

Pennsylvania Stop Sign Defense Strategy in a Nutshell



Point #1: If you were cited for failure to stop at a stop sign, you allegedly violated [Title 75, Section 3323](#).

Point #2: A stop sign is an “official traffic-control device.”

Point #3: [Title 75, Section 102 Definitions](#), defines an “official traffic control device” very specifically: “Signs, signals, markings and devices ***not inconsistent with this title placed or erected by authority of a public body*** or official having jurisdiction, for the purpose of regulating, warning or guiding traffic.”

Point #4: In order for your stop sign to be considered an “official traffic-control device,” it had to have been placed or erected in a way “*not inconsistent with this title*.” In addition, it had to have been placed or erected “*by authority of a public body*.”

Point #5: My 32-question Checklist helps you to determine if both of these requirements have been met. If they haven’t, then your stop sign is not an “official traffic-control device” and so can’t be enforced.

Point #6: Furthermore, [Title 75, Section 3111](#) (which I break down in Part Three of the [Pennsylvania Stop Sign Ticket Defense](#)) indicates that a driver only has to obey a traffic control device is if it “*placed or held in accordance with the provisions of this title*.” Once again, my Checklist helps you find all of the ways that your stop sign isn’t “*held in accordance*” with Title 75.

Point #7: Finally, plenty of case law supports my interpretation of Title 75. When you get into Part Two, Section Four of the [Pennsylvania Stop Sign Ticket Defense](#), you will see that I cite twenty court cases. I show how judges from the Court of Common Pleas, the Superior Court and even the Supreme Court interpret Title 75 the way I do. [Commonwealth v. Heenan, No. 1595-1981, Common Pleas Court of Schuylkill County](#) is just one example: “*It is clear, therefore, that a traffic-control device is an instrument approved and erected ... ***Absence of such approval and placement renders the Commonwealth unable to enforce*** those sections of the code mandating the posting of such devices.*”

Point #8: Hopefully I have piqued your interest with this short outline of the theory behind the [Pennsylvania Stop Sign Ticket Defense](#). If you are serious about contesting your ticket, you owe it to yourself to take the time to read the rest.