

Section 2. Sections 809 and 810 of said act, are hereby repealed.

Section 3. The following act is hereby repealed absolutely:

The act, approved the ninth day of July, one thousand nine hundred one (Pamphlet Laws, six hundred twelve), entitled "An act making it willful trespass to hunt, trap and take game birds or game animals upon cultivated lands, and providing for the punishment of such trespass."

APPROVED—The 21st day of May, A. D. 1943.

EDWARD MARTIN

No. 144

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," by permitting the use of red signal lights and sound devices on certain additional vehicles; changing the provisions concerning rights of way; and providing penalties.

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

Section 1. Section eight hundred nine 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

"The Vehicle Code."

Certain sections of "The Vehicle Code" amended.

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 amended by section two of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (Pamphlet Laws, seven hundred fifty-one), is hereby further amended to read as follows:

Section 809. Red Light Visible From in Front of Vehicles.—No person shall operate or move any vehicle, except fire department, [and] fire patrol apparatus, *or the private vehicles of those chiefs of fire departments, assistant chiefs of fire departments or fire marshals who, in accordance with a statement filed with the Pennsylvania State Police prior thereto, use the same for answering fire or emergency calls upon a highway with a red light displayed on the front thereof.*

Penalty.—Any person violating any of the provisions of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of 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 2. Section eight hundred fourteen of said act is hereby amended to read as follows:

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, bell, 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, *or the private vehicle of the chief of any fire department, assistant chief of any fire department, or fire marshal who, in accordance with a statement filed with the Pennsylvania State Police prior thereto, uses the same for answering fire or emergency calls*, may be equipped with a bell, siren, compression or sparkplug whistle, of a type approved by the secretary.

Penalty.—Any person violating any of the provisions of sub-section* (a) 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 one thousand fourteen of said act, as amended by section two of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (Pamphlet Laws, seven hundred fifty-one), is hereby further amended to read as follows:

Section 1014. 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, *and the private vehicles of those chiefs of fire departments, assistant chiefs of fire departments, and fire marshals who signify in writing their intention to use such vehicles while answering fire or emergency calls, and file the written declaration prior to such use thereof with the Pennsylvania State Police*, when such vehicles are operated upon official business and the drivers thereof sound audible signal. This provision shall not operate to relieve the driver of [a police or fire department vehicle or ambulance] *any such vehicle* 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.

(c) The driver of vehicle entering a through highway or stop intersection, which has been established as such under provisions of this act, shall yield the right of way to all vehicles approaching in either direction on such through highway. This provision shall not operate to relieve the driver of any vehicle being operated on a through highway from the duty to drive with due regard for the safety of vehicles entering such through highway, nor shall it protect the driver of any vehicle on a through highway from the consequence of an arbitrary exercise of such right of way.

* "Subsection" in original.

Penalty.—Any person violating any of the provisions of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of 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 4. Section one thousand fifteen of said act, as last amended by section three of the act, approved the twenty-ninth day of June, one thousand nine hundred and thirty-seven (Pamphlet Laws, two thousand three hundred twenty-nine), is hereby further amended to read as follows:

Section 1015. What to do on Approach of Police or Fire Department Vehicle.—

(a) Upon the approach* of any police, [or] fire department vehicle, [or] ambulance, *or the private vehicle of the chief of any fire department, assistant chief of any fire department, or fire marshal who, in accordance with a statement filed with the Pennsylvania State Police prior thereto, uses the same for answering fire or emergency calls*, giving audible signal, 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 peace officer, until [the police or fire department vehicle or ambulance] *such vehicle* shall have passed.

(b) It shall be unlawful for the driver of any vehicle, street car, or trackless trolley omnibus, 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 park such vehicle within five hundred (500) feet where fire apparatus has stopped in answer to a fire alarm.

(c) Upon the approach of any police, [or] fire department vehicle, [or] ambulance, *or the private vehicle of the chief of any fire department, assistant chief of any fire department, or fire marshal who, in accordance with a statement filed with the Pennsylvania State Police prior thereto, uses the same for answering fire or emergency calls*, giving audible signal, the operator of every street car or trackless trolley omnibus shall immediately stop and remain in such position, unless otherwise directed by a peace officer, until [the police or fire department vehicle or omnibus] *such vehicle* shall have passed.

Penalty.—Any person violating any of the provisions of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten (\$10)

* "approach" in original.

dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 5. All acts and parts of acts inconsistent herewith are hereby repealed.

Section 6. The provisions of this act shall become effective immediately upon final enactment.

APPROVED—The 21st day of May, A. D. 1943.

EDWARD MARTIN

No. 145

AN ACT

To further amend section two hundred twenty of the act, approved the second day of May, one thousand nine hundred twenty-five (Pamphlet Laws, four hundred forty-eight), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," exempting for the duration of the present war, persons in the armed forces from the payment of a fee to the Commonwealth for resident fishing licenses.

"The Fish Law of 1925."

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

Section 1. Section two hundred twenty of the act, approved the second day of May, one thousand nine hundred twenty-five (Pamphlet Laws, four hundred forty-eight), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," as last amended by the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (Pamphlet Laws, eight hundred thirty-four), is hereby further amended to read as follows:

Section 220, act of May 2, 1925, P. L. 448, as last amended by act of June 24, 1939, P. L. 834, further amended.

Section 220. Resident Fishing License Fees.—For the purposes of this article, every person sixteen years of age and upward, upon application to any issuing agent within the Commonwealth, or to the Department of Revenue, and, upon the establishment of his identity to the satisfaction of the issuing agent or the Department of Revenue by producing a bank book, letters, lodge cards, police cards, a motor vehicle operator's permit, or some other positive means of identification, that he has been a bona fide resident of this Commonwealth for a period of sixty days next preceding his application and was born in the United States, and, in the case of naturalized foreign-born residents, the production of such applicant's naturalization papers shall, upon the payment to the issuing agent or the Department of Reve-