

No. 452

AN ACT

For the protection of the public safety; regulating the operation of vehicles and bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, registration, and licensing of certain vehicles and the operators thereof upon the 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 Highways, sheriffs, police officers, constables, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof; imposing upon counties, cities, boroughs, townships, and other public corporations within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; providing for the disposition of fines and forfeitures; and making an appropriation.

ARTICLES

- I. Short Title and Preliminary Provisions.
- II. Certificate of Title.
- III. Defaced Engine or Manufacturer's Serial Numbers.
- IV. Registration.
- V. Registration Plates.
- VI. Operators.
- VII. Fees.
- VIII. Equipment.
- IX. Size; Weight; Construction.
- X. Traffic.
- XI. Motor License Fund.
- XII. Penalties.
- XIII. Repeals.

ARTICLE I

SHORT TITLE AND PRELIMINARY PROVISIONS

Section 101. Short Title.

Section 102. Definitions:

Vehicle, Motor Vehicle, Motor Cycle, Commercial Motor Vehicle, Truck Tractor, Trailer, Semi-Trailer, Motor Bus, Motor Omnibus, Specially Constructed Vehicle, Essential Parts, New Motor Vehicle, Reconstructed Motor Vehicle, Rebuilt Motor Vehicle, Used Motor Vehicle, Foreign Motor Vehicle, Pneumatic Tires, Solid Rubber Tires, Metal Tires, Person, Owner, Non-Resident, Manufacturer, Jobber, Dealer, State, Department, Secretary, Operator, Operator's License, Learner's Permit, High-

way, Private Road or Driveway, Intersection, Safety Zone, Right of Way, Business District, Residence District, Local Authorities, Chassis, Passenger Seat, Parking.

Section 103. Printed Matter.

Section 104. Construction.

Section 101. Short Title.—Be it enacted, &c., That this act shall be known and may be cited as “The Vehicle Code.”

Section 102. Definitions.—

The following words and phrases when used in this act shall, for the purpose of this act, have the meanings respectively ascribed to them in this section, except in those instances where the context clearly indicates a different meaning:

(a) “Vehicle.”—Every device in, upon, or by which any person or property is or may be transported or drawn upon a public highway, excepting traction engines, tractors, steam shovels, road rollers, agricultural machinery, devices moved by human power, or used exclusively upon stationary rails or tracks: Provided, That for the purposes of Article X of this act, a bicycle or a ridden animal shall be deemed a vehicle.

(b) “Motor Vehicle.”—Every vehicle, as herein defined, which is self-propelled, except traction engines, tractors, steam shovels, road rollers, agricultural machinery, and vehicles which move upon or are guided by a track or travel through the air.

(c) “Motor Cycle.”—Every motor vehicle designed to travel on not more than three wheels in contact with the ground, except any such vehicle as may be included within the term “tractor,” as herein defined.

(d) “Commercial Motor Vehicle.”—Shall include all motor vehicles designed for carrying freight or merchandise: Provided, however, That a motor vehicle originally designed for passenger transportation, with a removable box body, shall not be deemed a “commercial motor vehicle” for the purpose of this act.

(e) “Truck Tractor.”—Every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

(f) “Trailer.”—Every vehicle without motive power, designed to carry property or passengers wholly on its own structure, and to be drawn by motor vehicle.

(g) “Semi-trailer.”—Every vehicle of the trailer type so designed and used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests upon, or is carried by, another vehicle.

(h) “Motor Bus.”—Shall include all motor vehicles

operated for the carriage of passengers for hire by individuals, associations, copartnerships, or corporations, required, under the laws of this Commonwealth, to obtain certificate of public convenience from the Public Service Commission of the Commonwealth of Pennsylvania before engaging in the carriage of passengers for hire, or by individuals, associations, copartnerships, or corporations who or which were engaged in the business of carrying passengers for hire as common carriers prior to the first day of January, one thousand nine hundred and fourteen.

(i) "Motor Omnibus."—Shall include all motor vehicles operated for the carriage of passengers for hire by individuals, associations, co-partnerships, or corporations who or which were not engaged in the carriage of passengers for hire, as common carriers, prior to the first day of January, one thousand nine hundred and fourteen, and who or which are not required, under the laws of this Commonwealth, to obtain from the Public Service Commission of the Commonwealth of Pennsylvania certificate of public convenience for the carriage of passengers for hire.

(j) "Specially Constructed Vehicle."—Any vehicle which shall not have been originally constructed under a distinctive name, make, model, or type, by a generally recognized manufacturer of vehicles.

(k) "Essential Parts."—All integral parts and body parts, the removal, alteration or substitution of which will tend to conceal the identity or substantially alter the appearance of the vehicle.

(l) "New Motor Vehicle."—Every motor vehicle which is not defined as a reconstructed, rebuilt, or used motor vehicle.

(m) "Reconstructed Motor Vehicle."—Any motor vehicle which shall have been assembled or constructed largely by means of essential parts, new or used, derived from other motor vehicles or makes of motor vehicles of various names, models, and types, or which, if originally otherwise constructed, shall have been materially altered by the removal of essential parts or by the addition or substitution of essential parts, new or used, derived from other motor vehicles or makes of motor vehicles.

(n) "Rebuilt Motor Vehicle."—Every motor vehicle which shall have been assembled by using new parts and used parts, derived from other motor vehicles of the same make, and rebuilt by the manufacturer thereof.

(o) "Used Motor Vehicle."—Every motor vehicle which has been sold, bargained, exchanged, given away, or title transferred from the person who first acquired it from the manufacturer or jobber or dealer, and so used as to have become what is commonly known as "secondhand" within the ordinary meaning thereof.

(p) "Foreign Motor Vehicle."—Every motor vehicle or semi-trailer which shall be brought into this Commonwealth otherwise than in the ordinary course of business

by or through a manufacturer or dealer, and which has not been registered in this Commonwealth.

(q) "Pneumatic Tires."—All tires inflated with compressed air.

(r) "Solid Rubber Tire."—Every tire made of rubber other than a pneumatic tire.

(s) "Metal Tires."—All tires the surface of which in contact with the highway is wholly or partly of metal or other hard, non-resilient material.

(t) "Person."—Every natural person, firm, copartnership, association or corporation.

(u) "Owner."—A person who holds the legal title of a vehicle, or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof or other like agreement with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, then such conditional vendee or lessee shall be deemed the owner for the purpose of this act.

(v) "Non-Resident."—Every person who is not a resident of this State.

(w) "Manufacturer."—Every person engaged in the business of manufacturing motor vehicles, trailers, semi-trailers, or bodies of such vehicles.

(x) "Jobber."—Any person, firm, corporation, or association engaged in the purchase and sale of new motor vehicles, trailers or semi-trailers, and their resale directly to dealers.

(y) "Dealer."—Any person, firm, corporation, or association engaged in the purchase and sale of motor vehicles, trailers, and semi-trailers for a period of thirty (30) or more successive days, and who has an established place of business.

(z) "State."—A state, territory, organized or unorganized, or district of the United States of America.

(aa) "Department."—The Department of Highways of this Commonwealth.

(bb) "Secretary."—The Secretary of Highways of this Commonwealth.

(cc) "Operator."—Every person who is in actual physical control of a motor vehicle, traction engine, or tractor upon a highway.

(dd) "Operator's License."—The license issued to any person to operate a motor vehicle, traction engine, or tractor.

(ee) "Learner's Permit."—A permit issued to any person to learn to operate a motor vehicle, traction engine, or tractor.

(ff) "Highway."—Every way or place of whatever nature open to the use of the public as a matter of right for purposes of vehicular travel. The term "highway" shall not be deemed to include a roadway or driveway upon grounds owned by private persons, colleges, universities or other institutions.

(gg) "Private Road or Driveway."—Every road or driveway not open to the use of the public for purposes of vehicular travel.

(hh) "Intersection."—The area embraced within the prolongation of the lateral curb lines, or, if none, then the lateral boundary lines of two or more highways which join one another at an angle, whether or not one such highway crosses the other.

(ii) "Safety Zone."—The area of space officially set aside within a highway for the exclusive use of pedestrians, and which is so plainly marked or indicated by proper signs as to be plainly visible at all times while set apart as a safety zone.

(jj) "Right of Way."—The privilege of the immediate use of the highway.

(kk) "Business District."—The territory contiguous to a highway when fifty per cent or more of the frontage thereon for a distance of three hundred (300) feet or more is occupied by buildings in use for business.

(ll) "Residence District."—The territory contiguous to a highway, not comprising a business district, when the frontage on such highway for a distance of three hundred (300) feet or more is closely built up with dwellings, or by dwellings and buildings in use for business.

(mm) "Local Authorities."—Every county, municipal, and other local board or body having authority to adopt local police regulations under the Constitution and laws of this Commonwealth.

(nn) "Chassis."—The chassis of a motor vehicle to be propelled by an internal combustion or steam engine shall consist of an assembly of all essential parts, with protective housings, ready for operation on the highway, including as minimum equipment a set of tires attached to wheels, driver's seat including cab, front wheel fenders, running board or mounting step, tool compartment, priming coat on all parts to be painted, pair of front lamps and one rear lamp, license brackets, jack and a set of tools commonly used for making adjustments and minor repairs on the highway, water, oil, and fuel.

(oo) "Passenger Seat."—Each sixteen (16) inches of seating capacity in any motor omnibus or motorbus.

(pp) "Parking."—Every vehicle standing or waiting on any highway not actually engaged in taking up or setting down passengers or merchandise.

Section 103. Printed Matter.—

The Secretary is authorized to order through the Department of Property and Supplies as purchasing agent 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: Provided, however, That all bulletins or other publications for the dissemination of information to the

public shall be distributed only by or with the consent of the Department of Property and Supplies.

Section 104. Construction.—

The provisions of this act are severable and, if any provision thereof is held to be unconstitutional, the decision so holding shall not be construed as affecting or impairing any other provision of this act or the act as a whole. It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein.

ARTICLE II

CERTIFICATE OF TITLE

- Section 201. Certificate of Title Required.
- Section 202. Application for Certificate of Title.
- Section 203. Contents, Delivery, and Life of Certificate of Title.
- Section 204. Delivery of Certificate of Title.
- Section 205. Assignment of Certificate of Title.
- Section 206. Change of Ownership by Operation of Law and Judicial Sale.
- Section 207. Duplicate Certificate of Title.
- Section 208. Records of Stolen Motor Vehicles.
- Section 209. Destruction of Title Records; Notice of Junking Motor Vehicles; Cancellation of Title.
- Section 210. Owning or Operating a Motor Vehicle Without Certificate of Title.
- Section 211. Title Cancelled.

Section 201.—Certificate of Title Required.—

No registration of any motor vehicle shall be issued by the secretary unless the owner thereof shall make application for, and be granted, a certificate of title to such motor vehicle, or shall present satisfactory evidence that a certificate of title has been previously issued to the owner covering such motor vehicle, except as herein provided.

Section 202. Application for Certificate of Title.—

Application for a certificate of title shall be made upon a form furnished by the secretary; and shall be sworn to before a notary public or other officer empowered to administer oaths; and shall be accompanied by the fee prescribed in this act; and shall contain a full description of the motor vehicle, together with a statement of the owner's title and of any liens or encumbrances or legal claims upon said motor vehicle, and whether possession is held under a lease, contract of conditional sale or other like agreement. The secretary shall use reasonable diligence in ascertaining whether or not the facts stated in said application are true and, if satisfied that the appli-

cant is the lawful owner of such motor vehicle or is otherwise entitled to have the same titled in his name, the secretary shall issue a certificate of title over his signature and sealed with the seal of the department.

Section 203.—Contents, Delivery, and Life of Certificate of Title.—

A certificate of title shall contain such description and other evidence of identification of the motor vehicle for which it is issued as the secretary may deem necessary, together with a statement of any liens or encumbrances or legal claims which the applicant may show to be thereon, together with the name and address of holder or holders of any said liens, encumbrances or legal claims.

(a) Where there are no liens, encumbrances or legal claims upon the motor vehicle, the certificate of title shall be delivered to the owner; but otherwise the certificate of title shall be delivered to the person holding the first lien, encumbrance or legal claim upon said motor vehicle, and be retained by such person until the entire amount of such first lien, encumbrance or legal claim is fully paid by the owner of said motor vehicle, when the said certificate of title shall be delivered to said owner by the person who held the first lien, encumbrance or legal claim, with proper evidence of satisfaction of same. A corrected certificate of title, without statement of liens, encumbrances or legal claims shall be issued, upon request of the owner, when original certificate of title is returned with proper evidence that all said liens, encumbrances, or legal claims have been satisfied.

A certificate of title shall not have to be renewed annually, or at any other period, except as herein provided:

(a) When certificate of title issued by the department has been surrendered by the owner, in conformity with the laws of another state or foreign country, and such owner subsequently reapplies for certificate of title for said motor vehicle in this Commonwealth;

(b) When certificate of title or record thereof has been cancelled by the department.

Section 204. Delivery of Certificate of Title.—

It shall be lawful for the secretary to issue, in the name of the first owner of a new or rebuilt motor vehicle, a certificate of title, a certificate of registration, and registration number plates, if such owner presents to the secretary an application for registration or certificate of title, duly made and acknowledged by the manufacturer, jobber, or dealer, and assigned to such owner, together with the required application for registration of such motor vehicle, accompanied by the fees prescribed by law.

Section 205. Assignment of Certificate of Title.—

In the event of the sale or transfer of the ownership of a motor vehicle, for which certificate of title has been

issued, the owner of such motor vehicle shall make an assignment of the certificate of title to the purchaser or transferee, with warranty of title, with a statement of all liens, encumbrances or legal claims on said motor vehicle, the name and address of the holder of said liens, encumbrances or legal claims, and deliver the same to the purchaser or transferee at the time of the delivery to him of such motor vehicle. The secretary may issue a certificate of title in the name of the owner of the motor vehicle, if such owner presents an assigned certificate of title, with a reassignment thereof to such owner.

The owner or transferee shall, within ten (10) days of such assignment or reassignment of certificate of title, present to the secretary such assigned or reassigned certificate of title, together with a statement of all liens, encumbrances or legal claims on said motor vehicle, with application for assignment or reassignment of such certificate of title, and accompanied by the fee prescribed in this act, whereupon a new certificate of title may be issued in the name of the owner.

Section 206. Change of Ownership by Operation of Law and Judicial Sale.—

In case of the transfer of ownership or possession of a motor vehicle by operation of law, as upon inheritance, devise or bequest, order in bankruptcy, insolvency, replevin or execution sale, or whenever a motor vehicle is sold at public sale to satisfy storage or repair charges, or repossession is had upon default in performance of the terms of a lease, contract of conditional sale or other like agreement, it shall thereupon become the duty of the person from whose possession such motor vehicle was taken and without prejudice to his rights in the premises, immediately to surrender the certificate of title for such motor vehicle to the person to whom possession of such motor vehicle has so passed. The secretary, upon surrender of prior certificate of title, or when that is not possible, upon presentation of satisfactory proof to the secretary of ownership and right of possession to such motor vehicle, and upon payment of the fee prescribed in this act, and presentation of application for certificate of title, may issue to the applicant, to whom possession of such motor vehicle has so passed, certificate of title thereto.

Section 207. Duplicate Certificate of Title.—

In the event of a lost, destroyed or illegible certificate of title, application may be made to the department for a duplicate, upon a form furnished by the department, and accompanied by the fee provided in this act. Thereupon the department shall issue a duplicate certificate of title to the owner or person entitled to receive same under the provisions of this act.

Section 208. Records of Stolen Motor Vehicles.—

It shall be the duty of the secretary, whenever he may

receive a report of the theft of a motor vehicle, whether the same has been registered or not, and whether owned in this or any other state, together with the make and manufacturer's serial number thereof, to make a distinctive record thereof and file the same in numerical order of the manufacturer's serial number with the records of the vehicles of such make already titled.

In the event of the receipt of an application for a certificate of title of such motor vehicle, the secretary shall immediately notify the rightful owner thereof, and shall withhold the issuing of such certificate of title until the proper investigation shall have been made.

In the event of the recovering of a stolen motor vehicle of which the secretary has been notified, it shall be the duty of the owner to notify immediately the secretary, who shall cause the record of the theft of such vehicle to be removed from the file.

It shall be the duty of every sheriff, deputy sheriff, constable, police officer, member of the Pennsylvania State Police, or designated officer of the department, having knowledge of a stolen motor vehicle, immediately to furnish the secretary with full information in connection therewith.

The secretary shall prepare a report, listing motor vehicles stolen and recovered as disclosed by the reports submitted to him, to be distributed as he may deem advisable.

Section 209. Destruction of Title Records; Notice of Junking Motor Vehicles; Cancellation of Title.—

(a) The secretary shall maintain a record of certificates of title issued and may, after five (5) years from year of issue, at his discretion, destroy such records.

(b) The owner of a motor vehicle shall notify the secretary, within ten (10) days, of the destruction or junking of any motor vehicle, and return certificate of title to the department for cancellation.

(c) Any person who obtains a motor vehicle as scrap, or to be destroyed and junked, shall, within ten (10) days, return the assigned certificate of title to the department for cancellation.

(d) When it is shown by proper evidence, upon investigation and good cause appearing therefor, that any certificate of title has been issued bearing incorrect information due to any cause, the secretary shall require the return of such certificate of title, together with any other information necessary for the adjustment of the department records, and the secretary shall thereupon issue a corrected certificate of title without fee.

(e) The secretary, upon receipt of certification from the clerk of the courts showing conviction for a misstatement of facts on an application for certificate of title or any assignment or duplicate thereof, shall forthwith cancel

such certificate of title, assignment or duplicate certificate, and require that it be returned immediately to the department.

Section 210. Owning or Operating a Motor Vehicle Without Certificate of Title.—

No person shall own or operate, in this Commonwealth, a motor vehicle, under Pennsylvania registration plates, unless a certificate of title therefor shall have been obtained as provided in this act, except that persons registered as manufacturers, jobbers or dealers shall be exempted from this provision as to new motor vehicles owned by them and operated under manufacturer's, jobber's or dealer's registration: And further

Provided, That manufacturers and jobbers shall not be required to obtain certificate of title for new motor vehicles when consigned by such manufacturers or jobbers to dealers: And further provided, That dealers need not obtain certificate of title for new motor vehicles until and before sale thereof.

Section 211. Title Cancelled.—

The secretary may cancel any certificate of title, when check submitted in payment is returned to the department because of insufficient funds or is not paid on demand, and may delegate authority to any department employe or police officer to lift certificate of title so cancelled.

ARTICLE III

DEFACED ENGINE AND MANUFACTURER'S SERIAL NUMBERS

Section 301. Registration Where Engine or Manufacturer's Number Obliterated.

Section 302. Replacing Engines by Others on Which the Engine Number is Defaced.

Section 303. License to Transfer Engine Numbers.

Section 304. Officers to Seize Motor Vehicles Having Defaced Numbers; Authority to Dispose of Same.

Section 301. Registration Where Engine or Manufacturer's Number Obliterated.—

No motor vehicle on which the manufacturer's serial number or engine number has been omitted, obliterated or defaced shall be titled or registered without special permit from the secretary.

Before issuing a certificate of title or registration for any such motor vehicle, the secretary shall require information as to the date of purchase of such motor vehicle and the name and address of the person from whom it was purchased, together with satisfactory evidence that the number was not removed for the purpose of concealing the identity of such vehicle. The secretary shall require that

a special number plate, furnished by him, shall be immediately placed on the component part from which the original number was destroyed, removed, covered, altered or defaced, and the certificate of title and registration will not be valid until this special number requirement has been complied with. Such special number shall be preceded by the letter "S" and followed by "Pa."

Section 302. Replacing Engines by Others on Which the Engine Number is Defaced.—

Where the engine of a motor vehicle is replaced by a new or used engine, on which the engine number has been destroyed, removed, covered, altered or defaced, it shall be the duty of the owner of such motor vehicle to apply to the secretary, on a form furnished by the secretary, for a special number plate to be placed on such engine. Such form shall be accompanied by the certificate of title issued for said motor vehicle, upon receipt of which a corrected certificate of title shall be issued without additional fee.

The application shall contain such a description of such motor vehicle, and facts pertaining thereto, as the secretary may require, which description and facts shall be sworn to by said applicant. Upon receipt of such application the secretary shall issue to the applicant a special number plate for such motor vehicle and, when such special number plate has been placed on the engine, it shall become and thereafter be the lawful engine number of such motor vehicle for the purpose of identification and registration and for all purposes under the provisions of this act, and the owner thereof may sell and transfer the same under said special number.

Section 303. License to Transfer Engine Numbers.—

The secretary may in his discretion issue licenses to manufacturers, or manufacturers' authorized representatives or authorized dealers, to remove engine numbers on engines being replaced by new, rebuilt or used engines, and transferring the engine numbers from the engines being removed to the new, rebuilt or used engines. Such licenses issued to manufacturers' authorized representatives or authorized dealers shall automatically expire with the termination of the contract or agreement with the manufacturers.

Every such license must be posted in a conspicuous place in the manufacturer's, or manufacturer's authorized representative's or authorized dealer's, place of business; and such place of business and the records thereof shall be open for inspection by any sheriff or county detective or constable or police officer or member of the Pennsylvania State Police or designated officer of the department who shall exhibit his badge or other sign of authority.

The manufacturer or manufacturer's authorized representative or authorized dealer shall file with his application for such license a satisfactory bond; such bond shall

be renewed annually and proof of renewal to be filed with the department; and, in addition thereto, in the case of a manufacturer's authorized representative or authorized dealer, an affidavit from the manufacturer certifying that such applicant is his authorized representative or authorized dealer. Manufacturers, or manufacturer's authorized representatives or authorized dealers, so licensed, shall maintain and keep records, for a period of not less than five (5) years, of all changes of engines, on forms prescribed by the secretary.

Such licensed manufacturer, or manufacturer's authorized representative or authorized dealer, shall file with the department, immediately after each change of engine and engine number, on a form prescribed and furnished by the secretary, such information as the secretary may require.

Section 304. Officers to Seize Motor Vehicles Having Defaced Numbers; Authority to Dispose of Same.—

It shall be the duty of every sheriff, deputy sheriff, constable, member of the Pennsylvania State Police, or designated officer of the department, or police officer, having knowledge of a motor vehicle the engine number or manufacturer's serial number of which has been destroyed, removed, covered, altered or defaced, to immediately seize and take possession of such motor vehicle, and arrest, or file information for the arrest of, the supposed owner or custodian thereof, and cause prosecution to be brought in a court of competent jurisdiction. It shall be the duty of the court to retain in custody the seized motor vehicle pending the prosecution of the person arrested, and, in case such person shall be found guilty, said motor vehicle shall remain in the custody of the court until the fine and costs of prosecution shall be paid.

If ownership to such motor vehicle is not established to the satisfaction of the court, said motor vehicle shall be confiscated by the court and sold and the proceeds thereof shall be used to pay the fine and costs of prosecution, and the balance, if any, shall be turned into the State Treasury for the use of the department, as herein provided: Provided, however, That after judgment by the court is rendered, ninety (90) days shall elapse, and then, if such fine and costs have not been paid, said court shall proceed to advertise and sell said motor vehicle in the manner provided by law for the sale of personal property under execution. If, at any time while such motor vehicle remains in the custody of the court or its-officers, the true owner shall appear and establish his title thereto, to the satisfaction of such court, the motor vehicle shall be returned to such owner, who shall apply to the secretary for a special number plate, as herein provided, and may thereafter use the motor vehicle when properly titled and registered.

ARTICLE IV

REGISTRATION

- Section 401. Registration of Motor Vehicles, Trailers, and Semi-Trailers Required.
- Section 402. Application for Registration.
- Section 403. Calculations of Horsepower.
- Section 404. File of Applications.
- Section 405. Registration Cards.
- Section 406. Registration Card to be Carried.
- Section 407. Proof of Certificates of Public Convenience.
- Section 408. Registration of Manufacturers, Jobbers, and Dealers.
- Section 409. Registration by Non-residents.
- Section 410. Registration Shall Be Refused.
- Section 411. Registration Revoked or Suspended.
- Section 412. Expiration of Registration.
- Section 413. Police Departments to Have Copies of Registrations.
- Section 414. Sale of Copy of Registrations.

Section 401. Registration of Motor Vehicles, Trailers and Semi-Trailers Required.—

Except as is hereinafter provided in the case of non-residents, no motor vehicle, trailer or semi-trailer shall be operated upon any highway in this Commonwealth until such motor vehicle, trailer or semi-trailer shall have been registered with the department as hereinafter provided.

Section 402. Applications for Registration.—

Application for the original registration of a motor vehicle, trailer or semi-trailer shall be made to the department, upon a form provided for the purpose by the department. The application shall contain the full name and residence of the owner or owners, together with the name, manufacturer's serial number, engine number, the character of the motive power, and the horsepower, and seating capacity; and, in the case of commercial motor vehicles, the gross weight of the chassis as given and certified to by the manufacturer; and, in the case of electric commercial motor vehicles, the gross maximum weight of chassis, battery, body, and load, as given and certified to by the manufacturer; and, in the case of trailers and semi-trailers, the gross weight of the chassis and body as given and certified to by the manufacturer; and also such description of the motor vehicle, trailer or semi-trailer, including lights and other equipment, as the department shall require. The application shall be signed by the owner or owners, if natural persons, and, in the cases where the owner is a corporation, copartnership, or association, by the president, vice president, secretary, treasurer, manager or other executive officer thereof, or some person specifically authorized by said corporation, copartnership or

association to sign the same, and shall be accompanied by the fee provided in this act.

Applicants for registration who are not residents of this Commonwealth, shall by their application, in addition to the above requirements, designate the secretary as their authorized agent upon whom process may be served.

Annual renewals of the registration of a motor vehicle, trailer or semi-trailer shall be made in such manner as the department may require, upon a form furnished by the department, accompanied by the fee provided in this act. The department shall mail such form to the last address of the owner as it appears on the department records:

Provided, That annual renewal forms will not be mailed to the owner for motor vehicles not registered by such owner during the previous year. Such renewal forms may, however, be obtained upon presentation of certificate of title or such other information as the secretary may deem satisfactory or necessary.

Section 403. Calculations of Horsepower.—

The horsepower of motor vehicles, except those propelled by steam or electricity, shall be computed by the following formula: Diameter of bore in inches squared, times the number of cylinders, times four tenths (.4). The accepted horsepower for the registration of motor vehicles propelled by steam or electricity shall be that given and certified to by the manufacturer.

Section 404. File of Applications.—

Upon receipt of each application, when the department is satisfied as to the genuineness and regularity thereof, and that the applicant is entitled thereto, the department shall register the vehicle therein described, and the owner thereof, in suitable books or in index-cards as follows:

1. Under a distinctive registration number assigned to the vehicle and to the owner thereof hereinafter referred to as the registration number.

2. Alphabetically under the name of the owner.

3. Numerically and alphabetically under the manufacturer's serial number and name of the vehicle.

The secretary may cause the applications for registration and records in connection therewith to be destroyed two (2) years after the year for which issued.

Section 405. Registration Cards.—

(a) The department, upon registering a vehicle, shall issue to the owner a registration card which shall contain, upon the face thereof, the registration number assigned to the owner and to the vehicle, the name and address of the owner, also a description of the vehicle, including the engine and manufacturer's serial numbers thereof, and such other statement of facts as may be determined by the department.

(b) The owner, upon receiving the registration card,

shall sign the usual signature or name of such owner with pen and ink in the space provided upon the face of such card.

(c) In the event of a lost, destroyed or illegible registration card, application may be made to the department for a duplicate, upon a form furnished by the department, and accompanied by the fee provided in this act. Thereupon the department shall issue a duplicate registration card to the owner.

Section 406. Registration Card to Be Carried.—

The registration card issued for a vehicle required to be registered shall, at all times while the vehicle is being operated upon a highway within this Commonwealth, be in the possession of the operator thereof, or carried in the vehicle, and subject to inspection by any peace officer or designated officer of the department.

Section 407. Proof of Certificates of Public Convenience.—

Before issuing a registration for any motor vehicle to be used as a motor bus, the secretary shall require evidence that a certificate of public convenience has been issued by the Public Service Commission, which certificate shall not have been revoked or shall not have expired by reason of limitations therein contained, or that public service was begun prior to the first day of January, one thousand nine hundred and fourteen.

Section 408. Registration of Manufacturers, Jobbers, and Dealers.—

Motor vehicles, trailers, and semi-trailers owned or kept by manufacturers, jobbers or dealers, shall be exempt from individual registration, if said manufacturer, jobber or dealer registers with the department in the "Dealer's Class." Application for such registration shall be made, upon a form provided for the purpose by the department, and shall set forth the full name and business address of the applicant and such other information as the department shall require, and shall be mailed by the department to such manufacturer, jobber or dealer. Upon receipt of the application, accompanied by the fee provided in this act for each registration card and pair of registration plates desired, the department shall issue to the applicant as many registration cards and pairs of registration plates as may have been applied for. No motor vehicle, trailer or semi-trailer shall, under any circumstances, be operated under a manufacturer's, jobber's or dealer's registration unless the registration card, for the registration plate or plates displayed, is carried by the operator, and bears the signature of the manufacturer, jobber or dealer to whom issued.

Section 409. Registration by Non-residents.—

(a) Non-residents of this Commonwealth, except as otherwise provided in this act, will be exempt from the

provisions of this act, as to the registration of motor vehicles, trailers, and semi-trailers, for the same time and to the same extent as like exemptions are granted residents of this Commonwealth under laws of the foreign country or state of their residence: Provided, That they shall have complied with the provisions of the law of the foreign country or state of their residence relative to the registration and equipment of their motor vehicles, and the licensing of motor vehicle operators, and shall conspicuously display the registration plates, as required thereby, and have in their possession the registration certificate issued for such motor vehicle.

(b) A non-resident owner of a foreign vehicle, operated within this Commonwealth for the transportation of persons or property for compensation, either regularly according to schedule or for a consecutive period exceeding thirty (30) days, shall register such vehicle and pay the same fees therefor as are required for like vehicles owned by residents of this Commonwealth.

(c) Every non-resident, including any foreign corporation carrying on business within this Commonwealth and owning and regularly operating in such business any motor vehicle, trailer or semi-trailer exclusively within this Commonwealth, shall be required to register each such vehicle and pay the same fees therefor as is required with reference to like vehicles owned by residents of this Commonwealth.

Section 410. Registration Shall Be Refused.—

The department shall not grant an application for the registration of a vehicle in any of the following events:

(a) When the applicant therefor is not entitled thereto under the provisions of this act;

(b) When the applicant has neglected or refused to furnish the department with the information required in the appropriate official form or reasonable additional information required by the department;

(c) When the fees required therefor by law have not been paid.

Section 411. Registration Revoked or Suspended.—

(a) The secretary may suspend the registration of any vehicle, which the secretary shall determine is unsafe or unfit to be operated, or is not equipped as required by law.

(b) The secretary may suspend the registration of any vehicle whenever the owner shall make or permit to be made any unlawful use of the vehicle, or permit the use thereof by a person not entitled thereto, or upon conviction of misstatement in application upon certification by the clerk of the courts to the department of conviction.

(c) The secretary may suspend any vehicle registration, upon certification or request or order of any court or the Public Service Commission, duly authorized under the laws of this Commonwealth and empowered by such laws to make such certifications, requests or orders.

(d) The secretary may suspend any vehicle registration when check submitted in payment is returned to the department because of insufficient funds, or is not paid on demand, and may delegate authority to any department employe or police officer to lift registration plate or plates and registration card so cancelled.

(e) The secretary, upon suspending any registration, shall require the registration plates and card covering the registration so suspended to be surrendered immediately to and retained by the department.

Section 412. Expiration of Registration.—

All registrations shall expire December thirty-first of the year for which they are issued, unless sooner revoked for cause by the secretary, but registrations for the succeeding year may, at the option of their holders, be used on and after December fifteenth of the current year.

Section 413. Police Departments to Have Copies of Registration.—

The secretary shall issue bulletins giving the registration number, name and address of the owner of each motor vehicle registered, to such police departments of the Commonwealth as he deems necessary; and such police departments are hereby prohibited from disposing of such bulletins or parts of such bulletins for other than information as to violations of the motor vehicle laws.

Section 414. Sale of Copy of Registrations.—

The secretary is authorized to dispose of, after advertisement and competitive bidding, to the highest bidder an official copy of motor vehicle registrations as issued. No other copy of said registrations shall be disposed of by the secretary except as herein provided.

The purchaser of official copy of motor vehicle registrations is authorized to reprint and use same for commercial purposes.

ARTICLE V

REGISTRATION PLATES

Section 501. Registration Plates to Be Furnished by Department.

Section 502. Use of Manufacturer's, Jobber's, and Dealer's Registration Plates Limited.

Section 503. How Plates Carried on Motor Vehicle.

Section 504. Use of Plates Restricted.

Section 505. Lost or Defaced Registration Plates.

Section 506. Transfer of Plate or Plates.

Section 507. Temporary Use of Plate or Plates Pending Transfer of Registration.

Section 508. Illegal Transfer of Registration Plate or Plates.

Section 509. Return of Manufacturer's, Jobber's or Dealer's Registration Plate or Plates.

Section 501. Registration Plates to be Furnished by Department.—

(a) The department shall furnish to every owner whose vehicle shall be registered one registration plate for a motorcycle or bicycle with motor attached, or trailer or semi-trailer, and for each registration issued to manufacturer, jobber or dealer in motorcycles or bicycles with motor attached, and two registration plates for any other motor vehicle and for each registration issued to manufacturer, jobber or dealer in motor vehicles, trailers or semi-trailers.

(b) Every registration plate shall have displayed upon it the registration number assigned to the vehicle and to the owner thereof, also the name of the Commonwealth, which may be abbreviated, and the year number for which it is issued. The required letters and numerals on such plate or plates shall be not more than five (5) inches in height, to be plainly legible from a distance of one hundred (100) feet during daylight, except that the required letters and figures on motorcycle, motorcycle dealer, and bicycle with motor attached plates, shall be not more than three and one-half ($3\frac{1}{2}$) inches in height.

Section 502. Use of Manufacturer's, Jobber's, and Dealer's Registration Plates Limited.—

Registration plate or plates issued under manufacturer's, jobber's or dealer's registration may be used on any motor vehicle, trailer or semi-trailer, owned by such manufacturer, jobber or dealer and operated by such manufacturer, jobber or dealer, or the employe of such manufacturer, jobber or dealer, when such motor vehicle, trailer or semi-trailer is used (a) in the motor vehicle business of such manufacturer, jobber or dealer; (b) for the personal pleasure of such manufacturer, jobber or dealer, or the members of his family, and is operated by such manufacturer, jobber or dealer, or an immediate member of his family; (c) for teaching a new operator how to operate a motor vehicle, if such new operator has procured a learner's permit, and for such new operator to take an examination for an operator's license; or (d) for testing motor vehicles, trailers or semi-trailers in the possession of such manufacturer, jobber or dealer; or (e) for demonstrating motor vehicles, trailers or semi-trailers in the possession of such manufacturer, jobber or dealer, and such vehicles may be operated by a prospective purchaser, when licensed as an operator or permittee, and when accompanied by the manufacturer, jobber or dealer, or an employe of such manufacturer, jobber or dealer.

Section 503. How Plates Carried on Motor Vehicle.—

Every registration plate shall at all times be securely fastened to the vehicle to which it is assigned, so as to prevent the plate from swinging, one to the front the other on the rear, except for motorcycles, bicycles with motor

attached, trailers or semi-trailers the single plate shall be on the rear and at a height not less than twelve (12) inches from the ground, measuring from the bottom of such plate, in a place and position to be clearly visible, and shall be maintained free from foreign materials and in a condition to be clearly legible.

Section 504. Use of Plates Restricted.—

No motor vehicle, trailer or semi-trailer shall be operated under any other registration plates than those of its own registration, except as provided in this act. Except as is provided in this act for non-residents, no registration plate or plates shall be displayed on any motor vehicle, trailer or semi-trailer, other than those issued by the department, nor shall there be displayed upon any motor vehicle, trailer or semi-trailer, owned by a resident of this Commonwealth, while operated upon any highway in this Commonwealth, any registration plate or plates issued by any other state or foreign country; but a resident of this Commonwealth may exhibit, in addition to the Pennsylvania registration plate or plates, registration plate or plates of one adjoining state.

Section 505. Lost, Defaced or Substitute Registration Plates.—

(a) In the event of the loss of one or both registration plates, or if a plate or plates become so defaced that the number thereon is illegible, it shall be the duty of the owner of the motor vehicle, trailer or semi-trailer for which the same were issued, to apply to the department for new plates within forty-eight (48) hours of his discovery of the loss or defacement of such plate or plates.

(b) The department may issue substitute or duplicate registration plate or plates in exchange for plate or plates already issued.

(c) Applications for such replacements or substitutions or duplications shall be made upon a form furnished by the department on which shall be set forth the loss, defacing or destruction of, or reasons for substitution or duplication of, such plate or plates, and be accompanied by fee provided in this act; thereupon the department shall cancel the original registration and shall replace the original plate or plates with duplicate plate or plates, or with plate or plates of number other than that originally issued, also a correct or duplicate registration card.

(d) Upon the receipt of new plate or plates, it shall be the duty of the owner to immediately return to the department the old registration card and plate or plates, unless lost or destroyed.

(e) No owner or operator of a motor vehicle, trailer or semi-trailer shall be subject to a fine, for the reason that one or both registration plates are missing, if he makes affidavit that the same was lost or stolen within the period of the ten (10) days preceding and that application for new

plate or plates was made within forty-eight (48) hours as required herein.

Section 506. Transfer of Plate or Plates.—

(a) Upon the transfer of ownership or the destruction of any motor vehicle, trailer or semi-trailer, its registration shall expire and the owner shall remove the registration plate or plates therefrom.

(b) In the event of the transfer or destruction of a motor vehicle, trailer or semi-trailer, the owner may, by application upon a form furnished by the department, register another motor vehicle, trailer or semi-trailer upon payment of the transfer fee provided in this act, or when a motor vehicle, trailer or semi-trailer is of equal or less horsepower or classification than that originally registered, or upon payment of transfer fee provided in this act and the difference between the fee originally paid and that due if the motor vehicle, trailer or semi-trailer be properly registerable in a higher class. Unless the original registration plate or plates have been destroyed, such owner shall be assigned the registration number previously issued to him and shall receive a transfer registration card, except as otherwise provided in this act.

(c) If transfer of registration is from one motor vehicle, trailer or semi-trailer classification to another motor vehicle, trailer or semi-trailer classification, the owner shall be assigned a new registration number and there shall be issued to him new registration plate or plates and a transfer registration card. Upon receipt of new plate or plates and transfer registration card, the original plate or plates and registration card shall be returned to the department immediately.

(d) Whenever a transfer of registration is made under this act, after an owner has received his registration plate or plates for the succeeding year but prior to January first of such succeeding year, the transfer fee provided herein shall not be required.

Section 507. Temporary Use of Plate or Plates Pending Transfer of Registration.—

After the transfer of registration plates from a motor vehicle, trailer or semi-trailer to another motor vehicle, trailer or semi-trailer owned by the same owner, the owner or operator shall not, for a period of twenty (20) days, be subject to a fine for the operation of the latter motor vehicle, trailer or semi-trailer without the proper transfer registration card, provided he shall, within forty-eight hours of such transfer, have made application to the department, as required in this act, for transfer of the said registration plates, and provided he shall, upon prosecution, make an affidavit or testify under oath to that effect.

Section 508. Illegal Transfer of Registration Plate or Plates.—

No person shall give or lend registration plate or plates,

or manufacturer's, jobber's or dealer's registration plate or plates to another.

Section 509. Return of Manufacturer's, Jobber's or Dealer's Registration Plate or Plates.

Registration plate or plates and registration cards issued in the dealer's class shall be returned to the department when the manufacturer, jobber or dealer discontinues motor vehicle business.

ARTICLE VI

OPERATORS

Section 601. Operators Must Be Licensed.

Section 602. Persons Exempt from License.

Section 603. Non-residents When Exempt from License.

Section 604. Persons Not to Be Licensed.

Section 605. Age Limits for Drivers of School Busses and Public Passenger Carrying Motor Vehicles.

Section 606. Learner's Permits.

Section 607. Renewal of Operator's License.

Section 608. Examination of Applicants.

Section 609. Register of Operators and Learners.

Section 610. Licenses Issued to Operators.

Section 611. Duplicate License Cards.

Section 612. License to Be Signed and Carried.

Section 613. Expiration of License.

Section 614. Court to Report Convictions and May Recommend Suspension of License.

Section 615. Revocation of Licenses.

Section 616. Suspension of Licenses or Operating Privileges.

Section 617. Right of Appeal to Court from Suspension.

Section 618. New Operator's License after Revocation.

Section 619. Owner Liable for Negligence of Minor.

Section 620. Counties and Municipalities Liable for Negligence of their Employees.

Section 621. Violation of License Provisions.

Section 622. Unlawful for Minor to Operate Motor Vehicle as a Paid Employee.

Section 623. Unlawful to Permit Violations of Act.

Section 601. Operators Must Be Licensed.—

No person, except those expressly exempted under this act, shall operate any motor vehicle upon a highway in this Commonwealth unless such person, upon application, has been licensed as an operator or a learner by the department under the provisions of this act.

Section 602. Persons Exempt from License.—

Every person in the service of the Federal Government, the Army, Navy or Marine Corps of the United States, and when furnished with a driver's permit, and when

operating an official motor vehicle in such service, shall be exempt from license under this act.

Section 603. Non-residents when Exempt from License.—

(a) A non-resident who has been duly licensed as an operator, under a law requiring the licensing of operators in his home state or country, and who has in his immediate possession a valid operator's license issued to him in his home state or country, shall be permitted, without examination or operator's license under this act, to operate a motor vehicle upon the highways of this Commonwealth, for the same time and to the same extent as like exemptions are granted residents of this Commonwealth under laws of the foreign state or country, as provided in this act.

(b) It shall be unlawful for any non-resident, whose home state or country does not require the licensing of operators, and who has not been licensed as an operator in his home state or country, to operate any motor vehicle upon any highway in this Commonwealth without first making application for and obtaining a license as an operator as required under this act, except that any said unlicensed non-resident who is the owner of a motor vehicle which has been duly registered for the current calendar year in the state or country of which the owner is a resident, may operate motor vehicles upon the highways of this Commonwealth for the same time and to the same extent as like exemptions are granted residents of this Commonwealth under the laws of the state or country of the non-resident, without making application for or obtaining an operator's license under this act, upon condition that the non-resident owner has in his immediate possession a registration card evidencing such ownership and registration in his home state or country.

Section 604. Persons Not to Be Licensed.—

(a) An operator's license shall not be issued to any person under the age of sixteen (16) years.

(b) The department shall not issue an operator's license to any person whose operator's license has been suspended during the period for which such license was suspended; nor to any person whose operator's license has been revoked under the provisions of this act, until the expiration of such revocation; nor to any person, not a licensed operator, who has been placed upon the department's prohibitory list, until after the prohibition has been lifted.

(c) The department shall not issue an operator's license to any person who, it has determined, is an habitual drunkard, or is addicted to the use of narcotic drugs.

(d) No operator's license shall be issued to any applicant who has previously been adjudged insane or an idiot, imbecile, epileptic or feeble-minded, and who has not, at the time of such application, been restored to competency by judicial decree or released from a hospital for the insane or feeble-minded upon a certificate of the super-

intendent or medical director that such person is competent, nor then unless the department is satisfied that such person is competent to operate a motor vehicle with safety to persons and property.

(e) The department shall not issue an operator's license to any person when, in the opinion of the secretary, such person is afflicted with, or suffering from, such physical or mental disability or disease as will serve to prevent such person from exercising reasonable and ordinary control over a motor vehicle while operating the same upon the highways; nor shall a license be issued to any person who is unable to understand highway warning or direction signs in the English language.

Physical disability includes the following: Any person who has lost the use of both hands; or whose eyesight is so impaired that, with the aid of glasses, he cannot distinguish substantial objects clearly at a distance of one hundred fifty (150) feet; or who shall have less than twenty (20) per centum of normal vision (to possess twenty (20) per centum of normal vision one must be able, with one eye, to read all the letters on the line marked "20" of standard test types at a distance of four (4) feet); or shall have less than two (2) per centum of normal hearing (to possess two (2) per centum of normal hearing one must respond when addressed in a natural tone of voice by another standing one (1) foot behind):

Provided, That the secretary may at his discretion issue an operator's license or learner's permit to a person who has less than two (2) per centum of normal hearing, upon the receipt of such evidence or demonstration as shall satisfy him that such person has had sufficient experience in the operation of a motor vehicle to enable him to do so without endangering the safety of the public: Provided, That persons who have less than two (2) per centum of normal hearing shall not be permitted to operate any motor vehicle unless same is equipped with a mirror that will enable such operator to see traffic approaching from the rear.

Section 605. Age Limits for Drivers of School Busses and Public Passenger Carrying Motor Vehicles.—

It shall be unlawful for any person who is under the age of eighteen (18) years to operate a motor vehicle, while in use as a school bus for the transportation of pupils to or from school, or for any person who is under the age of twenty-one (21) years to operate a motor bus or motor omnibus.

Section 606. Learner's Permits.—

(a) The department, upon receiving from any person sixteen (16) years of age or over an application for a learner's permit, may in its discretion issue such a permit entitling the applicant, while having such permit in his

immediate possession, to operate a motor vehicle upon the highways for a period of sixty (60) days from date of issue, when accompanied by a licensed operator who is actually occupying a seat beside the holder of the learner's permit, except that permittees operating motorcycles or bicycles with motor attached need not be so accompanied.

(b) Every application for learner's permit shall be under oath, on a form provided by the department, and accompanied by the fee provided in this act, and shall state the name, age, sex, and residence address of the applicant, together with any other information the secretary may desire, and whether or not the applicant has heretofore been licensed as an operator and, if so, when and by what state, and whether or not such license has ever been revoked, and, if so, the date of and reason for such suspension or revocation.

Section 607. Renewal of Operator's License.—

Annual renewals of operator's license shall be made in such manner as the secretary may require, upon a form furnished by the department, accompanied by the fee provided in this act: Provided, That renewals may be made in the same manner as annual renewals of any operator's license issued during any of the three (3) years preceding application for renewal, when applicant furnishes satisfactory proof of having had a Pennsylvania operator's license issued to him or her during any of the three (3) preceding years. The department shall mail such form to the last address of the operator as it appears on the department records.

Section 608. Examination of Applicants.—

(a) Before granting an operator's license to any person, except as otherwise provided, the secretary shall require the applicant to demonstrate personally to him or his representative, in such a manner as the secretary may direct, that such applicant is a proper person to operate a motor vehicle, has sufficient knowledge of the mechanism of motor vehicles to insure their safe operation, and a satisfactory knowledge of the laws and regulations concerning motor vehicles and their operation.

(b) The secretary may issue an operator's license, either unlimited or containing certain restrictions or limitations, as the secretary may deem advisable, following report of examination of those applicants physically incapacitated.

(c) The secretary may in his discretion waive the examination of any person applying for the renewal of an operator's license issued under this act.

(d) The secretary may in his discretion issue an operator's license under this act, without examination, to any person applying therefor, who is of sufficient age as required by this act to receive the license applied for, when the secretary is satisfied that the applicant is fully qualified as an operator of motor vehicles, and to any person who, at the time of such application, has a valid, unrevoked

license, of like nature, issued to such person in another state under a law requiring the licensing and examination of operators.

Section 609. Register of Operators and Learners.—

The secretary shall file every application for an operator's license and learner's permit and index the same by name and number, and maintain suitable records of all licenses and permits issued and all applications for licenses and permits denied, also a record of all licenses and permits which have been revoked or suspended. The secretary may cause the applications for operators' licenses and learners' permits and records in connection therewith to be destroyed two (2) years after the year for which issued.

Section 610. Licenses Issued to Operators.—

(a) The department shall issue to every person licensed as an operator an operator's license card.

(b) Every such card shall bear thereon the operator's license number, the name, residence, address and such other information as may be required, also a space for the signature of the licensee.

Section 611. Duplicate License Cards.—

(a) In the event that an operator's license or learner's permit, issued under the provisions of this act, shall be lost or destroyed, or become illegible, the person to whom the same was issued shall obtain a duplicate thereof upon application to the department and upon payment of the fee provided in this act.

(b) No owner or operator of a motor vehicle shall be subject to a fine for the reason that an operator's license or learner's permit is lost, if he makes affidavit that the same was lost or stolen within the period of ten (10) days preceding and that application for duplicate operator's license or learner's permit was made within forty-eight (48) hours of discovery of loss of same.

Section 612. License to be Signed and Carried.—

(a) Every person licensed as an operator or learner shall write his usual signature, with pen and ink, in the space provided for that purpose on the operator's license or learner's permit card issued to him, immediately upon receipt of such card.

(b) The licensee or permittee shall have such operator's license or learner's permit in his immediate possession at all times when operating a motor vehicle, and shall exhibit the same, upon demand of a mayor, burgess, magistrate, alderman, justice of the peace, and, when in uniform and displaying a badge or other sign of authority, to a sheriff, deputy sheriff, police officer, member of the Pennsylvania State Police, or designated officer of the department.

Section 613. Expiration of Licenses.—

All operator's licenses shall expire on the last day of

February of each year, unless sooner revoked or suspended for cause by the secretary, but operator's licenses for the succeeding year may, at the option of their owners, be used on and after February fifteenth of the current year.

Section 614. Court to Report Convictions and May Recommend Suspension of License.—

Every court, having jurisdiction over offenses committed under this act or any other act of this Commonwealth regulating the operation of motor vehicles on highways, shall forward to the department a record of the conviction of any person in said court for a violation of any said laws, and may recommend the suspension of the operator's license or learner's permit of the person so convicted; and the secretary shall thereupon consider and act upon such recommendation in such manner as may seem to him best.

Section 615. Revocation of Licenses.—

(a) The secretary shall forthwith revoke, for a period of one (1) year from date of revocation, the operator's license or learner's permit of any person, upon receiving a certified record from the clerk of the court of the conviction of such person of any of the following crimes:

1. Operating a motor vehicle while under the influence of intoxicating liquor or any narcotic or habit producing drug;

2. Perjury or the making of a false statement to the department under this act or any other law of this Commonwealth requiring the registration of motor vehicles or regulating their operation on highways;

3. Any crime punishable as a felony under the motor vehicle laws of this Commonwealth, or any other felony in the commission of which a motor vehicle is used;

4. Conviction of an operator of a motor vehicle, involved in an accident resulting in injury or death to any person or damage to property, upon the charge of failing to stop and render assistance and disclose his identity at the scene of the accident.

(b) The secretary, upon receiving a certified record from the clerk of the court of the conviction of any person upon a charge of operating a motor vehicle while the operator's license or learner's permit of such person is revoked, shall immediately extend that period of such first revocation for an additional like period.

(c) The secretary, upon revoking any operator's license or learner's permit, shall require that such licenses of any operator, whose license or permit is so revoked, shall immediately be surrendered to and retained by the department.

Section 616. Suspension of Licenses or Operating Privileges.—

(a) The secretary may suspend the operator's license or learner's permit of any person, with or without a hearing

before the secretary or his representative, and without receiving a record of conviction of such person of crime, whenever the secretary has reason to believe:

1. That such person has committed any offense for the conviction of which mandatory revocation of license is provided in this act;
2. That such person is incompetent to operate a motor vehicle, or is afflicted with mental or physical infirmities or disabilities rendering it unsafe for such person to operate a motor vehicle upon the highways.
3. That such person is an habitual reckless or negligent operator of a motor vehicle, or has committed any violation of the motor vehicle laws of this Commonwealth.
4. Conviction or forfeiture of bail upon three (3) charges of reckless driving, all within the preceding twelve (12) months;
5. Upon certification or request or order of any court or commission duly authorized under the laws of this Commonwealth and empowered by such laws to make such certifications, requests or orders;
6. The secretary may suspend any operator's license or learner's permit, when check submitted in payment is returned to the department because of insufficient funds or is not paid on demand, and may delegate authority to any department employe or police officer to lift operator's license or learner's permit card so cancelled;
7. Manslaughter resulting from the operation of a motor vehicle.

Whenever the secretary suspends the operator's license or learner's permit of any person for any reason provided in this act, the secretary shall immediately notify the licensee or permittee and afford him an opportunity of a hearing before said secretary or his representative, provided such a hearing has not already been held, and, after such hearing, the secretary shall either rescind his order of suspension or, good cause appearing therefor, may suspend the operator's license or learner's permit of such person for a further period.

(b) The secretary is hereby authorized to suspend the privilege of any non-resident to operate a motor vehicle in this Commonwealth for any cause for which the license of a resident operator may be suspended or revoked.

(c) The secretary is hereby authorized to suspend the operator's license or learner's permit of any resident of this Commonwealth, upon receiving notice of the conviction of such person in another State of an offense therein which, if committed in this Commonwealth, would be grounds for the suspension or revocation of the license of an operator. The secretary is further authorized, upon receiving a record of the conviction in this Commonwealth of a non-resident operator of a motor vehicle of any offense under the motor vehicle laws of this Commonwealth, to forward a report of such conviction to the motor vehicle

administrator in the state wherein the person so convicted is a resident.

(d) The secretary may suspend any operator's license or learner's permit upon certification or request or order of any court or commission duly authorized under the laws of this Commonwealth and empowered by such laws to make such certifications requests or orders.

(e) The secretary, upon suspending any operator's license or learner's permit, shall require that such licenses of any operator whose license or permit is so suspended shall be surrendered immediately to and retained by the department.

Section 617. Right of Appeal to Court from Suspension.—

Any person, whose operator's license or learner's permit has been suspended by the secretary under the provisions of this act, shall have the right to file a petition, within thirty (30) days thereafter, for a hearing in the matter in the court of common pleas of Dauphin County; and such court is hereby vested with jurisdiction and it shall be its duty to set the matter down for hearing upon thirty (30) days' written notice to the secretary, and thereupon to take testimony and examine into the facts of the case, and to determine whether the petitioner is subject to suspension of operator's license or learner's permit under the provisions of this act.

Section 618. New Operator's License after Revocation or Suspension.—

Any person, whose operator's license or learner's permit is revoked or suspended under the provisions of this act, shall not be entitled to apply for or receive any new operator's license or learner's permit until the expiration of one (1) year from the date such former operator's license or learner's permit was revoked, or, in the event of suspension, no new operator's license or learner's permit until the suspension is lifted by the secretary.

Section 619. Owner Liable for Negligence of Certain Minors.—

Every owner of a motor vehicle causing or knowingly permitting a minor under the age of sixteen (16) years to operate such vehicle upon a highway, and any person who knowingly gives or furnishes a motor vehicle to such minor, shall be jointly and severally liable with such minor for any damages caused by the negligence of such minor in operating such vehicle.

Section 620. Counties and Municipalities Liable for Negligence of Their Employes.—

Every county, city, borough, incorporated town or township, or other public corporation within this Commonwealth, employing any person, shall be jointly and

severally liable with such person for any damages caused by the negligence of such person while operating a motor vehicle upon a highway in the course of his employment.

Section 621. Violation of License Provisions.—

It shall be unlawful for any person to commit any of the following acts:

(a) To display, or cause or permit to be displayed, or to have in possession, any operator's license or learner's permit, knowing the same to be fictitious or to have been cancelled, revoked, suspended or altered;

(b) To lend to, or knowingly permit the use of by, one not entitled thereto, any operator's license or learner's permit issued to the person so lending or permitting the use thereof;

(c) To display, or to represent as one's own, any operator's license or learner's permit not issued to the person so displaying the same;

(d) To fail or refuse to surrender to the department upon demand any operator's license, learner's permit, registration card, registration plates, or certificate of title which have been suspended, cancelled or revoked as provided in this act;

(e) To tamper with or make use of or operate any motor vehicle without the knowledge or consent of the owner or custodian thereof;

(f) To operate a motor vehicle while under the influence of intoxicating liquor or any narcotic drug, or permit any person who may be under the influence of intoxicating liquor or narcotic drug to operate any motor vehicle owned by him or in his custody or control;

(g) To turn off any or all the lights on a motor vehicle for the purpose of avoiding identification or arrest;

(h) To operate any motor vehicle upon the highways of this Commonwealth after operator's license or learner's permit is suspended or revoked.

Section 622. Unlawful for Minor to Operate Motor Vehicle as a Paid Employee.—

It shall be unlawful for any person to cause or knowingly permit any minor under the age of eighteen (18) years to operate a motor vehicle upon a highway as a paid employee.

Section 623. Unlawful to Permit Violations of Act.—

No person shall authorize, or knowingly permit, a motor vehicle, owned by him or under his control, to be operated by any person who has no legal right to do so, or in violation of any of the provisions of this act.

ARTICLE VII

FEES

- Section 701. Motorcycles and Motor-Bicycles.
 Section 702. Motor Vehicles.
 Section 703. Commercial Motor Vehicles and Truck Tractors with Pneumatic Tires.
 Section 704. Commercial Motor Vehicles and Truck Tractors with Solid Rubber Tires.
 Section 705. Electrically Operated Commercial Motor Vehicles and Truck Tractors.
 Section 706. Trailers and Semi-Trailers.
 Section 707. Motor Buses and Motor Omnibuses with Pneumatic Tires.
 Section 708. Motor Buses and Motor Omnibuses with Solid Rubber Tires.
 Section 709. Metal Tires.
 Section 710. Reduction of Registration Fees in Certain Cases.
 Section 711. Manufacturers, Jobbers and Dealers.
 Section 712. Lighting Equipment.
 Section 713. Operator's Licenses, Duplicate Registration of Operator's License Card.
 Section 714. Replacement or Substitution of Registration Plates.
 Section 715. Transferring Registration.
 Section 716. Certificate of Title; Duplicate Certificates of Title.
 Section 717. Certified Copies of Records.
 Section 718. Uncollectible Checks.
 Section 719. Special Hauling Permits.
 Section 720. Exemptions From Fees.
 Section 721. No Other Taxes or Fees to be Imposed; Exception.

Section 701. Motorcycles and Motor-Bicycles.—

The fee for the annual registration of a motorcycle shall be three (\$3) dollars, and for the annual registration of a bicycle with a motor attached two (\$2) dollars.

Section 702. Motor Vehicles.—

The fee for annual registration of motor vehicles, except as provided in this act, shall be at the rate of forty (40) cents for each horsepower or fractional part thereof: Provided, That the minimum fee payable for such annual registration shall be ten (\$10) dollars.

Section 703. Commercial Motor Vehicles and Truck Tractors with Pneumatic Tires.—

Commercial motor vehicles and truck tractors with pneumatic tires, other than those electrically operated, shall be divided into eight (8) classes, and the fee for annual registration of such vehicles in each of the respective classes, based on the gross chassis weight as given and certified to by the manufacturer, shall be as follows:

Class.	Chassis Weight in Pounds.	Fee.
R...	Less than 2000.....	\$15.00
S...	2000 and over but less than 3000.....	24.00
T...	3000 and over but less than 4000.....	32.00
U...	4000 and over but less than 5000.....	40.00
V...	5000 and over but less than 6000.....	56.00
W...	6000 and over but less than 7500.....	80.00
Y...	7500 and over but less than 9000.....	100.00
Z...	9000 and over.....	140.00

Section 704. Commercial Motor Vehicles and Truck Tractors with Solid Rubber Tires.—

Commercial motor vehicles and truck tractors with solid rubber tires, other than those electrically operated, shall be divided into eight (8) classes, and the fee for the annual registration of such vehicles in each of the respective classes, based on the gross chassis weight as given and certified to by the manufacturer, shall be as follows:

Class.	Chassis Weight in Pounds.	Fee.
R...	Less than 2000.....	\$18.75
S...	2000 and over but less than 3000.....	30.00
T...	3000 and over but less than 4000.....	40.00
U...	4000 and over but less than 5000.....	50.00
V...	5000 and over but less than 6000.....	70.00
W...	6000 and over but less than 7500.....	100.00
Y...	7500 and over but less than 9000.....	125.00
Z...	9000 and over.....	200.00

Section 705. Electrically Operated Commercial Motor Vehicles and Truck Tractors.—

Electrically operated commercial motor vehicles and truck tractors shall be divided into eight (8) classes, and the fee for annual registration of such vehicles in each of the respective classes, based on the gross maximum weight of chassis, battery, body, and load, as given and certified to by the manufacturer, shall be as follows:

Class.	Weight in Pounds Chassis, Battery, Body, and Load.	Fee.
R...	Less than 5001 pounds.....	\$15.00
S...	5001 and over but less than 7001... ..	24.00
T...	7001 and over but less than 11001... ..	32.00
U...	11001 and over but less than 15001... ..	40.00
V...	15001 and over but less than 18001... ..	56.00
W...	18001 and over but less than 22001... ..	80.00
Y...	22001 and over but less than 25001... ..	100.00
Z...	25001 and over but less than 26001... ..	140.00

Section 706. Trailers and Semi-Trailers.—

Trailers and semi-trailers, whether equipped with pneumatic or solid tires, shall be divided into seven (7) classes, and the fee for annual registration of such vehicles in each of the respective classes, based on the gross weight of chassis and body as given and certified to by the manufacturer, shall be as follows:

Class.	Weight of Trailer or Semi-Trailer in Pounds.	Fee.
A...	Less than 500 pounds.....	\$2.00
B...	500 and over but less than 1000.....	5.00
C...	1000 and over but less than 2000.....	10.00
D...	2000 and over but less than 3000.....	15.00
E...	3000 and over but less than 4000.....	20.00
F...	4000 and over but less than 5000.....	30.00
G...	5000 and over.....	50.00

Section 707. Motor Buses and Motor Omnibuses with Pneumatic Tires.—

The fee for annual registration of each motor bus and motor omnibus with pneumatic tires shall be according to seating capacity, and the following classes:

Class.	Seating Capacity.	Fee.
A..	Five (5) passengers or less.....	\$20.00
B..	More than five (5) passengers and not more than twenty-six (26) passengers.....	\$20.00 plus \$2.00 for each seat over five seats
C..	In excess of twenty-six (26) passengers.....	\$20.00 plus \$2.00 for each seat over five seats to and including number twenty-six, plus \$5.00 for each seat over twenty-six

Section 708. Motor Buses and Motor Omnibuses with Solid Rubber Tires.—

The fee for annual registration of each motor bus and motor omnibus with solid rubber tires shall be according to seating capacity, and the following classes:

Class.	Seating Capacity.	Fee.
A..	Five (5) passengers or less.....	\$25.00
B..	More than five (5) passengers and not more than twenty-six (26) passengers.....	\$25.00 plus \$2.50 for each seat over five seats
C..	In excess of twenty-six (26) passengers (except as otherwise provided in Class D).....	\$25.00 plus \$2.50 for each seat over five seats to and including number twenty-six, plus \$6.25 for each seat over twenty-six
D..	In excess of fifty-three (53) passengers when operated exclusively in cities.....	\$250.00

Section 709. Metal Tires.—

The fee for annual registration of any motor vehicle, trailer or semi-trailer, equipped with metal tires, shall be double the regular fee of a similar vehicle equipped with solid rubber tires.

Section 710. Reduction of Registration Fees in Certain Cases.—

The fee for registration of a motor vehicle, trailer and semi-trailer, when registration is issued on or after August first but prior to November first, shall be one-half ($\frac{1}{2}$) of the fee for annual registration: Provided, That the fee for registration of any such vehicles, when registration is issued on or after November first, shall be one-fourth ($\frac{1}{4}$) of the fee herein specified.

Section 711. Manufacturers, Jobbers and Dealers.—

The fee shall be five (\$5) dollars for each annual registration issued to persons registered as manufactures, jobbers or dealers in motor-cycles and bicycles with motor attached.

The fee shall be twenty-five (\$25) dollars for each of the first two annual registrations, and five (\$5) dollars for each additional annual registration, issued to persons registered as manufacturers, jobbers or dealers in motor vehicles, trailers and semi-trailers.

Section 712. Lighting Equipment.—

The fee for test and registration of head lamps and auxiliary driving lamps shall be seventy-five (\$75) dollars for each type submitted for approval.

The fee for test and registration of rear lamps and signal lamps shall be ten (\$10) dollars for each type submitted for approval.

The fee for test and registration incident to the renewal of a certificate of approval for head lamps shall be ten (\$10) dollars.

The fee for test and registration incident to the renewal of a certificate of approval for auxiliary driving lamps, rear lamps, and signal lamps shall be five (\$5) dollars.

Section 713. Operator's Licenses, Duplicate Registration or Operator's License Card.

The fee for issuing an operator's license to a person unable to produce satisfactory proof of having held a Pennsylvania operator's license during any one of the three (3) years preceding application shall be two dollars and fifty cents (\$2.50), which fee shall entitle the applicant for such license to receive a learner's permit, valid for sixty (60) days from date of issue, and the necessary examination for an operator's license, and, if the examination shall have been passed during the sixty (60) day period, an operator's license for the current year.

The fee for renewal of an operator's license shall be one (\$1) dollar.

The fee for a duplicate operator's license card, or duplicate registration card, shall be fifty (50) cents.

Section 714. Replacement or Substitution of Registration Plates.—

The fee for replaced or substituted or duplicated motor

vehicle, trailer, semi-trailer, and manufacturer's, jobber's or dealer's registration plate or plates, except as provided in this article, shall be one (\$1) dollar; and except that the fee for replaced or substituted or duplicated motorcycle or bicycle with motor attached registration plates shall be fifty (50) cents.

Section 715. Transferring Registration.—

The fee for transfer of registration shall be two (\$2) dollars, when motor vehicle, trailer or semi-trailer is of equal or less horsepower or classification than that originally registered, or upon payment of a fee of two (\$2) dollars and the difference between the fee originally paid and that due, if the motor vehicle trailer or semi-trailer be properly registerable in a higher classification.

Section 716. Certificates of Title; Duplicate Certificates of Title.—

The fee for each certificate of title shall be two (\$2) dollars, except in the case of a manufacturer, jobber or dealer, when the fee shall be fifty (50) cents. The fee for a duplicate certificate of title shall be fifty (50) cents.

No fee shall be required when a certificate of title or assigned certificate of title is returned to the department for cancellation.

Section 717. Certified Copies of Records.—

The fee for a certified copy, or certified photostat copy, of any department record shall be one (\$1) dollar; and such certified copy or certified photostat copy of any department record shall be acceptable as evidence in any court proceeding.

Section 718. Uncollectible Checks.—

Whenever any check, issued in payment of any fee or for any other purpose, shall be returned to the department as uncollectible, the secretary shall charge a fee of five (\$5) dollars, plus all protest fees, to the person presenting such check to him, to cover the cost of its collection.

Section 719. Special Hauling Permits.—

The fee for a special hauling permit shall be five (\$5) dollars, payable to the authorities issuing such permit.

Section 720. Exemptions From Fees.—

No fee shall be charged for the titling or registration of motor vehicles, trailers, and semi-trailers owned and used by (a) the United States, (b) any state other than Pennsylvania which issues titles or registrations to this Commonwealth without charge, (c) the Commonwealth of Pennsylvania, (d) any city, borough, incorporated town, township, county, poor or school district of the State, (e) any duly authorized volunteer fire force, hospital, humane society or anti-cruelty society in this Commonwealth, (f) by the American Red Cross, (g) by churches, (h) Girl

Scouts of America, (i) Boy Scouts of America, (j) Salvation Army, (k) mine or industrial ambulances; but all such vehicles, except those owned and used by the United States, shall be titled and registered and shall display registration plates as is now provided for privately owned motor vehicles, trailers and semi-trailers.

No fee shall be charged for operator's licenses issued to employes of this Commonwealth engaged in the operation of motor vehicles owned by this Commonwealth.

No fee shall be required for replacement or substitution of registration card, registration plates, operator's license card, learner's permit card, or certificate of title, when satisfactory proof is furnished the secretary of loss of same in the mails.

Section 721. No Other Taxes or Fees to Be Imposed; Exception.—

The fees herein set forth shall be in lieu of any other fees or taxes to be imposed by this Commonwealth or any subdivision thereof; and no city, borough, incorporated town, township or county shall require or collect any registration or license fee or tax for any motor vehicle, trailer or semi-trailer, or license from any operator thereof, except motor buses and motor omnibuses transporting passengers for pay or hire within the limits of any city or from points within such city to points outside of the city limits.

ARTICLE VIII

EQUIPMENT

Section 801. Definitions.

Section 802. Required Lighting Equipment of Vehicles:

- (a) When Vehicles Must Be Equipped.
- (b) Head Lamps on Motor Vehicles.
- (c) Head Lamps on Motorcycles.
- (d) Rear Lamps and Illumination of Rear Registration Plate.
- (e) Clearance Lamps.
- (f) Lamps on Bicycles.
- (g) Lights on Other Vehicles.

Section 803. Additional Permissible Lights on Vehicles:

- (a) Spot Lamps.
- (b) Auxiliary Driving Lamps.
- (c) Signal Lamps.
- (d) Restrictions on Lamps, Bulbs and Reflectors.

Section 804. Requirements as to Head Lamps and Auxiliary Driving Lamps.

Section 805. Acetylene Lights.

Section 806. Test and Approval of Lamps.

Section 807. Illegal Sale of Lighting Devices.

Section 808. Revocation of Certificates of Approval on Lighting Devices.

Section 809. Enforcement and Authority to Refuse Title or Registration.

- Section 810. Lights on Parked Motor Vehicles.
 Section 811. Red Light.
 Section 812. Official Adjusting Stations.
 Section 813. Brakes.
 Section 814. Horns and Warning Devices.
 Section 815. Mirrors.
 Section 816. Windshields Must Be Unobstructed and Equipped with Wipers.
 Section 817. Obscene or Vulgar Signs or Markings.
 Section 818. Prevention of Noise, Et Cetera; Muffler Cut-Outs Regulated.
 Section 819. Chains and Tires.

Section 801. Definitions.—

The term "head lamp," as used herein, shall denote a complete road illuminating device located upon the front of a motor vehicle, the rays from which are projected forward, other than a sidelight, auxiliary driving light, searchlight or spotlight.

The term "sidelights," as used herein, shall include any lights upon a motor vehicle, other than head lamp or auxiliary driving light or searchlight or spotlight, the rays of which project forward.

The term "auxiliary driving lamp," as used herein, shall denote a complete road illuminating device in addition to or supplementing the head lamps located upon the front of a motor vehicle.

The term "searchlight" or "spotlight," as used herein, shall denote an auxiliary illuminating device, either fixed or movable, intended to project a powerful concentrated beam of light.

The term "parking lamp" and "clearance lamp," as used herein, shall denote a lamp or lamps so arranged to show white or green to the front and red to the rear.

The term "rear lamps," as used herein, shall denote a lamp located upon the rear of a motor vehicle, trailer or semi-trailer, so arranged to show red to the rear.

The term "signal lamps," as used herein, shall denote a lamp located upon the side or rear of a motor vehicle so arranged to show red, green or yellow to the rear as a cautionary signal.

Section 802. Required Lighting Equipment of Vehicles.—

(a) When Vehicles Must Be Equipped.

Every vehicle upon a highway within this Commonwealth, during the period from one (1) hour after sunset to one (1) hour before sunrise, and at any other time when there is not sufficient light to render clearly discernible any person on the highway at a distance of two hundred (200) feet ahead, shall be equipped with lighted front and rear lamps, as in this section respectively required for different classes of vehicles, and subject to exemption with reference to lights on parked vehicles as provided in this act.

(b) Head Lamps on Motor Vehicles.

Every motor vehicle, other than a motorcycle or bicycle with motor attached, shall be equipped with two (2) head lamps and no less, at the front of and on opposite sides of the motor vehicle, which head lamps shall comply with the requirements and limitations set forth in this act, and, except as to acetylene head lamps, shall be of a type which at the time of its use is approved by the secretary.

(c) Head Lamps on Motorcycles.

Every motorcycle shall be equipped with at least one (1) head lamp, which shall comply with the requirements and limitations set forth in this act, and, except as to acetylene head lamps, shall be of a type which, at the time of its use, is approved by the secretary.

(d) Rear Lamps and Illumination of Rear Registration Plate.

Every motor vehicle and every trailer or semi-trailer attached to a motor vehicle shall carry at the rear a lamp of a type which, at the time of its use, is approved by the secretary, and which exhibits a red light, plainly visible under normal atmospheric conditions, from a distance of five hundred (500) feet to the rear of such vehicle and so constructed and placed that the number plate carried on the rear of such vehicle shall, under like conditions, be so illuminated by a white light as to be read from a distance of fifty (50) feet to the rear of such vehicle.

(e) Clearance Lamps.

Every motor vehicle, having a width at any part in excess of ninety (90) inches, shall carry at least one (1) clearance lamp on the left side of such vehicle and displaying a white or green light, visible under normal atmospheric conditions from a distance of five hundred (500) feet to the front of the vehicle, and displaying a red light visible under like conditions from a distance of five hundred (500) feet to the rear of the vehicle: Provided, That motorcycles, having more than two (2) wheels or with side car equipment, shall display a clearance lamp in such a manner as to indicate the right lateral extension of the vehicle.

(f) Lamps on Bicycles.

Every bicycle, and every bicycle with motor attached, shall be equipped with a lighted lamp on the front thereof, visible under normal atmospheric conditions from a distance of at least two hundred (200) feet in front of such bicycle or bicycle with motor attached, and shall also be equipped with a reflex mirror or lamp on the rear, exhibiting or reflecting a red light visible under like conditions from a distance of at least two hundred (200) feet to the rear of such bicycle or bicycle with motor attached.

(g) Lights on Other Vehicles.

All vehicles, not required in this act to be equipped with

specific lighted lamps, shall carry one (1) or more lighted lamps or lanterns, displaying a white light visible under normal atmospheric conditions from a distance of not less than five hundred (500) feet to the front and rear of such vehicles, except for vehicles other than motor vehicles loaded with hay or straw in bulk.

Section 803. Additional Permissible Lights on Vehicles.—

(a) Spot Lamps.

Any motor vehicle may be equipped with not to exceed two (2) spot lights, except that a motorcycle shall not be equipped with more than one (1) spot light, and every lighted spot light shall be so aimed and used upon approaching another vehicle that no part of the beam will be directed to the left of the center of the highway nor more than one hundred (100) feet ahead of the vehicle.

(b) Auxiliary Driving Lamps.

Any motor vehicle may be equipped with not to exceed two (2) auxiliary driving lamps mounted on the front, and every such auxiliary driving lamp or lamps shall be of a make and type which, at the time of their use, are approved by the secretary.

(c) Signal Lamps.

Whenever a motor vehicle is equipped with a signal lamp, the signal lamp shall be so constructed and located on the vehicle as to give a signal, yellow or red or green in color, which shall be plainly visible in normal sunlight from a distance of one hundred (100) feet to the rear of the vehicle, but shall not project a glaring or dazzling light, and shall be of a type which, at the time of its use, is approved by the secretary.

(d) Restrictions on Lamps, Bulbs and Reflectors.

Any device, other than head lamps, spot lights or auxiliary driving lamps, which projects a beam of light of an intensity greater than twenty-five (25) candlepower, shall be so directed that no part of the beam will strike the level of the surface on which the vehicle stands at a distance of more than fifty (50) feet from the vehicle.

Every electric lamp or bulb used in any head lamp or auxiliary driving lamp on any motor vehicle shall not exceed twenty-one (21) mean spherical candlepower. Every electric lamp or bulb used in any side light shall not exceed four (4) mean spherical candlepower.

Every reflector which is used as a part of any head lamp shall have a highly polished, silvered or glass or other reflecting surface, and shall be free from dents, rust, and other imperfections.

Section 804. Requirements as to Head Lamps and Auxiliary Driving Lamps.—

(a) The head lamps or head lamp of motor vehicles shall be so constructed, arranged, adjusted, and attached that, except as provided in this act, they will, at all times

mentioned in this act and under normal atmospheric conditions and on a level road, produce a driving light sufficient to render clearly discernible all vehicles, persons or substantial objects one hundred sixty (160) feet ahead, but shall not project a glaring or dazzling light to persons in front of such head lamps or head lamp: Provided, That for motorcycles the distance at which vehicles, persons or substantial objects shall be clearly discernible shall be one hundred fifteen (115) feet.

(b) Head lamps or head lamp shall be deemed to comply with the foregoing provisions prohibiting glaring and dazzling lights, if no part of the main bright portion of the head lamp beam rises above a horizontal plane passing through the lamp centers, parallel to the level of the highway upon which the loaded vehicle stands, and in no case higher than forty-two (42) inches at a distance seventy-five (75) feet ahead of the vehicle.

(c) Whenever a motor vehicle is being operated upon a highway, or a portion thereof, which is sufficiently lighted to reveal vehicles, persons or substantial objects on such highway at a distance of two hundred (200) feet ahead of the motor vehicle, it shall be permissible to dim the head lamps or head lamp, or to tilt the beams or beam downward, or to substitute therefor the light from side lights or auxiliary driving lamps, subject to the restrictions as to tilted beams and auxiliary driving lamps as provided in this act.

Whenever a motor vehicle meets another vehicle on any highway, it shall be permissible to tilt the beams or beam of the head lamps or head lamp downward, or to substitute therefor the light from auxiliary driving lamps, subject to the requirement that the tilted beams or beam or the beams from the auxiliary driving lamps shall give sufficient illumination, under normal atmospheric conditions, and on an approximately level highway, to render clearly discernible vehicles, persons or substantial objects seventy-five (75) feet ahead of the motor vehicle, but shall not project a glaring or dazzling light to persons in front of the motor vehicle: Provided, That, at all times required in this act, at least two (2) lights shall be displayed on the front of and on opposite sides of every motor vehicle, other than a motorcycle which shall display at least one (1) light as provided in this act.

Section 805. Acetylene Lights.—

Motor vehicles may be equipped with two (2) acetylene head lamps, of approximately equal candlepower, when equipped with clear, plane, glass fronts, bright six-inch spherical mirrors, and standard acetylene five-eighths ($\frac{5}{8}$) foot burners, not more and not less, and which do not project a glaring or dazzling light into the eyes of approaching persons, except that motorcycles may be equipped with one (1) acetylene head lamp of these specifications.

Section 806. Test and Approval of Lamps.—

(a) It shall be unlawful for any person to sell or offer for sale, either separately or as a part of the equipment of a motor vehicle, or to use upon a motor vehicle upon a highway any electric head lamp, lens, reflector or headlight control device, or any electric auxiliary driving lamp, rear lamp or signal lamp, unless of a type which has been submitted to the secretary for test, and for which a certificate of approval has been issued by the secretary and is then in effect as provided in this act.

(b) The secretary is hereby authorized to adopt and enforce rules and uniform standard specifications as to the amount, color, and direction of light to be emitted by head lamps, auxiliary driving lamps, rear lamps, and signal lamps; and the secretary is authorized and required to determine whether any head lamps, auxiliary driving lamps, signal lamps, and rear lamps submitted will comply with such rules and uniform standard specifications and the secretary may approve such head lamps, auxiliary driving lamps, signal lamps, and rear lamps, and to publish lists of such devices, by name and type, together with the permissible candlepower rating of the electric lamps or bulbs as he shall determine are lawful thereunder.

(c) Any person, desiring approval of any lighting device herein provided, shall submit to the secretary two (2) sets of each type of device upon which approval is desired, together with the fee provided in this act. The secretary 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. Such devices will also be subject to any road tests, or other tests as the secretary may deem necessary, to determine that each type of head lamp, auxiliary driving lamp, rear lamp, and signal lamp, they and their component parts, are so constructed and mounted as to render them readily and universally adjustable to conform to the requirements as adopted by the secretary. The secretary is authorized to refuse approval of any lighting device, certified as complying with the specifications and requirements, which the secretary 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.

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

Section 807. Illegal Sale of Lighting Devices.—

It shall be unlawful for any person to sell or to offer for sale, either separately or as a part of the equipment of a motor vehicle, any head lamp, auxiliary driving lamp, rear lamp or signal lamp, approved by the secretary, unless such device bears thereon the trade-mark or name under which it is approved, so as to be legible when installed, and is accompanied by printed instructions as to the candlepower of bulbs to be used therewith as approved by the secretary, and any particular methods of mounting or adjustment as to focus or aim necessary for compliance with the requirements of this act.

Section 808. Revocation of Certificates of Approval of Lighting Devices.—

Any certificate of approval, however, heretofore or hereafter issued, may be revoked by the secretary, after a hearing before the secretary or his representative of which the person named therein or his successor in interest shall be given reasonable notice or opportunity to hear or be heard, upon the grounds that the lighting device does not comply with the provisions of this act, regulations adopted, or is not being supplied in production in accordance with specifications, original blue print assemblies, or sample lighting devices originally submitted. However, revocation of certificates of approval of lighting devices heretofore or hereafter approved shall not take effect until three (3) months after decision of the secretary revoking same.

The secretary may adopt uniform standard specifications for head lamps, auxiliary driving lamps, rear lamps, signal lamps, and may promulgate certain rules and regulations, not inconsistent with this act, to govern his decision in approving any lighting device or revoking any certificate of approval issued for a lighting device.

All certificates approving lighting devices heretofore issued by the secretary shall expire and be void on and after July first, one thousand nine hundred and twenty-eight, unless the manufacturer has, prior to that date, made application for renewal, submitting samples for tests in accordance with the provisions of the act, together with the fee provided in this act, and new certificate of approval has been issued.

Certificates approving each type of head lamp device, hereafter issued by the secretary, will expire and be void after two (2) years from date of issue, unless the manufacturer has, prior to the expiration date, made application for renewal of such certificate, furnishing one (1) pair of samples for test purposes in accordance with this act, together with the fee provided in this act, and new certificate of approval has been issued.

Certificates approving each type of auxiliary driving lamp, rear lamp, and signal lamp, hereafter issued by the secretary, will expire and be void after two (2) years from

date of issue, unless the manufacturer has, prior to the expiration date, made application for renewal of any such certificate, furnishing one (1) sample for test purposes in accordance with this act, together with fee provided in this act, and new certificate of approval has been issued.

When no renewal application is made, and when an application for renewal of certificate of approval is refused, the head lamp, auxiliary driving lamp, rear lamp or signal lamp will become illegal for use on motor vehicles after two (2) years from date of expiration of certificate: Provided, however, New motor vehicles will not be titled, unless the lighting devices are of an approved type, for which certificates of approval are in effect at the time of application for title.

Section 809. Enforcement and Authority to Refuse Title or Registration.—

(a) A head lamp or auxiliary driving lamps will be presumed to project a glaring or dazzling light if the top of any main beam of light, projected by it or them, is, at a distance of twenty-five (25) feet ahead of the motor vehicle, on an approximately level stretch of highway, projected on the body of a person or on a motor vehicle or on any object, at a height greater than the distance of the centers of the lamps from the highway; and in no case shall the top of the beam of light be higher than forty-two (42) inches above the highway, seventy-five (75) feet ahead of the motor vehicle.

(b) The operator of any motor vehicle, equipped with approved head lamps, auxiliary driving lamps, rear lamps, or signal lamps, who is arrested upon a charge that such lamps are improperly adjusted or are equipped with bulbs of a candlepower not approved for use therewith, shall be allowed forty-eight (48) hours within which to bring such lamps into conformance with the requirements of this act. It shall be a defense to any such charge that the person arrested produce in court, or submit to the mayor, burgess, magistrate, alderman, or justice of the peace a certificate from an official adjusting station, showing that within forty-eight (48) hours after such arrest such lamps have been made to conform with the requirements of this act.

(c) The secretary may refuse to title, or issue registration for, any motor vehicle, the lighting devices of which are not approved for use in this Commonwealth.

(d) Any person, not required to register a motor vehicle under the provisions of this act because such person is a resident of a foreign country or state, shall be exempt from the provisions of this act with regard to lighting equipment, for the same period during which person is exempt from registration under this act, if such lighting equipment conforms to the requirements of the laws of the foreign country or state in which the motor vehicle is registered.

Section 810. Lights on Parked Motor Vehicles.—

Whenever a motor vehicle is parked or stopped upon

a highway, whether attended or unattended, during the time when lights are required by this act, may, in lieu of the lighting equipment specified in this act, show one (1) white or green light, carried on the left side of the motor vehicle, visible under normal atmospheric conditions from a distance of five hundred (500) feet to the front of such vehicle, and projecting a red light visible under like conditions from a distance of five hundred (500) feet to the rear: Provided, That local authorities may, by ordinance or rule or regulation, establish zones within which motor vehicles may remain standing without lights.

Section 811. Red Light Visible from in Front of Vehicles.—

No person shall operate or move any vehicle upon a public highway with a red light displayed on the front thereof.

Section 812. Official Adjusting Stations.—

The secretary is authorized to designate, furnish instructions to, and to supervise official stations for adjusting head lamps and auxiliary driving lamps to conform with the provisions of this act. The establishment of official headlight adjusting stations shall mean the designation of any place which shall comply with the requirements for a test station as determined by the secretary. When head lamps and auxiliary driving lamps have been adjusted in conformity with the instructions issued by the secretary, a certificate of adjustment shall be issued to the owner or operator of the motor vehicle, on a form prescribed by the secretary, and showing date of issue, registration number of the motor vehicle, owner's name, make of vehicle, and official designation of the adjusting station.

If the secretary finds that the business of any official adjusting station is being poorly or badly conducted, he may revoke the designation of such station.

Section 813. Brakes.—

Every motor vehicle, when operated upon a highway, shall be equipped with brakes adequate to control the movement of, and to stop and to hold such vehicle, including two separate means of applying the brakes, each of which means shall be effective to apply the brakes to at least two (2) wheels and so constructed that no part which is liable to failure shall be common to the two, except that a motorcycle need be equipped with only one (1) brake. All such brakes shall be maintained in good working order and shall conform to regulations not inconsistent with this act to be promulgated by the secretary.

Section 814. Horns and Warning Devices.—

(a) Every motor vehicle, when operated upon a highway, shall be equipped with a horn, or other warning device, in good working order, capable of emitting sound audible under normal conditions from a distance of not less than two hundred (200) feet, and it shall be unlawful,

except as otherwise provided in this act, for any vehicle to be equipped with, or for any person to use upon a vehicle, any siren, compression or sparkplug whistle, or for any person, at any time, to use a horn, or other warning devices, otherwise than as a reasonable warning, or to make any unnecessary or unreasonably loud or harsh sound by means of a horn or other warning device.

(b) Every police and fire department and fire patrol vehicle, and every ambulance used for emergency calls, may be equipped with a bell, siren or exhaust whistle of a type approved by the secretary.

Section 815. Mirrors.—

No person shall operate a motor vehicle on a highway, which motor vehicle is so constructed or loaded as to prevent the operator from obtaining a view of the highway to the rear by looking backward from the operator's position, unless such vehicle is equipped with a mirror so located as to reflect to the operator a view of the highway for a distance of at least two hundred (200) feet to the rear of such vehicle: Provided, That persons who have less than two (2) per centum of normal hearing, to whom an operator's license has been issued, shall be required to have any motor vehicle which they may operate equipped with a mirror attached and adjusted to enable them to see traffic approaching from the rear.

Section 816. Windshields Must be Unobstructed and Equipped With Wipers.—

(a) It shall be unlawful for any person to operate any motor vehicle upon a highway with any sign, poster or other non-transparent material upon the front windshield, side wings, side or rear windows of such motor vehicle, other than a certificate or other paper required by law to be so displayed.

(b) Every permanent windshield on a motor vehicle shall be equipped with a device for cleaning rain, snow or other moisture from the windshield, which device shall be so constructed as to be controlled or operated by the operator of the vehicle.

Section 817. Obscene or Vulgar Signs or Markings.—

It shall be unlawful for any motor vehicle to be operated upon any highway, having on any part of such vehicle or its legal attachments thereto any plates, cards, tags, letterings or markings of an obscene or vulgar nature.

Section 818. Prevention of Noise, Et Cetera; Muffler Cut-Outs Regulated.—

(a) No person shall operate a motor vehicle on a highway, unless such motor vehicle is equipped with a muffler, in good working order and in constant operation, to prevent excessive or unusual noise.

(b) It shall be unlawful to use a muffler cut-out on any motor vehicle upon a highway.

(c) No vehicle shall be driven or moved on any highway unless such vehicle is so constructed or loaded as to prevent its contents from dropping, sifting, leaking or otherwise escaping therefrom.

Section 819. Chains and Tires.—

(a) Every solid rubber tire, on a vehicle moved on any highway, shall have rubber on its entire traction surface at least one (1) inch thick above the edge of the flange of the entire periphery.

(b) No tire on a vehicle moved on a highway shall have on its periphery any block, stud, flange, cleat or spike, or any other protuberances of any material other than rubber, which projects beyond the tread of the traction surface of the tire, and except also that it shall be permissible to use tire chains, consisting of not less than five (5) cross chains or which do not project more than one (1) inch, upon the outside surface of the periphery of the wheel of any vehicle when required for safety because of snow, ice or other conditions tending to cause a vehicle to slide or skid.

(c) The width of rubber tires, for the purpose of this act, shall be ascertained by measuring the width of tire at the base of channel, or between the flanges of the metal rim, except pneumatic tires the width of which shall be determined by measuring the greatest width of tire casing. The width of metal tires shall be determined by measuring the width of contact of tire with the road surface.

ARTICLE IX

SIZE, WEIGHT, AND CONSTRUCTION

Section 901. Scope and Effect of Regulations.

Section 902. Size of Vehicles and Loads.

Section 903. Flag or Light at End of Load.

Section 904. Weight of Motor Vehicles and Loads.

Section 905. Officers May Weigh Vehicles and Require Removal of Excess Load.

Section 906. Permits for Excessive Size and Weight.

Section 907. When Authorities May Restrict Right to Use Highways.

Section 908. Regulating Weight of Vehicles on Bridges.

Section 901. Scope and Effect of Regulations.—

It shall be unlawful for any person to operate or move, or for the owner to cause or knowingly permit to be driven or moved, on any highway any vehicle or vehicles of a size or weight exceeding the limitations provided in this act, or any vehicle or vehicles which are not so constructed or equipped as required in this act or the rules and regulations of the secretary adopted pursuant thereto, and the maximum size and weight of vehicles herein specified shall be lawful throughout this Commonwealth, and the secretary

and local authorities shall have no power or authority to alter said limitations except as express authority may be granted in this act.

Section 902. Size of Vehicles and Loads.—

(a) No vehicle, except fire department equipment, shall exceed a total maximum width, including any load thereon, of ninety-six (96) inches, except that the limitations as to size of vehicles stated in this act shall not apply to vehicles loaded with hay or straw in bulk.

(b) No vehicle, except fire department equipment, shall exceed a total maximum height, including any load thereon, of one hundred seventy-four (174) inches.

(c) No vehicle, except fire department equipment, shall exceed a total maximum length, including any load thereon, of three hundred ninety-six (396) inches, and no combination of vehicles coupled together shall exceed a total maximum length of eighty-five (85) feet.

1. No motor vehicle shall be operated upon any highway, drawing or having attached thereto more than one other vehicle, except that a motor vehicle with semi-trailer may draw in addition thereto one (1) other vehicle.

2. Whenever the connection consists of a chain, rope, bar or cable, there shall be displayed upon such connection a flag not less than twelve (12) inches both in length and width.

(d) No train of vehicles, or no vehicle operated alone, shall carry any load extending more than five (5) feet beyond the front thereof.

(e) No vehicle, except as herein provided, shall carry any load extending beyond the line of the fenders on the left side of such vehicle, nor extending more than six (6) inches beyond the line of the fender on the right side thereof.

Section 903. Flag or Light at End of Load.—

Whenever the load on any vehicle shall extend more than four (4) feet beyond the rear of the chassis, bed or body thereof, there shall be displayed at the end of such load, in such position as to be clearly visible at all times from the rear, a red flag not less than twelve (12) inches both in length and width, except that between one (1) hour after sunset and one (1) hour before sunrise there shall be displayed at the end of any such load a red light plainly visible under normal atmospheric conditions at least two hundred (200) feet from the rear.

Section 904. Weight of Motor Vehicles and Loads.—

(a) Commercial motor vehicles and truck tractors, other than those electrically operated, shall not be used or operated on any highway with gross weight, including chassis, body, and load, exceeding those specified for the several classes and weights of chassis as follows:

LAWS OF PENNSYLVANIA.

Class.	Chassis Weight in Pounds.	Maximum Gross Weight in Pounds.
R.	Less than 2000.....	5000
S.	2000 and over but less than 3000.....	7000
T.	3000 and over but less than 4000.....	11000
U.	4000 and over but less than 5000.....	13000
V.	5000 and over but less than 6000.....	18000
W.	6000 and over but less than 7500.....	22000
Y.	7500 and over but less than 9000.....	25000
Z.	9000 and over.....	26000

(b) Electrically operated commercial motor vehicles and truck tractors shall not be used or operated on any highway with gross weight, including chassis, battery, body, and load, exceeding those specified for the several classes and weights of chassis as follows:

Class.	Maximum Gross Weight in Pounds Chassis, Battery, Body, and Load.
R.....	5000
S.....	7000
T.....	11000
U.....	15000
V.....	18000
W.....	22000
Y.....	25000
Z.....	26000

(c) No motor vehicle or trailer, except fire department equipment, shall be operated upon any highway with a gross weight of vehicle and load combined in excess of twenty-six thousand (26,000) pounds, or in excess of nineteen thousand five hundred (19,500) pounds on any axle, or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel.

(d) No truck tractor and semi-trailer combined, except fire department equipment, shall be operated upon any highway with a gross weight of vehicles and load combined in excess of thirty-nine thousand (39,000) pounds, or in excess of nineteen thousand five hundred (19,500) pounds on any axle, or in excess of eight hundred (800) pounds on any one wheel, for each nominal inch of width of tire on such wheel, axle or axles of semi-trailer shall not be less than ninety-six (96) inches from the axle of the truck tractor.

Section 905. Officers May Weigh Vehicles and Require Removal of Excess Load.—

Any member of the Pennsylvania State Police, or designated officer of the department, or police officer, who shall be in uniform and shall exhibit his badge or other sign of authority, having reason to believe that the weight of a motor vehicle, trailer or semi-trailer and load is unlawful, is authorized to weigh the same, either

by means of portable or stationary scales, or may require that such vehicle be driven to the nearest stationary scales in the event such scales are within a distance of two (2) miles. The officer may then require the operator to unload immediately such portion of the load as may be necessary to decrease the gross weight of such vehicle to the maximum gross weight specified in this act, except as herein provided for special permits: And further provided, That no arrests shall be made, nor shall removal of any portion of the load be required, in cases where the maximum gross weights provided in this act are not exceeded by more than ten (10) per centum thereof.

Section 906. Permits for Excessive Size and Weight.—

The secretary 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 a vehicle of a size and 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. Every such permit shall be issued for a single trip, and shall designate the route to be traversed, and contain any other restrictions or conditions deemed necessary by the authority granting such permit. Every such permit shall be carried in the vehicle to which it refers, and shall be open to inspection by any police officer, member of the Pennsylvania State Police or designated officer of the department.

(a) In the event of a catastrophe or accident, affecting the public safety or convenience, it shall be lawful to operate or move a vehicle of a size or weight in excess of that permitted by this act if a report thereof is immediately made in writing to the secretary or local authorities. In such cases a permit shall issue subsequent to the movement.

Section 907. When Authorities May Restrict Right to Use Highways.—

The secretary 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 such secretary 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 and local authorities, enacting or making any such ordinance or resolution or rules, shall erect or cause to be erected and main-

tained signs designating the provisions of the ordinance or resolution or rules at each end of that portion of any highway affected thereby and at intersections thereof, and the ordinance or resolution or rules shall not be effective until or unless such signs are erected and maintained. The secretary or local authorities may also, by ordinance or resolution or rules, 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 signs placed on such highways and their intersections.

Section 908. Regulating Weight of Vehicles on Bridges.—

Where any bridge, causeway or viaduct, owned or maintained, whether owned in whole or in part by this Commonwealth or local authorities, shall have a sign properly posted in a conspicuous place at the entrance 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 that is mentioned in such sign.

ARTICLE X

TRAFFIC

OPERATION OF VEHICLES; RULES OF THE ROAD

- Section 1001. Reckless Driving.
- Section 1002. Restrictions as to Speed.
- Section 1003. Railroad Warning Signals Must Be Obeyed.
- Section 1004. Speed Limits of Commercial Motor Vehicles with Pneumatic Tires.
- Section 1005. Speed Limits of Commercial Motor Vehicles with Solid Rubber Tires.
- Section 1006. Special Speed Limitation on Bridges.
- Section 1007. When Speed Limit Not Applicable.
- Section 1008. Drive on Right Side of Highway.
- Section 1009. Keep to the Right in Crossing Intersections or Railroads.
- Section 1010. Meeting of Vehicles.
- Section 1011. Overtaking a Vehicle.
- Section 1012. Limitations on Privilege of Overtaking and Passing.
- Section 1013. Driver to Give Way to Overtaking Vehicle.
- Section 1014. Following Too Closely.
- Section 1015. Turning at Intersections.
- Section 1016. Signals on Starting, Stopping or Turning.
- Section 1017. Right of Way.
- Section 1018. Exceptions to the Right of Way Rule.
- Section 1019. What to Do on Approach of Police or Fire Department Vehicle.
- Section 1020. Vehicles Must Stop at Certain Through Highways.
- Section 1021. Passing Street Cars.

- Section 1022. Driving Through Safety Zone Prohibited.
 Section 1023. Stopping on Highway.
 Section 1024. Parking in Front of Fire Hydrant, Fire Station or Private Driveway.
 Section 1025. Motor Vehicle Left Unattended.
 Section 1026. Driving on Mountain Highways.
 Section 1027. Persons Tampering With Motor Vehicles.
 Section 1028. Coasting Prohibited.
 Section 1029. Duty to Stop in Event of Accident.
 Section 1030. Duty to Report Accidents.
 Section 1031. Garage Keeper to Report Damaged Motor Vehicles.
 Section 1032. Drivers of State, County, and City Vehicles Subject to Provisions of the Act.
 Section 1033. Powers of Local Authorities.
 Section 1034. Act Not to Interfere with Rights of Owners of Real Property.
 Section 1035. Rights of Operators on Highways.
 Section 1036. Signals by Officers.
 Section 1037. Abandoned or Wrecked Motor Vehicles.
 Section 1038. Uniform Marking of and Erection of Signs on Highways.
 Section 1039. Local Traffic Signs.
 Section 1040. Signal Interpretations.
 Section 1041. Other Than Official Signs Prohibited.
 Section 1042. Injuring Signs.

✓
 Section 1001. Reckless Driving.—

(a) Any person who drives any vehicle upon a highway carelessly and wilfully or wantonly disregarding the rights or safety of others, or in a manner so as to endanger any person or property, shall be guilty of reckless driving.

(b) If investigation into an accident, arising from the use and operation of a motor vehicle, discloses that the accident occurred due to the front seat of the motor vehicle having been occupied by more than three (3) persons, the operator shall be guilty of reckless driving.

(c) No person shall participate in any physical endurance test or any race or speed contest with a motor vehicle on any highway.

Section 1002. Restrictions as to Speed.—

(a) Any person driving a vehicle on a highway shall drive the same at a careful and prudent speed, not greater than is reasonable and proper, having due regard to the traffic, surface, and width of the highway and of any other conditions then existing, and no person shall drive any vehicle upon a highway at such a speed as to endanger the life, limb or property of any person.

(b) Subject to the provisions of subdivision (a) of this section, it shall be lawful for the driver of a vehicle to drive the same at a speed not exceeding the following:

1. Twenty (20) miles an hour when approaching within

two hundred (200) feet of a grade crossing of any steam or electric railway operating over its own private right of way, where signs are erected as provided in paragraph four of subsection (b) of this section.

2. Fifteen (15) miles an hour when passing a school during school recess or while children are going to or leaving school during opening or closing hours.

3. Twenty (20) miles an hour when approaching within fifty (50) feet, and in traversing an intersection, of highways within a business or residence district.

4. No person shall operate a motor vehicle on any highway within a business or residence district at a rate of speed in excess of twenty (20) miles per hour, where signs erected by the proper authorities are displayed bearing the words "TWENTY MILE SPEED LIMIT," in letters not less than four (4) inches in height. Said signs shall be placed on the right-hand side of the highway facing the traffic to be controlled. Such 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 extensions 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 lettering "END OF TWENTY MILE SPEED LIMIT," in letters not less than four (4) inches in height.

5. Thirty-five (35) miles an hour under all other conditions.

6. No motor bus or motor omnibus, with pneumatic tires or solid tires, classes B, C, and D, as classified in this act, shall, at any time, be operated at a rate of speed exceeding thirty (30) miles per hour.

In every complaint, charging violation of this section, the complaint, also the summons to appear, shall specify the speed at which the defendant is alleged to have driven and the section and subsection alleged to have been violated.

When the rate of speed of any motor vehicle is timed on a measured stretch of any highway for the purpose of ascertaining whether or not the operator of such motor vehicle is violating the speed provisions of this act, such time shall be taken by not less than two (2) officers, one of whom shall have been stationed at each end of such measured stretch, and no conviction shall be had upon the unsupported evidence of one (1) officer, and no such measured stretch shall be less than one-eighth ($\frac{1}{8}$) of a mile in length.

Section 1003. Railroad Warning Signals Must Be Obeyed.—

Whenever any person driving a vehicle approaches an interurban or steam railway grade crossing, and a clearly visible and positive signal gives warning of the immediate approach of a railway train or car, it shall be unlawful

for the driver of the vehicle to fail to bring the vehicle to a complete stop before traversing such grade crossing.

Section 1004. Speed Limits of Commercial Motor Vehicles with Pneumatic Tires.—

No commercial motor vehicle or truck tractor with pneumatic tires, as classified in this act, shall, at any time, be operated at a rate of speed exceeding the following:

Class.	Miles Per Hour.
R.....	26
S.....	24
T.....	24
U.....	22
V.....	19
W.....	19
Y.....	16
Z.....	14

Section 1005. Speed Limits of Commercial Motor Vehicles with Solid Rubber Tires.—

No commercial motor vehicle or truck tractor with solid rubber tires, as classified in this act, shall, at any time, be operated at a rate of speed exceeding the following:

Class.	Miles Per Hour.
R.....	24
S.....	20
T.....	20
U.....	18
V.....	15
W.....	15
Y.....	12
Z.....	10

Section 1006. Special Speed Limitation on Bridges.—

It shall be unlawful to 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 signposted as provided in this section.

The secretary, 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, 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 signs, stating such maximum speed, to be erected and maintained at a distance of one hundred (100) feet from each end of such structure facing approaching traffic.

Section 1007. When Speed Limit Not Applicable.—

The speed limitations set forth in this act shall not apply to vehicles when operated with due regard for safety under the direction of the police in the chase or apprehension of violators of the law, or of persons charged with or suspected of any such violation, nor to fire department or fire patrol vehicles when traveling in response to a fire alarm, nor to public or private ambulances when traveling in emergencies. This exemption shall not, however, protect the driver of any such vehicle from the consequences of a reckless disregard of the safety of others.

✓ **Section 1008. Drive on Right Side of Highway.—**

Upon all highways of sufficient width, except upon one way streets, the driver of a vehicle shall drive the same upon the right half of the highway, and shall drive a slow moving vehicle as closely as possible to the right-hand edge of curb of such highway, unless it is impracticable to travel on such side of the highway, and except when overtaking and passing another vehicle subject to the limitations applicable in overtaking and passing set forth in this act. ✓

Section 1009. Keep to the Right in Crossing Intersections or Railroads.—

In crossing an intersection of highways, or the intersection of a highway by a railroad right of way, the driver of a vehicle shall at all times cause such vehicle to travel on the right half of the highway, unless such right half is obstructed or impassable.

Section 1010. Meeting of Vehicles.—

Drivers of vehicles proceeding in opposite directions shall pass each other to the right, each giving to the other at least one-half of the main traveled portion of the highway as nearly as possible.

Section 1011. Overtaking a Vehicle.—

(a) The driver of any vehicle overtaking another vehicle proceeding in the same direction shall pass at a safe distance to the left thereof and shall not again drive to the right side of the highway until safely clear of such overtaken vehicles.

(b) The driver of an overtaking motor vehicle, not within a business or residence district as herein defined, shall give audible warning with his horn or other warning device before passing or attempting to pass a vehicle proceeding in the same direction.

Section 1012. Limitations on Privilege of Overtaking and Passing.—

(a) The driver of a vehicle shall not drive to the left side of the center line of a highway, in overtaking and passing another vehicle proceeding in the same direction, unless such left side is clearly visible and is free of oncoming

traffic for a sufficient distance ahead to permit such overtaking and passing to be made in safety.

(b) The driver of a vehicle shall not overtake and pass another vehicle proceeding in the same direction upon the crest of a grade or upon a curve in the highway where the driver's view along the highway is obstructed within a distance of three hundred (300) feet ahead.

(c) The driver of a vehicle shall not overtake and pass any other vehicle proceeding in the same direction, at any steam or electric railway grade crossing, nor at any intersection of highways, unless such intersection is controlled by stop-and-go signals, or unless permitted so to do by a traffic or police officer.

Section 1013. Driver to Give Way to Overtaking Vehicle.—

The driver of a vehicle upon a highway, about to be overtaken and passed by another vehicle approaching from the rear, shall give way to the right in favor of the overtaking vehicle on suitable and audible signal being given by the driver of the overtaking vehicle, and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.

Section 1014. Following Too Closely.—

(a) The operator of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard to the speed of such vehicles and the traffic upon and condition of the highway.

(b) The operator of any commercial motor vehicle, truck tractor or road tractor, when traveling upon a highway outside of a business or residence district, shall not follow another such vehicle within one hundred (100) feet, but this shall not be construed to prevent one such vehicle overtaking and passing another such vehicle.

Section 1015. Turning at Intersections.—

(a) Except as otherwise provided in this section the driver of a vehicle, intending to turn to the right at an intersection shall approach such intersection in the lane for traffic nearest to the right-hand side of the highway, and in turning shall keep as closely as practicable to the right-hand curb or edge of the highway, and when intending to turn to the left, shall approach such intersection in the lane for traffic to the right of and nearest to the center line of the highway, and in turning shall pass beyond the center of the intersection passing as closely as practicable to the right thereof before turning such vehicle to the left.

For the purpose of this section the center of the intersection shall mean the meeting point of the medial lines of the highways intersecting one another.

(b) Local authorities in their respective jurisdictions may modify the foregoing method of turning at intersections by clearly indicating, by buttons, markers or other direction signs within an intersection, the course to be followed by vehicles turning thereat, and it shall be un-

lawful for any driver to fail to turn in a manner as so directed when such direction signs are installed by local authorities.

(c) Local authorities, when proper signs are erected, may prohibit or regulate turning at intersections.

Section 1016. Signals on Starting, Stopping or Turning.—

(a) The driver of any vehicle upon a highway before starting, stopping or turning from a direct line shall first see that such movement can be made in safety, and, if any pedestrian may be affected by such movement, shall give a clearly audible signal, by sounding the horn, and, whenever the operation of any other vehicle may be affected by such movement, shall give a signal as required in this section, plainly visible to the driver of such other vehicle, of the intention to make such movement.

(b) The signal herein required shall be given either by means of the hand and arm, in the manner herein specified, or by an approved mechanical or electrical signal device, except that, when a vehicle is so constructed or loaded as to prevent the hand and arm signal from being visible both to the front and rear, the signal shall be given by a device of a type which has been approved by the secretary.

Whenever the signal is given by means of the hand and arm, the driver shall indicate his intention to start, stop or turn by extending the hand and arm horizontally from and beyond the left side of the vehicle, or, if he is driving a closed vehicle, by his hand and arm in such a way as to be visible through the window in the rear of the vehicle.

Section 1017. Right of Way.—

(a) When two vehicles approach or enter an intersection at approximately the same time, the driver of the vehicle on the left shall yield the right of way to the vehicle on the right, except as otherwise provided in this act. The driver of any vehicle traveling at an unlawful speed shall forfeit any right of way which he might otherwise have hereunder.

(b) The driver of a vehicle approaching, but not having entered, an intersection shall yield the right of way to a vehicle within such intersection and turning therein to the left across the line of travel of such first mentioned vehicle, provided the driver of the vehicle turning left has given a plainly visible signal of intention to turn as required in this act.

(c) The driver of any vehicle upon a highway, within a business or residence district, shall yield the right of way to a pedestrian, crossing such highway within any clearly marked crosswalk, or any regular pedestrian crossing included in the prolongation of the lateral boundary lines of the adjacent sidewalk at the end of a block, except at intersections where the movement of traffic is being regulated by traffic officers or traffic direction devices. Every pedestrian, crossing a highway within a business or residence

district at any point other than a pedestrian crossing, cross-walk or intersection, shall yield the right of way to vehicles upon the highway.

Section 1018. Exceptions to the Right of Way Rule.—

(a) The driver of a vehicle entering a highway from a private road or drive shall yield the right of way to all vehicles approaching on such highway.

(b) The driver of a vehicle upon a highway shall yield the right of way to police and fire department vehicles and ambulances, when such vehicles are operated upon official business and the drivers thereof sound audible signal by bell, siren or exhaust whistle. This provision shall not operate to relieve the driver of a police or fire department vehicle or ambulance from the duty to drive with due regard for the safety of all persons using the highway, nor shall it protect the driver of any such vehicle from the consequence of an arbitrary exercise of such right of way.

Section 1019. What to Do on Approach of Police or Fire Department Vehicle.—

(a) Upon the approach of any police or fire department vehicle or ambulance, giving audible signal by bell, siren or exhaust whistle, the driver of every other vehicle shall immediately drive the same to a position as near as possible and parallel to the right-hand edge or curb of the highway, clear of any intersection of highways, and shall stop and remain in such position, unless otherwise directed by a police or traffic officer, until the police or fire department vehicle or ambulance shall have passed.

(b) It shall be unlawful for the driver of any vehicle, other than one on official business, to follow any fire apparatus, traveling in response to a fire alarm, closer than five hundred (500) feet, or to drive into, or park such vehicle within, the block where fire apparatus has stopped in answer to a fire alarm.

Section 1020. Vehicles Must Stop at Certain Through Highways.—

The secretary, with reference to State highways, and local authorities in cities of the first, second, and third class, with reference to highways under their jurisdictions, are hereby authorized to designate main traveled or through highways by erecting at the entrances thereto from intersecting highways signs bearing the words "THRU TRAFFIC STOP," in letters at least six (6) inches in height, notifying drivers of vehicles to come to a full stop before entering or crossing such designated highway; and, whenever any such signs have been so erected, it shall be unlawful for the driver of any vehicle to fail to stop in obedience thereto. All such signs shall be illuminated at night, or so placed as to be illuminated by the headlights of an approaching vehicle or by street lights.

Section 1021. Passing Street Cars.—

(a) The driver of a vehicle shall not overtake and pass upon the left any interurban or street car proceeding in the same direction, whether actually in motion or temporarily at rest, when a travelable portion of the highway exists to the right of such street car, except on a one way street.

(b) No operator of a motor vehicle, who meets or overtakes a street passenger car that has stopped for the purpose of taking on or discharging passengers, shall pass said car on the side on which the passengers get on or off, until the car has started, and until any passengers who may have alighted have reached the side of the highway, except that, where a safety zone has been established, or at an intersection where traffic is controlled by an officer or a traffic stop-and-go signal, a vehicle need not be brought to a full stop before passing any such railway, interurban or street car, but may proceed past such car at a speed not greater than is reasonable or proper and in no event greater than ten (10) miles an hour and with due caution for the safety of pedestrians.

Section 1022. Driving Through Safety Zone Prohibited.—

The driver of a vehicle shall not at any time drive through or over a safety zone as defined in this act.

Section 1023. Stopping on Highway.—

(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 of 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 hundred (200) feet in each direction upon such highway.

(b) Whenever any peace officer shall find a vehicle standing upon a highway in violation of the provisions of this section, he is hereby authorized to move such vehicle, or require the driver or person in charge of such vehicle to move such vehicle to a position permitted under this section.

(c) The provisions of this section shall not apply to the driver of any vehicle which is disabled, while on the paved or improved or main traveled portion of a highway, in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving such vehicle in such position.

Section 1024. Parking in Front of Fire Hydrant, Fire Station or Private Driveway.—

No person shall park a vehicle, or permit it to stand, whether attended or unattended, upon a highway in front of a private driveway, or within fifteen (15) feet in either direction of a fire hydrant or the entrance to a fire station, nor within twenty-five (25) feet from the intersection of curb lines, or, if none, then within fifteen (15) feet of the intersection of property lines at an intersection of highways.

Section 1025. Motor Vehicle Left Unattended, Brakes to Be Set and Engine Stopped.—

No person, having control or charge of a motor vehicle, shall allow such vehicle to stand on any highway unattended without first effectively setting the brakes thereon and stopping the motor of said vehicle and, when standing upon any grade, without turning the front wheels of such vehicle to the curb or side of the highway.

Section 1026. Driving on Mountain Highways.—

The operator of a motor vehicle traversing defiles, canyons or mountain highways, shall hold such motor vehicle under control, and as near the right-hand side of the highway as reasonably possible, and, upon approaching any curve where the view is obstructed within a distance of two hundred (200) feet along the highway, shall give audible warning with a horn or other warning device.

Section 1027. Persons Tampering with Motor Vehicles.—

No unauthorized person shall sound the horn, handle the levers, or set in motion, or in any way tamper with or damage or deface any motor vehicle standing upon any public highway.

No person shall hang on to or ride on the rear end of any motor vehicle, and no person, on a bicycle, roller skates or any similar device, shall hold fast to or hitch on to any moving motor vehicle.

No person shall throw any missile, circular or pamphlet at the occupants of any motor vehicle, or throw or place any substance upon any public highway, injurious or damaging to a motor vehicle or the tires thereof.

Section 1028. Coasting Prohibited.—

The operator of a motor vehicle, when traveling upon a down grade upon any highway, shall not coast with the gears of such vehicle in neutral.

Section 1029. Duty to Stop in Event of Accident.—

(a) The driver of any vehicle involved in an accident resulting in injury or death to any person shall immediately stop such vehicle at the scene of such accident.

(b) The driver of any vehicle involved in an accident resulting in damage to property shall immediately stop such vehicle at the scene of such accident.

(c) The driver of any vehicle involved in any accident resulting in injury or death to any person, or damage to property, shall also give his name, address, and the registration number of his vehicle, and exhibit his operator's license to the person struck, or the driver or occupants of any vehicle collided with, and shall render to any person, injured in such accident, reasonable assistance, including the carrying of such person to a physician or surgeon for medical or surgical treatment, if it is apparent that such treatment is necessary or is requested by the injured person.

Section 1030. Duty to Report Accidents.—

The operator of any motor vehicle involved in an accident, resulting in injuries or death to any person, or property damage to an apparent extent of fifty (\$50) dollars or more, shall, within twenty-four hours, forward a report of such accident to the department, except that, when such accident occurs within an incorporated city or town, such report shall be made within twenty-four (24) hours to the police headquarters in such city or town. Every police department shall forward a copy of every such report so filed with it to the department.

The department may require operators involved in accidents, or police departments, to file supplemental reports of accidents, upon forms furnished by it, whenever the original report is insufficient in the opinion of the department. Such report shall be without prejudice, shall be for the information of the department, and shall not be open to public inspection. The fact that such reports have been so made shall be admissible in evidence solely to prove a compliance with this act, but no such report, or any part thereof or statement contained therein, shall be admissible in evidence for any other purpose in any trial, civil or criminal, arising out of such accidents.

Section 1031. Garage Keeper to Report Damaged Motor Vehicles.—

The person in charge of any garage or repair shop, to which is brought any motor vehicle which shows evidence of having been involved in serious accident, or struck by any bullet, shall report to the nearest police station or sheriff's office, within twenty-four (24) hours after such motor vehicle is received, giving the engine number, manufacturer's serial number, registration number, and the name and address of the owner or operator of such vehicle.

Section 1032. Drivers of State, County, and City Vehicles Subject to Provisions of the Act.—

The provisions of this act, applicable to the drivers of vehicles upon the highways, shall apply to the drivers of all vehicles owned or operated by this Commonwealth, or any county, city, town, borough, district, or any other political subdivision of the Commonwealth, subject to such specific exceptions as are set forth in this act. The

provisions of this article shall not apply to persons, teams, motor vehicles and other equipment, while actually engaged in work upon the surface of a highway, but shall apply to such persons and vehicles when traveling to or from such work.

Section 1033. Powers of Local Authorities.—

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 traffic officers or semaphores or other signaling devices, on any portion of the highway where traffic is heavy or continuous, and may regulate or prohibit parking, or prohibit other than one-way traffic, upon certain highways, and may regulate the use of the highways by processions or assemblages.

Section 1034. This Act Not to Interfere with Rights of Owners of Real Property with Reference Thereto.—

Nothing in this act shall be construed to prevent the owner of real property, used by the public for purposes of vehicular travel by permission of the owner and not as matter of right, from prohibiting such use, nor from requiring other or different or additional conditions than those specified in this act, or otherwise regulating such use as may seem best to such owner.

Section 1035. Rights of Operators on Highways.—

Operators of motor vehicles shall have the same right upon the highways as the drivers of other vehicles, and no highway, open to other vehicles, shall be closed to motor vehicles.

Section 1036. Signals by Officers.—

(a) The operator of any motor vehicle shall stop upon request or signal of any constable, police officer, sheriff or deputy sheriff, or member of the Pennsylvania State Police, or designated officer of the department, who shall be in uniform, and shall exhibit his badge or other sign of authority; and shall, upon request, exhibit his registration card, or operator's license card, or learner's permit; and shall write his name in the presence of such officer if so required for the purpose of establishing his identity.

(b) Any constable, sheriff, deputy sheriff, or police officer, or member of the Pennsylvania State Police, or designated officer of the department, who shall be in uniform and shall exhibit his badge or other sign of authority, shall have the right to stop any motor vehicle, upon request or signal, for the purpose of inspecting the said motor vehicle as to its equipment and operation or manufacturer's serial number or motor number, and se-

curing of such other information as may be necessary, and any sheriff, deputy sheriff, or county detective, or constable, or police officer, or member of the Pennsylvania State Police, or designated officer of the department, who shall be in uniform, or shall exhibit a badge or other sign of authority, shall have the right to inspect any motor vehicle in any public garage or repair shop, for the purpose of locating stolen motor vehicles, and investigating the title and registration of motor vehicles, and, for such purpose, the owner of any such garage or repair shop shall permit any such officer, without let or hindrance, to make investigation as herein authorized.

Section 1037. Abandoned or Wrecked Motor Vehicles.—

Police officers, constables, sheriffs, deputy sheriffs, members of the Pennsylvania State Police, and designated officers of the department, shall have authority to remove or direct removal of abandoned or wrecked motor vehicles from any highway to the nearest point where such vehicle will not interfere with or obstruct traffic thereon.

Section 1038. Uniform Marking of and Erection of Signs on Highways.—

The secretary is hereby authorized to classify, designate, and mark both intrastate and interstate highways, lying within the boundaries of this Commonwealth, and to provide a uniform system of marking and signing such highways under the jurisdiction of this Commonwealth, and such system of marking and signing shall correlate with and, so far as possible, conform to the system adopted in other states.

Section 1039. Local Traffic Signs.—

Local authorities in their respective jurisdictions may cause appropriate signs to be erected and maintained as may be appropriate to give notice of local parking and other special regulations. Local parking and other special regulations shall not be enforceable against an alleged violator, if, at the time and place of the alleged violation, an appropriate sign, giving notice thereof, is not in proper position and sufficiently legible to be seen by an ordinarily observant person.

Section 1040. Signal Interpretations.—

Where traffic control lights are installed they shall be so constructed as to be free from obstructions and shall be of such types and in such location as to be visible to the approaching traffic. Where a traffic control signal consists of three colored lenses, the amber or yellow lens shall be in the center. When traffic control signals have been erected and placed in operation, a red light indicates "stop." No movement or turns shall be lawful on a red light, except that "U" turns may be made, on a two-way street, back of the point of intersection, when so indicated by proper signs.

A green light indicates "go" and permits traffic straight ahead, and all right and left turns, except where no such turns are permitted, when so indicated by proper signs.

An amber or yellow light permits no movement of traffic, except that then within the intersection and a "U" turn on a two-way street back of the point of intersection when so indicated by proper signs; but local authorities may provide for left turns on amber or yellow, in which case there shall be no left turns on green as above provided. In such cases directions for left turns shall be attached to the traffic control signals, in letters of at least two inches in height, which shall be clearly illuminated at night. The traffic signal interpretations set forth in this act shall not apply to vehicles, when operated with due regard for safety, under the direction of the police in the chase or apprehension of violators of the law or of persons charged with or suspected of any such violation, nor to fire department or fire patrol vehicles when traveling in response to a fire alarm, nor to public or private ambulances when traveling in emergencies. This exemption shall not, however, protect the operator of any such vehicle from the consequences of a reckless disregard of the safety of others.

• Section 1041. Other than Official Signs Prohibited.—

No unauthorized person shall erect or maintain upon any highway any warning or direction sign, marker, signal or light, in imitation of any official sign, marker, signal or light erected under the provisions of this act, and no person shall erect or maintain upon any highway any traffic or highway sign or signal bearing thereon any commercial advertising, provided nothing in this section shall be construed to prohibit the erection or maintenance of signs, markers or signals, bearing thereon the name of an organization authorized to erect the same by the secretary or any local authority as defined in this act.

Section 1042. Injuring Signs.—

It shall be unlawful for any person to deface, injure, knock down or remove any sign posted as provided in this act.

ARTICLE XI

MOTOR LICENSE FUND

Section 1101. Motor License Fund Created; Expenditures Therefrom.

Section 1101. Motor License Fund Created; Expenditures Therefrom.—

Moneys derived under the provisions of this act from title 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 department into

the State Treasury, except as otherwise provided in this act, 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 State issued for the purpose of improving and rebuilding highways, and for the payment of the compensation of the Commonwealth'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 Department of Highways:

(a) To carry out and enforce the provisions of this act and all amendments and supplements thereto, including the penal provisions thereof;

(b) For the purpose of assisting in the maintenance, construction, replacement, reconstruction, improvement, and repairs of State highways and of State-aid highways;

(c) For the maintenance and repair of all interstate bridges over the Delaware River, between this Commonwealth and the State of New Jersey, now owned or to be acquired or constructed from Morrisville, Bucks County, to Milford, Pike County, and of interstate bridges between this Commonwealth and the State of New York at Hancock, Shohola, Narrowsburg, and Matamoras;

(d) 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;

(e) For the payment of the traveling and other expenses of the secretary and the other officers and employes of the department;

(f) For the purchase of furniture, furnishings, stationery, supplies, materials, equipment, fuel, motor vehicles, and printing and binding, necessary for the conduct of the work of the department. All such purchases shall be made through the Department of Property and Supplies as purchasing agent, except that the department may purchase directly materials, supplies, and equipment necessary for the construction and repair of highways;

(g) For the payment of rentals for branch buildings and repairs thereto;

(h) For the payment of postage, telegrams, telephone rentals and toll charges, and rentals for or royalties upon leased office or other devices or machines;

(i) To carry out and enforce the provisions of this act, and all amendments and supplements thereto, including

the penal provisions thereof, and for that purpose the secretary is hereby authorized to appoint such State Highway Patrolmen and other employes as in his discretion are necessary;

(j) For the construction, repair, and maintenance of buildings for use of the State Highway Patrol;

(k) To purchase or lease land and to construct thereon highways and buildings suitable for the examination of applicants for operator's license;

(l) For the payment of medical attendance and hospital charges for employes of the department injured in line of duty, and for all other expenses of every kind and description necessary to effectually carry on the work of the department 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;

(m) For the payment of traveling expenses and witness fees, in amount of two dollars per capita per diem of witnesses testifying for the Commonwealth at hearings before the secretary or his representative as provided in this act;

(n) The secretary in his discretion may authorize the payment of State rewards for the construction and improvement of township roads and the erection and construction of township bridges in townships of the second class.

All such moneys shall be paid from the State Treasury, upon requisition of the secretary, and after audit and approval by the Auditor General and State Treasurer in the usual manner.

In case any moneys are or have been paid to the State Treasurer, as provided for in this act, and to which it appears the department is not rightfully entitled, the person who has 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 certificate 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 title registration and license fees and from fines and forfeited bail and other miscellaneous receipts.

ARTICLE XII

PENALTIES AND PROCEDURES

- Section 1201. Felonies.
- Section 1202. Misdemeanors.
- Section 1203. Summary Offenses.
- Section 1204. Information for Arrest.
- Section 1205. Proceedings by Warrant.
- Section 1206. Arrests on View.
- Section 1207. Appearance Upon Arrest.
- Section 1208. Appeals, Waiving, Hearings.
- Section 1209. Record of Magistrates.
- Section 1210. Report of Convictions.
- Section 1211. Disposition of Fines and Forfeitures.
- Section 1212. Civil Actions for Damages.
- Section 1213. Registration Number Prima Facie Evidence.
- Section 1214. Liability for Costs not Paid by Defendant.
- Section 1215. Limitation of Authority for State Highway Patrolmen.
- Section 1216. Enforcement of Local Ordinances.
- Section 1217. Penalty for Resisting Arrest.

Section 1201. Penalty for Felony.—

Any person, who shall be convicted of any of the following offenses, shall be guilty of a felony, and shall, upon conviction thereof, be sentenced to pay the following fines, and costs of prosecution, and to undergo imprisonment for the terms indicated for each offense:

(a) Altering or forging any certificate of title to a motor vehicle, or any assignment thereof, or for holding or using any such certificate or assignment knowing the same to have been altered or forged, not more than one thousand (\$1,000) dollars, or not more than two (2) years, or both.

(b) Procuring or attempting to procure certificate of title to a motor vehicle, or passing or attempting to pass certificate of title or any assignment thereof to a motor vehicle, knowing or having reason to believe that such motor vehicle has been stolen, not more than one thousand (\$1,000) dollars, or not more than two (2) years, or both.

(c) Selling or offering for sale in this Commonwealth a motor vehicle on which the engine number or manufacturer's serial number has been destroyed, removed, covered, altered, or defaced, with knowledge of said destruction, removal, covering, alteration, or defacement of said engine number or manufacturer's serial number, and, upon conviction thereof, shall be punished by a fine of not more than five thousand (\$5,000) dollars, or not more than ten (10) years, or both.

Section 1202. Misdemeanors.—

Any person who shall be convicted of any of the following offenses, shall be guilty of a misdemeanor, and shall, upon conviction thereof, be sentenced to pay the following

finest, and costs of prosecution, or to undergo imprisonment for the terms indicated for each offense:

(a) Using a false or fictitious name, or giving a false or fictitious address, in any application required under the provisions of this act, or knowingly making a false statement, or knowingly concealing a material fact, or otherwise committing a fraud in any application, two hundred (\$200) dollars, or imprisonment for thirty (30) days, or both such fine and imprisonment.

(b) Violating any of the provisions of sections three hundred one, three hundred two, three hundred three, four hundred thirteen, six hundred twenty-one, and one thousand twenty-nine of this act, two hundred (\$200) dollars, or imprisonment for three (3) months, or both such fine and imprisonment.

(c) Violating the provisions of section one thousand two hundred seven of this act, one hundred (\$100) dollars, or imprisonment for twenty (20) days, or both such fine and imprisonment.

(d) Altering, forging or counterfeiting any registration card, operator's license card, learner's permit card, transfer registration card, or duplicates thereof, or any registration plate or plates issued by the department, or using same knowing it or them to have been altered, forged, or counterfeited, one hundred (\$100) dollars, or imprisonment for twenty (20) days, or both such fine and imprisonment.

(e) Violating written promise to appear, as provided in section one thousand two hundred and seven (a), seventy-five (\$75) dollars, or imprisonment for ten (10) days, or both such fine and imprisonment.

Section 1203. Summary Offenses.—

Any person violating the provisions of any of the following sections or subsections of this act, shall, upon summary conviction before a mayor, burgess, magistrate, alderman, or justice of the peace, be sentenced to pay the following fines and costs of prosecution, and, upon nonpayment thereof to undergo imprisonment in the county jail for the terms indicated for each offense:

(a) Violating any of the provisions of sections eight hundred six (a), eight hundred seven, nine hundred four, fifty (\$50) dollars, or upon nonpayment thereof to undergo imprisonment for not more than ten (10) days.

(a)
806, 7
904

(b) Violating any of the provisions of sections two hundred five, two hundred six, two hundred nine (b), two hundred nine (c), two hundred nine (d), two hundred nine (e), two hundred ten, four hundred nine, four hundred eleven (e), five hundred four, five hundred eight, six hundred twenty-three, one thousand one, one thousand forty-one; one thousand forty-two, twenty-five (\$25) dollars, or upon nonpayment thereof to undergo imprisonment for not more than ten (10) days.

205, 206, 209 (b) (c) (d) (e)
210, 409, 411 (e)
(d)

(c) Violating any of the provisions of sections four

hundred five, four hundred six, four hundred eight, six hundred eleven (a), six hundred twelve, eight hundred sixteen, nine hundred three, five (\$5) dollars, or upon nonpayment thereof to undergo imprisonment for not more than three (3) days.

(d) Violating the provisions of section eight hundred two (g), two (\$2) dollars, or upon nonpayment thereof to undergo imprisonment for not more than one (1) day.

(e) Violating any of the provisions of this act, unless such violation is by this act or other law of this Commonwealth declared to be a felony or misdemeanor, and unless a different penalty is provided other than those specified in subsections (a), (b), (c), and (d) of this section, ten (\$10) dollars, or upon nonpayment thereof to undergo imprisonment for not more than five (5) days.

Section 1204. Information for Arrest.—

(a) All prosecutions for offenses defined in this act, except as otherwise herein provided, committed by any person, shall be brought under this act, and not under any local ordinance rule or regulation.

(b) All prosecutions instituted under local ordinances, rule or regulation, which are based on acts for which there is a specific penalty provided in this act, shall be deemed and considered as having been brought under this act.

Section 1205. Proceedings by Warrant.—

Proceedings under this act may be commenced by warrant, issued in the name of the Commonwealth, which warrant may be served by a constable, police officer, or other officer having authority to serve warrants, in the county in which the violation is alleged to have been committed. If the person charged cannot be served within such county, then the mayor, burgess, magistrate, alderman, justice of the peace, shall deputize a constable, police officer, or other officer having legal authority to serve warrants in the county wherein the person charged resides or may be found, who shall serve such warrant, and for such service shall receive the usual fee and expenses therefor as allowed by law for such service.

A copy of the information shall be served with such warrant, and the officer serving such warrant shall take the defendant before the nearest available magistrate, alderman or justice of the peace of the county in which the defendant is found, who shall take bail, either for the defendant's appearance before the mayor, burgess, magistrate, alderman or justice of the peace who issued the warrant, or for his appearance for trial in the proper court, if a summary hearing is waived.

Before the service of any warrant, and within the period of seven (7) days after information has been lodged, the mayor, burgess, magistrate, alderman, or justice of the peace shall mail to the person so charged, at the address shown by the records of the department, a notice in writing

of the issuing of the warrant, together with a copy of the information; and if the person named in the warrant shall not voluntarily appear within ten (10) days thereafter, the warrant may then be served as herein provided.

All informations charging violations of any of the provisions of this act, except in cases where the offense is designated a felony or a misdemeanor, shall be brought within two (2) weeks after the commission of the alleged offense, and not thereafter, except that where an information is filed against a person prima facie guilty of an offense and it subsequently appears that a person other than the person named in the information was the offender, an information may be filed against such other person within two (2) weeks after his or her identity shall have been discovered.

Section 1206. Arrests on View.—

Police officers, sheriffs, deputy sheriffs, and constables of the cities, boroughs, incorporated towns, townships, and counties of the Commonwealth, members of the Pennsylvania State Police, and designated officers of the department, may arrest, when in uniform and displaying a badge or other sign of authority, upon view, any person violating any of the provisions of this act; and such officers shall forthwith make and file with the mayor, burgess, magistrate, alderman or justice of the peace, before whom the arrested person is taken, an affidavit setting forth in detail the offense complained of, and at once furnish a copy thereof to the person arrested.

If the defendant is unable to give bail, as provided in this act, for a hearing, or for his appearance at court, the mayor, burgess, magistrate, alderman, or justice of the peace shall accept as bail any article of sufficient value, or, if the defendant is the owner thereof, shall hold in custody the vehicle found in his possession; and the court, mayor, burgess, magistrate, alderman or justice of the peace, after the trial of the defendant, or when bail according to law has been given, shall make such order as to the disposition of such vehicle, or other articles accepted as bail, as shall seem just and proper.

Section 1207. Appearance Upon Arrest.—

(a) Whenever any person is arrested for a violation of any of the provisions of this act, the arresting officer may, except as otherwise provided in this act, take the name and address of such person and the registration number of his motor vehicle, and issue a summons, or otherwise notify him in writing, to appear at a time and place to be specified in such summons or notice, such time to be at least five (5) days after such arrest, unless the person arrested shall demand an earlier hearing; and such person shall, if he so desire, have a right to an immediate hearing, or a hearing within twenty-four (24) hours, at a convenient hour, and such hearing to be before a mayor, burgess,

magistrate, alderman, or justice of the peace within the county wherein such offense was committed. Such officer shall thereupon, and upon the giving by such person of his written promise to appear at such time and place, forthwith release him from custody. Such written promise to appear shall be valid and effective to cause the release of the defendant for any continued hearing until a final disposition of the charge shall have been made.

Any person refusing to give such written promise to appear shall be taken immediately by the arresting officer before the nearest available mayor, burgess, magistrate, alderman or justice of the peace.

Any person who wilfully violates his written promise to appear, given in accordance with this section, shall be guilty of a misdemeanor, regardless of the disposition of the charge upon which he was originally arrested.

(b) The provisions of subsection (a) of this section shall not apply to any person arrested and charged with an offense causing or contributing to an accident resulting in injury or death to any person, nor to any person charged with driving while under the influence of intoxicating liquor or narcotic drugs, nor to any person whom the arresting officer shall have good cause to believe has committed any felony or misdemeanor; and the arresting officer shall take such person forthwith before the nearest available mayor, burgess, magistrate, alderman or justice of the peace.

(c) Any officer violating any of the provisions of this section shall be guilty of a misdemeanor in office, and, upon conviction thereof, shall be sentenced to pay a fine of one hundred (\$100) dollars, or suffer imprisonment for a period of thirty (30) days, or both, and shall be subject to removal from office.

Section 1208. Appeals, Waiving, Hearings.—

Any person convicted in any summary proceeding under this act shall have the right of appeal as in other cases of summary conviction.

Any person accused of violating any of the provisions of this act, other than felonies and misdemeanors, may waive summary hearing and give bond, in a sum equal to double the amount of the fine that might be imposed, for appearance for trial before a judge of the court of quarter sessions, or in the county court, or in the municipal court in counties wherein such courts exist, and thereupon the mayor, burgess, magistrate, alderman or justice of the peace shall, within fifteen (15) days, return the complaint or information to the said court.

If any person so accused, having waived a hearing, shall be convicted in such court of the offense charged, he shall be sentenced to pay the fine or suffer imprisonment provided in this act for the offense committed. If on the hearing of an appeal from a summary conviction under this act before a judge of the court of quarter sessions,

county court, or municipal court, the defendant is found not guilty, and the defendant has paid a fine, or fine and costs, following the sentence from which he appealed, such court, upon acquitting the defendant, shall decree a restitution of the said fine, or fine and costs, to the defendant, and, upon presentation of a certified copy of said decree, it shall be the duty of the officer to whom such fine or fine and costs has been paid to prepay same to the defendant: Provided, however, If the fine shall have been returned by such officer, according to law, to the State Treasurer, or the treasurer of any city or borough or township, such treasurer shall repay the defendant such fine upon presentation of claim as provided in this act.

Section 1209. Record of Magistrates; Penalty.—

Every mayor, burgess, magistrate, alderman or justice of the peace shall, in every case arising under this act, make and preserve for the period of three (3) years an exact record of the proceedings, showing the subsection, section, and article violated, and the fine and costs paid, or bail forfeited, if any, which shall be subject to inspection on demand of any person.

The mayor, burgess, magistrate, alderman or justice of the peace shall deliver, without charge to the defendant, a receipt, showing in detail the subsection, section, and article violated, and the amount of fine and costs imposed upon and paid by him.

No mayor, burgess, magistrate, alderman or justice of the peace shall divide fees of his office with any constable, or other officer, or with any individual not an officer, who may assist in making an arrest, or furnish evidence in any case arising under this act.

Any mayor, burgess, magistrate, alderman, justice of the peace, or other officer, violating any of the provisions of this section, shall be deemed guilty of a misdemeanor in office, and, upon conviction thereof, shall be sentenced to pay a fine of five hundred (\$500) dollars, or suffer imprisonment for a period of sixty (60) days, or both.

Section 1210. Report of Convictions.—

(a) Every mayor, burgess, magistrate, alderman, and justice of the peace in this Commonwealth shall keep a full report of every case in which a person is charged with violation of any provisions of this act; and in the event that such person is convicted, or that his bail is forfeited, an abstract of such report shall be sent forthwith, by the mayor, burgess, magistrate, alderman or justice of the peace to the department; but this requirement shall not be deemed to make such court a court of record.

(b) Abstracts required by this section shall be made upon forms prepared by the department, and shall include all necessary information as to the parties to the case, the nature of the offense, the date of hearing, the plea, the judgment, the amount of the fine or forfeiture, and other

information deemed necessary; and every such abstract shall be certified by the mayor, burgess, magistrate, alderman or justice of the peace as a true abstract of the record of the court.

(c) Each clerk of any court of record of this Commonwealth shall also, within ten (10) days after final judgment of conviction of any of the provisions of this act, send to the department a certified copy of such judgment of conviction. Certified copies of the judgment shall also be forwarded to the department, upon conviction of any person of manslaughter, or other felony, in the commission of which a motor vehicle was used. The department shall keep such records in its offices for at least five (5) years, and they shall be open to the inspection of any person during reasonable business hours.

(d) Failure, refusal or neglect to comply with any of the provisions of this section shall constitute misconduct in office, and shall be ground for removal therefrom.

Section 1211. Disposition of Fines and Forfeitures.—

All fines and penalties collected under the provisions of this act for violations of the same, and all bail forfeited, shall be paid to the State Treasurer to be placed in a depository to be available for the use of the Department of Highways as hereinbefore provided, except those collected for violations of the provisions as to speed or weight, which fines and penalties shall be paid to the treasurer of the city, borough, town or township wherein the violation occurred, to be used by such city, borough, town or township for the construction, repair, and maintenance of the highways thereof; and sworn statements of all fines and penalties so collected shall also be made, upon blanks furnished by the Department of Highways; by the mayor, burgess, magistrate, alderman, justice of the peace or other officer imposing or receiving the same to secretary; such reports shall be made monthly not later than the tenth (10th) day of the following month. Any mayor, burgess, magistrate, alderman, justice of the peace or other officer, who shall fail to make such monthly reports and returns, or either of them, shall be guilty of a misdemeanor in office, and, upon conviction, shall be sentenced to pay a fine of not more than five hundred (\$500) dollars or suffer imprisonment for not more than sixty (60) days or both.

Section 1212. Civil Actions for Damages.—

All civil actions for damages, arising from the use and operation of any vehicle, may, at the discretion of the plaintiff, be brought before any alderman, magistrate, or justice of the peace, in the county wherein the alleged damages were sustained, if the plaintiff has had said damages repaired and shall produce a receipted bill for the same, properly sworn to by the party making such repairs, or his agent; or said action may be brought in the court

of common pleas of said county; and service of process, in either case, may be made by the sheriff of the county, where the suit is brought, deputizing the sheriff of the county wherein the defendant or his registered agent resides, or where services may be had upon him under the existing laws of this Commonwealth, in like manner as process may now be served in the proper county. No action involving more than one hundred (\$100) dollars shall be brought before any alderman, magistrate or justice of the peace.

Section 1213. Registration Number Prima Facie Evidence.—

In any proceeding for a violation of the provisions of this act, the registration plate displayed on such motor vehicle shall be prima facie evidence that the owner of such motor vehicle was then operating the same. If at any hearing or proceeding the owner shall testify under oath or affirmation that he was not operating the said motor vehicle at the time of the alleged violation of this act, and shall submit himself to an examination as to who at that time was operating such motor vehicle, and reveal the name of the person if known to him, or, if the information is made in a county other than that of his own residence, shall forward to the mayor, burgess, magistrate, alderman or justice of the peace an affidavit setting forth these facts, then the prima facie evidence arising from the registration plate shall be overcome and removed and the burden of proof shifted.

Section 1214. Liability for Costs not Paid by Defendant.—

Whenever any officer whose duty it is to enforce the provisions of this act shall, in good faith, bring suit for any violation of such provisions, and for any legal cause shall fail to recover the costs of record, such costs shall be a charge upon the proper county, and shall be audited and paid as are costs of like character in said county.

Section 1215. Limitation of Authority for State Highway Patrolmen.—

Such employes of the department as are hereinbefore designated as "State Highway Patrolmen" are hereby declared to be peace officers, and are hereby given police power and authority throughout the Commonwealth to arrest on view, when in uniform, without writ, rule, order, or process, any person violating any of the provisions of this act.

Section 1216. Enforcement of Local Ordinances.—

Any city, borough, incorporated town, township or county, which enforces an ordinance or resolution on a matter concerning which authority is expressly delegated to said authorities by this act, or for traffic matters not covered by this act, may impose a fine of not more than fifty (\$50) dollars, to be collected by summary conviction before any mayor, burgess, magistrate, alderman or justice

of the peace as fines and penalties are now by law collected. In the event of nonpayment of fine and costs of prosecution, the mayor, burgess, magistrate, alderman or justice of the peace may sentence any person convicted of violating an ordinance or resolution to undergo imprisonment for a period of not exceeding ten (10) days: Provided, That any person so convicted shall have the right of appeal as in other cases of summary conviction: And further provided, That any person accused of violating a local ordinance or resolution, enforced under the authority of this act, may waive summary hearing and give bond, in a sum equal to double the amount of the maximum fine that might be imposed, for appearance for trial before a judge of the court of quarter sessions, or in the county court, or in the municipal court in counties wherein such courts exist; and thereupon the mayor, burgess, magistrate, 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 fined as prescribed by said ordinance or resolution, or, in event of nonpayment of such fine and costs of prosecution, to suffer imprisonment for a period not to exceed ten (10) days. All fines and bail forfeited, as provided for in this section, shall be paid to the treasurer of such city, borough, incorporated town, or township for the construction, repair, and maintenance of the highways thereof. No operator or driver of a vehicle, violating any of the provisions of this act, shall, upon conviction, be fined under any ordinance or resolution except on those matters concerning which authority is expressly delegated to local authorities by this act.

Section 1217. Penalty for Resisting Arrest.—

Any person who, by force, menace, threat, or in any manner, resists arrest for violation of any of the provisions of this act, or refuses to go with an officer after an arrest has been made, or interferes with any officer of the department in the performance of his duty under the provisions of this act, shall be sentenced to pay a fine of one hundred (\$100) dollars and costs of prosecution, and, in default of the payment of such fine and costs, shall be imprisoned thirty (30) days.

ARTICLE XIII

REPEALS

Section 1301. Acts of Assembly Repealed.

Section 1302. Time of Taking Effect.

Section 1301. Acts of Assembly Repealed.—

Act of June 12, 1919
(P. L. 451).

(a) The act, approved June twelfth, one thousand nine hundred and nineteen, entitled "An act regulating the use of vehicles on the public highways; requiring lights on

certain vehicles; and providing penalties for the violation thereof”;

(b) and the act, approved June thirtieth, one thousand nine hundred and nineteen, 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 act, approved May sixteenth, one thousand nine hundred and twenty-one, Pamphlet Laws, five hundred eighty-two, and further amended by act approved June fourteenth, one thousand and nine hundred and twenty-three, Pamphlet Laws, seven hundred eighteen, and further amended by act, approved April twenty-seventh, one thousand nine hundred and twenty-five, Pamphlet Laws, two hundred fifty-four;

Act of June 30, 1919 (P. L. 678), last amended by act of April 27, 1925 (P. L. 254).

(c) and the act, approved May twenty-fourth, one thousand nine hundred and twenty-three, entitled “An act providing a system of registering titles to motor vehicles for the protection of owners of motor vehicles and to facilitate the recovery of motor vehicles stolen or unlawfully taken; regulating the certification of such titles, the purchase, sale, and transfer of motor vehicles and their registration; providing for the collection of fees for the certification of titles, and for disposition thereof; forbidding the destruction, removal, alteration, covering or defacement of any engine, manufacturer’s or other distinguishing number or identification mark on motor vehicles; and providing for the assignment of special numbers in certain cases; imposing duties on the State Highway Commissioner, sheriffs, constables, police officers, and other peace officers; and providing penalties,” as amended by act, approved April twenty-seventh, one thousand nine hundred and twenty-five, Pamphlet Laws, two hundred eighty-six;

Act of May 24, 1923 (P. L. 425), as amended by act of April 27, 1925 (P. L. 286).

(d) and the act, approved March thirty-first, one thousand nine hundred and twenty-one, entitled “An act to prohibit the speeding and racing of certain motor vehicles to fires, the parking of motor vehicles in the vicinity of fires, and the driving of motor vehicles over lines of hose”;

Act of March 31, 1921 (P. L. 78).

(e) and the act, approved May twenty-first, one thousand nine hundred and twenty-three, entitled “An act relating to and regulating the speed of motor vehicles

Act of May 21, 1923 (P. L. 291).

driven through cemeteries and burial grounds, and providing penalties for violation thereof";

Act of March 23, 1921 (P. L. 42) as amended by act of June 14, 1923 (P. L. 775).

(f) and the act, approved March twenty-third, one thousand nine hundred and twenty-one, entitled "An act appropriating to the State Highway Department, for the purpose of assisting in the construction, maintenance, improvement, and repair of State highways and State-aid highways, all moneys derived from registrations and from license fees, for the year one thousand nine hundred and twenty-one and subsequent years, under the provisions of the act of Assembly, approved June thirtieth, one thousand nine hundred and nineteen, relating to and regulating motor vehicles, and amendments thereto; and providing for salaries and other expenses of the department," as amended by act, approved June fourteenth, one thousand nine hundred and twenty-three, Pamphlet Laws, seven hundred seventy-five;

And all other acts or parts of acts inconsistent herewith, shall be and the same are hereby repealed.

Section 1302. Time of Taking Effect.—

The provisions of this act shall be in force from and after January first, one thousand nine hundred and twenty-eight.

APPROVED—The 11th day of May, A. D. 1927.

JOHN S. FISHER

No. 453

AN ACT

To amend section five of an act, approved the eighth day of June, one thousand nine hundred and eleven (Pamphlet Laws, seven hundred and five), entitled "An act creating the office of fire marshal, to be attached to the Department of Public Safety in cities of the first class: prescribing his duties and powers; and providing penalties for violations of the provisions of the act; and providing for the method of appointment, compensation, and for the maintenance of his office," requiring permits for the erection and installation of gasoline pumps and stand-pipes.

Cities of first class.

Fire marshal.

Section 5 of act of June 8, 1911 (P. L. 705), amended.

Inspection of buildings.

Section 1. Be it enacted, &c., That section five of an act, approved the eighth day of June, one thousand nine hundred and eleven (Pamphlet Laws, seven hundred and five), entitled "An act creating the office of fire marshal to be attached to the Department of Public Safety in cities of the first class: prescribing his duties and powers; and providing penalties for violations of the provisions of the act; and providing for the method of appointment, compensation, and for the maintenance of his office," is hereby amended to read as follows:

Section 5. The fire marshal may order the inspection of all buildings used for business or private purposes, and all buildings used for public purposes,—meetings, exhibitions, or theatrical or operatic performances, or any amusement place,—and enforce all laws relating to the same, and no