

Public Instruction shall superintend the organization of such special classes and such other arrangements for special education and shall enforce the provisions of this act relating thereto. If the approved plan indicates that it is not feasible to form a special class in any district or to provide such education for any such child in the public schools of the district, the board of school directors of the district shall secure such proper education and training outside the public schools of the district or in special institutions, or by providing for teaching the child in his home, in accordance with rules and regulations prescribed by the Department of Public Instruction, on terms and conditions not inconsistent with the terms of this act or of any other act then in force applicable to such children.

In addition to the above and in accordance with rules and regulations prescribed by the Department of Public Instruction, homebound instruction shall be provided for children confined in detention homes as provided in section 7, act of June 2, 1933 (P. L. 1433), as amended, for the period of their confinement, if their confinement exceeds or is expected to exceed ten days, even though such children are not mentally or physically handicapped.

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APPROVED—The 30th day of December, A. D. 1959.

DAVID L. LAWRENCE

No. 763

AN ACT

Amending the act of April 29, 1959 (P. L. 58), entitled "An act consolidating and revising the Vehicle Code, the Tractor Code, the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership, possession and use of vehicles and tractors," changing penalties for throwing or dumping material from vehicles or tractors.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 1025, act of April 29, 1959 (P. L. 58), known as "The Vehicle Code," amended July 13, 1959 (P. L. 528), is amended to read:

The Vehicle Code.

Section 1025, act of April 29, 1959, P. L. 58, amended July 13, 1959, P. L. 528, further amended.

Section 1025. Throwing or dumping Material from Vehicle or Tractor.—No person shall throw, *dump*, or permit to be thrown or *dumped*, from a vehicle or tractor, on, upon or adjacent to a highway, any garbage, bottles, cans, rubbish, wire, glass or cardboard or wood cartons or boxes.

In any prosecution under this section the throwing *or dumping* of garbage, bottles, rubbish, wire, glass or cardboard or wood cartons or boxes from a vehicle or tractor shall be prima facie evidence that they were thrown, *dumped*, or permitted to be thrown *or dumped*, from the vehicle or tractor by the operator or custodian.

If at any hearing or proceeding the operator or custodian shall testify under oath or affirmation, that he did not throw *or dump* garbage, bottles, rubbish, wire, glass or cardboard or wood cartons or boxes from the vehicle or tractor, and shall submit himself to an examination as to who did the throwing *or dumping* and reveal the name of such person, if known to him, or, if the information is made in a court other than that of his own residence, shall forward to the magistrate an affidavit setting forth these facts, then the prima facie evidence arising as above set forth shall be overcome and removed and the burden of proof shifted.

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 [twenty-five dollars (\$25.00)] *not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00)* and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Limitation.—The provisions of this section are subject to the limitation of actions as set forth in section 1201 of this act.

Act effective immediately.

Section 2. This act shall take effect immediately.

APPROVED—The 30th day of December, A. D. 1959.

DAVID L. LAWRENCE

No. 764

AN ACT

Amending the act of June 1, 1945 (P. L. 1242), entitled "An act relating to roads, streets, highways and bridges; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto," requiring the Department of Highways to maintain receptacles for trash and litter along State highways.

State Highway Law.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 410, act of June 1, 1945, P. L. 1242, amended.

Section 1. Section 410, act of June 1, 1945 (P. L. 1242), known as the "State Highway Law," is amended to read: