

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

COMMONWEALTH : No. CR-287-2013  
 :  
 vs. :  
 :  
 NATALIE R. HOFFORD, :  
 Defendant :

**OPINION AND ORDER**

Before the Court is Defendant’s motion to suppress filed on March 21, 2013. The Court held a hearing and argument on this motion on April 18, 2013. The relevant facts follow.

At approximately 2:30 a.m. on July 21, 2012, Defendant was traveling south on Franklin Street in Williamsport, PA. When she reached the end of Franklin Street at its intersection with Fourth Street, Defendant continued into the right westbound lane of Fourth Street, without using her turn signal. A trooper with the Pennsylvania State Police was following Defendant and he initiated a traffic stop due to Defendant’s failure to use her turn signal.

Defendant filed a motion to suppress, claiming that the trooper did not have reasonable suspicion or probable cause to stop her vehicle.

Section 3334 of the Vehicle Code states:

(a) **General rule.** -- Upon a roadway no person shall turn a vehicle or move from one traffic lane to another or enter the traffic stream from a parked position unless and until the movement can be made with reasonable safety nor without giving an appropriate signal in the manner provided in this section.

(b) **Signals on turning and starting.** – At speeds of less than 35 miles per hour, an appropriate signal of intention to turn right or left

shall be given continuously during not less than the last 100 feet traveled by the vehicle before turning....

75 Pa.C.S. §3334.

Defendant claims she was not required to use her turn signal because she did not turn or change lanes. The Court cannot agree. Defendant is under the misconception that the only direction that a vehicle traveling south on Franklin Street can go is westbound on Fourth Street. See Defendant's brief, p. 2.<sup>1</sup> This simply is not the case. Although Fourth Street is basically a one-way street west of Franklin Street, it is a two-way street where it intersects with Franklin Street and to east of Franklin Street in the block between Penn Street and Franklin Street. While the trooper may not have expressly testified regarding the portion of Fourth Street that is a two-way street at this intersection, this fact can be inferred from the photographs that Defendant admitted as Exhibits 2 through 6. For example, Defendant's Exhibit 5 depicts vehicles parked facing east on Fourth Street as well as a pedestrian crossing sign. In Defendant's Exhibit 3, one can see that there is a "Do Not Enter" sign on a lamp pole, next to a northbound one-way street (Basin Street). If one looks closely at that picture, one can see that the street is divided into two lanes, with a left arrow and lettering in white paint in the left lane and a right arrow and lettering in white paint in the right lane, which indicates that vehicles can turn right and proceed east onto Fourth Street, including the portion of Fourth Street that intersect with Franklin Street. Noticeably absent from the

---

<sup>1</sup> Although the pages of Defendant's brief are not numbered, this assertion is on the second page in the last sentence before the heading "ARGUMENT."

photographs are any one-way or do not enter signs to prohibit the driver of a vehicle traveling south on Franklin Street from turning left onto Fourth Street. Thus, it is apparent from Defendant's own exhibits that Defendant could turn either left or right from Franklin Street onto Fourth Street.

The trooper credibly testified that Defendant did not use her turn signal and Defendant has not disputed this testimony. Instead, she argues that she was not required to use her turn signal, because she did not have a stop sign and she merely continued from the right lane on Franklin Street into the right lane of Fourth Street. The fact that Defendant was not required to stop at the intersection only gave her the right-of-way; it did not relieve her of her obligation to use her turn signal to indicate whether she intended to turn left or right onto Fourth Street. Since the trooper's testimony clearly established that Defendant failed to use her turn signal when she turned right onto Fourth Street, the trooper had probable cause to stop Defendant's vehicle for that traffic violation.

Accordingly, the Court will deny Defendant's motion to suppress.

**ORDER**

**AND NOW**, this \_\_\_\_ day of June 2013, the Court DENIES Defendant's motion to suppress.

By The Court,

---

Marc F. Lovecchio, Judge

cc: Nicole Ippolito, Esquire (ADA)  
Brian Manchester, Esquire  
124 W. Bishop Street, Bellefonte PA 16823  
Work file  
Gary Weber, Esquire (Lycoming Reporter)