

modated or benefited thereby to the extent of such benefits in the manner hereinafter provided.

The township supervisors may finance the cost of construction of any such system of sewers or drains, by the issuance of general obligation bonds of the township, within the constitutional and statutory limitations for the incurring or increasing of indebtedness, and pursuant to the provisions of the laws relating to the borrowing of money by political subdivisions. Any general obligation bonds issued for such purpose or purposes shall be supported by the levy of a general tax sufficient for the payment of the interest thereon, together with any taxes covenanted to be paid thereon, and the principal of such bonds at maturity. Where general obligation bonds are so issued, the supervisors shall nevertheless be required to assess the cost of the construction of such sewers or drains, to the extent permitted by law, against the properties accommodated or benefited by such improvements as hereinafter provided, and to deposit the proceeds of such assessments in the sinking fund established for the purpose of retiring such general obligation bonds.

APPROVED—The 22nd day of April, A. D. 1943.

EDWARD MARTIN

No. 48

AN ACT

To further amend the act, approved the first day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, nine hundred five), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," changing the definition of "dealer"; providing for the issuance and use of temporary registration cards and temporary registration plates or markers; and prescribing penalties.

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

Section 1. Section one hundred and two of the act, approved the first day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, nine hundred five), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," as last amended by the act, approved the twenty-seventh day of June, one thousand nine hundred and thirty-nine (Pamphlet Laws, one thousand one hundred thirty-five), is hereby further amended to read as follows:

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:

"Approved."—Having been favorably passed upon by the secretary as suitable for the purpose designed.

"Auxiliary Driving Lamp."—A complete road illuminating device, in addition to or supplementing the head lamps located upon the front of a motor vehicle.

"Bicycle with Motor Attached."—Every vehicle, except a motorcycle as herein defined, which is self-propelled by an engine not exceeding four (4) horsepower.

"Business District."—The territory contiguous to a highway, when fifty (50) 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.

"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,

Sections 102, 411 and 507, act of May 1, 1929, P. L. 905, as last amended by act of June 27, 1939, P. L. 1135, further amended; sections 511 and 702.1 added.

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.

“Clearance Lamp.”—A lamp or lamps so arranged to show white, green or amber to the front, and red to the rear.

“Commercial Motorcycle.”—Every motorcycle, designed to travel on three wheels, in contact with the ground, and designed for carrying freight, merchandise, implements or articles of any kind, or service, in connection with calling for and delivering automobiles to patrons.

“Commercial Motor Vehicle.”—Any motor vehicle designed for carrying freight or merchandise: Provided, however, That a motor vehicle, originally designed for passenger transportation, to which has been added a removable box body without materially altering said motor vehicle, when owned and used by a farmer, shall not be deemed a “commercial motor vehicle” for the purpose of this act: And further provided, That any motor vehicle of the bus type, operated under contract with or owned by any school district of this Commonwealth for the transportation of school children, shall be deemed a “commercial motor vehicle.”

“Crosswalk.”—That portion of a highway ordinarily included within the prolongation of curb and property lines at intersections, or any portion of a highway clearly indicated for pedestrian crossing by lines or other markings on the surface.

“Cushion Rubber Tire.”—A tire molded on a steel base, having a longitudinal cavity, running circumferentially at the center line of the tire, extending from its base, with a height of no less than one half the overall standing height of the tire; such tires, when new being no less than four and one-half (4½) inches high over all including steel base.

“Dealer.”—[Any person, firm, corporation, or association, engaged in the purchase and sale of motor vehicles, trailers, and semi-trailers, and who has an established place of business, or any person regularly engaged in the business of transporting new vehicles on their own wheels, and who has an established place of business.] *(1) A person actively and principally engaged in and devoting a substantial portion of his time to the business of buying, selling or exchanging new motor vehicles, trailers or semi-trailers on commission, or otherwise, who maintains a salesroom or garage devoted prin-*

* “running” in original.

cipally to the motor vehicles business, and who holds a contract in writing with a manufacturer, giving such person selling rights for new motor vehicles, trailers or semi-trailers, or with a jobber of such vehicles who, as such jobber, holds a manufacturer's franchise or contract giving selling rights on new motor vehicles, trailers or semi-trailers in this Commonwealth, or (2) a person actively and principally engaged in and devoting a substantial portion of his time to the business of buying, selling or exchanging used motor vehicles, trailers or semi-trailers, and who maintains a salesroom, garage or used car lot, actually occupied by such person either continuously or at regular intervals, and upon which or adjacent thereto is a building owned or rented by such person, where his books and records are kept, and which is devoted principally to the motor vehicle business, in which the repair of motor vehicles is subordinate or incidental to the business of buying, selling or exchanging the same, or (3) any person regularly engaged in the business of transporting new motor vehicles, trailers or semi-trailers on their own wheels, and who has an established place of business, or (4) a person who is duly authorized to do business in this Commonwealth, and is actively engaged in the business of financing sales or making loans on security of motor vehicles: Provided, however, That a person entitled to dealer registration under clause (3) hereof, may only use dealer's registration plates for the purpose of transporting new motor vehicles, trailers or semi-trailers on their own wheels, and a person entitled to dealer registration under clause (4) hereof, may only use dealer's registration plates for the purpose of moving or operating a motor vehicle, trailer or semi-trailer, which he is repossessing or which after repossession he is moving for the purpose of repairing or having repaired, demonstrating for sale, or which he is moving for delivery to a bona fide purchaser in the regular course of his business.

“Department.”—The Department of Revenue of this Commonwealth.

“Emergency Brake.”—The means of applying braking effort to at least two (2) wheels on a motor vehicle normally operated by the operator's hand: Provided, however, That where there are two (2) brakes, both designed to be operated by the foot, the one (1) equipped with a ratchet or other device for holding the brake in the applied position shall be considered the “Emergency Brake,” and the requirements shall be the same as herein set forth.

“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.

“Explosives.”—Any chemical compound or mechanical mixture, that is commonly used or intended for the purpose of producing an explosion, that contains any oxidizing and combustible units, or other ingredients, in such proportions, quantities or packing that any ignition by fire, by friction, by concussion, by percussion, or by detonator, of any part of the compound or mixture, may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effects on contiguous objects or of destroying life or limb.

“Flammable Liquid.”—Any liquid which has a flash point of seventy degrees Fahrenheit, or less, as determined by a tabliabue or equivalent closed cup test device.

“Foreign Vehicles.”—Every motor vehicle, trailer 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.

“Gross Weight.”—The combined weight of the vehicle or combination of vehicles and its or their load or loads, exclusive of the operator.

“Headlamp.”—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 lamp, searchlight or spot lamp.

“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.

“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.

“Jobber.”—Any person, firm, corporation, or association engaged in the purchase and sale of new motor vehicles, trailers, or semi-trailers, and their sale directly to dealers.

“Learner’s Permit.”—A permit issued to any person to learn to operate a motor vehicle or tractor.

“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.

“Magistrate.”—A mayor, burgess, magistrate, alderman, justice of the peace, or other officer, having the powers of a committing magistrate.

“Manufacturer.”—Every person engaged in the business of manufacturing motor vehicles, trailers, semi-trailers, motors or bodies of such vehicles.

“Mechanical Signal.”—A movable* device, operated mechanically, or by the driver, and so constructed and arranged as to give a cautionary or direction signal to the front and rear.

“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.

“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 Utility 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.

“Motorcycle.”—Every motor vehicle having a saddle for the use of the rider and 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.”

“Motor Omnibus.”—Shall include all motor vehicles operated for the carriage of passengers for hire by individuals, associations, copartnerships, 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 Utility Commission of the Commonwealth of Pennsylvania certificate of public convenience for the carriage of passengers for hire or motor vehicle of the bus type not operated for the carriage of passengers for hire except as herein provided. This definition shall not include or apply to any motor vehicle operated under contract with any school district of this Commonwealth for the transportation of school children; such motor vehicles to come within the definitions of commercial motor vehicles or motor vehicles.

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

“New Motor Vehicle.”—Every motor vehicle which is not defined as a reconstructed, rebuilt, or used motor vehicle.

* “moveable” in original.

“Nonresident.”—Any person not a resident of this Commonwealth.

“Obscured Registration Plate.”—Every registration plate the characters on which are not legible in daylight at a distance of fifty (50) feet from the front or rear of the motor vehicle on the line of the axis of the vehicle on an approximately level stretch of highway.

“Operator.”—Every person who is in actual physical control of a motor vehicle or tractor upon a highway.

“Operator’s License.”—The license issued to any person to operate a motor vehicle or tractor.

“Overtake.”—A vehicle, or combination of vehicles, shall be deemed to overtake another vehicle, or combination of vehicles, when all of the vehicle and its load, or all of the combination of vehicles and their loads, move so that any part of the vehicle or its load, or any part of the combination of vehicles or their loads, is opposite to or alongside of any other moving vehicle or its load, or combination of vehicles or their loads, being operated in the same direction as the overtaking vehicle or combination of vehicles.

“Owner.”—A person or persons holding 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.

“Parking.”—The standing of a vehicle, except police or fire department vehicle or ambulance, whether occupied or not, upon a highway otherwise than temporarily for the purpose and while actually engaged in loading or unloading, or in obedience to traffic regulations or traffic signs or signals.

“Parking Lamp or Clearance Lamp.”—A lamp or lamps so arranged to show white, green or amber to the front and red to the rear.

“Pass.”—A vehicle or combination of vehicles shall be deemed to pass another vehicle or combination of vehicles when all of the vehicle and its load, or all of the combination of vehicles and their loads, moves by or in advance of any moving vehicle and its load, or combination of vehicles and their loads, being operated in the same direction as the passing vehicle or combination of vehicles.

“Passenger Seat.”—Each sixteen (16) inches of seating capacity in any motor omnibus or motor bus.

“Peace Officer.”—A sheriff, deputy sheriff, constable, member of the Pennsylvania Motor Police, or other police officer, vested with authority of arrest.

“Pedestrian.”—Any person afoot.

“Person.”—Every natural person, firm, copartnership, association, or corporation.

“Pneumatic Tires.”—All tires inflated with compressed air.

“Private Road or Driveway.”—Every road or drive not open to the use of the public for purposes of vehicular travel.

“Railway Grade Crossing.”—Any set of tracks or rails of any steam, gasoline, or electric railway line, which intersects or crosses any highway at the same level or grade of such highway, except electric railway lines within cities, boroughs, or incorporated towns.

“Rear Lamp.”—A lamp located upon the rear of a motor vehicle, trailer or semi-trailer, so arranged as to show red to the rear and illuminate the rear registration plate.

“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.

“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.

“Registration Card.”—Includes temporary registration card, as well as other registration cards.

“Registration Plates or Markers.”—Includes temporary registration plates or markers, as well as other registration plates.

“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.

“Resident.”—Any person who has a regular place of abode or business in the Commonwealth for a period of more than thirty (30) consecutive days in the year, except as otherwise provided in sections four hundred nine and six hundred three.

“Right of Way.”—The privilege of the immediate use of the highway.

“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.

“Secretary.”—The Secretary of Revenue of this Commonwealth.

“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.

“Service Brake.”—The means of applying braking effort to at least two (2) wheels on a motor vehicle, normally operated by the operator’s foot.

“Sidelights.”—Any lights upon a motor vehicle, other than the headlamp or auxiliary driving lamp, or searchlight, or spot lamp, the rays of which project forward.

“Sign.”—Any device, mark, marker, board, plate, or other contrivance, designed for the purpose of guiding traffic or informing of a traffic regulation.

“Signal Lamp.”—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.

“Solid Rubber Tire.”—Every tire made of rubber other than a pneumatic tire, or a cushion rubber tire.

“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.

“Spot Lamp.”—An auxiliary illuminating device, either fixed or movable, intended to project a powerful concentrated beam of light.

“State.”—A State, territory, organized or unorganized, or district of the United States of America.

“Street Car.”—Every device traveling exclusively upon rails when upon or crossing a highway, other than railroad cars or trains.

“Tractor.”—Every vehicle of the tractor type, as defined in the Tractor Code.

“Traffic.”—Pedestrians, vehicles, and street cars, either singly or together, while using any highway for purposes of travel.

“Traffic Signal.”—Any device using words or colored lights or a combination thereof, either manually or electrically controlled, by which traffic is alternately directed to stop and go.

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

“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.

“Used Motor Vehicles.”—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 "second-hand" within the ordinary meaning thereof.

"Vehicle."—Every device in, upon, or by which any person or property is or may be transported or drawn upon a public highway, excepting tractors, agricultural machinery, devices moved by human power or used exclusively upon stationary rails or tracks: Provided, That, for the purpose of Article X of this act, a bicycle or a ridden animal or a tractor or any other device moving upon wheels on a public highway, except a device moving upon wheels upon stationary rails or tracks on a public highway, shall be deemed a vehicle.

Section 2. Section four hundred and eleven of said act, as amended by the act, approved the twenty-seventh day of June, one thousand nine hundred and thirty-nine (Pamphlet Laws, one thousand one hundred thirty-five), is hereby further amended to read as follows:

Section 411. Transfer of Registration; *Temporary Registration Cards.*—

(a) *Upon transfer of ownership, or the destruction of any motor vehicle, trailer, or semi-trailer, the registration shall expire.

(b) *When transfer of registration plates is made from one motor vehicle to another owned by the same person, application shall be made immediately to the department, upon a form furnished by the department accompanied by the transfer fee provided in this act, when the motor vehicle, trailer, or semi-trailer is of equal or less horsepower or classification than that originally registered, or accompanied by the 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 to which the registration plates are transferred be properly registered in a higher class. *Such application shall also be accompanied by the owner's registration card.*

(c) *The application shall contain the full name and the actual or bona fide address of the owner together with the name, manufacturer's serial number, engine number, the character of the motive power, and the horsepower or seating capacity, and, in the case of a commercial motor vehicle, 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 combined weight of the chassis and body, and also such description of the motor vehicle, trailer, or semi-trailer, including lamps and other equipment, as the secretary shall re-

* "(a)," "(b)" and "(c)" not paragraphed in original.

quire. The application shall be signed by the owner, if a natural person, and in the cases where the owner is a corporation, copartnership, or association, by an executive officer thereof or some person specifically authorized by the said corporation, copartnership, or association to sign the same.

(d) When a transfer of registration is made, the owner shall be given a transfer registration card, and new registration number, if transfer is made to another classification. [Immediately upon receipt of such transfer registration card, the owner shall return to the department the original registration card, unless such card has been lost or destroyed.]

(e) When a transfer of registration is made after a vehicle has been registered for the succeeding year, and the transfer application has been received and completed by the department prior to [January] April first of such succeeding year, the transfer fee provided in this act shall not be required.

(f) *The secretary may allow the use of temporary registration cards, pending the receipt of an annual registration card from the department, which shall be valid for all purposes of this act, but which shall be void upon the receipt of an annual registration card. Temporary registration cards may be delivered to any notary public, magistrate or dealer, who shall have the authority to issue such temporary registration cards to any person, upon the transfer of ownership of a motor vehicle: Provided, however, That the secretary shall have the authority to suspend the privilege of any such notary public, magistrate or dealer, to issue temporary registration cards; and upon suspension of such privilege, the secretary shall require the surrender of any temporary registration cards that such person shall have in his possession, upon a finding by the secretary that such person has issued a temporary registration card containing a misstatement of fact or has issued a card in violation of any of the regulations promulgated by the secretary under authority of this subsection. Temporary registration cards shall set forth the name and address of the owner of the vehicle, the registration number, the make, engine number and manufacturer's number of the vehicle from which transfer of registration is desired, and the make, engine number and manufacturer's number of the vehicle that has been purchased, the date of issuance of such temporary registration card, and any other information that the secretary may require. The secretary shall have the power to make such rules and regulations, not inconsistent herewith, as he shall deem necessary for the purpose of carrying out the provisions of this subsection.*

(g) *It shall be unlawful for any notary public, magistrate or dealer, knowingly to issue a temporary registration card to any person containing any misstatement of fact.*

(h) *It shall be unlawful for any person making an application of transfer of registration, or for any person authorized to present such application, to fail to forward or cause to be forwarded to the department, such application, within forty-eight (48) hours after the transfer of registration plates is made from one motor vehicle to another, owned by the same person.*

Penalty.—Any person violating any of the provisions of subsections (b), [or] (d), (f), (g) or (h) of this section, or any rule or regulation made by the secretary in accordance with subsection (f) of this section shall, upon summary conviction before a magistrate be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 3. Section five hundred and seven of said act is hereby amended to read as follows:

Section 507. Temporary Use of Registration Plates Pending Transfer.—After the transfer of registration plate or 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 for the registration plate or plates displayed, provided he shall have made application to the department, as required in this act, *within forty-eight (48) hours after said transfer of registration plate or plates*, for transfer of the registration, and provided he shall, upon prosecution, make an affidavit or testify under oath to that effect.

Section 4. Said act is hereby amended by adding thereto after section five hundred and ten, a new section to read as follows:

Section 511. *Temporary Registration Plates or Markers.*—

(a) *The secretary may, subject to the limitations and conditions hereinafter set forth, deliver temporary registration plates or markers to dealers when the application therefor is accompanied by the fee prescribed in this act. Such application shall be made upon a form prescribed and furnished by the department. Dealers subject to the limitations and conditions hereinafter set forth, may issue such temporary registration plates or markers to owners of vehicles, provided that such owners shall comply with the pertinent provisions of this section.*

(b) *Every dealer who has made application for temporary registration plates or markers shall maintain in permanent form a record of all temporary registration plates or markers delivered to him, and shall also maintain in permanent form a record of all temporary registration plates or markers issued by him, and in addition thereto, shall maintain in permanent form a record of any other information pertaining to the receipt or the issuance of temporary registration plates or markers that the secretary may require. Each record shall be kept for a period of at least three (3) years from the date of entry of such record. Every dealer shall allow full and free access to such records during regular business hours, to duly authorized representatives of the department and to peace officers.*

(c) *Every person who issues temporary registration plates or markers shall, on the day that he issued such plates or markers, send to the department a copy of the temporary registration plate or marker application, properly executed by such dealer and the owner.*

(d) *A person shall not issue, assign, transfer or deliver temporary registration plates or markers to any one other than the bona fide* purchaser or owner of the vehicle to be registered; nor shall a person issue temporary registration plates or markers unless previous to or at the same time that the dealer sends to the department a copy of the executed temporary registration plate or marker application the owner has sent or sends a bona fide application for annual registration; nor shall a person issue temporary registration plates or markers to any one possessed of annual registration plates for a vehicle that has been sold or exchanged; nor shall a person who has been convicted of a violation of section six hundred and twenty (j) of this act issue temporary registration plates or markers to any person, nor make application for or receive any temporary registration plates or markers for the purpose of issuance to an owner; nor shall a person who has been convicted of three or more violations of the provisions of this section make application for or issue any temporary registration plates or markers; nor shall a dealer lend to any one or use on any vehicle that he may own, temporary registration plates or markers. It shall be unlawful for any person to issue any temporary registration plate or marker, or plates or markers, containing any misstatement of fact, or knowingly to insert any false information upon the face thereof.*

(e) *Every person who issues temporary plates or markers shall affix or insert clearly and indelibly on the face of each temporary registration plate or marker the date of issuance and expiration, and the make and serial number of the vehicle for which issued.*

* "bonafide" in original.

(f) If the secretary finds that the provisions of this section or the directions of the secretary are not being complied with by the dealer, he may suspend, after a hearing, the right of a dealer to issue temporary registration plates or markers.

(g) Every person who makes application for temporary registration plates or markers shall execute the temporary registration plate or marker application and shall return such application to the dealer from whom the vehicle to be registered has been or will be purchased.

(h) Every person who makes application for temporary registration plates or markers shall execute and send an application for annual registration plates to the department, previous to or at the same time that the dealer sends to the department a copy of the executed temporary registration certificate, but in no event shall such application for annual registration plates be made later than the day on which the temporary registration plates or markers are issued to such owner.

(i) Every person to whom temporary registration plates or markers have been issued shall permanently destroy such temporary registration plates or markers immediately upon receiving the annual registration plates from the department: Provided, That if the annual registration plates are not received within twenty (20) days of the issuance of the temporary registration plates or markers, the owner shall, notwithstanding, immediately upon the expiration of such twenty (20) day period, permanently destroy the temporary registration plates or markers.

(j) Temporary registration plates or markers shall expire and become void upon the receipt of the annual registration plates from the department, or upon the rescission* of a contract to purchase a motor vehicle, or upon the expiration of twenty (20) days from the date of issuance, depending upon whichever event shall first occur. No refund or credit or fees paid by dealers to the department for temporary registration plates or markers shall be allowed, except in the event that the secretary discontinues the issuance of temporary registration plates or markers; dealers returning temporary registration plates or markers to the department may petition for refund or a credit thereof.

(k) The secretary shall have the power to make such rules and regulations, not inconsistent herewith, as he shall deem necessary for the purpose of carrying out the provisions of this section.

Penalty.—Any person violating any of the provisions of subsections (b), (c), (d) or (e) of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution for the first offense; fifty (\$50)

* "recession" in original.

dollars and costs of prosecution for any subsequent offense, and in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days; and upon conviction of a third offense, no temporary registration plates or markers shall thereafter be delivered to such person for the purpose of issuing such plates or markers to an owner, nor shall such person thereafter issue any temporary registration plates or markers. Any person violating any of the provisions of subsections (g), (h) or (i) of this section, or any rule or regulation made by the secretary as hereinbefore provided shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution for the first offense, and twenty-five (\$25) dollars and costs of prosecution for any subsequent offense, and in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 5. Said act is hereby amended by adding thereto after section seven hundred and two, a new section to read as follows:

Section 702.1. Fee for Temporary Registration.—The fee for the temporary registration of motor vehicles shall be twenty-five (25c) cents for each set issued, and dealers may purchase no less than five (5) sets of temporary registration plates or markers at any one time.

APPROVED—The 26th day of April, A. D. 1943.

EDWARD MARTIN

No. 49

AN ACT

To amend section two of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (Pamphlet Laws, six hundred eighty-five), entitled "An act designating certain life insurance companies as limited life insurance companies, and further describing the powers thereof," by increasing the amount for which, under certain conditions, such companies may issue policies in the event of death from natural or accidental causes.

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

Section 1. Section two of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (Pamphlet Laws, six hundred eighty-five), entitled "An act designating certain life insurance companies as limited life insurance companies, and further describing the powers thereof," is hereby amended to read as follows:

Act of June 24,
1939, P. L. 685,
section 2,
amended.