

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-

tices 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 by sections twenty-seven and twenty-eight of the act, approved the sixteenth day of July, one thousand nine hundred and thirty-five (Pamphlet Laws, one thousand fifty-six), are hereby further amended to read as follows:

Section 905. Permits for Excessive Size and Weight. — (a) The Secretary of Highways of this Commonwealth, and local authorities in their respective jurisdictions, may, in their discretion, upon application in writing accompanied by the fee provided in this act, and good cause being shown therefor, issue a special permit, in writing, authorizing the applicant to operate or move either a vehicle or combination of vehicles, or a vehicle and load, or a combination of vehicles and their load or loads, of a size or weight exceeding the maximum specified in this act upon any highway under the jurisdiction of and for the maintenance of which the authorities granting the permit are responsible. When a permit has been issued by the Secretary of Highways, no other authorities shall require any further or additional permit for any portion of the route specified therein. Every such permit shall be issued for a single trip, and shall designate the route to be traversed, subject to such rules, regulations, restrictions, or conditions, as shall be deemed necessary by the authority granting such permit: Provided, That, upon request included in the application, a combination permit may be issued for a single continuous round trip, whether or not a load or loads may be transported for the entire trip, but no substantial increase in the size or weight of vehicle or combination of vehicles or of load shall be made between intermediate points without supplemental permit. *The Secretary of Highways may, in his discretion, issue a single permit for any fixed number of movements across the highway of vehicles or combinations thereof exceeding the maximum size or weight specified in this act at specified locations. Whenever any such permit shall have been issued for crossing the highway, it shall be unlawful to move said vehicles along the highway.* The movement of any vehicle or load requiring a permit shall impose the obligation on the permittee to restore or replace any section of highway or bridge damaged as a result

of such movement, whether or not such damage may be attributable to negligence on the part of the permittee. Every such permit shall be carried in the vehicle to which it refers, and shall be open to inspection by any peace officer or employe of the Department of Highways of this Commonwealth or to any person having collision with or suffering injury from such vehicle.

Section 906. Special Limitations.—

(a) No vehicles shall be operated upon any highway where such operation has been prohibited or restricted by the Secretary of Highways, or local authorities, as set forth in section one thousand one hundred and one (1101) of this act, when [appropriate] *official* signs are erected and maintained.

(b) It shall be unlawful for any person to drive, or cause to be driven, upon any bridge, causeway, or viaduct, any vehicle which, together with its load, exceeds the maximum weight permitted and [mentioned] *stated* in the [posted] *official* signs erected and maintained in accordance with the requirements as set forth in section one thousand one hundred and two (1102) of this act.

Penalty.—Any person violating any of the provisions of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of fifty (\$50) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Section 2. That subsections (b) and (d)* of section one thousand and two of said act, as last amended by section twenty-nine of the act, approved the sixteenth day of July, one thousand nine hundred thirty-five (Pamphlet Laws, one thousand and fifty-six), are hereby further amended to read as follows:

Section 1002. Restrictions as to Speed.—

(b) Subject to the provisions of subsection (a) of this section, speeds in excess of the maximum limits hereinafter provided shall be unlawful:

1. Ten (10) miles an hour speed limit:

All vehicles, when passing any interurban or street car taking on or discharging passengers; at an intersection, where a safety zone has been established, or where traffic is controlled by a peace officer or a traffic signal.

2. Fifteen (15) miles an hour speed limit:

All vehicles, except those restricted by this act to lower maximum speeds, when passing a school building during school recess, or while children are going to or leaving school during opening or closing hours.

3. [Twenty (20) miles an hour speed limit:

All vehicles, except those restricted by this act to lower maximum speeds, within business or residence districts, where signs, erected by the Department of

Subsection (b)
of section 1002,
as amended by
section 29, act
of July 16, 1935
(P. L. 1056),
further amended.

* Subsection (d) not amended in 1935.

Highways or local authorities, on the right-hand side of the highway facing the traffic to be controlled, are displayed bearing the words "TWENTY MILE SPEED LIMIT," in letters not less than four (4) inches in height. This limit shall be observed for a distance beyond said sign for not more than one-eighth ($\frac{1}{8}$) of a mile. An additional sign shall be placed at intervals not greater than one-eighth ($\frac{1}{8}$) of a mile, and any extension of such limited zone shall be marked by additional signs in like manner. At the end of such limited zone, there shall be a sign, similarly placed as to traffic, bearing the words "END OF TWENTY MILE SPEED LIMIT," in letters not less than four (4) inches in height.]

Twenty (20) miles an hour speed limit:

All vehicles, except those restricted by this act to lower maximum speeds, when approaching within two hundred (200) feet of a railway grade crossing where [sign] official signs erected by the proper authorities [is] are displayed. [bearing the words "TWENTY MILE SPEED LIMIT," in letters not less than four (4) inches in height.]

All vehicles, except those being operated on through highways, and those restricted by this act to lower maximum speeds, when approaching within fifty (50) feet and in traversing an intersection of highways, within a business or residence district, when the driver's view is obstructed, except on highways controlled at intersections by peace officer or traffic signal. A driver's view shall be deemed to be obstructed if, during the last fifty (50) feet of his approach to such intersection, he does not have a clear and uninterrupted view of such intersection and of the traffic upon all of the highways entering such intersection and of the traffic upon all of the highways entering such intersection for a distance of two hundred (200) feet from such intersection.

(b) 4. *Twenty-five (25) or thirty-five (35) miles an hour speed limit: All vehicles, except those restricted by this act to lower maximum speeds, within business or residence districts, where official signs, erected by the proper authorities, on the right-hand side of the highway facing the traffic to be controlled, or on the left-hand side of one-way streets, are displayed. This limit shall be observed for a distance beyond said sign for not more than one-eighth ($\frac{1}{8}$) of a mile. An additional sign shall be placed at intervals not greater than one-eighth ($\frac{1}{8}$) of a mile, and any extension of such limited zone shall be marked by additional signs in like manner. At the end of such limited zone, there shall be an official sign, similarly placed as to traffic, indicating the end of the limited zone.*

(b) [4] 5. [Forty (40)] *Fifty (50)* miles an hour speed limit:

All vehicles, except those otherwise restricted by this act to lower maximum speeds.

(d) When the rate of speed of any vehicle is timed on [a measured stretch of] any highway within a business or residence district, where [“TWENTY MILE SPEED LIMIT”] *official speed limit* signs are erected, as provided in this section, for the purpose of ascertaining whether or not the operator of such vehicle is violating a speed provision of this act, such time shall be taken by not less than two (2) peace officers, one of whom shall have been stationed at each end of [such] a measured stretch, and no conviction shall be had upon the unsupported evidence of one (1) peace officer, except as hereinafter provided, and no such measured stretch shall be less than one-eighth ($\frac{1}{8}$) of a mile in length. Under all other conditions, the rate of speed [may] *shall* be timed, for a distance of not less than one-quarter ($\frac{1}{4}$) mile, by a peace officer using a motor vehicle equipped with a speedometer tested for accuracy within a period of thirty (30) days prior to the alleged violation.

Subsection (d) of section 1011, and subsections (a) and (b), as amended by act of June 22, 1931 (P. L. 751), further amended.

Section 3. That subsection (d) of section one thousand and eight, subsection (d) of section one thousand and eleven, and subsections (a) and (b) of section one thousand and sixteen of said act, as amended by section two of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (Pamphlet Laws, seven hundred fifty-one), are hereby further amended to read as follows:

Section 1008.

(d) The driver of a vehicle shall not overtake and pass, or attempt to pass, any other vehicle, proceeding in the same direction, between any points indicated by the placing of *official* temporary warning or caution signs indicating that men are working on the highway.

Section 1011.

(d) Local authorities, when [proper] *official* signs are erected, may prohibit turning at intersections, and may, when the center of the intersection is occupied by a monument, grass plot, or any permanent structure, other than a traffic control device, direct traffic to keep to the right when [proper] *official* signs are erected.

Section 1016.

(a) It shall be unlawful for the driver or operator of any vehicle, street car, or trackless trolley omnibus, except as is otherwise provided in this section, before entering a through highway, to fail to come to a full stop, within a reasonable distance, before entering the intersection on such through highway, when an *official* “THRU TRAFFIC STOP” [sign has] *sign or signs*

have been erected in accordance with the provisions of this act.

(b) It shall be unlawful for the driver or operator of any vehicle, street car, or trackless trolley omnibus, except as is otherwise provided in this section, before entering a stop intersection to fail to come to a full stop, within a reasonable distance, before entering the intersection, when [a "STOP" sign has] *an official "STOP" sign or signs have* been erected in accordance with the provisions of this act.

Section 4. That subsection (b) of section one thousand and eighteen, and subsection (a) of section one thousand and nineteen of said act are hereby amended to read as follows:

Subsection (b) of section 1018, and subsection (a) of section 1019, amended.

Section 1018.

(b) [No person shall drive a vehicle to the left of a safety zone where appropriate sign has been erected as provided in this act.] *Traffic may move on either side of a safety zone, unless prohibited from driving to the left thereof by the erection of an official sign as provided in this act.*

Section 1019.

(a) No person shall park or leave standing any vehicle, whether attended or unattended, upon the paved or improved or main traveled portion of any highway, outside of a business or residence district, when it is practicable to park or leave such vehicle standing off the paved or improved or main traveled portion of such highway: Provided, In no event shall any person park or leave standing any vehicle, whether attended or unattended, upon any highway, unless a clear and unobstructed width of not less than fifteen (15) feet upon the main traveled portion of said highway opposite such standing vehicle shall be left for free passage of other vehicles thereon, nor unless a clear view of such vehicle may be obtained from a distance of [two] *three* hundred [(200)] (300) feet in each direction upon such highway: And further provided, No person shall park or stand any vehicle, whether attended or unattended, in any no parking area, where *official* "No Parking" signs have been erected in accordance with the provisions of section one thousand one hundred and thirteen (1113) of this act.

Section 5. That paragraph twelve of section one thousand and twenty, and subsections (b), (c), and (e) of section one thousand and twenty-six of said act, as amended by section two of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (Pamphlet Laws, seven hundred fifty-one), are hereby further amended to read as follows:

Paragraph 12, section 1020, and subsections (b), (c), and (e), of section 1026, as amended by act of June 22, 1931 (P. L. 751), further amended.

Section 1020.

12. At any place where official [traffic] signs have been erected prohibiting standing and parking.

Section 1026.

(b) Whenever traffic at an intersection is alternately directed to stop and go, by the use of traffic signals, the [words or] colored lights [or combination thereof] shall indicate as follows, except as otherwise provided in this section:

1. Green.—[or “Go”] Traffic facing the signal may proceed straight ahead, and make right or left turns, except where no such turns are permitted, when so indicated by [proper] *official signs*. Vehicular traffic shall yield the right of way to pedestrians crossing or who have started to cross the roadway on the green signal and vehicles lawfully within a crosswalk or the intersection at the time such signal was exhibited.

2. Yellow, [or “Caution”] When Shown Alone.—[Traffic facing the signal shall stop before entering the intersection, and no movement of traffic shall be made, except the traffic then within the intersection, and a “U” turn on a two-way street back of the intersection, when so indicated by proper signs.] *Traffic facing the signal shall stop before entering the nearest crosswalk at the intersection, but if such stop cannot be made in safety, a vehicle may be driven cautiously through the intersection.*

3. Red.—[or “Stop”] Traffic facing the signal shall stop before entering the intersection, and remain standing until green [or “Go”] is shown. [alone] No movement or turns shall be lawful on red, [or “Stop” except that “U” turns may be made on a two-way street back of the intersection when so indicated by proper signs] *except as otherwise provided in this section.*

4. *No “U” turns shall be made on a two-way street in a business or residence district, unless they shall be made back of the intersection on such signal, and at such times and places as may be indicated by official signs.*

(c) Where *official signs* indicate turns, as [above] provided *in this section*, they shall be attached to the traffic signals, or immediately adjacent thereto, [and the letters shall be at least two (2) inches in height] and they shall be clearly illuminated at night.

(e) Local authorities may provide for turns *or movements straight ahead* on special green arrow signals. Where a left turn is provided for in the above manner, there shall be no left turns on green, [or “Go”] as above provided, when so indicated by [proper] *official signs*.

Section 6. That section one thousand and twenty-nine of said act is hereby amended to read as follows:

Section 1029. Regulating Speed on Bridges.—No person shall drive any vehicle upon any public bridge, causeway or viaduct, other than interstate bridges, as now provided by law, at a speed which is greater than

the maximum speed which can, with safety to such structure, be maintained thereon, when such structure is [sign] posted *with official signs* as provided in section one thousand one hundred and eleven (1111) of this act.

Penalty.—Any person violating any of the provisions of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 7. That section one thousand one hundred and one of said act, as amended by section two of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (Pamphlet Laws, seven hundred fifty-one), is hereby further amended to read as follows:

Section 1101. When Authorities May Restrict Right to Use Highways.—

(a) The Secretary of Highways of this Commonwealth and local authorities may, by ordinance or resolution or ruling, prohibit the operation of vehicles upon any highway, or impose restrictions as to the weight of vehicles and their loads, for a total period not to exceed ninety (90) days in any one (1) calendar year, when operated upon any highway under the jurisdiction of and for the maintenance of which the Secretary of Highways of this Commonwealth or local authorities are responsible, whenever any said highway, by reason of deterioration, rain, snow, or other climatic conditions, will be seriously damaged or destroyed unless the use of vehicles thereon is prohibited or the permissible weights thereof reduced. The Secretary of Highways of this Commonwealth and local authorities enacting or making any such ordinance or resolution or rule shall erect, or cause to be erected and maintained, *official signs* designating the provisions of the ordinance or resolution or rule, at each end of that portion of any highway affected thereby, and at intersections thereof; and the ordinance or resolution or rule shall not be effective until or unless such *official signs* are erected and maintained.

(b) Whenever necessary for the protection of any highway or the safety of traffic thereon, the Secretary of Highways of this Commonwealth, or local authorities, may also, by ordinance or resolution or rule, prohibit the operation of motor vehicles, trailers, or semi-trailers on designated highways, as to the weights and loads thereon, which prohibitions and limitations shall be designated by [appropriate] *official signs* placed on such highways and their intersections.

Section 8. That section one thousand one hundred and two of said act is hereby amended to read as follows:

Section 1101,
as amended by
section 2, act of
June 22, 1931
(P. L. 751),
further amended.

Section 1102,
amended.

Section 1102. Regulating Weight of Vehicles on Bridges.—[Where] *If* any bridge, causeway or viaduct, owned or maintained, whether owned in whole or in part, by this Commonwealth, or local authorities, other than interstate bridges as now provided by law, shall have [a sign] *official signs*, properly posted in [a] conspicuous [place] *places* at the [entrance] *entrances* thereto, stating the gross maximum weight permitted thereon, it shall be unlawful for any person to drive or cause to be driven upon any such bridge, causeway or viaduct, any vehicle which, together with its load, shall be of greater gross maximum weight than is [mentioned in] *stated on* such [sign] *signs*. [Provided, however, That the restrictions as to the maximum weight mentioned in such signs shall not apply for a period exceeding one (1) year from the date of posting of such signs, unless a further extension of time is authorized by the Secretary of Highways of this Commonwealth.]

Subsection (a), section 1103, as amended by section 36, act of July 16, 1935 (P. L. 1056), further amended.

Section 9. That subsection (a) of section one thousand one hundred and three of said act, as amended by section thirty-six of the act, approved the sixteenth day of July, one thousand nine hundred and thirty-five (Pamphlet Laws, one thousand fifty-six), is hereby further amended to read as follows:

Section 1103.

(a) Local authorities, except as expressly authorized by this act, shall have no power or authority to alter any speed limitations declared in this act, or to enact or enforce any ordinance, rule or regulation contrary to the provisions of this act, except that local authorities shall have power to provide by ordinance for the regulation of traffic by means of peace officers or *official* traffic signals on any portion of the highway where traffic is heavy or continuous, and may regulate or prohibit parking, stopping or loading of vehicles, or prohibit other than one-way traffic upon certain highways, and may regulate the use of the highways by processions or assemblages, and may regulate the kinds and classes of traffic and its turning on certain highways at all or certain hours, and may regulate the transportation by motor vehicles of passengers for compensation within the limits of a city, or from points in the city to points beyond the city limits, and make and enforce regulations for the operation of such vehicles not inconsistent with this act, and designate certain streets upon which such vehicles may be operated:

Provided, however, that any regulations of the kinds and classes of traffic on State highway routes within cities shall be subject to the approval of the Secretary of Highways, first had and obtained.

Local authorities may designate any highway or any

part of a highway under their jurisdiction a "Play Highway" and may close such designated highway to general traffic where interference to traffic will not be serious. Such highways or portions of highways shall be used for play purposes and shall be clearly designated by appropriate signs, specifying the hours between which such highways shall be closed to general traffic.

Section 10. That subsections (a) and (b) and the section heading of section one thousand one hundred and five of said act, as amended by section two of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (Pamphlet Laws, seven hundred fifty-one), are hereby further amended to read as follows:

Sections (a) and (b) and section heading, as amended by section 2, act of June 22, 1931 (P. L. 751), further amended.

Section 1105. Uniformity and Control of *Traffic Signs, Signals, and Markings*.—

(a) The Secretary of Highways of this Commonwealth shall *forthwith* make and publish regulations for the design, [and] location, *and operation* of all *official* traffic signs, *signals*, and markings in this Commonwealth, and such *traffic signs, signals, and markings* shall correlate with, and, so far as [possible] *practicable*, conform with, the system adopted [in other states] *by the Fourth National Conference on Street and Highway Safety, published November, one thousand nine hundred and thirty-five, and amendments thereto*. Local authorities are directed to follow the uniform regulations for *traffic signs, signals, and markings* as so provided, and no other system shall be regarded as official.

(b) The [Department] *Secretary* of Highways of this Commonwealth shall have authority over the *type*, installation, location, operation, and maintenance of all *traffic signs, signals, and markings*, on State highways [in townships] in this Commonwealth, and [authority over the installation, location, and maintenance of all signs and markings] on highways in cities, boroughs, and incorporated towns, where such highways form connecting links between or continuations of State highways, and shall have the power and *it shall be his* duty to cause the removal, alteration, or adjustment of any [such] signs, signals, or markings that do not conform with the regulations of the Department of Highways.

Section 11. That section one thousand one hundred and six of said act is hereby amended to read as follows:

Section 1106, amended.

Section 1106. Local Traffic Signs.—Local authorities, in their respective jurisdiction, may cause *official* signs, *in accordance with section one thousand one hundred and five of this act*, to be erected and maintained, as may be appropriate, to give notice of legal parking and other local ordinances, rules and regulations. Local parking and other local ordinances, rules, and regula-

tions shall not be enforceable against an alleged violator, if, at the time and place of the alleged violation, an [appropriate] *official* sign, giving notice thereof, is not posted conspicuously by the municipalities making the same, at points where any highway affected thereby joins other highways.

Section 1108 as amended by section 38, act of July 16, 1935 (P. L. 1056), further amended.

Section 12. That section one thousand one hundred and eight of said act, as amended by section thirty-eight of the act, approved the sixteenth day of July, one thousand nine hundred and thirty-five (Pamphlet Laws, one thousand fifty-six), is hereby further amended to read as follows:

Section 1108. Defacing Signs, *Signals or Markings*.—It shall be unlawful for any person to deface, damage, knock down, [or] remove, obstruct, or interfere with any *traffic sign, signal or marking* [posted] *placed* as provided in this act.

Penalty.—Any person violating any of the provisions of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of *not less than* twenty-five (\$25) dollars *nor more than one hundred* (\$100) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than [ten (10)] *ninety (90)* days.

Section 1109, as amended by section 2, act of June 22, 1931 (P. L. 751), further amended.

Section 13. That section one thousand one hundred and nine of said act, as amended by section two of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (Pamphlet Laws, seven hundred fifty-one), is hereby further amended to read as follows:

Section 1109. Establishment of Safety Zones.—The Secretary of Highways of this Commonwealth, with reference to State highways, and local authorities in counties, cities, boroughs, incorporated towns, and townships of the first class, with reference to highways under their jurisdiction, are hereby authorized to establish safety zones. The Secretary of Highways of this Commonwealth, and local authorities, when establishing a safety zone, shall erect and maintain *official* signs, [bearing the words "SAFETY ZONE"] illuminated at night or so designed to reflect light from headlamps.

Section 1110, as amended by section 39, act of July 16, 1935 (P. L. 1056), further amended.

Section 14. That section one thousand one hundred and ten of said act, as amended by section thirty-nine of the act, approved the sixteenth day of July, one thousand nine hundred and thirty-five (Pamphlet Laws, one thousand fifty-six), is hereby further amended to read as follows:

Section 1110. Erection of *Traffic Signs, Signals, and Markings*.—

(a) The Secretary of Highways of this Commonwealth, with reference to State highways, and local authorities in counties, cities, boroughs, incorporated

towns, and townships of the first class, with reference to highways under their jurisdiction, are hereby authorized to erect and maintain *official traffic signs, signals, and markings*. Before local authorities, *except in cities of the first and second class*, [in counties or townships] shall erect or cause to be erected traffic signals, [on a State highway] they must first obtain the approval of the Secretary of Highways of this Commonwealth.

(b) *Wherever it is desired to erect or maintain any traffic signal in this Commonwealth, the need thereof shall first be established upon the basis of safety and/or convenience to traffic. The basis of determination of the need for a traffic signal shall be the volume of traffic entering the intersection, the number of accidents that have occurred in each of the three preceding years, and other factors. The secretary shall establish minimum standards for each of the factors upon which approval of the erection or maintenance of the signal shall be based.*

[(b)] (c) Traffic signals, electrically operated, shall conform to the following:

1. [Where a] A three-color system [is] *shall be used. [the] No yellow light [following] shall follow the red light in signals hereafter erected. In signals heretofore erected the yellow light following the red light shall not exceed three (3) seconds in length. [The timing of all lights shall be determined by the volume of traffic and other conditions.]*

2. [Where three colored lights are used, the yellow shall be in the center.] *The sequence or order of illumination of the colored lens of all traffic signals shall be as follows: The green light followed by the yellow light followed by the red light followed by the green light, and repeat. Green arrows, if used, may be illuminated, either alone or in combination with any other lens. There shall be no yellow lens illuminated following the red lens. Traffic signals, erected or reconstructed after January first, one thousand nine hundred and thirty-eight, shall conform to the provisions of this section.*

3. The [light] *lamps* shall be of such power as to cause the signal to be visible for at least three hundred (300) feet.

4. Traffic signals of the pedestal type shall be placed at a height of no less than eight (8) feet above the pavement to the bottom of the signal. [if] *If on a mast arm, or, if suspended, the bottom of the signal shall clear the pavement by at least fifteen (15) feet: Provided, That the requirements as to height of traffic signals shall not apply to such signals installed and in operation prior to January first, one thousand nine hundred thirty, except that replacement of present traffic signals made in the interim shall conform to these provisions.*

[(c)] (d) Traffic signals, manually operated or commonly known as semaphores, shall conform to the following:

1. There may be four vanes or sides, the stop vanes having a red field with the word "STOP" plainly visible thereon; and the go vanes, a green field with the word "GO" plainly visible thereon.

2. When used at night, they shall be equipped with red and green lights, corresponding with the vanes or sides, and with the same visibility as electrically operated signals.

[(d)] (e) All traffic signals shall be so located as to be plainly visible to all traffic to be regulated. *Whenever physical conditions will permit, they shall be on or near the right curb line at the far side of the intersection, facing in the direction of approaching traffic. The bottom of the signal shall be at a height of approximately eight (8) feet above the surface of the highway.*

[(e)] (f) Traffic signals, electrically operated, erected after January first, one thousand nine hundred and thirty-two, shall be of the three-color system. The red lens shall be at the top of left side, the yellow lens in the center, the green lens at the bottom or right side. Where a special green arrow is used for right or left turns, it shall be located below or to the right of the green lens.

(g) *Traffic signals, electrically operated, that have been erected prior to the passage of this act, whenever reconstructed or the controllers or wiring are replaced, shall be made to conform with the provisions of this act and the regulations of the Secretary of Highways; but in any event all such signals shall be made to so conform not later than January first, one thousand nine hundred and forty, unless extension of time shall be granted by the Secretary of Highways in each specified case.*

Penalty.—Any official of any county, city, borough, incorporated town, or township of the first class, who shall erect or cause to be erected and operated a traffic signal in violation of the provisions of this section, shall, upon summary conviction before a magistrate, be sentenced to [a] pay a fine of one hundred (\$100) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Section 15. That sections one thousand one hundred and eleven and one thousand one hundred and thirteen of said act are hereby amended to read as follows:

Section 1111. Regulating Speed on Bridges.—The Secretary of Highways of this Commonwealth, or other proper State body, or any local authority, shall, upon request, or upon their own initiative may, conduct an

investigation of any public bridge, causeway or viaduct under their respective jurisdictions, and, if it or they shall thereupon find that such structure cannot with safety to itself withstand vehicles traveling at the speed otherwise permissible under this act, the Secretary of Highways of this Commonwealth, or other State body, or local authorities, shall determine and declare the maximum speed of vehicles which such structure can withstand, and shall cause [or permit suitable] *official* signs stating such maximum speed to be erected and maintained thereon at each end of such structure facing approaching traffic. The provisions of this section shall not apply to interstate bridges as now provided by law.

Section 1113. Parking Restriction on State Highways.—The Secretary of Highways of this Commonwealth is hereby authorized to designate certain sections of State highway routes under his jurisdiction as “No Parking Areas,” and to erect and maintain the necessary *official* signs to carry out this provision.

Section 16. That article eleven of said act is hereby amended by adding thereto, after section one thousand one hundred and thirteen, a new section to read as follows:

Article 11
amended by
adding section
1114 thereto.

Section 1114. Use, Test, Approval, and Sale of Traffic Signs, Signals, and Regulatory Devices.—

(a) *It shall be unlawful for any person to use on any street or highway in this Commonwealth any traffic regulatory sign, signal, marking, or any other device, unless of a type which has been submitted to the Secretary of Highways for test, and for which a certificate of approval has been issued by the Secretary of Highways, and is then in effect as provided by this act.*

(b) *Any person desiring approval of any traffic sign, signal or any other traffic regulatory device shall, when required, submit to the Secretary of Highways, one or more sets of each type of device upon which approval is desired, together with the fee provided in this act. The Secretary of Highways shall, upon notice to the applicant, submit such device to the United States Bureau of Standards, or to such other recognized testing laboratory as he may elect, for a report as to the compliance of such device with the rules and uniform standard specifications adopted by the Secretary of Highways. Such devices will also be subject to any road tests or other tests as the Secretary of Highways may deem necessary to determine that each type of device, they and their component parts, conform to the requirements as adopted by the Secretary of Highways. The Secretary of Highways is authorized to refuse approval of any device certified as complying with the specifications and requirements, which the Secretary of Highways determines will be, in actual use, unsafe or*

impracticable, or would fail to comply with the provisions of this act, or such requirements as may be adopted by the Secretary of Highways.

(c) *The Secretary of Highways shall request the testing agency to submit a report of each type of device to the Secretary of Highways in duplicate. For those which are found to comply with the specifications and requirements, the report shall include any special adjustments required. Reports of all tests shall be accessible to the public, and a copy thereof shall be furnished by the Secretary of Highways to the applicant for the test.*

(d) *It shall be unlawful for any manufacturer, jobber, retailer, or their agent, or for any other person, to sell, lease, or offer for sale or hire, any sign, signal or any other traffic regulatory device that does not conform to the provisions of this act.*

Penalty.—Any person violating any of the provisions of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of not less than one hundred (\$100) dollars or more than one thousand (\$1000) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment of not more than thirty (30) days.

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

GEORGE H. EARLE

No. 361

AN ACT

To amend section twenty-nine of the act, approved the sixteenth day of May, one thousand nine hundred and twenty-three (Pamphlet Laws, two hundred seven), entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates, and lighting rates; for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; the distribution of the proceeds of such sales, and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," by providing that, under certain circumstances, a municipality may purchase for the sheriff's costs, subject to the lien of taxes and municipal claims, property sold to satisfy a judgment on a tax or municipal claim; and providing for the management and disposition of said property after said sale.

Section 29, act
of May 16, 1923
(P. L. 207),
amended.

Section 1. Be it enacted, &c., That section twenty-nine of the act, approved the sixteenth day of May, one