

Section 2. This act shall become effective the first day of June, one thousand nine hundred thirty-seven. When effective.

APPROVED—The 5th day of June, A. D. 1937.

GEORGE H. EARLE

No. 359

AN ACT

To promote public health, morals, safety, and welfare by providing for the supervision and encouragement of housing; creating a State Board of Housing, a departmental administrative board within the Department of Health; providing for the organization of the board, the appointment and removal of its members; enumerating its duties and powers, including the powers to conduct investigations, issue subpoenas, apply to courts for punishment of contempts, make orders, rules and regulations, prescribe forms, require reports, supervise the operations of limited dividend housing companies and housing authorities and their members and employes; acquire property by eminent domain for limited dividend housing companies; commence actions to prevent violations of law and to surcharge members of authorities, supervise rental charged by limited dividend companies, charge fees for services; providing for the selection and removal of the board's employes, providing for appeals from its orders; and making an appropriation.

Be it enacted, &c., That,

Section 1. This act shall be known as, and may be cited as, the "State Board of Housing Law." Public health.
Title.

Section 2. Findings and Declaration of Policy.—It has been determined by the General Assembly of this Commonwealth, and it is hereby declared as a matter of legislative finding, that: Policy set forth.

(a) There exist in urban and rural communities, within the various counties of this Commonwealth, slums or unsafe, unsanitary, inadequate, or overcrowded dwellings, or a combination of these conditions, accompanied and aggravated by an acute shortage of decent, safe, and sanitary dwellings, within the financial reach of families of low income; such conditions arising from overcrowding, obsolete buildings, lack of proper light, air and sanitary facilities;

(b) The above enumerated conditions, both singly and in combination, are prejudicial to the health and welfare of the people of this Commonwealth because they (1) encourage the spread of disease, and impair public health, and morals; (2) increase the hazards of fires, accidents, and other calamities which result in loss of life and property; (3) subject the moral standards of the young to influences which have permanent deleterious social effects; (4) increase the violation of the criminal laws of the Commonwealth so as to jeopardize the

safety and well-being of the inhabitants thereof; (5) necessitate the expenditure of vast sums of public money, both by the Commonwealth and local governmental bodies, for the purposes of crime prevention, punishment and correction, fire prevention, public health service and relief;

(c) The failure to remedy the acute dwelling shortage is directly related to the stagnation of business activity in the construction, durable goods, and allied industries which are conducted within this Commonwealth, and the stagnation of which has produced serious and prolonged unemployment with all its injurious effect upon the health and welfare of the inhabitants of this Commonwealth;

(d) Private industry alone has been, and now is, unable to overcome the obstacles which have prevented, and are now preventing, it from relieving the shortage of decent, safe, and sanitary dwellings for families of low income;

Therefore, it is hereby declared to be the policy of the Commonwealth of Pennsylvania to promote the health, morals, safety and welfare of the inhabitants thereof by providing for the creation of a State Board of Housing for the purpose of supervising, encouraging, assisting, and regulating any housing authorities, limited dividend companies, or other associations, organizations, bodies corporate or politic which may exist or be formed within the Commonwealth, to ameliorate the conditions hereinabove described.

Definitions.

Section 3. Definitions. — The following words and phrases, when used in this act, shall have the meanings respectively ascribed to them in this section:

1. "Actual Cost" shall mean cost of project or real property, buildings and improvements in projects, including charges for financing, supervision, and carrying charges during construction, including interest on borrowed capital.

2. "Areas of Bad Housing" shall mean areas where, in the opinion of the State Board of Housing, land is overcrowded or where the structural or unsanitary condition of unfit, obsolete or deteriorated buildings have, in the opinion of the board, a tendency to endanger the health, safety, morals or general welfare of the public. Such areas shall extend only to the limits of neighborhoods that might reasonably be deemed to be affected by these conditions, but may include buildings not in themselves structurally unsafe or unsanitary.

3. "Board" shall mean the State Board of Housing created by this act as a departmental administrative board within the Department of Health of the Commonwealth.

4. "Housing Authority" or "Authority" shall mean

any public housing authority created under that name by any act of Assembly of this State.

5. "Housing Project" or "Project" shall mean any work or undertaking—(1) to demolish, clear or remove buildings from any area of bad housing, or to adapt such area to public purposes, including parks, playgrounds, swimming pools, or other recreational or community purposes; or (2) to provide decent, safe, and sanitary dwellings, apartments or other living accommodations for persons of low income through new construction or reconditioning or repair of existing structures. Such work or undertaking may include buildings, land, equipment, facilities, and real or personal property for necessary, convenient or desirable appurtenances, streets, sewers, water services, parks, site preparation, gardening, administrative, community, health, recreational, educational, welfare, or other purposes; or (3) to accomplish a combination of the foregoing. The term "Housing Project" or "Project" also may be applied to the planning of buildings and improvements and all other work in connection therewith.

6. "Limited Dividend Housing Company" shall mean a company incorporated under or accepting the provisions of any Limited Dividend Housing Company Law.

7. "Municipality" shall mean any county, city, borough or township.

Section 4. State Board of Housing.—There is hereby created and established a State Board of Housing which shall be a departmental administrative board within the Department of Health and which shall be deemed subject to all the provisions of the Administrative Code of one thousand nine hundred and twenty-nine, as amended, which apply generally to departmental administrative boards. The board shall consist of five citizens of the Commonwealth who shall be appointed by the Governor by and with the advice and consent of two-thirds of all the members of the Senate. Members of the board who are first appointed shall be designated by the Governor to serve for terms of one, two, three, four and five years respectively from the date of their appointment. Thereafter the term of office shall be for five years. A member shall hold office until his successor has been appointed and has qualified. A vacancy occurring during a term shall be filled only for the balance of the unexpired term. Each appointee shall be qualified by training or experience to perform the duties of the board. The members of the board shall be entitled to receive their traveling and other necessary expenses actually incurred in the performance of their public duties plus an honorarium not more than five dollars per diem, provided no greater sum than fifteen dollars shall be received by a member for any

State Board of
Housing created.

Terms.

Quorum.

sequence of several days' continuous service. The board shall organize by the election of a chairman and secretary. Three members shall constitute a quorum. The board shall appoint a full-time executive director who may act as secretary of the board, but who shall not be a member of the board, and who shall be technically qualified for the duties of his office. The executive director shall be under the sole direction of the board. He shall receive a salary of six thousand dollars per annum. The board shall have power to select and fix the salaries of such employes as may be necessary for the performance of the duties and the exercise of the powers herein imposed or conferred upon the board.

Section 5. Removal of Members of Board.—The Governor may remove a member of the board for inefficiency, neglect of duty, or misconduct in office.

Board to study housing conditions.

Section 6. General Powers and Duties of the Board.—The board shall—(a) study housing conditions and needs throughout the Commonwealth to determine areas wherein the conditions of bad housing enumerated in section 2 (a) of this act exist; (b) devise ways and means of eliminating such conditions in such areas and of securing economies in the construction or renovation of dwellings so that a large number of safe and sanitary houses may become available for families of low income; (c) collect and distribute information relating to housing, to the administration of housing authorities, and to the construction, maintenance, and operation of projects by such authorities; (d) suggest and assist in the preparation of legislation relating to housing authorities and their functions; (e) exercise such powers of supervision over housing authorities as may be prescribed in this act; (f) encourage, approve, supervise, and control the organization and operation of limited dividend housing companies; (g) recommend or approve areas within municipalities, which areas may be within, adjacent to, or separate and apart from, designated areas of bad housing, within which the development of housing projects by limited dividend housing companies may be undertaken; (h) cooperate with local housing officials and planning commissions or similar bodies in cities and other municipalities in the development of projects; (i) have jurisdiction over all limited dividend company housing projects; (j) from time to time make, amend, and repeal rules and regulations for carrying into effect the provisions of this act; (k) conduct public hearings and thereafter issue such appropriate orders as may be permitted by law.

Board to have the power to investigate housing companies.

Section 7. Inquisitorial Powers of the Board.—The board shall have power to investigate the affairs of limited dividend housing companies and housing authorities to the extent provided by law, as well as the deal-

ings, transactions or relationships of such companies or authorities with other persons. Any of the investigations provided for in this act may be conducted by the board or by a committee appointed by the board consisting of one or more members of the board. Each member of the board or of a committee thereof shall have power to administer oaths, take affidavits, and to make personal inspections of all such places as may be necessary in the performance of their duties. The board or a committee thereof shall have power to subpoena and require the attendance of witnesses at any place in the Commonwealth designated by the board, and the production of books and papers pertaining to the investigations and inquiries authorized in this act, and to examine them in relation to any matter it has power to investigate.

Section 8. Enforcement of Board Subpoena.—Any witness who refuses to obey a subpoena issued by the board in the performance of its duties, or who refuses to be sworn or affirmed, or to testify, or who is guilty of any contempt, after summons to appear, may be punished for contempt. Application for punishment for contempt may be made by the board to any court of common pleas within whose territorial jurisdiction the offense was committed.

Board may
enforce
subpoenas

Section 9. Accounts and Records of Housing Authorities.—The board shall prescribe uniform systems and forms for keeping accounts, records, and books to be used by an authority. The board may require an authority to file periodical reports, in addition to annual reports, but not oftener than quarterly, covering its operations and activities. Such reports shall be in a form prescribed by the board. The board may, from time to time, require from an authority or any member or members thereof, specific answers to questions upon which the board may require information in order to effectuate the purposes of this act. For the purpose of gathering information to facilitate the making of suggestions for legislation the board may require an authority to submit additional information relating to the projects of an authority.

Board to pre-
scribe uniform
systems for
authorities.

Section 10. Filing of Plans of Authorities or Limited Dividend Companies.—The board shall receive and preserve all information and papers which must be filed with it in connection with any authority or limited dividend company, by the terms of the law. The board shall require the filing with it of a copy of the plans of each proposed project of each authority or limited dividend company, embodying the layout, estimated costs, and proposed method of financing. Upon the filing of any such copy, the board shall, with reasonable promptness, transmit to the authority or limited divi-

Board shall
receive and
preserve plans.

dend company its criticisms and suggestions. Any change made in the project shall be filed with the board by the authority or limited dividend company. At any time, upon request of the authority or limited dividend company, the board shall submit to the authority or limited dividend company its criticisms and suggestions with reference to any change in a project of the authority or limited dividend company.

Section 11. Supervision of Operations of Authority or Limited Dividend Company.—Whenever the board is of the opinion that any of the projects or plans of an authority or limited dividend company are in violation of any law of this Commonwealth, it shall commence an action for an injunction against the carrying out of such projects or plans.

Section 12. Supervision of Members of Authorities.—Whenever it shall appear to the board that any member or employe of an authority has had any undisclosed interest in any property included in any project of such authority, or in any contract for materials or service furnished to such authority, the board shall take appropriate steps to insure that such member or employe shall be surcharged in favor of such authority, to the extent of any profit to such member or employe.

Projects must
be approved
by the board.

Section 13. Approval of Projects of Limited Dividend Companies by the Board. — No housing project proposed by a limited dividend housing company shall be undertaken and no building or other construction shall be placed under contract or started without the approval of the board. No such housing project shall be approved by the board, unless—

(a) There is an acceptance by such limited dividend housing company of a designee of the State Board as a member of the board of directors of such corporation;

(b) It shall appear practicable to rent the housing accommodations of such company at rentals not exceeding those prescribed by the board in accordance with this act. No such project shall be approved in contravention of any zoning or building ordinances in effect in the municipality in which designated areas are located;

(c) There shall be submitted by such company a financial plan, in such form and with such assurances as the board may prescribe, to raise at least one-third of the actual cost of the lands and improvements through the investment of private capital in the shares and income debentures of such company and to raise the balance by mortgage bonds which shall not exceed two-thirds of the actual cost of the project: Provided, however, When the bonds of such company are insured by any agency of the Federal Government, the entire amount of paid in capital need not exceed the difference

Proviso.

between the total par value of the insured bonds and the actual cost of the project or projects of such company. The plan may provide for the raising of working capital in an amount to be approved by the board not to exceed three per centum of the actual cost through the investment in shares and income debentures of the company;

(d) There shall be submitted by such company such plans of site development and buildings as show conformity to reasonable standards of health, sanitation, safety, and provisions for light and air, accompanied by proper specifications and estimates of cost. Such plans may, if the board approves, provide for the use, to the extent permitted by law, of a limited portion of the buildings for stores, professional offices, necessary garage facilities, and commercial, cooperative or recreational purposes. Such plans and specifications shall not in any case fall below the requirements of the health, sanitation, safety, and housing laws of the Commonwealth, and shall meet superior requirements if prescribed by local laws and ordinances. No such plans of a proposed project of a limited dividend company shall be approved by the board, unless the board is reasonably assured that the proposed housing development conforms with or calls for higher standards than the local official city or regional plan, building and zoning regulations.

(e) The limited dividend company shall agree if required by the board to deposit all moneys received by it as proceeds of its mortgage bonds, notes, income debentures or shares with a corporate trustee approved by the board. Such trustee shall receive such moneys and make payment therefrom for the acquisition of land and the construction of improvements and other items entering into cost of land and improvements upon presentation of draft, check or order signed by a proper officer of the company. Any funds remaining in the custody of such trustee after the completion of the project and payment or arrangement in a manner satisfactory to the board for payment in full thereof shall be paid to the company.

Section 14. Consolidation or Operation of Several Projects.—The board may permit the consolidation of two or more approved projects of a limited dividend company or the extension or amendment of any approved project or the consolidation of any approved project with a proposed project. In any of these events, the consolidated project shall be treated as an original project and an application shall be submitted as in the case of an original project, and rents may be averaged throughout the consolidated or extended project but the averaging of rentals shall not be approved if con-

Board may permit consolidation of two or more projects.

solidated projects are so widely separated that the averaging of rentals is not warranted. The board may likewise permit any limited dividend housing company to organize and operate more than one project or to take over any project heretofore approved by the board and to operate it independently of other projects of such company. The board may, in its discretion, decline to permit more than one project to be operated by the same limited dividend housing company. The board may permit a limited dividend housing company to sell, assign, convey or dispose of real property or any interest therein owned by it under such terms, regulations or restrictions as the board shall approve.

Powers and
duties of board
in regulating
housing
authorities.

Section 15. General Regulation of Limited Dividend Housing Companies by the Board.—In pursuance of its power and authority to supervise and regulate the operations of limited dividend housing companies the board shall—

(a) Order such repairs and improvements as will preserve the health, safety, and general welfare of the occupants of buildings and structures owned or operated by such companies;

(b) Order all such companies to do such acts as may be necessary to comply with the provisions of the law, the rules and regulations adopted by the board, or the terms of any project approved by the board, or to refrain from doing any acts in violation thereof;

(c) Examine all such companies and keep informed as to their general condition, their capitalization, and the manner in which their property is constructed, leased, operated or managed;

(d) In all proceedings to foreclose mortgages of such companies, and in all other actions where judgments have been entered upon which any of the real property of such companies may be sold, take such steps as, in its judgment, may be necessary to protect the interest of the public therein and the rights of all parties interested in such property;

(e) Either through its members or agents duly authorized by it enter in or upon and inspect the property, equipment, buildings, plants, offices, apparatus, and devices of any such company, examine all books, contracts, records, documents, and papers of any such corporation and by subpoena duces tecum compel the production thereof;

(f) In its discretion prescribe uniform methods and forms of keeping accounts, records, and books to be observed by such companies and after a hearing to prescribe by order accounts in which particular outlays and receipts shall be entered, charged or credited;

(g) Require every such company to file with the board an annual report setting forth such information as the

board may require, verified by the oath of the president and general manager or receiver, if any thereof, or by the person required to file the same. Such report shall be in the form, cover the period and be filed at the time prescribed by the board. The board may further require specific answers to questions upon which the board may desire information, and may also require such corporation to file periodic reports in the form, covering the period, and at the time prescribed by the board;

(h) Establish such rules as may be necessary, from time to time, governing the necessity, amount, and purpose of reserves of such companies;

(i) Upon the filing by a limited dividend housing company of a petition requesting the board to institute condemnation proceedings to acquire property described in the petition, which the limited dividend company shall therein certify to be necessary for a housing project, the board shall determine, in its discretion, whether the public interest would be served by its instituting condemnation proceedings to acquire the property described in the petition, and whether such property is necessary for public use. After the adoption by the board of a resolution declaring that the acquisition of the property described in the petition is in the public interest and necessary for public use, the board may exercise the power of eminent domain to acquire such property. The proceedings for the condemnation of property and for the assessment of damages for property taken, injured or destroyed, shall be in accordance with the act, approved the fifteenth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, nine hundred seventy-six), entitled "An act to authorize the Board of Commissioners of Public Grounds and Buildings to acquire property for the Commonwealth by proceedings in eminent domain where the purchase of such property has either been authorized by law or determined by the Board of Commissioners of Public Grounds and Buildings under existing laws and an appropriation made therefor," its amendments and supplements. Before instituting any such condemnation proceedings to acquire property for a limited dividend housing company, the board shall require said company to deposit with it a sum equal to the value of the property as appraised by the board and also to deliver to the board a bond, with sureties approved by the board, fully indemnifying the board with respect to all sums that it may expend and all costs, expenses, and obligations which it may incur in acquiring said property. The board shall transfer and convey to the limited dividend housing company all real property acquired by the board through condemnation for said company, pro-

vided that the board has first been paid in full all sums expended by it and all costs, expenses, and obligations incurred by it in the acquisition of the property to be conveyed to said limited dividend housing company.

Board to fix
maximum
rentals.

Section 16. Control of Rentals.—A. The board shall, from time to time, establish for each municipality, within which a limited dividend housing company proposes to operate, the maximum rental per room to be charged the tenants of the housing accommodations furnished by limited dividend housing companies. Such maximum rental shall be fixed on the basis of land values for housing purposes and building construction costs in such municipality and shall be reasonable for the type of housing in such municipality. The board shall further establish within the limit of such maximum rental the average rental per room for each project built or acquired and managed by a limited dividend housing company upon the basis of the actual cost of the project, so as to secure from the housing accommodations, together with all other income of the company, a sufficient income to meet all necessary expenses, including operating and maintenance costs, and reserves to be made by limited dividend housing companies, and within the limits of allowable dividends. Such room rental rates shall be subject to revision by the board from time to time if found to be excessive. For the foregoing purposes, the board shall promulgate a uniform method of rating the various types of rooms of dwellings. Rentals for the commercial portion of such projects such as stores, professional offices, necessary garage facilities, cooperative or commercial uses, ordinary accessory uses in dwellings or recreational purposes, may be fixed on the basis of current market rates, the income therefrom to effect reductions in rentals applying to residential uses.

It shall be unlawful to let, sublet or assign leases of apartments in such buildings or structures at greater rentals than prescribed by the order of the board. All such leases shall be void for all intents and purposes. In the case of a limited dividend housing company for which the board has exercised the power of eminent domain, and in all cases where public funds or assistance have been given to a housing project of a limited dividend housing company, the board may specify such methods and conditions as will safeguard the housing accommodations against occupancy by families of a higher income than those for whom the project may have been designated.

May permit
increase of
rentals.

B. Increase of Rentals. — Whenever it shall appear that the interests of lienholders, creditors, debenture holders or shareholders cannot otherwise be safeguarded, the board shall, notwithstanding the limitations pre-

scribed in this act for maximum and average rentals, have power by its order made upon written application of a limited dividend housing company, or of a lienholder, a creditor, or of holders of ten per centum of the income debentures or shares of the company, to authorize such limited dividend housing company to increase rentals beyond the maximum established by the board; but the increase shall not be in excess of the minimum amount necessary to enable such corporation to meet such obligations and then only after a public hearing at a time and place designated by the board. Such hearing shall be held upon no less than twenty days written notice to the tenants. Such notice shall have annexed thereto a copy of the application for increase in rentals. No such order or authorization shall be made or given unless the board shall find that, because of changes in economic conditions in their application to the particular project involved, or because of special assessments or causes or contingencies beyond the control of the company affecting such project, the maximum rentals fixed by the board are insufficient to meet the payments authorized by law to be made by such company, and unless the board shall find that such insufficiency cannot be corrected by reasonable economies in management and operation.

C. Reduction of Rentals of Limited Dividend Companies.—If in any calendar or fiscal year, the gross receipts of any limited dividend housing company shall have exceeded the payments which it is authorized by law to make, including the sums necessary to pay dividends and interest accrued or unpaid on any shares or income debentures, and the authorized transfer to surplus, the balance shall be applied to the reduction of rentals, unless the board of directors, with the approval of the board, shall deem such balance too small for the purpose.

Rents to be reduced in certain cases.

Section 17. Summary Proceedings Against Companies.—Whenever the board shall be of the opinion that a limited dividend housing company is failing or omitting, or about to fail or omit to do anything required of such company by law or by order of the board and is doing or about to do anything or permitting anything or about to permit anything to be done contrary to and in violation of law or of any order of the board, the board shall commence an action for an injunction in the court of common pleas of the county wherein the main office of such company is located for the purpose of having such violations or threatened violation stopped and prevented.

Section 18. Fees Collectible.—The State Board of Housing may charge and collect for an approved project

from a limited dividend housing company reasonable fees, in accordance with rates to be established by the rules of the board, for the examination of plans and specifications and the supervision of construction, in an amount not to exceed one-fifth of one per centum of the cost of the project and not to exceed five thousand dollars for any one project, for the holding of a public hearing upon the application of a limited dividend housing company an amount sufficient to meet the reasonable cost of advertising the notice thereof and of the transcript of testimony taken thereat, for any examination or investigation made upon application of a limited dividend housing company an amount reasonably calculated to meet the expenses of the board incurred in connection therewith. All such receipts shall be paid into the State Treasury. The board may authorize a limited dividend housing company to include such fees as part of the cost of a project.

Examinations.

Section 19. Selection of Employes and Assistants; Merit System; Removals.—

(a) The board shall classify all positions they are empowered to fill according to the qualifications required by such positions. Any vacancy in any class of employment shall be filled by a selection from the three successful candidates whose names stand highest on the eligible list secured for that class of employment through open competitive examinations. Such examinations shall be conducted at such times and in such manner and graded and marked by such persons as the board may direct, and shall have reference to the skill, intelligence, and general aptitude of the candidate for the class of employment for which the examination is conducted. In all written tests, each candidate shall be given a number so that the person marking or grading each paper shall not be able to ascertain the identity of any candidate. The names of all successful candidates in each examination for each class of employment shall be placed on an eligible list for such class of employment. All persons who were engaged in the military or naval service of the United States during any war in which the United States was engaged, and who have an honorable discharge from such service, shall be rated an additional five per centum over and above the rating fixed for the quality and character of answers in the examination, and any such person who shall have been wounded or otherwise disabled in such service (so long as he is able to perform the work of the employment for which he is examined), shall be rated a further additional five per centum over and above the five per centum herein required, and in either case the total per centum mark for grade thus obtained shall determine

the order of standing of such persons on any list of eligibles.

(b) No person who shall have performed the active duties of his employment for more than sixty (60) days shall be discharged except for just cause, which shall be neither racial, religious, nor political, nor until he has been furnished with a written statement of the reasons for such purposed discharge, and is afforded five (5) days within which to reply to said statement. The charges and the answer shall be filed with the board and a public hearing granted if requested.

Section 20. Appeal from Orders of Board. — Any order of the board shall be final and conclusive upon all questions within its jurisdiction unless reversed or modified on appeal. An appeal may be taken within thirty (30) days after entry of the board's order by filing with the court of common pleas of Dauphin County a petition praying that the order of the board be modified or set aside. Notice of such appeal must be served upon the board, and it shall, within thirty (30) days thereafter, serve upon the parties appealing from such order a statement of its conclusions of fact and rulings of law in the case. No argument that has not been urged at the hearing conducted by the board shall be considered by the court unless the failure or neglect to urge such objection shall be excused because of extraordinary circumstances, and the failure to consider the same would materially prejudice the attainment of the purposes of this act. The findings of the board as to the facts if supported by evidence shall be conclusive.

Appeals to be taken to court of common pleas of Dauphin County.

An appeal from the decision of such court of common pleas may be taken by any party in interest, including the board, to the Superior Court.

Section 21. Appropriation.—The sum of fifty thousand dollars (\$50,000), or as much thereof as may be necessary, is hereby appropriated to the Department of Health for the use of the State Board of Housing for the two fiscal years ending on the thirty-first day of May, one thousand nine hundred and thirty-nine, for the purpose of carrying into effect the provisions of this act.

Appropriation

Section 22. Constitutional Construction.—The provisions of this act shall be severable, and if any of its provisions shall be held to be unconstitutional, the decision so holding shall not be construed to affect the validity of any of the remaining provisions of this act. It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein.

Constitutional provision.

Section 23. Repeal.—All acts or parts of acts inconsistent herewith are hereby repealed.

Repeals.

When effective.

Section 24. Effective Date.—This act shall become effective immediately upon its passage and approval by the Governor.

APPROVED—The 5th day of June, A. D. 1937.

GEORGE H. EARLE

No. 360

AN ACT

To amend the act, approved the first day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, nine hundred five), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," as amended, regulating the sale and further regulating the installation, use, and operation of traffic regulation devices, signals, signs, and markings, and the operation of motor vehicles on the highways; affecting the powers of municipal authorities in certain cases, and of the Secretary of Highways; and changing and imposing penalties.

Sections 905 and 906, act of May 1, 1929 (P. L. 905), as amended by sections 27 and 28, act of July 16, 1935 (P. L. 1056), further amended.

Section 1. Be it enacted, &c., That sections nine hundred and five and nine hundred and six of the act, approved the first day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, nine hundred five), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, jus-