

(e) All licenses, orders, rules, and regulations made or issued by the said Board of Commissioners of Navigation prior to and in force upon the effective date of this act, shall remain in full force and effect until revoked or modified by the said Navigation Commission. Licenses.

(f) Whenever the term "Board of Commissioners of Navigation" occurs in any law supplementing the act amended by this act, or whenever contract or document reference is elsewhere made to such board, such term or reference shall be deemed to refer to and include the Navigation Commission for the Delaware River and its navigable tributaries created by this act, it being hereby declared to be the legislative intent that all the powers and duties which, under existing law, were vested in or directed to be performed by the Board of Commissioners of Navigation for the river Delaware and its navigable tributaries or by the Board of Wardens for the Port of Philadelphia, prior to the abolition of said board, shall, after the effective date of this act be performed by the Navigation Commission for the Delaware River and its navigable tributaries. Previous acts construed.

(g) The unexpended balance existing, on the effective date of this act, in any appropriation whatsoever made to the said Board of Commissioners of Navigation, or existing in any funds in the hands of the Board of Commissioners of Navigation, is hereby transferred and appropriated to the said Navigation Commission for the Delaware River and its navigable tributaries for the same purposes as expressed in any act making such an appropriation, and any such unexpended balance also is hereby appropriated to the said Navigation Commission for the payment of any bills or encumbrances incurred by the said Board of Commissioners of Navigation prior to and remaining unpaid on the effective date of this act. Appropriations made to board.

Section 7. This act shall become effective immediately upon its final enactment. When effective.

APPROVED—The 21st day of June, A. D. 1937.

GEORGE H. EARLE

No. 386

AN ACT

To amend section six hundred one of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-three (Pamphlet Laws, one thousand one), entitled "An act providing for the regulation of aeronautics within this Commonwealth; conferring powers and imposing duties upon the Department of Revenue in respect thereto; providing for the licensing and registration of airman and aircraft; establishing the legal status of air navigation; providing for sovereignty

in, and ownership of, space; providing for lawfulness of flights; regulating civil causes of action arising out of operation of aircraft; fixing the status of contracts, crimes, and torts in, by, or by means of operation of aircraft; imposing duties upon officers, burgesses, magistrates, aldermen, justices of the peace, the courts and clerks thereof; providing for denial or revocation of licenses; providing for certain penalties and their disposition; and repealing certain existing laws," by prohibiting the carrying of passengers under the influence of liquor or drugs in aircraft; and extending certain penalties to owners of aircraft.

Section 601, act
of May 25, 1933
(P. L. 1001),
amended.

Section 1. Be it enacted, &c., That section six hundred one of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-three (Pamphlet Laws, one thousand one), entitled "An act providing for the regulation of aeronautics within this Commonwealth; conferring powers and imposing duties upon the Department of Revenue in respect thereto; providing for the licensing and registration of airman and aircraft; establishing the legal status of air navigation; providing for sovereignty in, and ownership of, space; providing for lawfulness of flights; regulating civil causes of action arising out of operation of aircraft; fixing the status of contracts, crimes, and torts in, by, or by means of operation of aircraft; imposing duties upon officers, burgesses, magistrates, aldermen, justices of the peace, the courts and clerks thereof; providing for denial or revocation of licenses; providing for certain penalties and their disposition; and repealing certain existing laws," is hereby amended to read as follows:

Section 601. Violation Provisions.—It shall be unlawful for any person to commit any of the following acts:

(a) To operate or navigate aircraft while under the influence of intoxicating liquor or narcotic drug or habit producing drug, or permit any person who may be under the influence of intoxicating liquor or narcotic or habit producing drug to operate or navigate any aircraft owned by him or in his custody or control, *or to carry in any aircraft any passenger who is visibly under the influence of intoxicating liquor, narcotic drug or other habit producing drug.*

(b) To operate or navigate aircraft while in possession of any Federal license, or to display, or cause or permit to be displayed, such license, knowing the same to have been cancelled, revoked, suspended, or altered.

(c) To lend to, or knowingly to permit the use of by, one not entitled thereto any Federal airman's and aircraft license issued to the person so lending or permitting the use thereof.

(d) To display, or to represent as one's own, any Federal airman's or aircraft license not issued to the person so displaying the same.

(e) Tampering with, or making use of, or navigating,

any aircraft without the knowledge or consent of the owner or custodian thereof.

(f) To use a false or fictitious name or to give a false or fictitious address in any application or form required under the provisions of this act, or the rules and regulations of the department adopted pursuant to this act, or knowingly make any false statement or report, or knowingly conceal a material fact or otherwise commit a fraud in any application.

(g) *To operate or navigate any aircraft within this Commonwealth unless such aircraft has been licensed and registered in accordance with the provisions of this act, and unless the operator thereof has been licensed in accordance with the provisions of this act: Provided further, That the owner of aircraft operated in violation of any of the provisions of this act shall also be subject to the penalties provided in this section.*

Penalty.—Any person violating any of the provisions of subsections (b), (c), (d), [or] (f) or (g) of this section shall, upon summary conviction before a burgess, alderman, magistrate, or justice of the peace, be sentenced to pay a fine of not less than fifty (\$50.00) dollars nor more than two hundred (\$200.00) dollars and the cost of prosecution, or undergo imprisonment for not more than thirty (30) days, or suffer both such fine and imprisonment.

Any person violating any of the provisions of subsections (a) or (e) of this section shall be guilty of a misdemeanor, and shall, upon conviction thereof in a court of quarter sessions, be sentenced to pay a fine of not less than one hundred (\$100.00) dollars nor more than five hundred (\$500.00) dollars and the costs of prosecution, or undergo imprisonment for not more than one (1) year, or suffer both such fine* and imprisonment.

Section 2. This act shall become effective immediately upon its final enactment.

When effective.

APPROVED—The 21st day of June, A. D. 1937.

GEORGE H. EARLE

No. 387

AN ACT

Requiring all terminal airports maintaining regular scheduled flights, and all radio transmission stations used for air navigation purposes, to maintain auxiliary aerial night lighting equipment, and an auxiliary source of electric current for the same; and providing penalties.

Section 1. Be it enacted, &c., That in order to promote public safety of navigation by air, all owners or lessees

Airports.

* "fines" in the original.