

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA : NO. 00-11,743
:
vs. : CRIMINAL DIVISION
: Motion to Suppress
DAINA HEDGES, :
Defendant :

OPINION AND ORDER

Before the Court is Defendant's Motion to Suppress, filed January 18, 2001. A hearing on the Motion was held March 22, 2001.

Defendant has been charged with two counts of driving under the influence of alcohol and several summary violations. Defendant challenges the vehicle stop which led to her arrest. It appears Defendant was stopped by the arresting officer because he observed Defendant driving a vehicle which had two registration plates, one located on the bumper and another one located behind the rear window. Defendant contends that such does not constitute reasonable and articulable grounds to suspect that Defendant had violated any provisions of the Vehicle Code, as required for a stop pursuant to 75 Pa.C.S. Section 6308. Specifically, Defendant contends that displaying two registration plates does not violate the Vehicle Code. The Court does not agree.

75 Pa.C.S. Section 1372(3) prohibits any person from displaying a registration plate in, on, or in connection with any vehicle other than the vehicle for which it was issued. The Court believes that observation of two different registration plates on one vehicle can lead an officer to reasonably suspect that at least one of those plates is not on or in the vehicle for which it was issued. Since the officer had an appropriate basis on which to stop Defendant's vehicle,¹ the Court finds that

¹The fact that Defendant was not charged with violating Section 1372 of the Vehicle Code, perhaps having provided a legitimate explanation for having two registration plates which deterred the

suppression of any evidence obtained thereafter is not warranted.

ORDER

AND NOW, this 3rd day of April, 2001, for the foregoing reasons, Defendant's Motion to Suppress is hereby denied.

By the Court,

Dudley N. Anderson, Judge

cc: DA
E.J. Rymysza, Esq.
Gary Weber, Esq.
Hon. Dudley N. Anderson

officer from filing such a charge, does not affect the validity of the stop. See Commonwealth v Rachau, 670 A.2d 731 (Pa. Cmwlth. 1996) (If an officer has a reasonable suspicion that criminal activity may be afoot, he or she may make an investigatory stop even if that belief later turns out to have been mistaken or the defendant is not ultimately convicted of the suspected crime).