

Return of complaint.

Penalty.

Disposition of fines.

alderman, or justice of the peace shall, within fifteen (15) days, return the complaint or information to the said court; and if any person so accused shall be convicted in such court of the offense charged, he shall be subject to a fine prescribed by said ordinance, or in case of non-payment of such fine, to undergo imprisonment in the county jail for a period not exceeding five (5) days. All fines and penalties as provided in this section shall be paid to the treasurer of such city, borough, incorporated town, township, or county for the construction, repair, and maintenance of the highways thereof.

APPROVED—The 27th day of April, A. D. 1925.

GIFFORD PINCHOT.

No. 161.

AN ACT

To amend sections eleven and twelve of an act, approved the thirtieth day of June, one thousand nine hundred and nineteen (Pamphlet Laws, six hundred and seventy-eight), entitled "An act relating to and regulating the use and operation of motor vehicles and vehicles propelled by, or trailing after, motor vehicles; requiring the registration of the same, and the licensing of all operators thereof; providing the fees therefor, and the disposition of such fees; prohibiting the unauthorized use of, and tampering with, motor vehicles; limiting and defining the powers of cities, boroughs, incorporated towns, townships, and counties as to the regulation of the use and equipment of motor vehicles, and the taxing, registration, or licensing thereof; imposing certain duties on the State Highway Commissioner, and on proprietors of public garages; providing procedure and penalties for violations thereof; and the disposition of fines collected, and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle," as amended.

Motor vehicles.

Section 11 of act of June 30, 1919 (P. L. 678), as amended by act of June 14, 1923 (P. L. 718), further amended.

Section 1. Be it enacted, &c., That section eleven of the act, approved the thirtieth day of June, one thousand nine hundred and nineteen (Pamphlet Laws, six hundred and seventy-eight), entitled "An act relating to and regulating the use and operation of motor vehicles and vehicles propelled by, or trailing after, motor vehicles; requiring the registration of the same, and the licensing of all operators thereof; providing the fees therefor, and the disposition of such fees; prohibiting the unauthorized use of, and tampering with, motor vehicles; limiting and defining the powers of cities, boroughs, incorporated towns, townships, and counties, as to the regulation of the use and equipment of motor vehicles, and the taxing, registration, or licensing thereof; imposing certain duties on the State Highway Commissioner, and on proprietors of public garages; providing procedure and penalties for violations thereof, and the disposition of fines collected,

and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle," as amended by the act, approved the fourteenth day of June, one thousand nine hundred and twenty-three (Pamphlet Laws, seven hundred and eighteen), entitled "An act to amend an act, approved the thirtieth day of June, one thousand nine hundred and nineteen (Pamphlet Laws, six hundred and seventy-eight), entitled 'An act relating to and regulating the use and operation of motor vehicles and vehicles propelled by or trailing after, motor vehicles; requiring the registration of the same, and the licensing of all operators thereof; providing the fees therefor, and the disposition of such fees; prohibiting the unauthorized use of, and tampering with, motor vehicles; limiting and defining the powers of cities, boroughs, incorporated towns, townships, and counties, as to the regulation of the use and equipment of motor vehicles, and the taxing, registration, or licensing thereof; imposing certain duties on the State Highway Commissioner, and on proprietors of public garages; providing procedure and penalties for violations thereof, and the disposition of fines collected, and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle,' as amended; by further regulating the use of registration plates; prescribing fees for omnibuses, and changing other existing fees; changing the date for the licensing year; limiting the weights of certain trailers; providing for the examination of operators; authorizing the State Highway Commissioner to publish and sell lists of registrations; authorizing municipalities to enact certain ordinances; making an appropriation for refunding moneys; and providing penalties; and repealing section seventeen of said act," is hereby further amended to read as follows:

Section 11. The [commissioner] *Secretary of Highways* is authorized to [make requisition on the Department of Public Printing and Binding for] *order through the Department of Property and Supplies as purchasing agency* the printing of necessary forms, bulletins, and other printed matter required for carrying out the provisions of this act and for the dissemination of information to the public.

Printing.

Section 2. That section twelve of said act as amended by said act of the fourteenth day of June, one thousand nine hundred and twenty-three, is hereby further amended to read as follows:

Section 12 of said act as amended, further amended.

Section 12. Moneys derived under the provisions of this act from registration and license fees and from fines and penalties collected under the provisions of this act for violations of the same and forfeited bail and other miscellaneous receipts shall be paid by the

Disposition of fines, penalties and forfeitures.

"Motor License
Fund."

Appropriation of
fund.

[State Highway] Department of *Highways* into the State Treasury, [and the same] *there to be kept separate and from all other moneys in the State Treasury, and to be known as the "Motor License Fund."* Except to the extent that the moneys in the said Motor License Fund shall be necessary for the payment by the Board of Finance and Revenue of interest and sinking fund charges on bonds of this Commonwealth issued for the purpose of improving and rebuilding highways and for the payment of the compensation of the State's fiscal agent for services in registering, transferring, and paying the interest on such bonds, the moneys which may be from time to time in the said Motor License Fund, from whatever source derived, are hereby specifically appropriated to the [State Highway] Department of *Highways* to carry out and enforce the provisions of the act to which this is an amendment and all amendments and supplements thereto, including the penal provisions thereof, for the purpose of assisting in the maintenance, construction, replacement, reconstruction, improvement, and repairs of State highways and of State-aid highways; for the maintenance of inter-state bridges over the Delaware River between this Commonwealth and the State of New Jersey at Milford, Easton, Riegelsville, Point Pleasant, New Hope, Washington Crossing, Yardley, and Morrisville, and of inter-state bridges between this Commonwealth and the State of New York at Hancock, Shohola, and Matamoras; [and] for the payment of the salaries, wages, or other compensation of such deputies, directors, superintendents, bureau or division chiefs, assistant chiefs, experts, scientists, engineers, surveyors, draftsmen, accountants, secretaries, auditors, inspectors, examiners, statisticians, clerks, stenographers, bookkeepers, messengers, laborers, and other assistants and employes as may be required for the proper conduct of the work of the Department of *Highways*; for the payment of the traveling and other expenses of the Secretary of *Highways* and the other officers and employes of the Department; for the purchase, through the Department of Property and Supplies as purchasing agency, of furniture, furnishings, stationery, supplies, materials, equipment, fuel, motor vehicles, and printing and binding necessary for the conduct of the work of the Department; for the payment of rentals for branch offices or any other grounds, buildings, or quarters necessary for the work of the Department; for the erection and repairs of buildings; for the payment of postage, telegrams, telephone rentals, and toll charges; and rentals for or royalties upon leased office or other devices or machines; for the payment of medical attendance and hospital charges for employes of the Department injured in line of duty; and for any and all other expenses of every kind and descrip-

tion necessary to effectually carry on the work of the [State Highway] Department of *Highways* as described in the act of Assembly, approved the thirty-first day of May, one thousand nine hundred and eleven, known as the State Highway Act, and the amendments and supplements thereto, and to carry out and enforce the provisions of the act to which this is an amendment, and all amendments and supplements thereto, including the penal provisions thereof, and for that purpose the Commissioner is hereby authorized to appoint such employes as in his discretion are necessary; said money to be paid from the State Treasury upon requisition of the [State Highway Commissioner] *Secretary of Highways* and after audit and approval by the Auditor General and State Treasurer in the usual manner: *Provided, however, That it shall not be necessary for the Department of Highways to purchase through the Department of Property and Supplies, as purchasing agency, materials, supplies, and equipment necessary for the construction and repair of highways, but all other materials, supplies, and equipment shall be purchased through the Department of Property and Supplies, as heretofore provided:* *Provided, That in case any moneys are or have been paid to the State Treasurer as provided for in this section, and to which it appears the Department is not rightfully entitled, the person or persons who have paid the same may present a claim to the Department for a refund. The said claim, and all evidence presented therewith, shall be presented to the Auditor General, State Treasurer, and Attorney General, who shall consider the same, and if, in their opinion, the Department has no valid claim to such moneys, and the same properly belong to the claimant or claimants and ought in equity and good faith to be refunded to him or them, they shall so certify, under their hands and official seals, specifying the amount or amounts to be refunded and the person or persons to whom the same are to be paid respectively. The said certificates shall be filed in the office of the Auditor General, who shall thereupon draw his warrant upon the State Treasurer, payable to said claimant or claimants for the amount found to be due him or them. The said claim to be paid out of the moneys derived under the provisions of this act from registration and license fees and from fines and forfeited bail and other miscellaneous receipts.*

Provided.

Provided.

Claim for refund of moneys wrongfully paid to Department.

Payment.

APPROVED—The 27th day of April, A. D. 1925.

GIFFORD PINCHOT.