

## No. 147

## AN ACT

To further amend section eight hundred and twenty-three 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"; changing the penalty for violation of provisions relating to official inspections; and changing the name of Pennsylvania Motor Police to Pennsylvania State Police.

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

Section 1. Section eight hundred and twenty-three 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

"The Vehicle Code."

Section 823, act of May 1, 1929, P. L. 905, as last amended by act of June 27, 1939, P. L. 1135, further amended.

finer, 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 823. Official Inspections.—

(a) On and after the first day of every May and until and including the thirty-first (31) day of July and on and after the first day of every November and until and including the thirty-first (31) day of January every owner of a motor vehicle, trailer, or semi-trailer being operated in this Commonwealth except trailers or semi-trailers having a chassis and body weight of less than one thousand (1000) pounds, motorcycles and bicycles with motor attached shall submit such motor vehicle, trailer, or semi-trailer to such inspection of its mechanism and equipment as may be designated by the secretary: Provided, however, That motor vehicles, trailers, and semi-trailers determined by the department to be exempt from registration under the provisions of section four hundred one subsection (d) of this act, if operated on the public highways of this Commonwealth only during the period between sunrise and sunset, shall be exempt from the lighting equipment provisions of this act.

(b) If such inspections disclose the necessity for adjustments, corrections, or repairs, in order to bring the motor vehicle, trailer, or semi-trailer in conformance with the provisions of this act, it shall be compulsory upon the owner to have such adjustments, corrections, or repairs made within the periods required in this act.

(c) The secretary is hereby authorized to designate, furnish instructions to, supervise, and issue inspection certificates to, and collect the fees therefor from, the official inspection stations, as provided in this act, for the purpose of such inspections.

(d) Such official inspection stations, when duly authorized, shall issue official certificates of inspection for every motor vehicle, trailer, or semi-trailer so inspected, on a form furnished by the department, but no such certificates of inspection shall be issued or displayed on any motor vehicle, trailer, or semi-trailer, or by the owner or operator of any motor vehicle, trailer, or semi-trailer, until and unless the motor vehicle, trailer, or semi-trailer for which it is issued has been brought into conformance with the requirements of this act.

(e) It shall be the duty of such designated official inspection stations to report all such inspections to the secretary, on forms furnished by the department, and, in the event of refusal on the part of any owner or operator to have the necessary adjustments, corrections,

and repairs made, the secretary, after investigation, may invoke the provisions of this act relative to vehicles unsafe or unfit for operation.

(f) If the secretary finds that the provisions of this act, or the directions of the secretary, are not being complied with, or that the business of such stations in connection with such inspections is being improperly conducted, he may suspend the designation of any such stations.

(g) Any peace officer who shall be in uniform, and shall exhibit his badge or other sign of authority, may stop any motor vehicle, trailer, or semi-trailer, and require the owner or operator to display an official certificate or other satisfactory proof of inspection for the motor vehicle, trailer, or semi-trailer being operated. It shall be unlawful for any such certificate to be displayed on a motor vehicle, trailer, or semi-trailer, or by the owner or operator, unless an official inspection of its mechanism or equipment shall have been made and the motor vehicle, trailer, or semi-trailer conforms to the provisions of this act.

(h) It shall be unlawful to operate any motor vehicle, trailer, or semi-trailer on a highway (1) during an inspection period, unless the motor vehicle, trailer, or semi-trailer has been inspected during the present or last preceding inspection period, and (2) after the close of any inspection period, unless it has been inspected during the last preceding inspection period, and (3) a certificate for the proper period furnished and displayed.

(i) The secretary is hereby authorized and required to issue a certificate of school bus inspection for every vehicle owned by, or used under contract with, any school or school district which conforms with the provisions of this act and with the regulations of the State Council of Education of Pennsylvania. Such certificate shall bear the approval of and be countersigned by the Commissioner of the Pennsylvania [Motor] *State Police*. This provision shall not apply to buses operated over regular routes in scheduled service under the authority of the Public Utility Commission.

(j) The owner of every vehicle which is to be used for the transportation of school children shall, in addition to any other inspection required by this act, submit such vehicle to the Pennsylvania [Motor] *State Police* sometime during every August, or prior to operating such vehicle for the transportation of school children during the school year, to determine whether such vehicle conforms with the provisions of this act and the regulations of the State Council of Education of Pennsylvania. This provision shall not apply to buses operated over regular routes in scheduled service under the authority of the Public Utility Commission.

(k) No vehicle required to obtain a certificate of inspection under the provisions of subsection (j) of this section shall be operated without prominently displaying such certificate, as may be directed by the secretary, in addition to any other certificate now or hereafter required by law, on any of the highways of this Commonwealth.

Penalty.—Any person violating any of the provisions of subsections (d), (e), (g), (h), (j) or (k) of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of *not more than* ten (\$10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Act effective  
immediately.

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

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

EDWARD MARTIN

No. 148

### AN ACT

To further amend sections two thousand six hundred three and two thousand six hundred twenty-three of the act, approved the eighteenth day of May, one thousand nine hundred eleven (Pamphlet Laws, three hundred nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof that are or may be inconsistent therewith," by authorizing school districts of the third and fourth classes, in certain cases, to employ certified public accountants to audit the school finances in lieu of the elected auditors, and providing as to the powers, duties and compensation of the certified public accountants so employed.

Public school  
system.

Section 2603,  
act of May 18,  
1911, P. L. 309,  
as last amended  
by act of June 1,  
1933, P. L. 1152,  
further amended.

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

Section 1. Section two thousand six hundred three of the act, approved the eighteenth day of May, one thousand nine hundred eleven (Pamphlet Laws, three hundred nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as last amended by the act, approved the first day of June, one thousand nine hundred thirty-three (Pamphlet Laws, one thou-