OF A VEHICLE.**

PROCEDURES

1. A person attempting to obtain ownership of a vehicle must commence a proceeding with a court of competent jurisdiction setting forth the facts and circumstances of the case. The ownership of the vehicle will be determined by the court.

UNLESS THE COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF TRANSPORTATION IS THE OWNER OF THE VEHICLE IN QUESTION, THE COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF TRANSPORTATION IS NOT AN INTERESTED PARTY TO THIS COURT PROCEEDING. THEREFORE, THE COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF TRANSPORTATION SHOULD NOT BE A NAMED PARTY IN THE PROCEEDING.

2. A person attempting to be declared owner of a vehicle by court order must notify all persons with an interest in the vehicle of the pendency of the court proceeding. The notification must be sent by certified mail, return receipt requested, and must include the following:

- (1) A specific description of the vehicle (i.e., year, make, model and VIN);
- (2) The court of competent jurisdiction where an action will be or has been filed; and
- (3) The time, date and place of any court proceeding.

AT A MINIMUM, THE NOTICE MUST BE SENT TO THE PERSON(S) TO WHOM THE VEHICLE IS PRESENTLY TITLED AND REGISTERED AND EVERY LIENHOLDER THAT IS LISTED ON THE TITLE RECORD. PLEASE NOTE THAT IF A PERSON ATTEMPTING TO BE DECLARED OWNER OF A VEHICLE IS UNAWARE OF ANY PERSON WITH AN INTEREST IN THE VEHICLE, THE PERSON ATTEMPTING TO OBTAIN OWNERSHIP OF THE VEHICLE MAY OBTAIN A CERTIFIED COPY OF THE VEHICLE'S COMPUTER RECORD BY COMPLETING FORM DL-135 (REQUEST FOR VEHICLE INFORMATION), AND SUBMITTING TO PENNDOT ALONG WITH THE APPROPRIATE FEES.

3. In the event the notice sent to a person with an interest in the vehicle is returned as "Unclaimed," the person attempting to be declared owner of the vehicle must advertise a legal notice at least once in the county legal journal(s) and at least once per week for three consecutive weeks in the newspaper(s) of general circulation where any person known to claim an interest in the vehicle may be located and where the vehicle is located, if these two locations are different. Please refer to the *Pennsylvania Bar*



Association Lawyers Directory & Product Guide to determine the appropriate legal journal. The advertisement should include the following:

- (1) A specific description of the vehicle (i.e., year, make, model and VIN);
 - (2) The court of competent jurisdiction where an action will be or has been filed; and
 - (3) The time, date and place of any court proceeding.
4. When the above procedure is followed and the court of competent jurisdiction enters an order declaring an individual the rightful owner of the vehicle, PennDOT may issue a Certificate of Title to the person named in the court order upon receipt of the following:
- (1) A certified copy of the court order entered declaring the individual owner of the vehicle;
 - (2) Form MV-1, "Application for Certificate of Title," and check or money order payable to the Commonwealth of Pennsylvania.
 - (3) Appropriate sales tax, title and registration fees.

Unless the petitioner is eligible to claim a Sales Tax Exemption, sales tax must be paid on the Fair Market Value of the vehicle as listed in a current edition of a PennDOT-approved publication. Approved PennDOT publications include the following: *N.A.D.A.*, *The Automobile Red Book*, *The Black Book Official Used Car Guide*, *American Used Car Guide*, and *The Kelley Blue Book Used Car Guide*.

Please Note: Authorized agents are under contract to PennDOT and may charge a market driven service (delivery) fee; these are in addition to any PennDOT statutory fees for temporary, or in some cases, permanent motor vehicle registration plates and cards or other related products and services offered by the agent. The agent's service (delivery) fees are market driven, and vary by agent. To compare service (delivery) fees, you are encouraged to contact the authorized agents in your area for the applicable service (delivery) fees charged.