

No. 558

AN ACT

To amend the title of and the act, approved the first day of May, one thousand nine hundred twenty-nine (Pamphlet Laws 1005), entitled "An act relating to and regulating tractors and trailers and their operation; providing for their registration, and the licensing of certain operators by the Department of Revenue 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 tractors and trailers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, and townships, within the Commonwealth, liability for damages caused by the negligent operation of tractors and trailers; 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 providing that the operators of tractors shall be licensed under The Vehicle Code, and further providing for the equipment of tractors.

"The Tractor Code."

Title, act of May 1, 1929, P. L. 1005, amended.

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

Section 1. The title of the act, approved the first day of May, one thousand nine hundred twenty-nine (Pamphlet Laws 1005), entitled "An act relating to and regulating tractors and trailers and their operation; providing for their regulation, and the licensing of certain operators by the Department of Revenue 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 tractors and trailers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, and townships, within the Commonwealth, liability for damages caused by the negligent operation of tractors and trailers; 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," is hereby amended to read as follows:

Amended title.

An Act

Relating to and regulating tractors [and trailers] and their operation; providing for their registration [, and the licensing of certain operators] by the Department

of Revenue 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 tractors [and trailers]; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, and townships, within the Commonwealth, liability for damages caused by the negligent operation of tractors [and trailers]; 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.

Section 2. Section 102 of said act, as amended in part by the acts, approved the twenty-second day of June, one thousand nine hundred thirty-one (Pamphlet Laws 815), the sixth day of May, one thousand nine hundred forty-three (Pamphlet Laws 198), and the eighteenth day of May, one thousand nine hundred forty-nine (Pamphlet Laws 1456), is hereby further amended to read as follows:

Section 102, said act, as amended in part by acts of June 22, 1931, P. L. 815, May 6, 1943, P. L. 198, and May 18, 1949, P. L. 1456, further amended.

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.

“Cleat.”—Any projection, block, stud, flange, or any other protuberance of any material, other than rubber, which projects beyond the outside surface of the periphery of the wheels of a tractor.

“Dealer.”—Any person, firm, corporation or association, engaged in the business of manufacturing, or in the purchase and sale of, tractors [or trailers], and who has an established place of business.

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

“Guide Band.”—Any flange affixed to the center line of the outside surface of the periphery of the front or guiding wheels of a tractor.

“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.

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

[“Operator.”—Every person who is in actual physical control of a tractor.

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

“Owner.”—A person who is the legal owner of a tractor [or trailer], or, in the event the tractor [or trailer] is subject to 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 by the conditional vendee or lessee, shall be deemed the owner for the purpose of this act.

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

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

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

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

[“Trailer.”—Every vehicle, wagon, or truck, drawn by a tractor, for hauling material or freight of any kind, excepting water and fuel tanks, road-graders, stone-crushers, sawmills, concrete mixers, and agricultural equipment not self-propelled: Provided, however, That a wagon or truck drawn by a tractor for the transportation of the agricultural products of the owner of such wagon or truck, or returning from such transportation, shall not be included within such definition, and no fee shall be required to operate such vehicle on the public highways.]

“Tractor.”—Every vehicle of the tractor type which is self-propelled, [originally constructed under a distinctive name, make, model or type, by a generally recognized manufacturer,] *designed and used for drawing other vehicles and not so constructed as to carry a load thereon either independently or any part of the weight of a vehicle or load so drawn*, excepting road rollers, ditch diggers, or vehicles used exclusively upon stationary rails or tracks. In the case of motor vehicles, as defined in the Vehicle Code, which cannot be used as motor vehicles, the secretary may determine in each case whether or not such motor vehicle is of the tractor type, and in making such determination the secretary shall consider the purpose for which such motor vehicle shall be used.

“Farm Tractor.”—Every vehicle of the tractor type which is self-propelled, designed and used primarily as a farm implement for drawing plows, mowing machines and other implements of husbandry.

“Vehicle.”—Every device in, upon, or by which any person or property is or may be transported or drawn, or which may draw devices upon a highway, excepting devices used exclusively upon stationary rails or tracks.

Section 3. Section 201 of said act, as last amended by the act, approved the twenty-fifth day of April, one thousand nine hundred forty-five (Pomphlet Laws 303), is hereby further amended to read as follows:

Section 201, said act, as last amended by act of April 25, 1945, P. L. 303, further amended.

Section 201. Registration of Tractors [and Trailers] Required.—Except as hereinafter provided, no tractor [or trailer] shall be operated or driven upon any highway of this Commonwealth until the said tractor [or trailer] shall have been registered with the department as hereinafter provided, and the registration plate that has been issued for the vehicle for the current year is received and displayed as required by this act.

Tractors [and trailers], including farm wagons and agricultural equipment drawn by tractors [with or without a trailer], used exclusively by any person upon the farm or farms he owns or operates, or upon highways, connecting by a direct route, any farms or portions of farms under the ownership or operation of such person, to any other farm or to any garage for the purpose of having the same repaired, shall be exempt from registration.

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 202 of said act, as amended by the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (Pamphlet Laws 815), is hereby further amended to read as follows:

Section 202, said act, as amended by act of June 22, 1931, P. L. 815, further amended.

Section 202. Application for Registration and Duplicates.—

(a) Application for registration of a tractor shall be made upon a form prescribed and furnished by the department, and shall contain the make, manufacturer's number, character of the motive power, weight, and such other information as the department may require.

[Application for registration of a trailer shall be made upon a form prescribed and furnished by the department, and shall contain the make, and the combined

weight of the *chassis and body, if so constructed, or the gross weight of the trailer exclusive of the load to be transported, and such other information as the department may require.]

The application shall be sworn to before a notary public or other officer empowered to administer oaths, and shall contain the full name and the actual or bona fide address of the owner or owners. The application shall be signed by the owner, if a natural person, and, in the case where the owner is a corporation, copartnership, or association, by an executive officer thereof, or some person specifically authorized by said corporation, copartnership, or association to sign the same.

(b) Upon receipt of the application and the fee provided in this act, the secretary shall register the tractor [or trailer therein] described and the owner thereof in suitable books, or in index cards, maintaining suitable records of all registrations issued.

(c) The secretary, upon registering a tractor [or trailer], shall issue to the owner a registration card, which shall bear thereon the registration number assigned to the owner and to the tractor [or trailer], the name and address of the owner, also a description of the vehicle, and such other statement of facts as may be determined by the secretary. 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.

(d) In the event of a lost, destroyed or illegible registration card, application shall be made to the department, within forty-eight (48) hours of the discovery of the loss of such registration card, for a duplicate registration card, 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.

(e) No owner or operator of a tractor [or trailer] shall be subject to a fine for the reason that registration card is missing, if the owner or operator makes affidavit that the same was lost or stolen within the period of twenty (20) days preceding, and that application for new registration card was made within forty-eight (48) hours as required in this section.

(f) The registration card issued for a tractor [or trailer] required to be registered shall, at all times while the vehicle is being operated upon a highway, be in the possession of the operator thereof or carried in the tractor [or trailer].

* "chassis" in original.

Penalty.—Any person violating any of the provisions of *subsections (c), (d) or (f) of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of five (\$5) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than three (3) days.

Section 5. Sections 204, 205, 206 and subsections (a) and (d) of section 207 of said act are hereby amended to read as follows:

Sections 204, 205, 206, and subsections (a) and (d) of section 207, said act, amended.

Section 204. Registration of Dealers.—

(a) Tractors [or trailers] owned or kept by dealers shall be exempt from individual registration, if said dealer registers with the department in the "Dealer's Class."

(b) Application for such registration shall be made to the department upon a form furnished by the department. The application shall contain the full name and business address of the applicant, and such other information as the department shall require. Upon receipt of the application, accompanied by the fee provided in this act for each registration card and registration plate desired, the department shall issue to the applicant as many registration cards and registration plates as may have been applied for.

(c) No tractor [or trailer] shall, under any circumstances, be operated under the dealer's registration, unless the registration card for the registration plate displayed is carried by the operator, and bears the signature of the dealer to whom issued.

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 five (\$5) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than three (3) days.

Section 205. Registration by Nonresidents.—Nonresidents of this Commonwealth, except as otherwise provided in this act, will be exempt from the provisions of this act as to the registration of tractors [and trailers], for the same time and to the same extent as like exemptions are granted residents of this Commonwealth under the laws of the foreign country or State of their residence relative to the registration of tractors [and trailers], and shall conspicuously display the registration plates, as required thereby, and have in their possession the registration card issued for such tractor [or trailer].

Penalty.—Any person violating any of the provisions of this section, shall, upon summary conviction before

* "subsection" in original.

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 206. Registration Shall Be Refused.—The department shall not accept an application for the registration of a tractor [or trailer] in any of the following events:

1. When the applicant therefor is not entitled thereto under the provisions of this act.
2. 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.
3. When the fees required therefor by law have not been paid.
4. When the vehicle is not constructed or equipped as required by this act.

Section 207. Registration Suspended.—

(a) The secretary may suspend any registration, with or without a hearing before the secretary or his representative, in any of the following cases:

1. When tractor [or trailer] is unsafe or unfit for operation, or is not equipped as required by this act.
2. When the owner shall make, or permit to be made, any unlawful use of a tractor [or trailer] or registration plate, or permit the use thereof by a person not entitled thereto.
3. When the owner has been convicted of using a false or fictitious name, or giving a false or fictitious address, in any application or form 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.
4. Upon certification, or request, or order, of any court duly authorized under the laws of this Commonwealth, and empowered by such laws to make such certifications, requests or orders.
5. When check submitted in payment of any registration is returned to the department because of insufficient funds, or is not paid on demand.

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(d) No tractor [or trailer], the registration of which has been suspended, shall be operated on the highway during the period of suspension.

Section 6. Subsection (a) of section 208 of said act, as amended by the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (Pamphlet Laws 815), is hereby further amended to read as follows:

Subsection (a) of section 208, said act, as amended by act of June 22, 1931, P. L. 815, further amended.

Section 208. Transfer of Registration.—

(a) Upon transfer of ownership, or the destruction of any tractor [or trailer] the registration shall expire.

Section 7. Subsections (a) and (c) of section 301 of said act, as amended by the act, approved the sixth day of May, one thousand nine hundred forty-three (Pamphlet Laws 174), are hereby further amended to read as follows:

Subsections (a) and (c) of section 301, said act, as amended by act of May 6, 1943, P. L. 174, further amended.

Section 301. Registration Plates to be Furnished by Department.—

(a) The department shall furnish to every owner whose tractor [or trailer] has been registered, and for each registration issued to a dealer, one (1) registration plate.

* * * * *

(c) The registration plate shall be kept reasonably clean, and shall not be defaced in any manner, and shall be displayed conspicuously on the front or rear of the tractor, [and on the rear of the trailer,] in such a way that [they] *it* may be easily read.

Section 8. Sections 302 and 303 and subsections (a) and (d) of section 304 of said act are hereby amended to read as follows:

Sections 302 and 303 and subsections (a) and (d) of section 304, said act, amended.

Section 302. Use of Dealer's Registration Plates.—Registration plate, issued under dealer's registration, may be used on any tractor [or trailer] owned by such dealer and operated by such dealer or the employe of such dealer, when such tractor [or trailer] is used (a) in the tractor [or trailer] business of such dealer, (b) for testing tractors [or trailers] in the possession of such dealer, (c) for demonstrating tractors [or trailers] in the possession of such dealer; and such tractors [and trailers] may be operated by a prospective purchaser, when licensed as an operator, and when accompanied by the dealer or an employe of such dealer.

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 303. Use of Registration Plates Restricted.—

(a) No person shall operate a tractor [or trailer] under any other registration plates than that of its own registration.

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 twenty-five (\$25) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Section 304. Lost or Defaced Registration Plates.—

(a) In the event of the loss of registration plate, or if a plate becomes so defaced that the numbers thereon are illegible, it shall be the duty of the owner of the tractor [or trailer] for which the same were issued to apply to the department for new registration plate, within forty-eight (48) hours of his discovery of the loss or defacement of such plate.

• • • • •

(d) No owner or operator of a tractor [or trailer] shall be subject to a fine for the reason that registration plate is missing, if he makes affidavit that the same was lost or stolen within the period of twenty (20) days preceding, and that application for new plate was made within forty-eight (48) hours as required herein.

Section 305, said act, as amended by act of June 22, 1931, P. L. 815, further amended.

Section 9. Section 305 of said act, as amended by the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (Pamphlet Laws 815), is hereby further amended to read as follows:

Section 305. Transfer of Registration Plate.—

(a) Upon the transfer of ownership, or destruction of any tractor [or trailer], the owner shall remove the registration plate therefrom.

(b) In the event of the transfer of registration plate to a tractor [or trailer] of the same classification as that originally registered, the owner shall be assigned the registration plate previously issued to him, unless such registration plate has been lost or destroyed.

[(c) If transfer of registration plate is from tractor classification to trailer classification, or from trailer classification to tractor classification, the owner shall be issued a new registration plate. Upon receipt of new registration plate, the original registration plate shall be returned to the department immediately for cancellation, unless such registration plate has been destroyed or lost.]

Penalty.—Any person violating any of the provisions of subsections (a) or (b) 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 10. Sections 306, 307 and 308 of said act are hereby amended to read as follows:

Sections 306, 307 and 308, said act, amended.

Section 306. Temporary Use of Registration Plate Pending Transfer of Registration.—After the transfer of registration plate from a tractor [or trailer] to another tractor [or 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 operation of the latter tractor [or trailer] without the proper transfer registration card, provided he shall have made application to the department, as required in this act, for transfer of the registration, and provided he shall, upon prosecution, make an affidavit or testify under oath to that effect.

Section 307. Illegal Transfer of Registration Plate.—No person shall give or lend tractor [or trailer] or dealer's registration plate to another.

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 twenty-five (\$25) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for *not more than ten (10) days.

Section 308. Return of Dealer's Registration Plate.—Registration plate or plates and registration card or cards issued in the dealer's class shall be returned to the department for cancellation when the dealer discontinues tractor [or trailer] business.

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 fifty (\$50) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Section 11. Subsection (b) of section 309 of said act, as amended by the act, approved the fifth day of August, one thousand nine hundred forty-one (Pamphlet Laws 851), is hereby further amended to read as follows:

Subsection (b) of section 309, said act, as amended by act of August 5, 1941, P. L. 851, further amended.

Section 309. Expiration of Registration Plates.—

* * * * *

(b) No tractor [or trailer] shall be operated on any highway with registration plates which have expired, nor without registration plate on claim by the owner or operator that registration plate for the current year has been applied for but not received.

Section 11.1. Section 401 of said act is hereby amended to read as follows:

Section 401, said act, amended.

Section 401. Operators Must be Licensed.—No person, except those expressly exempted [under this act]

* "nor" in original.

thereby, shall operate any tractor upon a highway in this Commonwealth, unless such person [, upon application,] has been licensed [or authorized.] to operate [tractors] a motor vehicle under [the laws of this Commonwealth, or is licensed as an operator under the provisions of this act] *The Vehicle Code*.

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.

Sections 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, and 502, said act, and their amendments, repealed.

Section 12. Sections 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418 and 502 of said act and their amendments are hereby repealed.

Section 13. Section 503 of said act is hereby amended to read as follows:

Section 503, said act, amended.

Section 503. Dealers.—The fee shall be twenty-five (\$25) dollars for the first annual registration, and two (\$2) dollars for each additional annual registration, issued to persons registered as dealer in tractors [or trailers].

Section 504, said act, repealed.

Section 14. Section 504 of said act is hereby repealed.

Section 505, said act, as amended by act of August 5, 1941, P. L. 851, further amended.

Section 15. Section 505 of said act, as amended by the act, approved the fifth day of August, one thousand nine hundred forty-one (Pamphlet Laws 851), is hereby further amended to read as follows:

Section 505. Reduction of Registration Fees in Certain Cases.—The fee for registration of a tractor [or trailer] when registration is issued on or after the beginning of the seventh month of the registration year, but prior to the beginning of the tenth month of the registration year, shall be one-half ($\frac{1}{2}$) of the fee for annual registration. The fee for registration of any tractor [or trailer], when registration is issued on or after the beginning of the tenth month of the registration year, shall be one-fourth ($\frac{1}{4}$) of the fee for annual registration herein specified.

Section 506, said act, as last amended by act of August 5, 1941, P. L. 851, repealed.

Section 16. Section 506 of said act, as last amended by the act, approved the fifth day of August, one thousand nine hundred forty-one (Pamphlet Laws 851), is hereby repealed.

Section 507, said act, amended.

Section 17. Section 507 of said act is hereby amended to read as follows:

Section 507. Replacement of Registration Plates.—The fee for replaced tractor [, trailer] or dealer's registration plate, shall be one (\$1) dollar.

Section 18. Section 508, subsections (a) and (b) as relettered of section 512, and section 513 of said act, as amended by the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (Pamphlet Laws 815), are hereby further amended to read as follows:

Section 508, subsections (a) and (b) as relettered of Section 512, and section 513, said act, as amended by act of June 22, 1931, P. L. 815, further amended

Section 508. Transferring Registration.—The fee for transfer of registration shall be two (\$2.00) dollars, when tractor [or trailer] is of equal or less 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 tractor [or trailer] be properly registerable in a higher classification.

Section 512. Exemptions from Fees.—

(a) No fee shall be charged for the registration of tractors [and trailers] owned and used by (a) the Federal Government, (b) any State other than Pennsylvania which issues 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 Commonwealth, (e) hospital, or any duly authorized volunteer fire force; but all such vehicles, except those owned and used by the Federal Government, shall be registered and shall display registration plates as this act provides for privately owned tractors [and trailers].

(b) No fee shall be required for replacement or substitution of registration card *•or* registration plate [or operator's license] when satisfactory proof is furnished the secretary of loss of same in the mails.

Section 513. No Other Taxes or Fees to be Imposed.—No city, borough, incorporated town, township or county shall require or collect any registration [or operator's license] fee or tax for any tractor [, trailer or license from any operator thereof].

Section 19. Section 601 of said act is hereby amended to read as follows:

Section 601, said act, amended.

Section 601. Lights.—

(a) Every tractor 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 two (2) headlamps, and no less, at the front of and on opposite sides of the tractor, and shall also carry at the rear a lamp which exhibits a red light plainly visible

* "or" omitted in original.

to the rear [, except that tractors of the first class may display a white light in front and a white or red light in the rear].

[(b) Every trailer attached to a tractor shall, during the time specified in subsection (a) of this section, exhibit a white or red light to the rear of said trailer.]

(c) Whenever a tractor [or trailer] is parked, or stopped upon a highway, whether attended or unattended, during the time when lights are required by this act, it shall display a white light in front, and a [white or] red light in rear, visible under normal atmospheric conditions, from a distance of five hundred (500) feet to the front and to the rear of such tractor [or trailer].

Penalty.—Any person violating any of the provisions of subsection (a) of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of two (\$2) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than one (1) day.

[Any person violating any of the provisions of subsection (b) 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 three (3) days.]

Subsections (a)
and (f) of section
602, said act, as
amended by act
of June 22, 1931,
P. L. 815,
further amended.

Section 20. Subsections (a) and (b) of section 602 of said act, as amended by the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (Pamphlet Laws 815), are hereby further amended to read as follows:

Section 602. Cleats, Guide Bands, Grousers, Chains, and Tires.—

(a) It shall be unlawful for any person to operate or move, or for the owner to cause or knowingly permit to be moved, on any highway, any tractor [or trailer] which is not so constructed or equipped as required in this act.

* * * * *

(f) Every tractor [or trailer] equipped with rubber tires, 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. 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, on any tractor when required for safety because of snow, ice, or other conditions tending to cause a tractor to slide or skid.

Section 21. Section 604 of said act is hereby amended to read as follows:

Section 604, said act, amended.

Section 604. Red Light Visible from in Front of Tractor [or Trailer].—No person shall operate or move any tractor [or trailer] upon a public 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 22. Section 607 of said act, as amended by the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (Pamphlet Laws 815), is hereby further amended to read as follows:

Section 607, said act, as amended by act of June 22, 1931, P. L. 815, further amended.

Section 607. Size of Vehicles and Load.—

(a) No tractor, except street sweeper, road grader, and snow removal equipment, shall exceed a total maximum width, including any load thereon, of one hundred and ten (110) inches.

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

(c) No tractor [or trailer], except fire department equipment, shall exceed a total maximum length, including load thereon, of three hundred and ninety-six (396) inches, and no combination of vehicles coupled together shall exceed a total maximum length of seventy (70) feet.

1. No tractor [of the second class] shall be operated upon any highway drawing or having attached thereto more than one (1) other vehicle.

2. The draw-bar or other connection between a tractor or [trailer] *other vehicle* shall not exceed fifteen (15) feet in length from tractor to the [trailer] *other vehicle*. 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.

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 608, said act, as amended by act of June 22, 1931, P. L. 815, and in part by act of May 31, 1947, P. L. 374, further amended.

Section 23. Section 608 of said act, as amended by the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (Pamphlet Laws 815), and in part by the act, approved the thirty-first day of May, one thousand nine hundred forty-seven (Pamphlet Laws 374), is hereby further amended to read as follows:

Section 608. Weight of Tractor [, Trailer] and Load.—

(a) Tractors shall not be operated or moved upon any highway with gross weight in excess of thirty thousand (30,000) pounds if of the two axle type and forty thousand (40,000) pounds if of the three axle type.

(b) The width of tires on the wheels of tractors [or trailers] shall be sufficient so that, including the load on the tractor [or trailer], the weight shall not be in excess of eight hundred (800) pounds on any wheel for each nominal inch of width of tire on each wheel.

[(c) Trailers shall not be operated or moved upon any highway with gross weight exceeding those specified for the several classes as follows:]

Two-Wheeled Class	Trailer Weight in Pounds	[Maximum Gross Weight in Pounds
A..Less than 1000,		3,000
B..1000 and over, but less than 2000,		6,000
C..2000 and over, but less than 3000,		10,000
D..3000 and over, but less than 4000,		12,000
E..4000 and over, but less than 5000,		14,000
F..5000 and over, but less than 6000,		16,000
G..6000 and over,		18,000

Four-Wheeled (2 Axles) Class	Trailer Weight in Pounds	Maximum Gross Weight in Pounds
A..Less than 1000,		3,000
B..1000 and over, but less than 2000,		6,000
C..2000 and over, but less than 3000,		10,000
D..3000 and over, but less than 4000,		16,000
E..4000 and over, but less than 5000,		20,000
F..5000 and over, but less than 6000,		24,000
G..6000 and over,		26,000

Six-Wheeled (3 Axles) Class	Trailer Weight in Pounds	Maximum Gross Weight in Pounds
AZ..Less than 3000,		12,000
BZ..3000 and over, but less than 4000, ..		15,000
CZ..4000 and over, but less than 5000, ..		20,000
DZ..5000 and over, but less than 6000, ..		26,000
EZ..6000 and over, but less than 7000, ..		30,000
FZ..7000 and over, but less than 9000, ..		34,000
GZ..9000 and over,		36,000]

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 fifty (\$50) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Section 24. Section 609 of said act is hereby amended to read as follows:

Section 609, said act, amended.

Section 609. Officers May Weigh Tractors [and Trailers].—Any peace 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 tractor [or trailer] and it or its 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 peace 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 hauling permits: And further provided, That no arrests shall be made in cases where the maximum gross weights provided in this act are not exceeded by more than ten (10) per centum thereof.

Penalty.—Any person refusing to unload excess weight when so ordered 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 25. Section 610 of said act, as last amended by the act, approved the thirteenth day of May, one thousand nine hundred forty-nine (Pamphlet Laws 1322), is hereby further amended to read as follows:

Section 610, said act, as last amended by act of May 13, 1949, P. L. 1322, further amended.

Section 610. Permits for Excessive Size and Weight.—The Secretary of Highways of this Commonwealth and local authorities, in their respective *jurisdictions, may, at their discretion, upon application in writing accompanied by the fee provided in this act and good cause being shown therefor, issue special permits, in writing, authorizing the applicant to operate or move upon any highway under the jurisdiction of, and for the maintenance of which the authorities granting the permit are responsible; (a) a tractor [or trailer] of a size and weight exceeding the maximum specified in this act; every such permit shall be issued for a single trip, and shall designate the route to be traversed; (b) any heavy piece of

* "jurisdiction" in original.

quarry equipment or machinery of a size and weight exceeding the maximum specified by this act across any highway from one part of a quarry to another, or upon the highways connecting by the most direct route any quarries or portion of quarries under the single ownership or operation of such person, this permit to be issued for the license year as provided by this act; no such permit shall be issued for the movement of such equipment or machinery for a distance greater than one-half mile; (c) any over-size self-propelled combine up to one hundred fifty (150) inches in width; every such permit shall be issued for the period between the fifteenth day of June and the fifteenth day of November, both inclusive, for the movement of such equipment, during the daylight hours, within a radius of ten (10) miles from the owner's home or farm. At other times a permit for the movement of such equipment shall be granted as otherwise herein provided. Any of the above permits shall be subject to such rules and regulations and any other conditions or restrictions, including the obligation on the part of the permittee to restore or replace any section of highway or bridge damaged as a result of such movement, whether or not the same was attributable to negligence on the part of the permittee, as shall be deemed necessary by the authorities granting such permit. Every such permit shall be carried in the vehicle to which it refers; shall be open to inspection by any peace officer or person having collision with the tractor [or trailer] and shall be revocable at any time, at the discretion of the official who issued the same.

Penalty.—Any person operating or moving a tractor or trailer and its load, of a size or weight exceeding the maximum specified in this act, without first having obtained a permit or permits so to do, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of fifty (\$50) dollars and in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Section 612, said act, amended.

Section 26. Section 612 of said act is hereby amended to read as follows:

Section 612. Regulating Weight of Tractors [and Trailers] on Bridges.—Where any bridge, causeway or viaduct, owned or maintained, whether owned in whole or in part, by this Commonwealth or local authorities, other than interstate bridges as now provided by law, 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 tractor [or trailer], which, together with its load, shall be of greater gross maximum weight than is mentioned in such sign: Provided, however, That restrictions as to maximum weight mentioned in such signs shall not apply for a period exceeding one (1) year from the date of posting of such signs, unless a further extension of time is authorized by the Secretary of Highways of this Commonwealth.

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 27. Subsection (b) of section 703 and section 708 of said act, as amended by the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (Pamphlet Laws 815), are hereby further amended to read as follows:

Subsection (b) of section 703 and section 708, said act, as amended by act of June 22, 1931, P. L. 815, further amended.

Section 703. Arrests on View or With Warrant.—

* * * * *

(b) If the defendant is unable to give bail, as provided in this act, for a hearing, or for his appearance at court, the magistrate shall accept as bail any article of sufficient value, or, if the defendant is the owner thereof, shall hold in custody the tractor [or trailer] found in his possession, and the court or magistrate, 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 tractor [or trailer], or other articles accepted as bail, as shall seem just and proper.

Section 708. Civil Actions for Damages.—All civil actions for damages arising from the use and operation of any tractor [or trailer] may, at the discretion of the plaintiff, be brought before any magistrate, alderman 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 where the defendant or his registered agent resides, or where service 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 (\$100.00) dollars shall be brought before any magistrate, alderman or justice of the peace.

APPROVED—The 14th day of January, A. D. 1952.

JOHN S. FINE

No. 559

AN ACT

To further amend the first paragraph of section 13 of the act, approved the nineteenth day of March, one thousand nine hundred nine (Pamphlet Laws 46), entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania; to provide for the establishment of a State Board of Osteopathic Examiners; to define the powers and duties of said Board of Osteopathic Examiners; to provide for the examining and licensing of osteopaths in this State; and to provide penalties for the violation of this act," by changing the time and increasing the fee for annual registration of osteopaths.

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

State Board of
Osteopathic
Examiners.

First paragraph
of Section 13, act
of March 19,
1909, P. L. 46,
as last amended
by act of April
6, 1927, P. L.
124, further
amended.

Section 1. The first paragraph of section 13 of the act, approved the nineteenth day of March, one thousand nine hundred nine (Pamphlet Laws 46), entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania; to provide for the establishment of a State Board of Osteopathic Examiners; to define the powers and duties of said Board of Osteopathic Examiners; to provide for the examining and licensing of osteopaths in this State; and to provide penalties for the violation of this act," as last amended by the act, approved the sixth day of April, one thousand nine hundred twenty-seven (Pamphlet Laws 124), is hereby further amended to read as follows:

Compliance with
provisions of this
act a prerequisite
to practice of
osteopathy in
this State.

Registration.

Section 13. From and after the approval of this act, no person shall enter upon or continue the practice of osteopathy in the State of Pennsylvania unless he or she has complied with the provisions of this act. It shall be the duty of all persons now qualified and engaged in the practice of osteopathy, or who shall hereafter be licensed by the State Board of Osteopathic Examiners to engage in such practice in this Commonwealth, to register with the said State Board of Osteopathic Examiners as practitioners, on or before the first day of January, one thousand nine hundred and twenty-six, and thereafter to register with said board in like manner annually on or before the [first day of January] *thirty-first day of*