

## No. 97

## AN ACT

Amending the act of May one, one thousand nine hundred twenty-nine (Pamphlet Laws 905), 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," providing for sending of notice of information by certified mail.

The Vehicle  
Code.

Subsection (a),  
section 1202, act  
of May 1, 1929,  
P. L. 905,  
amended June  
29, 1937, P. L.  
2329, further  
amended.

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

Section 1. Subsection (a) of section one thousand two hundred two, act of May one, one thousand nine hundred twenty-nine (Pamphlet Laws 905), known as "The Vehicle Code," amended June twenty-nine, one thousand nine hundred thirty-seven (Pamphlet Laws 2329), is amended to read:

Section 1202. Proceedings by Information and Warrant.—

(a) Summary proceedings under this act may be commenced by the filing of information, which information must be filed in the name of the Commonwealth; and, within the period of seven (7) days after information has been lodged, the magistrate shall send by registered or certified mail, to the person charged, at the address shown by the records of the department, a notice in writing of the filing of the information, together with a copy thereof and a notice to appear within ten (10) days of the date of the written notice.

1. If the person named in the information shall not voluntarily appear within ten (10) days of the date of the written notice, a warrant shall then issue and may be served by a peace officer having authority to serve warrants in the county in which the alleged violation has been committed.

If the person charged cannot be served within such county, then the magistrate shall deputize a peace officer,

having authority to serve warrants in the county wherein the person charged resides, or may be found, to serve such warrant.

2. The peace officer serving such warrant shall take the defendant before a magistrate, within the city, borough, incorporated town, or township in which the defendant is found, or if there is no person holding the office of magistrate in such city, borough, incorporated town, or township, then the defendant shall be taken before a magistrate in any adjoining city, borough, incorporated town, or township, who shall take bail, either for the defendant's appearance before the magistrate who issued the warrant, or for his appearance for trial in the proper court, if a summary hearing is waived.

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Section 2. This act shall take effect immediately.

Act effective  
immediately.

APPROVED—The 27th day of July, A. D. 1955.

GEORGE M. LEADER

No. 98

AN ACT

Amending the act of May four, one thousand nine hundred twenty-seven (Pamphlet Laws 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," authorizing boroughs with approval of the court of quarter sessions to improve and maintain neglected burial grounds.

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

The Borough  
Code.

Section 1. Section two thousand eight hundred five, act of May four, one thousand nine hundred twenty-seven (Pamphlet Laws 519), known as "The Borough Code," reenacted, amended and revised July ten, one thousand nine hundred forty-seven (Pamphlet Laws 1621), is amended to read:

Section 2805, act  
of May 4, 1927,  
P. L. 519, re-  
enacted, amended  
and revised July  
10, 1947, P. L.  
1621, further  
amended.

Section 2805. Orders of Court as to Neglected Cemeteries.—(a) Authority is vested in the court of quarter sessions to make such orders for the regulation of burial grounds, situated in and adjacent to boroughs, as the public good shall require; and when any burial ground shall become so neglected as, in the opinion of the court, to become a public nuisance, the court may direct the removal of the dead therefrom by the borough authorities to some other burial ground.

(b) *When any burial ground situated in a borough shall become so neglected as, in the opinion of the court of quarter sessions, to become a public nuisance such*