

mail, upon the owner of such land, and if the whereabouts of the owner is unknown, such notice shall be served by registered mail *or certified mail* upon the terre tenant, if any. If such notice cannot be served in said manner on the owner or terre tenant, then such notice shall be served by the county treasurer by posting the same in the courthouse and at a conspicuous place on the premises. If notice was mailed as herein required, no such sale shall be prejudiced or defeated and no title to property sold at such sale shall be invalidated by proof that such written notice was not received by the owner or terre tenant as herein provided.

Posting.

Costs.

The cost of such advertisements, notices and the service thereof shall be taxed as part of the cost of such proceedings and shall be paid the same as the other costs.

APPROVED—The 29th day of April, A. D. 1959.

DAVID L. LAWRENCE

—
No. 32

AN ACT

Consolidating and revising the Vehicle Code, the Tractor Code, the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership, possession and use of vehicles and tractors.

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Article XIV. Motor Vehicle Safety Responsibility Provisions.

Article XV. Repeals and Effective Date.

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

ARTICLE I.

SHORT TITLE AND PRELIMINARY PROVISIONS

Section 101. Short Title.

Section 102. Definitions.

Section 103. Printed Matter.

Section 104. Construction of Act Generally.

Section 105. Constitutional Construction.

Section 106. Uniformity of Interpretation.

Section 101. Short Title.—This act shall be known and may be cited as “The Vehicle Code.”

Section 102. Definitions.—The following words and phrases when used in this act shall, for the purpose of this act, have the following meanings, respectively, except in those instances where the context clearly indicates a different meaning:

“Antique Motor Vehicle.”—Any self-propelled vehicle owned and operated as an exhibition piece or collector’s item, provided such vehicle shall have noted on its registration record the fact that it is such special purpose vehicle, or any self-propelled vehicle manufactured more than twenty-five (25) years prior to the current year, which is used for participation in club activities, exhibits, tours, parades, occasional transportation and similar uses, but is not used for general daily transportation.

“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.

“Business District.”—The territory contiguous to a highway, where fifty (50) percent 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, including as minimum equipment a set of tires attached to wheels, driver’s seat including cab (except in the case of commercial motor vehicles designed for a maximum gross weight of five thousand (5,000) pounds or less where the cab shall be excluded), 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 or amber to the front, and red to the rear.

“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 any tractor.

“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, private school or parochial school of this Commonwealth for the transportation of school children or children between their homes and Sunday school, shall be deemed a “commercial motor vehicle.”

“Controlled Access Highway.”—Every highway, street or roadway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same, except at points only and in the manner as may be determined by the public authority having jurisdiction over the highway, street or roadway.

“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 surfaces.

“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 ($\frac{1}{2}$) the overall standing height of the tire; such tires, when new being no less than four and one-half ($4\frac{1}{2}$) inches high overall including steel base.

“Dealer.”—(1) A person as defined in this act actively and principally engaged in and devoting a substantial portion of his time to the business of manufacturing tractors or in the business of buying, selling or exchanging new motor vehicles, tractors, trailers or semi-trailers on commission, or otherwise, who maintains a salesroom or garage devoted principally to the motor vehicle business, and who holds a contract in writing with a manufacturer, giving such person selling rights for new motor vehicles, tractors, 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, tractors, trailers or semi-trailers in this Commonwealth, or (2) a person as defined in this act actively and principally engaged in and devoting a substantial portion of his time to the business of buying, selling or exchanging used motor vehicles, tractors, 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, or a portion of 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 as defined in this act regularly engaged in the business of transporting new motor vehicles, tractors, trailers or semi-trailers on their own wheels, and who has an established place of business, or (4) a person as defined in this act 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, or (5) any person as defined in this act who maintains an established place of business and who is engaged in the business of buying, selling or exchanging secondhand motor vehicles for the purpose of remodeling, taking apart, or *rebuilding the same, or buying or selling of parts of secondhand motor vehicles,

* “rebuilding” in original.

or the assembling of secondhand motor vehicle parts, or (6) any person as defined in this act engaged in the repair, service or towing of motor vehicles, or (7) a fleet owner who is engaged in his own repair service.

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

“Divided Highway.”—A highway with separate roadways for traffic in opposite directions.

“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.

“Established Place of Business.”—Any place owned or leased and regularly occupied by any person for the primary and principal purpose of engaging in selling, buying, bartering, exchanging or dealing in motor vehicles, tractors, trailers or semi-trailers and where such motor vehicles, tractors, trailers or semi-trailers are displayed and offered for sale and where the books and records required for the conduct of such business are maintained and kept. “Established place of business” shall not include a house trailer, residence, residential garage, tent, temporary stand, temporary address, office space, room or rooms in a hotel, rooming house, apartment house, or single or multi-dwelling unit.

“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.

“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.

“Flammable Liquid.”—Any liquid which has a flash point of seventy (70) degrees Fahrenheit, or less, as determined by a tabliabue or equivalent closed cup test device.

“Fleet Owner.”—Any person who owns a group of fifteen (15) or more motor vehicles.

“Foreign Vehicle.”—Any 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 a vehicle or combination of vehicles and its or their load or loads, exclusive of the operator.

“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.

“Head Lamp.”—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 (2) or more highways which join one another at an angle whether or not one (1) such highway crosses the other.

“Jobber.”—Any person engaged in the purchase and sale of new vehicles or tractors and their sale directly to dealers.

“Judgment.”—Any judgment in excess of five dollars and thirty-three cents (\$5.33) which shall have become final by expiration, without appeal of the time within which an appeal might have been perfected, or by final affirmation on appeal rendered by a court of competent jurisdiction of any state or of the United States upon a cause of action arising out of the ownership, maintenance or use of any motor vehicle for damages, including

damages for care and loss of services because of bodily injury to or death of any person, or for damages because of injury to or destruction of property, including the loss of use thereof, or upon a cause of action on an agreement of settlement for such damages.

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

“License.”—Any license, temporary instruction permit or temporary license issued under the laws of this Commonwealth pertaining to the licensing of persons to operate motor vehicles.

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

“Mechanical Signal.”—A movable device operated mechanically or by the operator of a motor vehicle and so constructed and arranged as to give a cautionary or direction signal to the front and rear.

“Metal Tire.”—Any tire the surface of which in contact with the highway is wholly or partly of metal or other hard non-resilient material.

“Motor Bus.”—Any motor vehicle operated for the carriage of passengers for hire by individuals, associations, copartnerships or corporations, required under the laws of the Commonwealth to obtain certificates 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 January 1, 1914.

“Motorcycle.”—Every motor vehicle having a saddle for the use of riders and designed to travel on not more than three (3) wheels in contact with the ground, bicycles with motor attached, scooter and toy automobiles which are self-propelled by an engine not exceeding four (4) horsepower, except any such vehicle as may be included within the term “tractor.”

“Motor Omnibus.”—Any motor vehicle 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 January 1, 1914, 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 a certificate of public convenience for the carriage of passengers for hire or motor vehicles 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, private school or parochial school of this Commonwealth for the transportation of school children or children between their homes and Sunday school; such motor vehicles to come within the definition of commercial motor vehicle or motor vehicle.

“Motor Vehicle.”—Any 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, except that in Article XIV. of this act, the term “motor vehicle” shall also include trailers and semi-trailers designed for use with such vehicles and vehicles of the tractor type.

“Net Brake Horsepower.”—The net brake horsepower of a vehicle is the horsepower delivered to the clutch or its equivalent with all accessories and attachments (including exhaust pipe, muffler and tail pipe), which are standard or regular equipment on the engine as installed in the vehicle, functioning at the governed speed as certified to by the manufacturer, or otherwise determined by the secretary.

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

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

“Nonresident’s Operating Privilege.”—The privilege conferred upon a nonresident by the laws of this Commonwealth pertaining to the operation by him of a motor vehicle or the use of a motor vehicle owned by him in this State.

“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 natural person who is in actual physical control of a motor vehicle or tractor upon a highway whether or not licensed as an operator under the laws of this Commonwealth.

“Operator’s License.”—The license issued to any natural 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 such 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 a chattel mortgage or 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 mortgagor, conditional vendee or lessee, then such mortgagor, conditional vendee or lessee shall be deemed the owner for the purpose of this act.

“Parking.”—The standing of a vehicle, except a police or fire department vehicle or ambulance, whether occupied or not, upon a highway otherwise than temporarily for the purpose of 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 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 such other 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 State Police, State Highway Patrolman or other police officer, vested with authority of arrest, and such officers and soldiers of the United States

Army, Pennsylvania National Guard and Pennsylvania Reserve Defense Corps who are designated as military police or traffic control guards, while engaged in conveying or transporting troops, animals, equipment or other army impedimenta upon any highway in this Commonwealth.

“Pedestrian.”—Any natural person afoot.

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

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

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

“Proof of Financial Responsibility.”—Proof of ability to respond in damages for liability on account of accidents occurring subsequent to the effective date of said proof, arising out of the ownership, maintenance or use of a motor vehicle in the amount of ten thousand dollars (\$10,000.00) because of bodily injury to or death of one (1) person in any one accident, and, subject to said limit for one (1) person in the amount of twenty thousand dollars (\$20,000.00) because of bodily injury to or death of two (2) or more persons in any one accident, and in the amount of five thousand dollars (\$5,000.00) because of injury to or destruction of property of others in any one accident.

“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.”—A temporary or other card certifying that a motor vehicle, tractor, trailer or semi-trailer has been registered and registration plates or markers issued therefor.

“Registration Plates or Markers.”—Temporary or other plates or markers issued as evidence that a motor vehicle, tractor, trailer or semi-trailer has been registered in this Commonwealth or any other jurisdiction.

“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 410 and 603.

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

“Roadway.”—That portion of a highway improved, designed or ordinarily used for vehicular travel exclusive of the berm or shoulder. In the event a highway includes two (2) or more separate roadways, the term “roadway,” as used herein, shall refer to the roadway separately and not to all roadways collectively.

“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.”—Any 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 head lamp 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 or yellow to the rear as a cautionary signal.

“Solid Rubber Tire.”—Any 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. When used in Article XIV., the term shall include any province of the Dominion of Canada.

“Streetcar.”—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 which is self-propelled, 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 and every vehicle with snow plow blade permanently attached and used exclusively for snow removal, excepting road rollers, ditch diggers, or vehicles used exclusively upon stationary rails or tracks. In the case of motor vehicles, as defined in this act, 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.

“Traffic.”—Pedestrians, vehicles, tractors, and streetcars, 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 or designed and used exclusively for living quarters wholly on its own structure, and to be drawn by a motor vehicle or tractor: Provided, That wagons, wagons equipped with trailer hitch and agricultural machinery drawn by motor vehicles or tractors for the transportation of the agricultural products of the owner of such wagons, wagons equipped with trailer hitch or machinery, or returning from such transportation, shall not be included within such definition, and no fees shall be required to operate such vehicles on the public highways.

“Truck Tractor.”—Any self-propelled 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 Vehicle.”—Any 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 “secondhand” within the ordinary meaning thereof.

“Vehicle.”—Any 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 solely 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 103. Printed Matter.—The secretary is authorized to order, through the Department of Property and Supplies as purchasing agent, the printing of necessary forms, bulletins and other printed matter, required for carrying out the provisions of this act, and for the dissemination of information to the public: Provided, however, That all bulletins or other publications for the dissemination of information to the public shall be distributed only by or with the consent of the Department of Property and Supplies.

Section 104. Construction of Act Generally.—The provisions of this act, so far as they are the same as those of existing law, are intended as a continuation of such laws and not as new enactments. The repeal by this act of any act of Assembly, or part thereof, shall not revive any act or part thereof heretofore repealed or superseded. The provisions of this act shall not affect any act done, liability incurred, or right accrued or vested, or affect any suit or prosecution pending or to be instituted to enforce any right or penalty, or punish any offense, under the authority of such repealed laws.

Section 105. Constitutional Construction.—The provisions of this act are severable, and if any provision thereof is held to be unconstitutional, the decision so holding shall not be construed as *affecting or impairing any other provision of this act or the act as a whole. It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein.

Section 106. Uniformity of Interpretation.—This act shall be so interpreted and construed as to effectuate its

* “affecting” in original.

general purpose to make uniform the law throughout this Commonwealth and all the subdivisions thereof.

ARTICLE II.

CERTIFICATE OF TITLE

- Section 201. Certificate of Title Required.
- Section 202. Application for Certificate of Title.
- Section 203. Contents, Delivery, Effect and Life of Certificate of Title.
- Section 204. Issuance of Certificate of Title.
- Section 205. Correction of Certificate of Title.
- Section 206. Duplicate Certificate of Title.
- Section 207. Assignment of Certificate of Title.
- Section 208. Change of Ownership by Operation of Law and Judicial Sale.
- Section 209. Records of Stolen Vehicles.
- Section 210. Destruction and Cancellation of Records of Certificates of Title; Notice of Junking Motor Vehicles, etc.
- Section 211. Other Penalties.
- Section 212. Application for Title by Agent.
- Section 213. Title to Give Notice of Former Use as Taxicab, etc.

Section 201. Certificate of Title Required.—

(a) No person who is a resident of this Commonwealth shall own a motor vehicle, trailer, or semi-trailer, in this Commonwealth unless a certificate of title therefor shall have been obtained as provided in this act:

(b) Provided, That manufacturers and jobbers shall not be required to obtain certificates of title for new motor vehicles, trailers, or semi-trailers, when consigned by such manufacturers or jobbers to dealers: And further provided, That dealers need not obtain certificates of title for new motor vehicles, trailers, or semi-trailers, until and before sale thereof.

Penalty.—Any person violating the provisions of subsection (a) of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Section 202. Application for Certificate of Title.—

(a) Application for a certificate of title shall be made upon a form prescribed and furnished by the depart-

ment, and shall be accompanied by the fee prescribed in this act, and shall contain a full description of the motor vehicle, trailer, or semi-trailer, the actual or bona fide address and name of the owner, together with a statement of the applicant's title, and of any liens or encumbrances upon said motor vehicle, trailer, or semi-trailer, and whether possession is held subject to a chattel mortgage or under a lease, contract or conditional sale, or other like agreement. Where under the laws of this Commonwealth, any tax is payable by the applicant on, or in connection with, or resulting from, the acquisition or use of a motor vehicle, trailer, or semi-trailer, the application shall be accompanied by a check or money order in the amount of the tax due, or by such evidence as the department may require to show that the tax has been collected. The application shall be signed and verified by oath or affirmation by the applicant, if a natural person; in the case of an association, by a member or partner thereof; and in the case of a corporation, by an executive officer thereof, or some person specifically authorized by said corporation to sign the application, to which shall be attached written evidence of his authority. The secretary shall use reasonable diligence in ascertaining whether or not the facts stated in said application are true, and, if satisfied that the applicant is the lawful owner of such motor vehicle, trailer, or semi-trailer, or is otherwise entitled to have the same titled in his name, and that all taxes payable by the applicant under the laws of this Commonwealth on or in connection with, or resulting from the acquisition or use of the motor vehicle, trailer or semi-trailer have been paid, the department shall issue a certificate of title, bearing the signature or facsimile signature of the secretary, or such officer of the department as he shall designate, and sealed with the seal of the department.

(b) If a motor vehicle, trailer or semi-trailer is used as collateral for a loan after a certificate of title has been issued, the lien thereof may be recorded by making application for a duplicate certificate of title on a form prescribed and furnished by the Secretary of Revenue.

Section 203. Contents, Delivery, Effect and Life of Certificate of Title.—

(a) A certificate of title shall contain such description and other evidence of identification of the motor vehicle, trailer or semi-trailer for which it is issued as the secretary may deem necessary, together with a statement of any liens or encumbrances which the applicant may show to be thereon, together with the names and addresses of the holder or holders of any such liens or encumbrances.

(b) Where there are no liens or encumbrances upon the motor vehicle, trailer or semi-trailer, the certificate of title shall be delivered to the owner, but otherwise it shall be delivered to the person holding the first lien or encumbrance upon said motor vehicle, trailer or semi-trailer, and shall be retained by such person until the entire amount of such first lien or encumbrance is fully paid by the owner of said motor vehicle, trailer or semi-trailer. The outstanding certificate of title, when issued by the secretary showing a lien or encumbrance, shall be adequate notice to the Commonwealth, creditors, subsequent mortgagees, lienors, encumbrancers and purchasers that a lien against the motor vehicle, trailer or semi-trailer exists, and failure to transfer possession of the vehicle, trailer or semi-trailer shall not invalidate said lien or encumbrance. Upon payment of any lien or encumbrance, the outstanding certificate of title shall be delivered immediately to the owner of said motor vehicle, trailer or semi-trailer with proper evidence of satisfaction of same, providing there are no subsequent liens or encumbrances. If there are any subsequent liens or encumbrances upon the motor vehicle, trailer or semi-trailer, the outstanding certificate of title, upon payment of any lien or encumbrance, shall be returned to the department by the person whose lien or encumbrance has been discharged by such payment within forty-eight (48) hours of such payment. A corrected certificate of title, together with a statement of the remaining liens or encumbrances on record, shall be delivered to the person holding the next lien or encumbrance upon said motor vehicle, trailer or semi-trailer, and be retained by such person until the entire amount of such lien or encumbrance is fully paid by the owner of said motor vehicle, trailer or semi-trailer. A corrected certificate of title without statement of liens or encumbrances shall be issued by the department, upon request of the owner, when the outstanding certificate of title is returned with proper evidence that all recorded liens or encumbrances have been satisfied, or when the outstanding certificate of title cannot be returned and proper evidence is produced that all recorded liens or encumbrances have been satisfied, or when the lien or encumbrance upon the motor vehicle, trailer or semi-trailer has not been renewed within the four (4) years immediately preceding the issuance of such corrected certificate of title.

(c) An encumbrance or lien may be renewed within the six (6) months immediately preceding its expiration for as many one-year periods as may be necessary by the holder of such encumbrance or lien, upon a form furnished by the department, which shall be signed by, and verified by oath or affirmation of, the holder of the encumbrance or lien.

(d) A certificate of title may be renewed when record of certificate of title has been cancelled by the department.

Penalty.—Any person failing to deliver upon demand a satisfied certificate of title, as required by the provisions of subsection (b) of this section, shall, upon summary conviction before a magistrate, for a first offense, be sentenced to pay a fine of ten dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days, and for every subsequent failure to deliver upon demand such satisfied certificate of title, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Any person failing to return to the department a certificate of title, where there are subsequent liens or encumbrances, for correction and delivery, as required by the provisions of subsection (b) of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days, and for every subsequent failure to return such certificate of title shall be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days: Provided, That no person shall be deemed guilty of a violation of this section if he shall deliver the certificate of title to the department within forty-eight (48) hours of the satisfaction of any lien or encumbrance.

Section 204. Issuance of Certificate of Title.—It shall be lawful for the secretary to issue, in the name of the first owner of a new or rebuilt motor vehicle, trailer, or semi-trailer, a certificate of title, if such owner presents to the secretary an application for such certificate duly made and acknowledged by the manufacturer, jobber, or dealer, and assigned to such owner, accompanied by the fees prescribed in this act.

Section 205. Correction of Certificate of Title.—When it is shown by proper evidence, upon investigation, and good cause appearing therefor, that any certificate of title has been issued in error to a person not entitled thereto, or contains incorrect information due to any cause, the secretary shall notify in writing the person to whom such certificate has been issued and such person shall immediately return such certificate of title within forty-eight (48) hours, together with any other information necessary for the adjustment of the department

records, and upon receipt thereof, the secretary shall cancel such certificate and issue a corrected certificate of title without fee.

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 dollars (\$25.00) and costs of prosecution, and in default thereof, shall undergo imprisonment for not more than ten (10) days.

Limitation.—The provisions of this section are subject to the limitation of actions as set forth in section 1201 of this act.

Section 206. Duplicate Certificate of Title.—In the event of a lost, destroyed, defaced or illegible certificate of title, or for the purpose of recording a lien against any motor vehicle, trailer or semi-trailer, which lien arises after the original certificate of title has been issued, an application may be made to the department for a duplicate, upon a form prescribed and furnished by the department, which shall be signed by the owner and sworn to before a notary public or other officer empowered to administer oaths, and accompanied by the fee provided in this act. Thereupon, the department shall issue a duplicate certificate of title to the owner or person entitled to receive same under the provisions of this act.

Section 207. Assignment of Certificate of Title.—

(a) In the event of the sale or transfer of the ownership of a motor vehicle, trailer or semi-trailer, for which certificate of title has been issued, the owner of such vehicle shall execute an assignment of the certificate of title to the purchaser or transferee, with warranty of title, with a statement of all liens, encumbrances or legal claims on said vehicle, the name and address of the holder of said liens, encumbrances or legal claims, sworn to before a notary public or other officer empowered to administer oaths, and deliver the same to the purchaser or transferee at the time of the delivery to him of such vehicle.

(b) The purchaser or transferee, except as herein provided, shall, within fifteen (15) days of such assignment or reassignment of certificate of title, on a reassignment form furnished by the department, present to the secretary such assigned certificate of title or reassignment form, sworn to before a notary public or other officer empowered to administer oaths, with the assigned certificate of title attached thereto, together with a statement of all liens, encumbrances, or legal claims on said motor vehicle, trailer or semi-trailer, with application

for certificate of title and accompanied by the fee prescribed in this act, whereupon a new certificate of title may be issued in the name of the owner.

(c) When the purchaser or transferee of a motor vehicle, trailer or semi-trailer is a manufacturer, jobber or dealer, who holds the same for resale, such manufacturer, jobber or dealer shall not be required to apply for a certificate of title as provided for in subsection (b) of this section, but such manufacturer, jobber or dealer shall, within ten (10) days from the date of assignment of the certificate of title to such manufacturer, jobber or dealer, notify the department, upon a form prescribed and furnished by it, of the acquisition of such vehicle. The manufacturer's, jobber's or dealer's notification as to any motor vehicle, trailer or semi-trailer so acquired must be executed in duplicate, the original of which must be forwarded to the department as herein required, and the duplicate shall be retained by such manufacturer, jobber or dealer and shall be exhibited, with the assigned certificate of title, upon request of any peace officer or department employe.

The manufacturer, jobber or dealer, upon transferring his interest in said motor vehicle, trailer or semi-trailer, shall execute and deliver to the purchaser thereof an assignment upon a form prescribed and furnished by the department, to which shall be attached the assigned and executed application for certificate of title by such manufacturer, jobber or dealer. Thereupon, the purchaser of said motor vehicle, trailer or semi-trailer shall apply for a certificate of said title within fifteen (15) days of the assignment by the manufacturer, jobber or dealer: Provided, however, That the provisions of this subsection shall not apply to a motor vehicle, trailer or semi-trailer repossessed upon default of the performance of the terms of a lease, contract of conditional sale, or other like agreement, or when ownership of a motor vehicle, trailer or semi-trailer is transferred from one manufacturer, jobber or dealer to another manufacturer, jobber or dealer.

Penalty.—Any person violating any of the provisions of subsection (a) or (b) of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days. Any person violating any of the provisions of subsection (c) of this section shall, upon summary conviction before a magistrate, for a first offense, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days, and, for a second or subsequent offense, the fine shall be fifty dol-

lars (\$50.00) and costs of prosecution, and, in default of the payment thereof, such person shall undergo imprisonment for not more than twenty (20) days.

Limitation.—The provisions of this section are subject to the limitation of actions as set forth in section 1201 of this act.

Section 208. Change of Ownership by Operation of Law and Judicial Sale.—In the case of the transfer of ownership or possession of a motor vehicle, trailer or semi-trailer, by operation of law, as upon inheritance, devise or bequest, order in bankruptcy, insolvency, replevin or execution sale, or whenever a motor vehicle, trailer or semi-trailer is sold at public sale to satisfy storage or repair charges, or repossession is had upon default in performance of the terms of a chattel mortgage, lease, contract of conditional sale, or other like agreement made upon, or in connection with, any encumbrance or lien recorded and continuing of record in the department, it shall thereupon become the duty of the person from whose possession such motor vehicle, trailer or semi-trailer was taken, if there are no liens, encumbrances or legal claims thereon, and without prejudice to his rights in the premises, immediately to surrender the certificate of title for such motor vehicle, trailer or semi-trailer to the person to whom possession of such motor vehicle, trailer or semi-trailer has so passed. The secretary, upon surrender of the outstanding certificate of title, or when that is not possible, or when the said certificate of title for such motor vehicle, trailer or semi-trailer is held by a person holding a first lien, encumbrance or legal claim thereon, upon presentation of satisfactory proof to the secretary of ownership and right of possession to such motor vehicle, trailer or semi-trailer, and upon payment of the fee prescribed in this act, and presentation of an application for a certificate of title, may issue to the applicant to whom possession of such motor vehicle, trailer or semi-trailer has so passed a certificate of title thereto; but where a first lien, encumbrance or legal claim upon such motor vehicle, trailer or semi-trailer is held by another, the secretary shall deliver the said certificate of title, containing thereon a statement of the liens, encumbrances or legal claims upon such motor vehicle, trailer or semi-trailer, to the person holding such first lien, encumbrance or legal claim, which shall be retained by such person until the entire amount of such first lien, encumbrance or legal claim is fully paid by the owner of said motor vehicle, trailer or semi-trailer, when the said certificate of title shall be delivered to said owner by the person who held the first lien, encumbrance or legal claim, with proper evidence of satisfaction of same. A corrected certificate

of title, without statement of liens, encumbrances or legal claims, shall be issued by the secretary, upon request of the owner, when the outstanding certificate of title is returned with proper evidence that all liens, encumbrances or legal claims have been satisfied, or when the outstanding certificate of title cannot be returned, and proper evidence is produced that all said liens, encumbrances or legal claims have been satisfied, or when the lien or encumbrance upon the motor vehicle, trailer or semi-trailer has not been renewed within four (4) years immediately preceding the issuance of such corrected certificate of title. The certificate of title, when issued by the secretary, showing a lien or encumbrance shall be adequate notice to the Commonwealth, creditors, subsequent mortgagees, lienors, encumbrancers and purchasers that a lien against the motor vehicle, trailer or semi-trailer exists, and failure to transfer possession of the vehicle, trailer or semi-trailer shall not invalidate said lien or encumbrance: Provided, That the secretary shall not incur any personal liability in carrying out the provisions of this section or in furnishing any information from the records of the department with respect to the existence or nonexistence of any lien or encumbrance on any motor vehicle, trailer or semi-trailer.

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 dollars (\$25.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Section 209. Records of Stolen Vehicles.—

(a) It shall be the duty of the secretary, whenever he receives report of the theft of a motor vehicle, trailer or semi-trailer, whether the same has been registered or not, and whether owned in this or any other state, together with the name and manufacturer's serial number thereof, to make a distinctive record thereof and file the same in numerical order of the manufacturer's serial number with the records of the motor vehicles, trailers or semi-trailers of such name already titled. Such records may, at the discretion of the secretary, be destroyed after three (3) years.

(b) In the event of the receipt of an application for a certificate of title of such motor vehicle, trailer or semi-trailer, the secretary shall immediately notify the rightful owner thereof, and shall withhold the issuing of such certificate of title until the proper investigation shall have been made.

(c) In the event of the recovery of a stolen motor

vehicle, trailer or semi-trailer, of which the secretary has been notified, it shall be the duty of the owner to notify the secretary immediately.

(d) It shall be the duty of every peace officer, having knowledge of a stolen motor vehicle, trailer or semi-trailer, immediately to furnish the secretary with full information in connection therewith.

(e) The secretary shall prepare a report listing motor vehicles, trailers and semi-trailers, stolen and recovered, as disclosed by the reports submitted to him, to be distributed as he may deem advisable.

Penalty.—Any person violating any of the provisions of subsection (c) of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 210. Destruction and Cancellation of Records of Certificates of Title; Notice of Junking Motor Vehicles, etc.

(a) The secretary shall maintain a record of certificates of title issued and may, after three (3) years from year of issue, at his discretion, destroy such records.

(b) The owner of a motor vehicle, trailer or semi-trailer shall notify the secretary, within ten (10) days, of the sale of any such vehicle to a resident of another state or foreign country, or of the destruction or junking of any such vehicle, and return certificate of title to the department for cancellation of record.

(c) Any owner, who sells a motor vehicle, trailer or semi-trailer as scrap, or to be destroyed or junked, shall assign the certificate of title thereto to the person to whom the vehicle is sold, but shall return such assigned certificate of title to the department immediately with an application for a certificate of junk, whereupon the department shall issue to the person shown as the assignee a certificate of junk, which shall authorize the holder thereof to possess, transport, or by endorsement, transfer ownership in such junked vehicle, and a certificate of title shall not again be issued for such vehicle.

(d) The secretary, upon receipt of notification from another state or foreign country that a certificate of title issued by the department has been surrendered by the owner in conformity with the laws of such other state or foreign country, may cancel such record of certificate of title.

(e) The secretary, upon receipt of certification from the clerk of any court showing conviction for a misstatement of facts on an application for certificate of title or duplicate thereof or any assignment of certificate of

title, shall forthwith cancel the record of such certificate of title, assignment or duplicate certificate, and require that the certificate of title be returned immediately to the department for cancellaion of record.

(f) The secretary may cancel or suspend any record of certificate of title when a check received in payment of the fee therefor is not paid on demand or when the fee for the certificate of title is unpaid and owing.

(g) The secretary may cancel the certificate of title issued for a new motor vehicle, trailer or semi-trailer, in the possession of a dealer when it is shown by satisfactory evidence that the vehicle has been returned to the manufacturer, jobber or dealer from whom obtained.

(h) It shall be unlawful to purchase or sell a certificate of title or certificate of junk. Peace officers or department representatives may confiscate such certificates when unlawfully possessed or used.

(i) The secretary may cancel the record of certificate of title of any motor vehicle, trailer or semi-trailer when registration has not been applied for within any of the three (3) immediate preceding years.

(j) The secretary shall have the authority to cancel certificates of title for vehicles sold to residents of other states or of foreign countries, or for abandoned or wrecked vehicles, trailers or semi-trailers, authorized to be junked as provided in this act.

Penalty.—Any person violating any of the provisions under subsection (b), (c) or (h) of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Limitation.—The provisions of this section are subject to the limitation of actions as set forth in section 1201 of this act.

Section 211. Other Penalties.—Any person who shall be convicted of any of the following offenses, shall be guilty of a felony, and shall, upon conviction thereof in a court of quarter sessions, be sentenced to pay the following fines and costs of prosecution, or to undergo imprisonment for the terms indicated, or both, for each offense:

(1) Altering or forging any certificate of title to a motor vehicle, trailer or semi-trailer, or any assignment thereof, or possessing or using any such certificate or assignment knowing the same to have been altered or forged, not more than one thousand dollars (\$1,000.00), or not more than two (2) years, or both such fine and imprisonment.

(2) Procuring or attempting to procure certificate of title to a motor vehicle, trailer or semi-trailer, or passing or attempting to pass certificate of title or any assignment thereof to such a vehicle, knowing or having reason to believe that such vehicle has been stolen, not more than one thousand dollars (\$1,000.00), or not more than two (2) years, or both such fine and imprisonment.

Section 212. Application for Title by Agent.—

(a) No person shall make application for a certificate of title when acting for another person unless the authorization to make such application is in effect, and is verified by oath or affirmation of such other person, made not more than fifteen (15) days before such application is received by the department.

(b) No person shall make application for, or assign or physically possess, a certificate of title, or direct or allow another person in his employ or control to make application for, or assign or physically possess, a certificate of title, unless the name of the person who is assignee, purchaser or lessee is placed on the assignment of certificate of title simultaneously with the name of the assignor, seller or lessor.

(c) No person shall receive, obtain or hold a certificate of title recorded in the name of another person for such other person who is not in the regular employ of or not a member of the family of such other person, unless the person receiving, obtaining or holding the certificate of title has a valid undischarged encumbrance recorded in the department against the vehicle represented by such certificate of title.

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 one hundred dollars (\$100.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Limitation.—The provisions of this section are subject to the limitation of actions as set forth in section 1201 of this act.

Section 213. Title to Give Notice of Former Use as Taxicab, etc.—No person shall assign a certificate of title to any motor vehicle designated in section 709 herein as classes A and B which has been used as a taxicab or for the carrying of passengers for hire or has ever been offered to the public for hire, unless such certificate shall clearly contain notice thereon, either printed or type-written or written by hand in ink, that such vehicle has been so used.

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

trate, be sentenced to pay a fine of fifty dollars (\$50.00) and costs of prosecution, and, in default of payment thereof, shall undergo imprisonment for not more than ten (10) days.

Limitation.—The provisions of this section are subject to the limitation of actions as set forth in section 1201 of this act.

ARTICLE III.

DEFACED MANUFACTURER'S SERIAL NUMBER

Section 301. Possession or Operation of a Vehicle with Defaced Number.

Section 302. Special Number Plate.

Section 303. Officer to Seize Vehicle Having Defaced Number; Authority to Dispose of Same.

Section 304. Sale of Vehicle with Defaced Number.

Section 301. Possession or Operation of a Vehicle with Defaced Number.—It shall be unlawful to have possession of or to operate a motor vehicle, trailer or semi-trailer on which the manufacturer's serial number has been omitted, obliterated or defaced: Provided, however, That this shall not affect those persons authorized by law to have in their possession vehicles on which the manufacturer's serial number has been omitted, obliterated or defaced.

Penalty.—Any person violating any of the provisions of this section, shall be guilty of a misdemeanor, and shall, upon conviction thereof in a court of quarter sessions, be sentenced to pay a fine of two hundred dollars (\$200.00) and costs of prosecution, or undergo imprisonment for not more than three (3) years, or suffer both such fine and imprisonment.

Section 302. Special Number Plate.—

(a) No motor vehicle, trailer or semi-trailer on which the manufacturer's serial number has been omitted, obliterated or defaced shall be titled without special permit from the secretary.

(b) Before a certificate of title for any such motor vehicle, trailer or semi-trailer can be obtained, the owner shall apply to the secretary for a special number plate, on a form furnished by the department, which shall contain the full name and actual or bona fide address of the owner, the date of purchase of such vehicle, the name and address of the person from whom it was purchased, together with satisfactory evidence that the manufacturer's serial number was not removed for the purpose of concealing the identity of such vehicle, and shall

be sworn to before a notary public or other officer empowered to administer oaths. The secretary shall furnish a special number plate, which shall be immediately placed on the component part from which the original number was destroyed, removed, covered, altered or defaced, and the certificate of title will not be valid until this special number requirement has been complied with. Such special number shall be preceded by the letter "S," and followed by "Pa."

Section 303. Officer to Seize Vehicle Having Defaced Number; Authority to Dispose of Same.—

(a) It shall be the duty of every peace officer having knowledge of a motor vehicle, trailer or semi-trailer on which the manufacturer's serial number has been destroyed, removed, covered, altered or defaced, to immediately seize and take possession of such vehicle, and arrest or file information for the arrest of the supposed owner or custodian thereof. It shall be the duty of the court to retain in custody the seized vehicle, pending prosecution of the person arrested, and in case such person shall be found guilty, said vehicle shall remain in the custody of the court until the fine and costs of prosecution shall be paid: Provided, however, That if ninety (90) days have elapsed after judgment has been rendered, and such fine and costs have not been paid, the court shall proceed to advertise and sell said vehicle in the manner provided by law for the sale of personal property under execution.

The proceeds from such sale shall be used to pay the fine and costs of prosecution, and the balance, if any, shall be forwarded to the department, and same shall be transmitted to the State Treasury and credited to the "Motor License Fund."

(b) If ownership to such vehicle, trailer or semi-trailer is not established to the satisfaction of the court, said motor vehicle shall be confiscated by the court, and sold immediately, and the proceeds thereof shall be used to pay the costs of proceedings, and the balance, if any, shall be forwarded to the department and same to be transmitted to the State Treasury and credited to the "Motor License Fund."

Section 304. Sale of Vehicle with Defaced Number.— Any person selling or offering for sale in this Commonwealth a motor vehicle, trailer or semi-trailer on which the manufacturer's serial number has been destroyed, removed, covered, altered or defaced, with knowledge of said destruction, removal, covering, alteration or defacement of said manufacturer's serial number, shall be guilty of a felony, and shall, upon conviction thereof in a court of quarter sessions, be sentenced to pay a fine of

five thousand dollars (\$5,000.00) and costs of prosecution, or undergo imprisonment for not more than ten (10) years, or suffer both such fine and imprisonment.

ARTICLE IV.

REGISTRATION

Section 401. Registration of Motor Vehicles, Tractors, Trailers and Semi-Trailers Required; Special Permits for Nonresidents.

Section 402. Application for Registration.

Section 403. Calculations of Horsepower.

Section 404. File of Applications.

Section 405. Registration Cards.

Section 406. Registration Card to be Carried.

Section 407. Name and Address on Registration Card Shall Correspond with Actual Name and Address.

Section 408. Proof of Certificate of Public Convenience.

Section 409. Registration of Manufacturers, Jobbers and Dealers.

Section 410. Registration by Nonresidents; Exemption of Nonresidents and Agreements with Other States.

Section 411. Registration Shall Be Refused in Certain Events.

Section 412. Transfer of Registration; Temporary Registration Cards.

Section 413. Suspension of Registration Upon Certification From Public Utility Commission.

Section 414. Registration Suspended.

Section 415. Expiration of Registration.

Section 416. Police Departments and Sheriffs to Have Registration Bulletins.

Section 417. Sale of Copy of Registration, Learners' Permits or Statistics.

Section 401. Registration of Motor Vehicles, Tractors, Trailers and Semi-Trailers Required; Special Permits for Nonresidents.—

(a) Except as is hereinafter provided, no motor vehicle, tractor, trailer or semi-trailer shall be operated upon any highway in this Commonwealth until such vehicle or tractor shall have been properly registered with the de-

partment, as hereinafter provided, and the registration plate or plates that have been issued for the vehicle or tractor for the current year are received and displayed as required by this act, and no such vehicle shall be registered until a certificate of title has been obtained therefor.

(b) Except as hereinafter provided the owner of a foreign vehicle operated within this Commonwealth for the transportation of persons for compensation, either regularly according to schedule, or for a period exceeding thirty (30) days in the calendar year, unless exempted from registration under the terms of a reciprocity agreement, shall register such vehicle and pay the same fees therefor as are required for like vehicles owned by residents of this Commonwealth.

(c) *Notwithstanding the registration provisions of this act, motor buses and motor omnibuses, consisting of a fleet of five (5) or more, owned by a duly certificated motor bus common carrier of passengers for hire over regular routes between fixed termini, and engaged in interstate, or partly in interstate and partly in intrastate transportation, as a class may, with the approval of the secretary, be registered and fees paid therefor as follows:

(1) The department shall establish a separate series of motor vehicle license tags or identification stickers for fleet use and, upon payment of the estimated fleet registration cost for a registration year determined as hereinafter provided, shall issue to a fleet owner as many tags or stickers at a fee of one dollar (\$1.00) each for use during a registration year as the fleet owner may apply for, either at the time of making the payment, or thereafter during the registration year.

(2) On or before the first day of each registration year for which tags are to be issued, the fleet owner shall prepare and file with the department a statement, under oath, disclosing for the preceding calendar year herein called the "base period," the following detailed information:

(i) Total bus miles operated everywhere during the base period by all motor buses or motor omnibuses owned by the fleet owner, and total bus miles operated in the Commonwealth during the base period by all motor vehicles in the service of the fleet owner.

(ii) A schedule listing each motor vehicle owned by the fleet owner which was used in the fleet owner's operations everywhere during the period, and stating with respect to each motor vehicle the bus number, make, model, year of manufacture, seating capacity, date of acquisition, and, if disposed of during the base period, date of disposition.

* "notwithstanding" in original.

(3) The fleet owner's estimated fleet licensing cost for the ensuing license year shall be a sum equal to the registration fee for one (1) motor bus, having the same seating capacity as the average of the seating capacities of the buses owned by the fleet owner, during the base period, multiplied by the quotient, including fractions or decimals, resulting from dividing the average miles operated by each motor bus owned by the fleet owner during the base period into the total bus miles operated during the base period in the Commonwealth, the average miles operated by each bus to be determined by dividing the average number of motor buses owned during the base period into the total miles operated everywhere with motor buses during the base period.

(4) The estimated fleet licensing cost for fleet owners commencing operations in the Commonwealth during a registration year or who, at the beginning of a registration year, have not operated in this State for the base period, as defined in subsection (c) (2) of this section, shall be determined in accordance with regulations prescribed by the department.

(5) Each fleet owner who has used mileage apportionment tags or stickers during any registration year shall, within sixty (60) days of the succeeding year, file with the department a statement setting forth for the registration year in each and all of the details prescribed in this subsection the actual operating record and experience, and the corrected fleet registration cost shall be determined on the basis hereof in accordance with the same formula as that above prescribed for determining the estimated fleet registration cost. At the time of filing the statement, the fleet owner shall pay any excess of the corrected fleet registration cost so computed for the registration year over the estimate thereof previously paid or, if the estimate previously paid exceeds the corrected cost, the excess shall be promptly refunded to the fleet owner after the filing of the statement.

(6) The department may require fleet owners, registering under this subsection, to submit, under oath, any additional information that it may deem necessary for the proper administration of the provisions of this section.

The provisions of this subsection (c) shall not affect the right of the secretary to enter into reciprocity agreements as provided for in this act.

(d) Except as hereinafter provided, every nonresident, including any foreign corporation carrying on business within this Commonwealth and owning and regularly operating in such business any motor vehicle, trailer or semi-trailer, within this Commonwealth, unless exempted from registration under the terms of a reciproc-

ity agreement, shall be required to register each such vehicle and pay the same fee therefor as is required with reference to like vehicles owned by residents of this Commonwealth.

(e) Any nonresident who brings a vehicle properly registered in his resident state into the Commonwealth for transporting seasonal crop workmen to be employed on Pennsylvania farms or for seasonal crop operations on Pennsylvania farms, may obtain a special permit to operate the vehicle for a period of ninety (90) days in any one registration year from the date he would otherwise be required to register the vehicle. The fee for the permit shall be one-fourth ($\frac{1}{4}$) of the fee paid by residents of the Commonwealth for registration of similar vehicles. Upon payment of the fee, the department shall issue the nonresident applicant a special certificate which shall contain the name and address of the nonresident owner, the registration plate number issued him by his resident state, the commencing and expiration date of the permit, and a statement that the vehicle is used in transporting seasonal crop workmen or seasonal crop operations on Pennsylvania farms. The nonresident shall conspicuously display his resident registration plate and shall carry on his person the special certificate when operating the vehicle on the highways of this Commonwealth. Vehicles for which special permits are obtained pursuant to this subsection shall be subject to inspection of their mechanism and equipment as required of other vehicles by this act.

(f) Motor vehicles, tractors, trailers and semi-trailers determined by the department to be used exclusively by any person, or his agents and employes, upon the farm or farms he owns or operates, or upon highways connecting by the most direct route any farms or portions of farms, all of which are situated in any one county or county next adjoining thereto (unless the same is a farm tractor in which event the limitation of county lines shall not be applicable) and under the single ownership or operation of such person, shall be exempt from registration and no certificate of exemption shall be required: Provided, That vehicles exempt from registration under this act, which use the highways as above limited, may be operated upon highways connecting by the nearest route such farm or farms and the nearest official inspection station for purposes of inspection, as provided for in this act.

(g) Whenever the number of semi-trailers, registered for the current registration year in this Commonwealth by any person, shall equal or exceed the number of truck tractors similarly registered by him, it shall be lawful to operate upon a highway a combination of any such truck tractor and a semi-trailer registered elsewhere than in this Commonwealth.

(h) Whenever the number of trailers, registered for the current registration year in this Commonwealth by any person, shall equal or exceed the number of commercial motor vehicles similarly registered by him, it shall be lawful to operate upon a highway a combination of any such commercial motor vehicle and a trailer registered elsewhere than in 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 dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 402. Application for Registration.—

(a) Application for the registration of a motor vehicle, tractor, trailer or semi-trailer, shall be made to the department, upon a form furnished by the department. The application shall contain the full name and the actual or bona fide address of the owner or owners, together with the name, manufacturer's serial number, the character of the motive power, seating capacity and, in the case of commercial motor vehicles, the number of square inches of aggregate *braking surface of the service brakes as given and certified to by the manufacturer, the rated net brake horsepower of the engine or motor, the governed speed at which determined, and a declaration of the class in which the vehicle is to be registered, together with the maximum gross weight allowed for such class, 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, if so constructed, or the weight of the trailer or semi-trailer exclusive of the load to be transported, and, in the case of trailers or semi-trailers, other than those designed and used exclusively as living quarters, a declaration of the class in which the trailer or semi-trailer is to be registered and the maximum gross weight allowed for such class, and also such description of the motor vehicle, trailer or semi-trailer, including lamps and other equipment, as the secretary shall require. The application shall be signed by the owner, if a natural person, and in cases 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, and shall be accompanied by the fee provided in this act.

(b) Applicants for registration, who are not residents of this Commonwealth, shall, by their application, in

* "braking" in original.

addition to the above requirements, designate the secretary as their authorized agent upon whom process may be served.

(c) Annual renewals of the registration of a motor vehicle, tractor, trailer or semi-trailer, shall be made in such manner as the department may require, upon a form furnished by the department, accompanied by the fee provided in this act. The department shall mail such forms to the last address of the owner as it appears on the department records.

Provided, That annual renewal forms shall not be mailed to owners of motor vehicles, tractors, trailers and semi-trailers, not registered by such owners during the previous year. Such renewal forms may, however, be obtained upon presentation of certificate of title, or such other information as the secretary may deem satisfactory.

Section 403. Calculations of Horsepower.—The horsepower of motor vehicles, except those propelled by steam or electricity, shall be computed by the following formula: Diameter of bore in inches, squared, times the number of cylinders, times four tenths (.4). The accepted horsepower for the registration of motor vehicles propelled by steam or electricity shall be that given and certified to by the manufacturer.

Section 404. File of Applications.—

(a) Upon receipt of each application, when the department is satisfied as to the genuineness and regularity thereof, and that the applicant is entitled thereto, the department shall register the motor vehicle, tractor, trailer or semi-trailer therein described and the name of the owner thereof in suitable books, or in index cards as follows:

(1) Under a distinctive registration number assigned to the motor vehicle, tractor, trailer or semi-trailer, and to the owner thereof hereinafter referred to as the registration number.

(2) Alphabetically under the name of the owner.

(3) Numerically and alphabetically, under the manufacturer's serial number and name of the motor vehicle, tractor, trailer or semi-trailer.

(b) The secretary may cause the application for registration and records in connection therewith to be destroyed one (1) year after the year for which issued.

Section 405. Registration Cards.—

(a) The department, upon registering a vehicle or tractor, shall issue to the owner a registration card, which shall contain the registration number assigned to the owner and to the vehicle or tractor, the name and address of the owner, also a description of the vehicle or tractor,

including the manufacturer's serial number thereof, and such other statement of facts as may be determined by the department.

(b) 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.

(c) In the event of a lost, destroyed, or illegible registration card, it shall be the duty of the owner to apply to the department for a duplicate, within forty-eight (48) hours of his discovery of the loss or defacement of such registration card, upon a form furnished by the department, and accompanied by the fee provided in this act.

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

(e) In the event of a change of name or address of the owner as appearing on the registration card, it shall be the duty of such owner to notify the department, within forty-eight (48) hours, of such change of name or address.

Penalty.—Any person violating the provisions of subsection (b) or (c) of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of five dollars (\$5.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than three (3) days.

Section 406. Registration Card to be Carried.—The registration card issued for a motor vehicle, tractor, trailer or semi-trailer shall, at all times while the vehicle or tractor is being operated upon a highway, be in the possession of the operator thereof or carried in the vehicle.

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 dollars (\$5.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than three (3) days.

Section 407. Name and Address on Registration Card Shall Correspond with Actual Name and Address.—No person shall operate or allow another person to operate a motor vehicle, tractor, trailer or semi-trailer, registered in this Commonwealth, when the name or address of the owner as appearing on the registration card, is not identical with the actual name and address of such owner, unless the owner has notified the department of this

variance, and given the correct name and address within forty-eight (48) hours of the time of change of name or address, or of discovery of the variance.

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 dollars (\$5.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than three (3) days.

Limitation.—The provisions of this section are subject to the limitation of actions as set forth in section 1201 of this act.

Section 408. Proof of Certificate of Public Convenience.—Before registering any motor vehicle to be used as a motor bus, the secretary shall require evidence that a certificate of public convenience has been issued by the Public Utility Commission, which certificate shall not have been revoked, or shall not have expired by reason of limitations therein contained, or that public service was begun prior to January 1, 1914.

Section 409.—Registration of Manufacturers, Jobbers and Dealers.—

(a) Motor vehicles, tractors, trailers and semi-trailers, owned or in the possession of manufacturers, jobbers or dealers, shall be exempt from individual registration, *if said manufacturer, jobber or dealer registers with the department in the "Dealer's Class."

(b) Application for such registration shall be made upon a form provided by the department, and shall set forth the full name and business address of the applicant, and such other information as the department shall require, and shall be signed by such manufacturer, jobber or dealer. Upon receipt of the application, accompanied by the fee provided in this act for each registration desired, the department shall register the manufacturer, jobber or dealer in the "Dealer's Class."

(c) No motor vehicle, tractor, trailer or semi-trailer shall, under any circumstances, be operated under a manufacturer's, jobber's or dealer's registration, unless the registration card for the registration plate or plates displayed is carried in the motor vehicle, tractor, trailer or semi-trailer, or is in the immediate possession of the operator, and bears the signature of the manufacturer, jobber or dealer to whom issued.

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

* "of" in original.

of five dollars (\$5.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than three (3) days.

Section 410. Registration by Nonresidents; Exemption of Nonresidents and Agreements with Other States.—

(a) The secretary shall have the authority to make agreements with the duly authorized representatives of other states, exempting the residents of such other states using the highways of this Commonwealth from the payment of all or any taxes, fees or other charges imposed under this act, with such restrictions, conditions and privileges, or lack of them, as he may deem advisable, providing that all motor vehicles, tractors, trailers and semi-trailers owned by nonresidents shall be properly registered in the state of the residence of their owner, and shall conspicuously display a registration plate, and that residents of this Commonwealth, when using the highways of such other state, shall receive exemptions of a similar kind to a like degree.

(b) The secretary shall also have the authority to make agreements with the duly authorized representatives of other states, exempting the residents of such other states using the highways of this Commonwealth from compliance with any or all of the provisions of Articles VIII. and IX. of this act, with such restrictions, conditions and privileges, or lack of them, as he may deem advisable, providing that all motor vehicles, tractors, trailers and semi-trailers owned by nonresidents shall conspicuously display a registration plate, and comply with all the provisions of the laws of the state of residence of their owner relating to equipment of such vehicles or tractors, and that residents of this Commonwealth, when using the highways of such other state, shall receive exemptions of a similar kind to a like degree.

(c) If, by the laws of any other state, any taxes, fees, charges, fines, penalties or other obligations, or prohibitions, relating to equipment, size, weight and construction of motor vehicles, tractors, trailers or semi-trailers, or restrictions or limitations of any kind whatsoever, are imposed upon such vehicles or tractors of residents of this Commonwealth additional to, or in excess of, those imposed by this Commonwealth upon such vehicles or tractors of residents of such other state, the secretary shall have the authority to impose and collect taxes, fees or charges in a like amount, and provide for similar fines, penalties, obligations and prohibitions, upon the owner or operator of a vehicle or tractor registered in such other state so long as the laws of such other state remain in force and effect.

(d) Where provisions relating to the equipment, size, weight or construction of motor vehicles, tractors, trailers or semi-trailers engaging in interstate commerce are included within, or prohibited by any Federal law or regulation now existing or hereafter enacted or adopted, the secretary shall have the authority to exempt from the operation of any or all of the provisions of Articles VIII. and IX. of this act any or all classifications of vehicles or tractors registered in this Commonwealth, with such restrictions, conditions and privileges, or lack of them, as he may deem advisable. Vehicles or tractors, so exempted, shall be subject to the laws or regulations enacted or adopted by the Federal Government relating to the equipment, size, weight or construction of such vehicles or tractors, to the same extent and with the same force and effect as if such laws or regulations were expressly set forth in this act. Prosecutions and arrests for violations of such laws or regulations shall be brought or made subject to the conditions herein described with the same limitations as are now or which may hereafter be provided for other prosecutions and arrests made under this act.

(e) Nonresidents of this Commonwealth, except as otherwise provided in this act, even in the absence of any agreement as hereinbefore provided, will be exempt from the provisions of this act as to the registration of motor vehicles, tractors, trailers and semi-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 such nonresidents: Provided, That such nonresidents shall have complied with the provisions of the law of the foreign country or state of their residence relative to the registration and equipment of their vehicles or tractors, and shall conspicuously display registration plates.

Penalty.—Any person owning or operating a vehicle or tractor not registered in this Commonwealth in violation of the terms of any agreement made under this section or in the absence of any agreement, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days or suffer such other penalty as the secretary may prescribe under subsection (c) of this section.

Section 411. Registration Shall Be Refused in Certain Events.—The department shall not register any vehicle or tractor 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 or tractor is not constructed or equipped as required by this act.

Section 412. Transfer of Registration; Temporary Registration Cards.—

(a) Upon transfer of ownership, except a transfer from a husband to his wife or from a wife to her husband, or from either to both jointly, or from both jointly to either husband or wife, and upon the destruction of any motor vehicle, tractor, trailer or semi-trailer, the registration shall expire.

(b) When transfer of registration plates is made from one motor vehicle, tractor, trailer or semi-trailer, to another owned by the same person, or when transfer of registration plates issued for a motor vehicle, tractor, trailer or semi-trailer, owned by a husband or wife, or jointly, is made from one such vehicle or tractor to another owned by either husband or wife, or jointly, 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, tractor, 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 vehicle or tractor 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 or the registration card of the husband or wife or husband and wife making such transfer.

(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, 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 vehicle, including lamps and other equipment, as the secretary shall require. The application shall be signed by the owner, if a natural person, and in the cases where the owner is a

* "horsespower" in original.

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.

(e) When a transfer of registration is made after a vehicle or tractor has been registered for the succeeding year, and the transfer application has been received and completed by the department prior to 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, trailer or semi-trailer: 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 * 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. Upon suspension of such privilege, the secretary shall require the surrender of any temporary registration cards that such person shall have in his possession. Temporary registration cards shall set forth the name and address of the owner of the vehicle, the registration number, the make and manufacturer's serial number of the vehicle from which transfer of registration is desired, and the make and manufacturer's serial 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.

* "and" in original.

(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 vehicle or tractor to another owned by the same person.

Penalty.—Any person violating any of the provisions of subsection (b), (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 dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 413. Suspension of Registration Upon Certification From Public Utility Commission.—

(a) The secretary shall suspend the registration of any vehicle or tractor upon the presentation to said secretary of a certificate of the Public Utility Commission of the Commonwealth of Pennsylvania, setting forth that, after hearing and investigation, the Public Utility Commission has found and determined that said vehicle or tractor has been operated as a common carrier or contract carrier by motor vehicle within this Commonwealth without the approval of such operation by the Public Utility Commission.

(b) Any suspension of registration, herein provided for, may be rescinded by the secretary upon the petition of the owner of such vehicle or tractor or of the operator, provided said petition is accompanied by certificate of the Public Utility Commission setting forth that said commission does not object to such rescission.

(c) The fee for the rescission shall be the same as the fee provided by law for the registration of the vehicle or tractor in question, but in no case shall fee be less than five dollars (\$5.00).

(d) The Department of Revenue shall collect all fees payable under this section, and transmit them to the State Treasury where they shall be kept in the Motor License Fund separate * from all other moneys in the State Treasury.

Section 414. 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 the motor vehicle, tractor, trailer or semi-trailer, is unsafe or unfit for operation or is not equipped as required by this act.

* "and" in original.

(2) When the owner shall make, or permit to be made, any unlawful use of the motor vehicle, tractor, trailer or semi-trailer, or registration plate or plates, 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 the request, or order of any court, or upon certification, request or order of the Public Utility Commission, when authorized by law.

(5) When a check submitted in payment of the fee for any registration is not paid on demand, or when the fee for any registration or any part thereof, is unpaid and owing.

(b) The secretary may suspend registrations in the dealer's class of any manufacturer, jobber or dealer, after a hearing before the secretary or his representative, whenever the secretary finds upon sufficient evidence:

(1) The registrant is not lawfully entitled to registration in the dealer's class.

(2) The registrant has committed a fraud in the registration of motor vehicles, tractors, trailers or semi-trailers.

(3) The registrant has failed to give notice of transfer of ownership when and as required by this act.

(4) The registrant has failed to deliver to a transferee lawfully entitled thereto a properly assigned certificate of title.

(5) The registrant has habitually violated any of the provisions of this act.

(c) The secretary may suspend any registration, after a hearing before the secretary or his representative, when a motor vehicle, tractor, trailer or semi-trailer is habitually used or operated in violation of any of the provisions of this act.

(d) The secretary, upon suspending any registration, shall require the registration plate or plates and registration card to be surrendered immediately to the department, and may delegate authority to any department employe or peace officer to seize such registration plate or plates and registration card.

(e) Any person whose registration has been suspended shall not be entitled to apply for or receive new or duplicate registration until the suspension is lifted by the secretary.

(f) Whenever the secretary suspends any registration, the secretary shall immediately notify the owner and

afford him an opportunity of a hearing before said secretary or his representative, provided such hearing has not been already held, and, after such hearing, the secretary shall either rescind his order of suspension, or, good cause appearing therefor, may suspend the registration for a further period.

(g) Any person whose registration has been suspended by the secretary under the provisions of this act shall have the right to file a petition in the court of quarter sessions of Dauphin County, within thirty (30) days thereafter, for a hearing in the matter before a judge thereof, and such court is hereby vested with jurisdiction, and it shall be its duty to set the matter down for hearing upon thirty (30) days' written notice to the secretary, and thereupon to take testimony and examine into the facts of the case, and to determine whether the petitioner is subject to suspension of registration under the provisions of this act.

Penalty.—Any person violating any of the provisions of subsection (d) of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of fifty dollars (\$50.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Section 415. Expiration of Registration.—

(a) All registrations, except registrations as otherwise provided herein, shall be issued for a registration year commencing on April first of one year and expiring March thirty-first of the year following.

(b) Commencing with the registration year 1954 and thereafter, registrations for commercial motor vehicles (except school buses), motor buses, motor omnibuses, truck tractors, *trailers and semi-trailers, shall be issued for a registration year commencing on June first of one year and expiring May thirty-first of the year following.

(c) Commencing with the registration year 1956 and thereafter, registrations for school buses shall be issued for a registration year commencing on July first of one year and expiring June thirtieth of the year following.

(d) Registrations shall also expire when suspended for cause by the secretary and, immediately, upon the transfer of ownership or the destruction of the vehicle. Registration for the succeeding year may, at the option of their holders, be used on and after the fifteenth day of the month immediately preceding the beginning of the current registration year.

(e) Registrations of antique motor vehicles shall be for the duration of the time that such vehicles are owned by residents of Pennsylvania.

* "trailer" in original

Section 416. Police Departments and Sheriffs to Have Registration Bulletins.—The secretary shall issue bulletins giving the registration number, name and address of the owner of each vehicle registered to such police departments as he deems necessary, and such police departments are hereby prohibited from disposing of such bulletins, or parts of such bulletins, for other than information as to violations of the motor vehicle laws.

The secretary shall, on or before the first day of May of each year, furnish to the sheriff of each county in the Commonwealth of Pennsylvania, an alphabetically arranged list of the names, addresses and license tag letters of each person to whom a license tag is issued under the provisions of subsection (f) of section 501 of this act. It shall be the duty of the sheriffs of the State to maintain and to keep current these lists for public information and inquiry.

Penalty.—Any person violating any of the provisions of this section shall be guilty of a misdemeanor, and shall, upon conviction thereof in a court of quarter sessions, be sentenced to pay a fine of two hundred dollars (\$200.00) and costs of prosecution, or undergo imprisonment for not more than three (3) years, or suffer both such fine and imprisonment.

Section 417. Sale of Copy of Registrations, Learners' Permits or Statistics.

(a) The secretary is authorized to dispose of, after advertisement and competitive bidding, to the highest bidder, an official copy of vehicle registrations, learners' permits as issued, and such other statistics relating to the titling and registration of motor vehicles, except the amount of encumbrance and name of encumbrance holder, as he shall deem advisable. No other copy of said registrations, learners' permits or statistics shall be disposed of by the secretary except as herein provided.

(b) The purchaser of the official copy of said registrations, learners' permits or statistics is authorized to reprint and use the same for commercial purposes.

ARTICLE V.

REGISTRATION PLATES

Section 501. Registration Plates to be Furnished by Department.

Section 502. Use of Manufacturer's, Jobber's and Dealer's Registration Plates Limited.

Section 503. Use of Commercial Registration Plates Limited.

Section 504. How Registration Plates Carried on Vehicles or Tractors.

Section 505. Use of Registration Plates Restricted.

Section 506. Lost, Defaced or Substituted Registration Plates.

Section 507. Transfer of Registration Plates.

Section 508. Temporary Use of Registration Plates Pending Transfer.

Section 509. Illegal Transfer of Registration Plates.

Section 510. Return of Manufacturer's, Jobber's or Dealer's Registration Plates.

Section 511. Expiration of Registration Plates.

Section 512. Temporary Registration Plates or Markers.

Section 501. Registration Plates to be Furnished by Department.—

(a) The department, in its discretion, shall furnish to every owner whose motor vehicle is registered, and for each registration applied for by a manufacturer, jobber or dealer in motor vehicles, tractors, trailers or semi-trailers, one (1) registration plate or two (2) registration plates; and to every owner of a registered tractor, trailer, semi-trailer, motorcycle or bicycle with motor attached, and for each registration applied for by a *manufacturer, jobber or dealer in tractors, motorcycles or bicycles with motor attached, one (1) registration plate.

(b) Such registration plates may be made of metal or other material, and each plate shall have displayed upon it the registration number assigned to the vehicle or tractor for the current year, the name of the Commonwealth, which may be abbreviated, and any other identification the department may deem necessary. The required letters and numerals on such plate or plates shall be not more than five (5) inches in height, to be plainly legible from a distance of one hundred (100) feet during daylight, except that the required letters and figures on motorcycle, motorcycle dealer, and bicycle with motor attached, plates shall be not more than three and one-half (3½) inches in height.

(c) It shall be unlawful to display on any vehicle or tractor an altered, defaced, unreasonably dirty or forged registration plate.

* "manufacturing" in original.

(d) In each case of a renewal of any such registration, which shall be in effect for the registration year immediately preceding such renewal, the department in lieu of issuing new registration plates for such vehicle or tractor, may assign thereto the number or combination of numerals and letters displayed on the plates for the previous year, and issue to the owner thereof and authorize the use of some identifying feature or attachment to be affixed to the previous year's plates, or a sticker or certificate not to be affixed to such plates, which shall in either case clearly indicate the renewal of such registration.

(e) Registration plate or plates furnished for an antique motor vehicle need not have any registration numbers or figures or other indications of the renewal of registration, but only such identification as the department deems necessary.

(f) Upon application to the department any owner of a motor vehicle, designed for passenger travel and not used for commercial purposes, residing in Pennsylvania and holding an unrevoked and unexpired General, Advanced or Extra Class or Technician amateur radio station license issued by the Federal Communications Commission, shall be issued a registration plate, as prescribed by subsection (a) of this section, on which shall be inscribed, in lieu of the registration number prescribed by subsection (b) of this section, the official amateur radio call letters assigned to the applicant by the Federal Communications Commission. The applicant shall comply with all laws pertaining to registration and licensing of motor vehicles and the application for registration, as prescribed by this subsection, shall be accompanied by proof of ownership of the aforesaid amateur radio station license and the sum of three dollars (\$3.00), in addition to the fees otherwise prescribed by law for annual registration of motor vehicles.

(g) Upon application of any owner residing in Pennsylvania, who is regularly employed or engaged as a bona fide newspaper, newsreel or on film television news photographer or cameraman, the department shall issue for any motor vehicle owned by such person and regularly used by him in the pursuit of his regular employment in covering current news events, two (2) registration plates of the type prescribed by this section on which shall be inscribed the letters "PP" as the first two (2) characters, in addition to the registration number and other markings or identification otherwise prescribed by law. The department shall not issue more than one (1) set of such plates to any applicant during any registration year.

The applicant shall comply with all laws pertaining

to registration and licensing of motor vehicles, and the application for registration prescribed by this section shall be accompanied by proof of regular employment as a bona fide newspaper, newsreel or on film television news photographer or cameraman, and the sum of five dollars (\$5.00), in addition to the fees otherwise prescribed by law for annual registration of motor vehicles.

For the 1957 motor vehicle registration year and subsequent years, the department shall issue registration plates beginning with the "PP" characters only to persons who meet the requirements of this subsection and who have made application therefor, under oath, setting forth such information as the department may reasonably require.

Penalty.—Any person violating subsection (c) of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of fifty dollars (\$50.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Section 502. Use of Manufacturer's, Jobber's and Dealer's Registration Plates Limited.—Registration plate or plates issued in the "Dealer's Class" may be used on any motor vehicle, tractor, trailer or semi-trailer, owned or in the possession of a manufacturer, jobber or dealer, and operated by such manufacturer, jobber or dealer, or the employe of such manufacturer, jobber or dealer, when such motor vehicle, tractor, trailer or semi-trailer is used (1) in the motor vehicle or tractor business of such manufacturer, jobber or dealer, (2) for the personal pleasure of such manufacturer, jobber or dealer, or the members of his family, when operated by such manufacturer, jobber or dealer, or an immediate member of his family, or when such manufacturer, jobber or dealer is a corporation for the personal pleasure of not more than three (3) officers thereof, who are actively engaged in its business, or the members of their families, or for the personal pleasure of the regular employes of such manufacturer, jobber, dealer or corporation when operated by such employe, (3) for teaching a new operator how to operate a motor vehicle or tractor, if such new operator has procured a learner's permit, and for such new operator to take an examination for an operator's license, or (4) for testing motor vehicles, tractors, trailers or semi-trailers in the possession of such manufacturer, jobber or dealer, or (5) for demonstrating motor vehicles, tractors, trailers or semi-trailers in the possession of such manufacturer, jobber or dealer and such motor vehicles or tractors may be operated by a prospective purchaser, when licensed as an operator or permittee, and when accompanied by the manufacturer,

jobber or dealer, or an employe of such manufacturer, jobber or dealer: Provided, That a person entitled to dealer registration under clause (3) of the definition of "dealer" in section 102 of this act may only use dealer's registration plates for the purpose of transporting new motor vehicles, tractors, trailers or semi-trailers on their own wheels, and a person entitled to dealer registration under clause (4) of said definition may only use dealer's registration plates for the purpose of moving or operating a motor vehicle, tractor, 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, and a person entitled to dealer registration under clause (7) of said definition may only use dealer's registration plates in direct connection with his own repair business for repairing, servicing or delivering his own vehicles or tractors: Provided further, That in no event shall manufacturer's, jobber's or dealer's registration plates be used for any purpose other than as limited in this section. Tractor dealer registration plates shall be restricted to use on tractors.

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 dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 503. Use of Commercial Registration Plates Limited.—Except for transporting authorized employes of the owner or lessee, school children for school purposes, and to and from extra-curricular activities, and children between their homes and Sunday school in commercial motor vehicles owned by any school district, parochial school or private school, and school children between their homes and school, and to and from extra-curricular activities if the person performing the extra-curricular transportation has a contract with the school or school district in which the school is located for the transportation of its students between their homes and school and children between their homes and Sunday school in commercial motor vehicles operated, under contract, with any school district, parochial school or private school, it shall be unlawful for any person or political subdivision to operate any commercial vehicle for the carriage of passengers. A copy of any lease or contract shall be maintained in the vehicle at all times.

The clause extra-curricular activities shall include athletic, forensic, musical, dramatic or any other similar event or exhibition, held under the supervision of school

authorities, in which the school children are participants or spectators, and in which the school is represented by a team or participating body.

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 dollars (\$25.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 504. How Registration Plates Carried on Vehicles or Tractors.—Every registration plate shall, at all times, be securely fastened to the vehicle or tractor to which it is assigned or on which its use is authorized, one on the front, the other on the rear, except that in every case when the department issues one (1) plate, the single plate shall be on the rear.

No plate shall be attached at a height less than twelve (12) inches from the ground, measuring from the bottom of such plate, nor shall any plate be obscured.

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 dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 505. Use of Registration Plates Restricted.—No motor vehicle, tractor, trailer or semi-trailer shall be operated under any other registration plates than those of its own registration, except as provided in this act. Except as is provided in this act with respect to non-residents, no registration plate or plates shall be displayed on any motor vehicle, tractor, trailer or semi-trailer, other than those issued by the department; nor shall there be displayed upon any motor vehicle, tractor, trailer or semi-trailer, owned by a resident of this Commonwealth, while operating the same upon any highway in this Commonwealth, any registration plate or plates issued by any other state or foreign country, but a resident of this Commonwealth may display, in addition to the Pennsylvania registration plate or plates, registration plate or plates of one or more states.

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 dollars (\$25.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Section 506. Lost, Defaced or Substituted Registration Plates.—

(a) In the event of the loss of one or both registration plates, or if a plate or plates become so defaced that the numerals or letters thereon are illegible, it shall be the duty of the owner of the motor vehicle, tractor, trailer or semi-trailer, for which the same were issued, to apply to the department for new plates within forty-eight (48) hours of his discovery of the loss or defacement of such plate or plates.

(b) The department may issue substitute or duplicate registration plate or plates in exchange for plate or plates already issued.

(c) Applications for such replacements, or substitutions, or duplications, shall be made upon a form furnished by the department, on which form shall be set forth the loss, defacing, or destruction of or reasons for substitution or duplication of, such plate or plates. The application shall be accompanied by the fee provided in this act, and shall be signed by the owner and sworn to before a notary public or other officer empowered to administer oaths. Thereupon the department shall cancel the original registration, and shall replace the original plate or plates with duplicate plate or plates, or with plate or plates of numbers other than that originally issued, also a correct or duplicate registration card.

(d) Upon the receipt of new plate or plates, it shall be the duty of the owner to return immediately to the department for cancellation the old registration plate or plates, unless lost or destroyed.

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

Penalty.—Any person violating any of the provisions of subsection (a) or (d) of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 507. Transfer of Registration Plates.—

(a) Upon the transfer of ownership, except a transfer from a husband to his wife or from a wife to her husband, or from either to both jointly, or from both jointly to either husband or wife, or upon the destruction of any motor vehicle, tractor, trailer or semi-trailer, the owner shall remove the registration plate or plates therefrom immediately.

Limitation.—The provisions of subsection (a) are sub-

ject to the limitation of actions as set forth in section 1201 of this act.

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

(c) If transfer of registration plate or plates is from one classification to another classification, new registration plate or plates shall be issued to the owner. Upon receipt of new registration plate or plates, the registration plate or plates previously issued shall immediately be returned to the department for cancellation, unless such registration plate or plates have been lost or destroyed.

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 ten dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 508. Temporary Use of Registration Plates Pending Transfer.—After the transfer of registration plate or plates from a motor vehicle, tractor, trailer or semi-trailer, to another motor vehicle, tractor, trailer or semi-trailer, owned by the same owner, or when transfer of registration plates issued for a motor vehicle, tractor, trailer or semi-trailer, owned by a husband or wife, or jointly, is made from one motor vehicle, tractor, trailer or semi-trailer, to another owned by either husband or wife, or jointly, 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, tractor, 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 509. Illegal Transfer of Registration Plates.—No person shall give or lend registration plate or plates or manufacturer's, jobber's or *dealer's registration plate or plates to another person.

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 dollars (\$25.00) and costs of prosecution, and, in default

* "dealers" in original.

of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Section 510. Return of Manufacturer's, Jobber's or Dealer's Registration Plates.—Registration plate or plates and registration cards issued in the dealer's class shall be returned to the department for cancellation when the manufacturer, jobber or dealer discontinues motor vehicle or tractor 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 dollars (\$50.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Section 511. Expiration of Registration Plates.—

(a) All registration plates, except as hereinafter provided, shall be issued for a registration year commencing on April first of one year and expiring March thirty-first of the year following.

Registration plates shall also expire when suspended for cause by the secretary. The registration plate or plates for a registration year may, at the option of the owner, be used on and after the fifteenth day of the month immediately preceding the beginning of such registration year.

Registration plates for commercial motor vehicles (except school buses), motor buses, motor omnibuses, truck tractors, trailers and semi-trailers shall be issued for a registration year commencing on June first of one year and expiring May thirty-first of the year following. Registration plates shall also expire when suspended for cause by the secretary. The registration plate or plates for a registration year may, at the option of the owner, be used on and after the fifteenth of the month immediately preceding the beginning of such registration year: Provided, That such plate or plates may be so used on and after the first day of the month immediately preceding the beginning of the registration year, if the vehicle is a trailer or semi-trailer which was also registered for the immediately preceding registration year.

Registration plates for school buses shall be issued for a registration year commencing on July first of one year and expiring June thirtieth of the year following. Registration plates shall also expire when suspended for cause by the secretary. The registration plate or plates for a registration year may, at the option of the owner, be used on and after the fifteenth day of the month immediately preceding the beginning of such registration year.

Registration plates for antique motor vehicles shall be issued for the duration of the time that such vehicles are

owned by residents of Pennsylvania. The registration plates issued for any antique motor vehicle shall be returned to the department upon transfer of the title to any such vehicle to a nonresident of Pennsylvania or when suspended for cause by the secretary.

(b) No motor vehicle, tractor, trailer or semi-trailer shall be operated with registration plates which have expired nor without registration plates on the claim by the owner or operator that registration plates for the current year have been applied for but not received.

Penalty.—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 dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 512. 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 a person who has registered as a dealer under clause (1) or clause (2) of the definition "Dealer" in section 102, 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 dealer who issues temporary registration plates or markers shall, on the day that he issues such plates or markers, send to the department a copy of the temporary registration plate or marker certificate, properly executed by such dealer and the owner, together

with the application for certificate of title and the annual registration plates.

(d) No dealer by himself, agent, servant or employe, shall issue, assign, transfer or deliver temporary registration plates or markers to any one except a bona fide purchaser of a vehicle or motor vehicle owned and sold by him, nor shall temporary registration plates or markers be issued to any one possessed of annual registration plates for a vehicle that has been sold or exchanged; nor shall temporary registration plates or markers be loaned or used on any vehicle which the dealer may own nor shall any temporary registration plates or markers be issued containing any misstatement of fact, or any false information upon the face thereof. Any dealer who has committed three (3) or more violations of the provisions of this section shall not make application for or issue any temporary registration plates or markers.

(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.

(f) If the secretary finds that the provisions of this section or any 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 purchaser who makes application for temporary registration plates or markers shall execute and send an application for annual registration plates to the department, accompanied by a copy of the temporary registration certificate prepared by the dealer. 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. 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-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 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 for fees paid by dealers to the department for temporary registration plates or markers shall be allowed, except that 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 subsection (b), (c), (d) or (e) of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs of prosecution for the first offense; fifty dollars (\$50.00) 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 any owner, nor shall such person thereafter issue any temporary registration plates or markers. Any person violating any of the provisions of subsection (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 dollars (\$10.00) and costs of prosecution for the first offense, and twenty-five dollars (\$25.00) 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.

Limitation.—The provisions of this section are subject to the limitation of actions as set forth in section 1201 of this act.

ARTICLE VI.

OPERATORS

Section 601. Operators Must Be Licensed.

Section 602. Persons Exempt from License.

Section 603. Nonresidents, When Exempt from License.

* "cost" in original.

- Section 604. Persons Not to Be Licensed.
- Section 605. Age Limits for Drivers of School Buses and Public Passenger Carrying Motor Vehicles.
- Section 606. Learners' Permits.
- Section 607. Renewal of Operator's License.
- Section 608. Examination of Applicants and Operators.
- Section 609. Additional Examinations for School Bus Operators.
- Section 610. Register of Operators and Learners.
- Section 611. Licenses Issued to Operators.
- Section 612. Name and Address on Operator's Card Shall Correspond with Actual Name and Address.
- Section 613. Duplicate License Cards.
- Section 614. License to Be Signed and Carried.
- Section 615. Expiration of Licenses.
- Section 616. Revocation of Operating Privilege.
- Section 617. Suspension of Operator's License Upon Certification from Public Utility Commission.
- Section 618. Suspension of Licenses or Operating Privileges.
- Section 619. Suspension of Privilege to Apply for Operator's License or Learner's Permit.
- Section 620. Right of Appeal to Court from Suspension.
- Section 621. New Operator's License after Revocation or Suspension.
- Section 622. Owner Liable for Negligence of Certain Minors.
- Section 623. Counties and Municipalities Liable for Negligence of Their Employes.
- Section 624. Violation of License Provisions.
- Section 625. Unlawful for Person Under Eighteen (18) Years to Operate Vehicle as a Paid Employe.
- Section 626. Unlawful to Permit Violations of Act.
- Section 601. Operators Must Be Licensed.—No person, except those expressly exempted under this act shall operate any motor vehicle or tractor upon a highway in

this Commonwealth, unless such person has been licensed as an operator or a learner by the department under the provisions of this act. No person who has been issued a restricted license to operate motor vehicles or tractors by the secretary shall operate any motor vehicle or tractor in violation of such restrictions.

Penalty.—Any person violating any of the provisions of this section, shall, upon summary conviction before a magistrate for a first offense, be sentenced to pay a fine of ten dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days, and for the second offense, twenty-five dollars (\$25.00) and *costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days, and for the third and any subsequent offense, fifty dollars (\$50.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Section 602. Persons Exempt from License.—Every person in the service of the Federal Government or in the service of the Pennsylvania National Guard, when furnished with a driver's permit, and when operating an official motor vehicle or tractor in such service, shall be exempt from license under this act. Every person operating a tractor not required to have registration under this act, shall also be exempt from obtaining an operator's license.

Section 603. Nonresidents, When Exempt from License.—

(a) A nonresident who has been duly licensed as an operator under a law requiring the licensing of operators in his home state or country, and who has in his immediate possession a valid operator's license issued to him in his home state or country, shall be permitted, without examination or operator's license under this act, to operate a motor vehicle or tractor upon the highways of this Commonwealth, for the same time and to the same extent as like exemptions are granted residents of this Commonwealth under the laws of his state or country.

(b) Except as herein provided, it shall be unlawful for any nonresident, whose home state or country does not require the licensing of operators, to operate any motor vehicle or tractor upon any highway in this Commonwealth, without first making application for and obtaining a license as an operator, as required under this act, except that any said unlicensed nonresident, who is the owner of a motor vehicle or tractor which has been duly registered for the current calendar year in the state

* "cost" in original.

or country of which he is a resident, may operate motor vehicles or tractors upon the highways of this Commonwealth for the same time and to the same extent as like exemptions are granted residents of this Commonwealth under the laws of the state or country of such nonresident, without making application for or obtaining an operator's license under this act, upon condition that the nonresident owner has in his immediate possession a registration card evidencing such ownership and registration in his home state or country: Provided, That unlicensed nonresident operators not the owners of motor vehicles or tractors registered in state or countries not requiring an operator's license may operate any such motor vehicle or tractor properly registered in their home state or country on any highway within this Commonwealth, without making application for or obtaining an operator's license under this act, upon condition that they may be required at any time or place to prove lawful possession of such motor vehicle or tractor and proper identity.

(c) Provided, That nonresident operators, operating motor vehicles or tractors within this Commonwealth for compensation, for a period exceeding thirty (30) days in the calendar year, shall be required to obtain a Pennsylvania operator's license.

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 dollars (\$10.00) and *costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 604. Persons Not to Be Licensed.—

(a) An operator's license or learner's permit shall not be issued to any person under the following conditions:

(1) When he is less than eighteen (18) years of age, unless he is sixteen (16) years of age or more and includes with his application for an operator's license or learner's permit a statement of his parent or a person in loco parentis, made under oath or affirmation, that such applicant has the consent of such parent or person in loco parentis to obtain a learner's permit or operator's license.

(2) When his operating privilege is suspended.

(3) When his operating privilege is revoked.

(4) When such person's name appears upon department's prohibitory list, or when his privilege to apply for an operator's license or learner's permit has been suspended, and before such privilege has been reinstated.

* "cost" in original.

(5) If he is an habitual drunkard or addicted to the use of narcotic drugs.

(6) If he has been adjudged insane or an idiot, imbecile, epileptic or feeble-minded, until restored to competency by judicial decree, or released from a hospital for the insane, or feeble-minded, upon certification by the superintendent or medical director that such person is competent, nor then, unless the secretary is satisfied such person is competent to operate a motor vehicle or tractor with safety to persons and property.

(7) If he is afflicted with, or suffering from, a physical or mental disability or disease, or from a weakness or disability in vision or hearing which, in the opinion of the secretary, will prevent such person from exercising reasonable and ordinary control over a motor vehicle or tractor.

(8) When unable to understand warning or direction signs in the English language.

(9) If a license or learner's permit is issued in contradiction of any of the provisions of this *section, the secretary may suspend or cancel such license or permit in order to effectuate the intent of the *section.

(b) Physical disability for purposes of this section includes the loss of the use of both hands.

(c) The secretary may issue an operator's license, or learner's permit, to a person afflicted with, or suffering from, a weakness or disability in vision or hearing, upon the receipt of such evidence or demonstration as shall satisfy him that such person has had sufficient experience in the operation of a motor vehicle or tractor to enable him to do so without endangering the safety of the public, and under the express condition that such person shall not operate a motor vehicle or tractor unless same is equipped with a mirror so located as to reflect to the operator a view of the highway for a distance of at least two hundred (200) feet to the rear.

Section 605. Age Limits for Drivers of School Buses and Public Passenger Carrying Motor Vehicles.—It shall be unlawful for any person, who is under the age of twenty-one (21) years, to operate a motor vehicle of the bus type in the transportation of pupils to or from school, or to operate a motor bus or motor omnibus in the transportation of passengers.

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 dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

* "subsection" in original.

Section 606. Learners' Permits.—

(a) The department, upon receiving from any person eighteen (18) years of age or over, or upon receiving from any person less than eighteen (18) years of age and more than sixteen (16) years of age, when accompanied by an affidavit of consent of a parent or person in loco parentis, an application for a learner's permit, may, in its discretion, issue such a permit, entitling the applicant while having such permit in his immediate possession to operate a motor vehicle or tractor upon the highways for a period of ninety (90) days from date of issue, or for one hundred twenty (120) days if the learner is a high school student enrolled in an accredited driver training course, or until such learner has failed three (3) times, at any time within the ninety-day period or one hundred twenty (120) days, as the case may be, the examination prescribed by the secretary, and when accompanied by a licensed operator who is actually occupying a seat beside the holder of the learner's permit, except that permittees operating tractors, motorcycles or bicycles with motor attached need not be so accompanied.

(b) Every application for learner's permit shall be sworn to before a notary public or other officer empowered to administer oaths, on a form provided by the department, and accompanied by the fee provided in this act, and shall state the name, age, sex, and actual or bona fide address of the applicant, together with any other information the secretary may prescribe, and whether or not the applicant has heretofore been licensed as an operator, and, if so, when and by what state, and whether or not such license has ever been revoked or suspended, and, if so, the date of and reason for such suspension or revocation. When the application for a learner's permit is made by a person more than sixteen (16) years of age and less than eighteen (18) years of age, it shall be accompanied by the written consent of a parent or a person in loco parentis, under oath or affirmation of such parent or person in loco parentis.

Penalty.—Any person violating any of the provisions of subsection (a) or (b) of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 607. Renewal of Operator's License.—

(a) Annual renewals of operator's license shall be made in such manner as the secretary may require, upon a form furnished by the department, accompanied by the fee provided in this act. The department shall mail such

form to the last address of the operator as it appears on the department records.

(b) Renewals may be made, in the same manner as annual renewals, of any operator's license issued during any of the three (3) years preceding application for renewal, when applicant furnishes satisfactory proof of having had a Pennsylvania operator's license issued to him or her during any of the three (3) immediate preceding license years.

(c) Any person who has served in the armed forces of the United States, or in any women's organization officially connected therewith, and who, at the time of entering the service, held a Pennsylvania operator's license, may have, upon his or her honorable discharge from the service, and for a period of one (1) year thereafter, a renewal of such operator's license, in the same manner as annual renewals of operators' licenses are made, if he or she satisfies the following requirements:

(1) He has an honorable discharge from the service.

(2) Application for the operator's license is made within one (1) year after the date of such honorable discharge.

(3) He is not physically or mentally incapacitated at the time of the application for renewal.

(4) In the event that his certificate of honorable discharge reveals that injuries were sustained during service, the application shall be accompanied by the certificate of a licensed physician that the applicant is physically and mentally able to operate a motor vehicle.

(5) Each application shall be sworn to before a magistrate, alderman, notary public or justice of the peace, who shall certify thereon that he has seen and examined the applicant's certificate of honorable discharge and that it is dated less than one (1) year before the application was made.

(6) His previous operator's license has not been revoked or suspended, unless, in case of suspensions, the period of suspension has expired.

(d) No renewal shall be required of the annual license issued to any person serving in the armed forces of the United States, or in any women's organization officially connected therewith, for the license year during which he or she entered the service or for any license year during which the service continued. If such license has not been revoked or suspended, it shall entitle the holder, if not physically or mentally incapacitated, to operate motor vehicles on the highways of this Commonwealth.

Section 608. Examination of Applicants and Operators.—

(a) Before issuing an operator's license to any permittee, except as otherwise provided, the secretary shall require the applicant to demonstrate personally to him, or his representative, in such manner as the secretary may direct, that such applicant is a proper person to operate a motor vehicle or tractor, has sufficient knowledge of the mechanism of motor vehicles or tractors to insure their safe operation, and a satisfactory knowledge of the laws and regulations concerning motor vehicles or tractors and their operation.

(b) The secretary may issue an operator's license, either unlimited or containing certain restrictions or limitations, as the secretary may deem advisable.

(c) The secretary may, in his discretion, waive the examination of any person applying for the renewal of an operator's license issued under this act.

(d) The secretary may, in his discretion, issue an operator's license under this act, without examination, to any person applying therefor, who is of sufficient age as required by this act to receive the license applied for, when the secretary is satisfied that the applicant is fully qualified as an operator of motor vehicles or tractors, and to any person who at the time of such application has a valid unrevoked license of like nature issued to such person in another state under a law requiring the licensing and examination of operators.

(e) Without examination, the secretary may issue an operator's license restricted to the use and operation of tractors to any person applying therefor, when the secretary is satisfied that the applicant is fully qualified as an operator of tractors.

(f) Following any examination, and pending the issue of the operator's license, the secretary's representative may authorize any applicant, who has qualified as an operator, to operate for a period of thirty (30) days a motor vehicle or tractor with his learner's permit card, and, when it was required, without being accompanied by a licensed operator, provided such learner's permit card is properly approved for such purpose.

(g) The secretary may, in his discretion, require the special examination, by such agencies as the secretary may direct, of any applicant for learner's permit or operator's license, or of any operator, to determine incompetency, physical or mental disability or disease, or any other condition which might prevent such applicant from exercising reasonable and ordinary control over a motor vehicle or tractor.

Section 609. Additional Examinations for School Bus Operators.—After July 1, 1950, no person shall operate a school bus carrying school children on the high-

ways of this Commonwealth unless he (1) shall have satisfactorily passed an additional examination for school bus operators, to be given by the secretary or such agency as he may direct, establishing his fitness and competency to operate such school bus with safety and his knowledge of the laws and regulations relating to the operation of school buses; (2) carries a currently valid school bus operator's certificate issued by the secretary pursuant to such examination; (3) has satisfactorily passed a physical examination to be given by the physician for the school district by which he is employed; and (4) carries a certificate issued by the examining physician at the time of examination indicating that he has passed the prescribed physical examination, including an examination of the eyes. Such certificate issued by the examining physician shall be valid for a period of one (1) year from the date of its issuance. The provisions of this section shall not apply to operators employed by any person or company subject to the jurisdiction of the *Pennsylvania Public Utility Commission.

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 not less than twenty-five dollars (\$25.00) and not more than fifty dollars (\$50.00) and **costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not less than ten (10) days and not more than twenty-five (25) days.

Section 610. Register of Operators and Learners.—The secretary shall file every application for an operator's license and learner's permit, and index the same by name and number, and maintain suitable records of all licenses and permits issued, and all applications for licenses denied, also a record of all licenses and permits which have been revoked or suspended. The secretary may cause the applications for operators' licenses and learners' permits, and records in connection therewith, to be destroyed three (3) years after the year for which issued.

Section 611. Licenses Issued to Operators.—

(a) The department shall issue to every person licensed as an operator an operator's license card.

(b) Every such card shall bear thereon the operator's license number, the name, address, and such other information as may be required, also a space for the signature of the licensee.

Section 612. Name and Address on Operator's Card Shall Correspond with Actual Name and Address.—No

* "Pennsylvania" in original.

** "cost" in original.

person shall operate a vehicle registered in this Commonwealth when the name or *address of the operator, as appearing on the operator's card, is not identical with the actual name and address of such operator, unless the operator has notified the department of this variance, and given the correct name and address within forty-eight (48) hours of the change of the name or address, or of discovery of the variance.

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 dollars (\$5.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than three (3) days.

Limitation.—The provisions of this section are subject to the limitation of actions as set forth in section 1201 of this act.

Section 613. Duplicate License Cards.—

(a) In the event that an operator's license or learner's permit shall be lost or destroyed, or become illegible, the person to whom the same was issued shall make application to the department, upon a form furnished by the department, accompanied by the fee provided in this act, for a duplicate thereof.

(b) No owner or operator of a motor vehicle or tractor shall be subject to a fine for the reason that an operator's license or learner's permit is lost, if he makes affidavit that the same was lost or stolen within the period of twenty (20) days preceding, and that applications for duplicate operator's license or learner's permit was made within forty-eight (48) hours after the discovery of loss of same.

(c) In the event of a change of name or address of the operator, as appearing on the operator's card, it shall be the duty of such operator to notify the department within forty-eight (48) hours of such change of name or address.

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 five dollars (\$5.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than three (3) days.

Section 614. License to Be Signed and Carried.—

(a) Every person licensed as an operator or learner shall write his usual signature, with pen and ink, in the space provided for that purpose on the operator's license or learner's permit card issued to him, immediately upon receipt of such card.

* "adress" in original.

(b) The licensee or permittee shall have such operator's license or learner's permit in his immediate possession at all times when operating a motor vehicle.

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 dollars (\$5.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than three (3) days.

Section 615. Expiration of Licenses.—All operators' licenses shall be issued for a license year commencing on February first of one year and expiring January thirty-first of the year following. Operators' licenses shall also expire when revoked or suspended for cause by the secretary. Operators' licenses for the succeeding year may, at the option of the licensees, be used on and after January fifteenth of the current year.

Section 616. Revocation of Operating Privilege.—

(a) Upon receiving a certified record, from the clerk of the court, of proceedings in which a person pleaded guilty, entered a plea of nolo contendere, or was found guilty by a judge or jury, of any of the crimes enumerated in this section, the secretary shall forthwith revoke, for a period of one (1) year from the date of revocation, the operating privilege of any such person, and where such person was convicted, or entered a plea of guilty or nolo contendere, of any one of the crimes enumerated in this section, such operating privilege shall not be restored, unless and until the fine and costs, imposed in such cases, have been fully paid. The clerk of the courts shall, when such fine and costs have been so paid in any such case, certify such fact to the Department of Revenue. Bases requiring such certification follow:

(1) Operating a motor vehicle or tractor while under the influence of intoxicating liquor, or any narcotic or habit producing drug, or permitting any person, who may be under the influence of intoxicating liquor or narcotic or habit producing drug, to operate any motor vehicle or tractor owned by him or in his custody or control.

(2) Any crime punishable as a felony under the motor vehicle or tractor laws of this Commonwealth, or any other felony in the commission of which a motor vehicle or tractor is used.

(3) Conviction of an operator of a motor vehicle or tractor involved in an accident, resulting in injury or death to any person or damage to property, upon the charge of failing to stop and render assistance or disclose his identity at the scene of the accident.

(4) Unlawful possession or sale of narcotics.

(b) The secretary, upon receiving a certified record from the clerk of the court of the conviction of any person upon a charge of operating a motor vehicle or tractor while the operator's license or learner's permit of such person is revoked, shall immediately extend the period of such first revocation for an additional like period.

(c) The secretary, upon revoking any operator's license or learner's permit, shall require that such license of any operator, whose license or permit is so revoked, shall immediately be surrendered to and retained by the department.

Section 617. Suspension of Operator's License Upon Certification From Public Utility Commission.—

(a) The secretary shall suspend the operator's license of any operator of a motor vehicle upon the presentation to said secretary of a certificate from the Public Utility Commission of the Commonwealth of Pennsylvania setting forth that, after hearing and investigation, the Public Utility Commission has found and determined that said operator has operated a motor vehicle as a common carrier or contract carrier by motor vehicle without the approval of the Public Utility Commission.

(b) Any suspension of operator's license herein provided for may be rescinded by the *secretary upon the petition of the operator provided said petition is accompanied by certificate of the Public Utility Commission setting forth that said commission does not object to such rescission.

(c) The fee for the rescission shall be the same as the fee provided by law for the operator's license of said operator but in no case shall the fee be less than five dollars (\$5.00).

(d) The Department of Revenue shall collect all fees payable under this section and transmit them to the State Treasury where they shall be kept in the Motor License Fund separate ** from all other moneys in the State Treasury.

Section 618. Suspension of Licenses or Operating Privileges.—

(a) The secretary may suspend the operating privilege of any person, with or without a hearing before the secretary or his representative, upon receiving a record of proceedings, if any, in which such person pleaded guilty, entered a plea of nolo contendere, or was found guilty by a judge or jury, or whenever the secretary finds upon sufficient evidence:

(1) That such person is incompetent to operate a motor vehicle or tractor, or is afflicted with mental or physi-

* "secretary" in original.

** "and" in original.

cal infirmities or disabilities rendering it unsafe for such person to operate a motor vehicle or tractor upon the highways.

(2) That such person has been convicted of a misdemeanor, or has forfeited bail upon such a charge, in the commission of which a motor vehicle or tractor was used.

(3) That such person has been convicted of manslaughter resulting from the operation of a motor vehicle or tractor.

(4) That such person has attempted by offering a bribe, or by other fraud, or by substitution of another person in his place, to take or pass an examination for an operator's license.

(b) The secretary may suspend the operator's license or learner's permit of any person, after a hearing before the secretary or his representative, whenever the secretary finds upon sufficient evidence:

(1) That such person has committed any offense for the conviction of which mandatory revocation of license is provided in this act;

(2) That such person has committed any violation of the laws of this Commonwealth relating to vehicles or tractors;

(3) That such person has failed to file a report with the department of a motor vehicle or tractor accident as required by this act;

(4) That such person was operating any motor vehicle or tractor involved in an accident resulting fatally to any person;

(5) That such person is incompetent or unable to exercise reasonable and ordinary control over a vehicle;

(6) That such person has failed to pay a fine, properly imposed by any court of this Commonwealth or of any state, or has failed to appear for a hearing before a court of competent jurisdiction of this Commonwealth or of any state, upon being notified as provided by law;

(7) That such person having been involved in an accident by motor vehicle or tractor, or in any violation of this act, has failed to attend or appear at a hearing before the secretary or his representative after being properly notified.

(c) The secretary may suspend any operator's license or learner's permit, when check submitted in payment of the fee for such license is not paid on demand, or when such fee or any part thereof is unpaid and owing, and he may delegate authority to any department employe or peace officer to lift the operator's license or learner's permit card so cancelled.

(d) The secretary is hereby authorized to suspend the privilege of any nonresident to operate a motor vehicle

or tractor in this Commonwealth for any cause for which the license of a resident operator may be suspended or revoked. The secretary is further authorized, upon receiving a record of the conviction in this Commonwealth of a nonresident operator of a motor vehicle or tractor of any offense under the motor vehicle or tractor laws of this Commonwealth, to forward a report of such conviction to the motor vehicle or tractor administrator in the state wherein the person so convicted is a resident.

(e) The secretary is hereby authorized after a hearing before the secretary or his representative, or upon failure of the said person to appear at such hearing, to suspend the operator's license or learner's permit of any person licensed in this Commonwealth, upon receiving notice of the conviction of such person in another state of an offense therein which, if committed in this Commonwealth, would be grounds for the suspension or revocation of the license of an operator.

(f) The secretary may suspend any operator's license or learner's permit, upon certification, or request, or order of any court or commission duly authorized under the laws of this Commonwealth and empowered by such laws to make such certifications, requests, or orders.

(g) The secretary, upon suspending any operator's license or learner's permit, shall require that such license of any operator, whose license or permit is so suspended, shall be surrendered immediately to and retained by the department.

(h) Whenever the secretary suspends the operator's license or learner's permit of any person, the secretary shall immediately notify such person and afford him an opportunity of a hearing before said secretary or his representative, provided such hearing has not already been held, and, after such hearing, the secretary shall either rescind his order of suspension, or, good cause appearing therefor, may suspend the operator's license or learner's permit of such person for a further period.

(i) When the secretary suspends an operator's license for any violation other than one for which he could revoke the operator's license, he may, on request of the operator, issue him a license restricted to the use and operation of tractors during the period of such suspension.

Section 619. Suspension of Privilege to Apply for Operator's License or Learner's Permit.—The secretary may suspend the privilege of any person to apply for an operator's license or learner's permit, after a hearing before the secretary or his representative, whenever the secretary finds upon sufficient evidence—

(1) That such person has committed any offense for

the conviction of which mandatory revocation of license is provided in this act;

(2) That such person has committed any violation of the laws of this Commonwealth relating to vehicles or tractors;

(3) That such person has failed to file a report of a motor vehicle or tractor accident with the department as required by this act;

(4) That such person was operating any motor vehicle or tractor involved in an accident resulting fatally to any person;

(5) That such person was convicted of an offense in another state which, if committed in this Commonwealth, would be grounds for the suspension of the privilege to apply for an operator's license or learner's permit;

(6) That such person failed to pay a fine properly imposed, or has been involved in an accident by motor vehicle or tractor, or in any violation of this act, and has failed to appear for a hearing before the secretary or his representative after being properly notified, or has failed to appear for a hearing upon a charge of a violation of the vehicle or tractor laws of another state before a court of competent jurisdiction of such other state upon being notified as provided by law;

(7) That the department has received a certification or request or order of any court or commission duly authorized under the laws of this Commonwealth and empowered by such laws to make such certifications, requests or orders to suspend the privilege of any person to apply for an operator's license or learner's permit;

(8) Whenever the secretary suspends the privilege to apply for an operator's license or *learner's permit of any person, the secretary shall immediately notify such person and afford him an opportunity of a hearing before said secretary or his representative, provided such hearing has not already been held, and after such hearing, the secretary shall either rescind his order of suspension, or, good cause appearing therefor, may suspend the privilege to apply for an operator's license or learner's permit for a further period.

Section 620. Right of Appeal to Court from Suspension.—Any person, whose operator's license or learner's permit has been suspended, or who has been deprived of the privilege of applying for an operator's license or learner's permit under the provisions of this act, shall have the right to file a petition, within thirty (30) days thereafter, for a hearing in the matter in the court of common pleas of the county in which the operator or permittee resides, other than Allegheny County,

* "learners's" in original.

and in Allegheny County, in the County Court of Allegheny County. Such courts are hereby vested with jurisdiction, and it shall be their duty, to set the matter down for hearing upon thirty (30) days' written notice to the secretary, and thereupon to take testimony and examine into the facts of the case, and to determine whether the petitioner is subject to suspension of operator's license or learner's permit, or whether he may be deprived of the privilege of applying for an operator's license or learner's permit by the secretary under the provisions of this act. The jurisdiction of the County Court of Allegheny County conferred hereby shall be exclusive within the territorial limits of its jurisdiction.

Any party aggrieved by a decision of a court of common pleas or of the County Court of Allegheny County shall have a right of appeal to the Superior Court: Provided, however, That nothing contained herein shall affect the disposition of any matter pending before the Supreme Court on or prior to May 29, 1956.

Section 621. New Operator's License after Revocation or Suspension.—Any person whose operator's license or learner's permit has been revoked under the provisions of this act, shall not be entitled to apply for or receive any new operator's license or learner's permit until the expiration of one (1) year from the date of revocation, or, in the event of suspension, no new operator's license or learner's permit until the suspension is lifted by the secretary.

Section 622. Owner Liable for Negligence of Certain Minors.—Every owner of a motor vehicle or tractor causing or knowingly permitting a minor under the age of sixteen (16) years to operate a motor vehicle or tractor upon a highway, and any *person who knowingly gives or furnishes a motor vehicle or tractor to a minor under the age of sixteen (16) years, shall be jointly and severally liable with such minor for any damages caused by the negligence of such minor in operating such vehicle.

Section 623. Counties and Municipalities Liable for Negligence of Their Employes.—Every county, city, borough, incorporated town or township, within this **Commonwealth, employing any person, shall be jointly and severally liable with such person for any damages caused by the negligence of such person while operating an animal-drawn vehicle or a motor vehicle or fire department equipment or a tractor upon a highway in the course of their employment; and every city, borough, incorporated town and township shall also be jointly and severally liable with any member of a volunteer fire com-

* "peron" in original.

** "Comomnwealth" in original.

pany of any such city, borough, incorporated town or township for any damage caused by the negligence of such member while operating an animal-drawn vehicle or a motor vehicle or fire department equipment or a tractor used by or belonging to such volunteer fire company while going to, attending or returning from a fire or while engaged in any other proper use of such animal-drawn vehicle or motor vehicle or fire department equipment or a tractor for such volunteer fire company.

Section 624. Violation of License Provisions.—It shall be unlawful for any person to commit any of the following acts:

(1) To display, or cause or permit to be displayed, or to have in possession, any operator's license or learner's permit, knowing the same to be fictitious or to have been cancelled, revoked, suspended or altered.

(2) To lend to, or knowingly permit the use of, by one not entitled thereto any operator's license or learner's permit issued to the person so lending or permitting the use thereof.

(3) To display, or to represent as one's own, any operator's license or learner's permit not issued to the person so displaying the same.

(4) To fail or refuse to surrender to the department, upon demand, any operator's license, learner's permit, registration card, registration plates, certificates of title, or duplicates thereof, which have been suspended, cancelled or revoked as provided in this act.

(5) To make use of or operate any motor vehicle or tractor without the knowledge or consent of the owner or custodian thereof.

(6) To operate any motor vehicle or tractor upon the highways of this Commonwealth after the operating privilege is suspended or revoked and before such operating privilege has been reinstated.

(7) To operate any motor vehicle or tractor upon the highways of this Commonwealth after its registration has been suspended by the secretary.

(8) To use a false or fictitious name, or give a false or fictitious address, in any application or form required under the provisions of this act, or make a false statement, or conceal a material fact, or otherwise commit a fraud in any application.

Penalty.—Any person violating any of the provisions of clause (1), (2), (3) or (4) of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of fifty dollars (\$50.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Any person violating any of the provisions of clause (8) of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of one hundred dollars (\$100.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than twenty (20) days.

Any person violating any of the provisions of clause (5), (6) or (7) of this section, shall be guilty of a misdemeanor, and shall, upon conviction thereof in a court of quarter sessions, be sentenced to pay a fine of not less than one hundred dollars (\$100.00) and not more than five hundred dollars (\$500.00) and costs of prosecution, or undergo imprisonment for not more than three (3) years, or suffer both such fine and imprisonment.

Limitation.—The provisions of clauses (2), (3) and (8) are subject to the limitation of actions as set forth in section 1201 of this act.

Section 625. Unlawful for Person Under Eighteen (18) Years to Operate Vehicle as a Paid Employee.—It shall be unlawful for any person under the age of eighteen (18) years to operate a motor vehicle or tractor upon any highway as a paid employe, or for any person to cause or permit any such operation.

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 dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 626. Unlawful to Permit Violations of Act.—No person shall authorize or permit a motor vehicle or tractor owned by him or under his control to be operated by any person who has no legal right to do so, or in violation of any of the provisions of this act.

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 dollars (\$25.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

ARTICLE VII.

FEEES

Section 701. Motorcycles.

Section 702. Motor Vehicles.

Section 703. Fee for Temporary Registration.

Section 704. Commercial *Motor Vehicles and Truck Tractors with Pneumatic Tires.

* "Motor" omitted in original.

Section 705-A. Commercial Motor Vehicles and Truck Tractors with Solid Rubber or Cushion Rubber Tires Applicable to All Vehicles Originally Titled Prior to January 1, 1957.

Section 705-B. Commercial Motor Vehicles and Truck Tractors with Solid Rubber or Cushion Rubber Tires Applicable to All Vehicles Originally Titled After January 1, 1957.

Section 706. Electrically Operated Commercial Motor Vehicles and Truck Tractors.

Section 707-A. Trailers and Semi-Trailers Applicable to All Vehicles Originally Titled Prior to January 1, 1957.

Section 707-B. Trailers and Semi-Trailers Applicable to All Vehicles Originally Titled after January 1, 1957.

Section 708. Trailers Designed for Living Quarters.

Section 709. Motor Buses and Motor Omnibuses with Pneumatic Tires.

Section 710. Motor Buses and Motor Omnibuses with Solid Rubber Tires.

Section 711. Tractors, Classification and Fees.

Section 712. Metal Tires.

Section 713. Reduction of Registration Fees in Certain Cases.

Section 714. Manufacturers, Jobbers and Dealers.

Section 715. Antique Motor Vehicles.

Section 716. Lighting Equipment.

Section 717. Operators' Licenses; Duplicate Registration or Operator's License Card.

Section 718. Replacement or Substitution of Registration Plate.

Section 719. Transferring Registration.

Section 720. Certificates of Title; Duplicate Certificates of Title.

Section 721. Certified Copies of Records.

Section 722. Fee for Inspection Certificates.

Section 723. Uncollectible Checks.

Section 724. Special Hauling Permits as to Weight.

Section 725. Special Hauling Permits for Manufacturers of Certain Vehicles.

Section 726. Special Hauling Permits for Delivery of House Trailers from Manufacturer.

Section 727. Mechanical Brake Testing Equipment.

Section 728. Head Lamp Testing Equipment.

Section 729. Exemptions from Fees.

Section 730. No Other Taxes or Fees to be Imposed; Exception.

Section 701. Motorcycles.—The fee for the annual registration of a motorcycle, as defined in this act, shall be four dollars (\$4.00).

Section 702. Motor Vehicles.—The fee for annual registration of motor vehicles, except as provided in this act, shall be ten dollars (\$10.00).

Section 703. Fee for Temporary Registration.—The fee for the temporary registration of motor vehicles shall be fifty cents (50c) for each set issued, and dealers may purchase no less than five (5) sets of temporary registration plates or markers at any one time.

Section 704. Commercial Motor Vehicles and Truck Tractors with Pneumatic Tires.—Commercial motor vehicles and truck tractors with pneumatic tires, other than those electrically operated, shall be divided into eight (8) classes, and the fee for annual registration of such vehicles in each of the respective classes, based on the maximum gross weight, shall be as follows:

(2 Axles) Class.	Maximum Gross Weight in Pounds.	Fee.
R	5000	\$16.50
S	7000	26.00
T	11000	35.00
U	16500	55.00
V	21000	90.00
W	26000	120.00
Y	30000	190.00
Z	33000	225.00

(3 Axles) Class.	Maximum Gross Weight in Pounds.	Fee.
RZ	12000	\$48.00
SZ	14000	60.00
TZ	16000	72.00
UZ	26000	132.00
VZ	31000	168.00
WZ	36000	208.00
YZ	40000	252.00
ZZ	47000	300.00

(4 Axles in Pairs) Class. Commercial Vehicles.	Maximum Gross Weight in Pounds.	Fee.
RX	14000	\$60.00
SX	16000	72.00
TX	26000	132.00
UX	31000	168.00
VX	36000	208.00
WX	40000	252.00
YX	47000	300.00
ZX	60000	360.00

Provided, That as to new two-axle commercial motor vehicles and truck tractors originally titled in this Commonwealth on or after January 1, 1957, but not later than December 31, 1957, there shall be ten (10) classes in addition to the eight (8) classes hereinabove prescribed therefor, and the fee for annual registration of such vehicles in each of the respective additional classes, based on the maximum gross weight shall be as follows:

(2 Axles) Class.	Maximum Gross Weight in Pounds.	Fee.
SA	9000	\$30.00
TA	13000	40.00
TB	15000	50.00
UA	17000	62.00
UB	19000	76.00
VA	23000	102.00
VB	25000	116.00
WA	27000	140.00
WB	29000	180.00
YA	31000	200.00

Section 705-A. Commercial Motor Vehicles and Truck Tractors with Solid Rubber or Cushion Rubber Tires Applicable to All Vehicles Originally Titled Prior to January 1, 1957.—Commercial motor vehicles and truck tractors with solid rubber or cushion rubber tires, approved by the Secretary of Highways of this Commonwealth, other than those electrically operated, shall be divided into eight (8) classes, and the fee for the annual registration of such vehicles in each of the respective classes, based on the gross chassis weight as given and certified to by the manufacturer, shall be as follows:

Four-Wheeled Chassis Weight in Pounds.

Class.	(Solid Rubber Tires)	Fee.
R	.....Less than 2000,	\$30.00
S	.....2000 and over, but less than 3000,	45.00
T	.....3000 and over, but less than 4000,	75.00
U	.....4000 and over, but less than 5000,	120.00
V	.....5000 and over, but less than 6000,	170.00
W	.....6000 and over, but less than 7500,	225.00
Y	.....7500 and over, but less than 9000,	285.00
Z	.....9000 and over,	340.00

Six-Wheeled (3 Axles)**Chassis Weight in Pounds.**

Class.	(Solid Rubber Tires)	Fee.
RZ	....2000 and over, but less than 3000,	\$72.00
SZ	....3000 and over, but less than 4000,	90.00
TZ	....4000 and over, but less than 5000,	110.00
UZ	...5000 and over, but less than 6000,	200.00
VZ	...6000 and over, but less than 7500,	288.00
WZ	...7500 and over, but less than 9000,	311.00
YZ	...9000 and over, but less than 12000, ...	375.00
ZZ	....12000 and over,	450.00

Four-Wheeled Chassis Weight in Pounds.

Class.	(Cushion Rubber Tires)	Fee.
R	.....Less than 2000,	\$25.00
S	.....2000 and over, but less than 3000,	37.00
T	.....3000 and over, but less than 4000,	66.00
U	.....4000 and over, but less than 5000,	99.00
V	.....5000 and over, but less than 6000,	140.00
W	.....6000 and over, but less than 7500,	177.00
Y	.....7500 and over, but less than 9000,	230.00
Z	.....9000 and over,	275.00

Six-Wheeled (3 Axles)**Chassis Weight in Pounds.**

Class.	(Cushion Rubber Tires)	Fee.
RZ	....2000 and over, but less than 3000,	\$60.00
SZ	....3000 and over, but less than 4000,	75.00
TZ	....4000 and over, but less than 5000,	90.00
UZ	....5000 and over, but less than 6000,	162.00
VZ	....6000 and over, but less than 7500,	213.00
WZ	...7500 and over, but less than 9000,	250.00
YZ	...9000 and over, but less than 12000, ...	300.00
ZZ	....12000 and over,	360.00

Section 705-B. Commercial Motor Vehicles and Truck Tractors with Solid Rubber or Cushion Rubber Tires Applicable to All Vehicles Originally Titled after Janu-

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ary 1, 1957.—Commercial motor vehicles and truck tractors with solid rubber or cushion rubber tires, approved by the Secretary of Highways of this Commonwealth, other than those electrically operated, shall be divided into eight (8) classes, and the fee for the annual registration of such vehicles in each of the respective classes based on the maximum gross weight, shall be as follows :

Six Wheeled (3 Axles) Class. (Solid Rubber Tires)	Maximum Gross Weight in Pounds.	Fee.
RZ	12000	\$72.00
SZ	14000	90.00
TZ	16000	110.00
UZ	26000	200.00
VZ	31000	288.00
WZ	36000	311.00
YZ	40000	375.00
ZZ	47000	450.00

Four-Wheeled Class. (Cushion Rubber Tires)	Maximum Gross Weight in Pounds.	Fee.
R	5000	\$25.00
S	7000	37.00
T	11000	66.00
U	16500	99.00
V	21000	140.00
W	26000	177.00
Y	30000	230.00
Z	33000	275.00

Six Wheeled (3 Axles) Class. (Cushion Rubber Tires)	Maximum Gross Weight in Pounds.	Fee.
RZ	12000	\$60.00
SZ	14000	75.00
TZ	16000	90.00
UZ	26000	162.00
VZ	31000	213.00
WZ	36000	250.00
YZ	40000	300.00
ZZ	47000	360.00

Section 706. Electrically Operated Commercial Motor Vehicles and Truck Tractors.—Electrically operated commercial motor vehicles and truck tractors shall be divided into eight (8) classes, and the fee for annual registration of such vehicles in each of the respective classes, based on the gross maximum weight of chassis, battery, body and load, as given and certified to by the manufacturer, shall be as follows :

Four-Wheeled Class.	Weight of Chassis, Battery, Body and Load in Pounds.	Fee.
R	Less than 5001,	\$16.50
S	5001 and over, but less than 7001,	26.00
T	7001 and over, but less than 11001,	35.00
U	11001 and over, but less than 15001,	45.00
V	15001 and over, but less than 18001,	63.00
W	18001 and over, but less than 22001,	90.00
Y	22001 and over, but less than 25001,	110.00
Z	25001 and over, but less than 26000,	155.00

Six-Wheeled (3 Axles)

Class.	Weight of Chassis, Battery, Body and Load in Pounds.	Fee.
RZ	Less than 12001,	\$40.00
SZ	12001 and over, but less than 14001,	50.00
TZ	14001 and over, but less than 16001,	60.00
UZ	16001 and over, but less than 22001,	90.00
VZ	22001 and over, but less than 26001,	155.00
WZ	26001 and over, but less than 30001,	175.00
YZ	30001 and over, but less than 34001,	200.00
ZZ	34001 and over, but less than 36000,	225.00

Section 707-A. Trailers and Semi-Trailers Applicable to All Vehicles Originally Titled Prior to January 1, 1957.—Trailers and semi-trailers equipped with pneumatic or solid rubber or cushion rubber tires, approved by the Secretary of Highways, shall be divided into seven (7) classes, and the fee for annual registration of such vehicles in each of the respective classes, based on the combined weight of chassis and body if so constructed or the gross weight of the trailer or semi-trailer exclusive of the load to be transported, shall be as follows:

Two-Wheeled Semi-Trailer Class.	Weight in Pounds.	Tire Equipment Fee		
		Pneumatic.	Cushion.	Solid.
A	.....Less than 1000,	\$10.00	\$12.00	\$15.00
B	.....1000 and over, but less than 2000,	30.00	35.00	40.00
C	.....2000 and over, but less than 3000,	45.00	60.00	75.00
D	.....3000 and over, but less than 4000,	57.00	75.00	95.00
E	.....4000 and over, but less than 5000,	73.00	95.00	115.00
F5000 and over, but less than 6000,	88.00	110.00	135.00
G6000 and over,	125.00	150.00	175.00

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Four-Wheeled (2 Axles) Trailer or Semi- Trailer		Tire Equipment Fee		
Class.	Weight in Pounds.	Pneu- matic.	Cushion.	Solid.
A	Less than 1000,	\$10.00	\$12.00	\$15.00
B	1000 and over, but less than 2000,	30.00	32.00	40.00
C	2000 and over, but less than 3000,	45.00	60.00	75.00
D	3000 and over, but less than 4000,	57.00	75.00	95.00
E	4000 and over, but less than 5000,	72.00	95.00	115.00
F	5000 and over, but less than 6000,	88.00	110.00	135.00
G	6000 and over,	125.00	150.00	175.00

Six-Wheeled (3 Axles) Trailer		Tire Equipment Fee		
Class.	Weight in Pounds.	Pneu- matic.	Cushion.	Solid.
AZ . . .	Less than 3000,	\$45.00	\$50.00	\$55.00
BZ . . .	3000 and over, but less than 4000,	55.00	60.00	67.00
CZ . . .	4000 and over, but less than 5000,	75.00	85.00	90.00
DZ . . .	5000 and over, but less than 6000,	97.00	105.00	120.00
EZ . . .	6000 and over, but less than 7000,	112.00	120.00	135.00
FZ . . .	7000 and over, but less than 9000,	127.00	140.00	155.00
GZ . . .	9000 and over,	150.00	160.00	180.00

Section 707-B. Trailers and Semi-Trailers Applicable to All Vehicles Originally Titled After January 1, 1957.—Trailers and semi-trailers equipped with pneumatic or solid rubber or cushion rubber tires, approved by the Secretary of Highways, shall be divided into seven (7) classes, and the fee for annual registration of such vehicles in each of the respective classes, based on the gross weight of the trailer or semi-trailer and the load to be transported, shall be as follows:

Two- Wheeled Semi- Trailer Class.	Maximum Gross Weight in Pounds.	Tire Equipment Fee		
		Pneu- matic.	Cushion.	Solid.
A	3000	\$10.00	\$12.00	\$15.00
B	8000	30.00	35.00	40.00
C	10000	45.00	60.00	75.00
D	12000	57.00	75.00	95.00
E	14000	73.00	95.00	115.00
F	16000	88.00	110.00	135.00
G	22400	125.00	150.00	175.00

Four- Wheeled (2 Axles) Trailer or Semi- Trailer Class.	Maximum Gross Weight in Pounds.	Tire Equipment Fee		
		Pneu- matic.	Cushion.	Solid.
A	3000	\$10.00	\$12.00	\$15.00
B	6000	30.00	32.00	40.00
C	10000	45.00	60.00	75.00
D	16000	57.00	75.00	95.00
E	20000	72.00	95.00	115.00
F	24000	88.00	110.00	135.00
G	36000	125.00	150.00	175.00

Six- Wheeled (3 Axles) Trailer Class.	Maximum Gross Weight in Pounds.	Tire Equipment Fee		
		Pneu- matic.	Cushion.	Solid.
AZ	12000	\$45.00	\$50.00	\$55.00
BZ	15000	55.00	60.00	67.00
CZ	20000	75.00	85.00	90.00
DZ	26000	97.00	105.00	120.00
EZ	30000	112.00	120.00	135.00
FZ	34000	127.00	140.00	155.00
GZ	47000	150.00	160.00	180.00

Section 708. Trailers Designed for Living Quarters.—The fee for annual registration of trailers designed and used exclusively for living quarters shall be twelve dollars (\$12.00).

Section 709. Motor Buses and Motor Omnibuses with Pneumatic Tires.—The fee for annual registration of each motor bus and motor omnibus with pneumatic tires shall be according to seating capacity and the following classes:

Class.	Seating Capacity.	Fee.
A	Five (5) passengers or less,	\$25.00
B	More than five (5) passengers and less than eight (8) passengers,	\$30.00
C	More than seven (7) passengers and not more than twenty-six (26) passengers, .. plus \$4.00 for each seat over seven (7) seats.	\$40.00
D	In excess of twenty-six (26) passengers (except as otherwise provided in Class E), .. plus \$4.00 for each seat over seven (7) seats to and including twenty-six (26) seats, plus \$10.00 for each seat over twenty-six (26).	\$40.00
E	In excess of forty-four (44) passengers, ..	\$300.00

Section 710. Motor Buses and Motor Omnibuses with Solid Rubber Tires.—The fee for annual registration of each motor bus, and motor omnibus with solid rubber or cushion rubber tires, shall be according to seating capacity and the following classes:

Class.	Seating Capacity.	Fee.
A	Five (5) passengers or less,	\$37.50
B	More than five (5) passengers and less than eight (8) passengers,	\$45.00
C	More than seven (7) passengers and not more than twenty-six (26) passengers, .. plus \$5.00 for each seat over seven (7) seats.	\$50.00
D	In excess of twenty-six (26) passengers (except as otherwise provided in Class E), .. plus \$5.00 for each seat over seven (7) seats to and including twenty-six (26) seats, plus \$12.50 for each seat over twenty-six (26).	\$50.00
E	In excess of fifty-three (53) passengers when operated exclusively in cities, ...	\$400.00

Section 711. Tractors, Classification and Fees.—Tractors for the purposes of this act shall be divided into two (2) classes as follows:

(1) First class.—Tractors used primarily as farm implements for drawing plows, mowing machines, farm wagons and other implements of husbandry, or used as well-drilling, and production equipment.

(2) Second class.—Tractors used for industrial purposes, or as a portable sawmill rig, and for all hauling on any highway, except as specified in clause (1) of this section.

The fee for the annual registration of a tractor of the first class required to be registered shall be five dollars (\$5.00). The fee for the annual registration of a tractor of the second class shall be sixteen dollars (\$16.00).

Section 712. Metal Tires.—The fee for annual registration of any motor vehicle, trailer or semi-trailer equipped with metal tires, shall be double the regular fee of a similar vehicle equipped with solid rubber tires.

Section 713. Reduction of Registration Fees in Certain Cases.—The fee for registration of a motor vehicle, tractor trailer or semi-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 such vehicles or tractors, 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.

Section 714. Manufacturers, Jobbers and Dealers.—The fee shall be five dollars (\$5.00) for each registration issued to manufacturers, jobbers, or dealers in motor-cycles, registered in the "Dealer's Class."

The fee shall be twenty-five dollars (\$25.00) for the first registration, and five dollars (\$5.00) for each additional annual registration issued to manufacturers, jobbers or dealers in motor vehicles, trailers and semi-trailers registered in the "Dealer's Class."

The fee shall be twenty-five dollars (\$25.00) for the first annual registration, and two dollars (\$2.00) for each additional annual registration issued to persons registered as dealers in tractors.

The fee for such registration, 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 such registration, 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.

Section 715. Antique Motor Vehicles.—The fee for registration of an antique motor vehicle for the duration

of the time that such vehicle is owned by a resident of Pennsylvania shall be twelve dollars and fifty cents (\$12.50).

Section 716. Lighting Equipment.—

(a) The fee for approval and registration of head lamps and auxiliary driving lamps shall be one hundred fifty dollars (\$150.00) for each type approved.

(b) The fee for approval and registration of rear lamps, signal lamps, reflectors, flares and mechanical signal devices, shall be fifty dollars (\$50.00) for each type approved.

(c) The fee for approval and registration, incident to the renewal of a certificate of approval for head lamps, shall be fifty dollars (\$50.00).

(d) The fee for approval and registration of vacuum or pressure hose for brake systems shall be twenty-five dollars (\$25.00) for each type approved.

(e) The fee for approval and registration incidental to the renewal of a certificate of approval for vacuum or pressure hose for brake system shall be ten dollars (\$10.00).

(f) The fee for approval and registration of a hitch or coupling device shall be twenty-five dollars (\$25.00) for each type approved.

(g) Certificates approving each type of hitch or coupling device, hereafter issued by the secretary, shall not expire until revoked by the secretary.

Section 717. Operators' Licenses; Duplicate Registration or Operator's License Card.—

(a) The fee for issuing an operator's license to a person unable to produce satisfactory proof of having held a Pennsylvania operator's license, during any one of the three (3) years preceding application, shall be four dollars (\$4.00), which fee shall entitle the applicant for such license to receive a learner's permit, valid for ninety (90) days from date of issue, and, if the examination shall have been passed during the ninety-day period, on operator's license for the current year.

(b) The fee for renewal of an operator's license shall be one dollar (\$1.00).

(c) The fee for a duplicate operator's license card or duplicate registration card shall be fifty cents (50¢).

(d) As much of the fee received for each learner's permit as may be necessary, but not more than two dollars (\$2.00), is hereby appropriated to the Department of Public Instruction for the purpose of paying authorized expenses incurred by that department in connection with carrying out a standardized program of teaching of

safe driving of motor vehicles in the public schools and making authorized payments to school districts complying with such standardized program. Such moneys shall be paid out of the Motor License Fund upon the warrant of the Auditor General, drawn after requisition by the Department of Public Instruction.

Section 718. Replacement or Substitution of Registration Plates.—The fee for replaced, or substituted, or duplicated motor vehicle, tractor, trailer or semi-trailer, and manufacturer's, jobber's or dealer's registration plate or plates, shall be one dollar (\$1.00), and the fee for all replaced or substituted or duplicated motorcycle or bicycle with motor attached registration plates including dealer's shall be fifty cents (50¢).

Section 719. Transferring Registration.—The fee for transfer of registration shall be two dollars (\$2.00) when the motor vehicle, tractor, trailer or semi-trailer is of equal classification with that originally registered, or upon payment of a fee of two dollars (\$2.00) and the difference between the fee originally paid and that due, if the motor vehicle, tractor, trailer or semi-trailer be properly registerable in a higher classification.

Section 720. Certificates of Title; Duplicate Certificates of Title.—The fee for each certificate of title shall be two dollars (\$2.00), except in the case where the certificate of title is issued in the name of the manufacturer, jobber or dealer, and the dealer, manufacturer or jobber is possessed of current manufacturer's, dealer's or jobber's registration plates, in which case the fee shall be fifty cents (50¢): Provided, That the fee for each certificate of title for a fleet owner and for a person regularly engaged in the business of transporting new motor vehicles, trailers or semi-trailers on their own wheels, shall be two dollars (\$2.00). The fee for a duplicate certificate of title shall be one dollar (\$1.00), except when issued for the purpose of recording a lien in which case the fee shall be two dollars (\$2.00).

Section 721. Certified Copies of Records.—The fee for certified copy, or certified photostatic copy, of any department record, which the department is authorized by law to furnish to the public, shall be one dollar (\$1.00) for each form or supporting document comprising such record.

Section 722. Fee for Inspection Certificates.—The fee for inspection certificates shall be ten cents (10¢) for each certificate issued. A sum equal to the amount so realized shall be allocated to and used solely for the promotion of highway safety.

Section 723. Uncollectible Checks.—Whenever any check issued in payment of any fee or for any other purpose shall be returned to the department as uncollectible, the secretary shall charge a fee of five dollars (\$5.00), plus all protest fees to the person presenting such check to him, to cover the cost of its collection.

Section 724. Special Hauling Permits as to Weight.—The fee for a special hauling permit shall be five dollars (\$5.00), plus two cents (2¢) for each ton of two thousand (2000) pounds, or fraction thereof, of gross weight of vehicle, or combination of vehicles or vehicle, and load, or combination of vehicles, and their load or loads, in excess of the legal gross carrying capacity for which such vehicles or combination of vehicles have been properly registered, for each mile, or fraction thereof, of length of haul, payable to the authorities issuing such permit.

The annual fee for a special permit which is issued for the license year and authorizes the operation or movement of heavy quarry equipment and machinery, as provided for in subsection (a) of section 905, shall be ten dollars (\$10.00).

The fee for a special permit which is issued for the period between the fifteenth day of June and the fifteenth day of December of each year and authorizes the operation or movement of any *oversized self-propelled combine, as provided for in subclauses (i) and (ii) of subsection (a) of section 905, shall be ten dollars (\$10.00) for combines not exceeding one hundred fifty (150) inches in width and twenty-five dollars (\$25.00) for combines one hundred fifty-one (151) to one hundred sixty-six (166) inches in width. The fee for a special permit which is issued for an entire year and authorizes the operation or movement of any **oversized self-propelled combine, as provided for in subclause (iii) of subsection (a) of section 905, shall be twenty dollars (\$20.00) for combines not exceeding one hundred fifty (150) inches in width and fifty dollars (\$50.00) for combines one hundred fifty-one (151) to one hundred sixty-six (166) inches in width.

The fee for cancelling an unused special hauling permit shall be one dollar (\$1.00) payable to and upon the approval of the authorities issuing the permit.

Section 725. Special Hauling Permits for Manufacturers of Certain Vehicles.—The fee for a special permit to manufacturers of vehicles which are not normally used on the highways of this Commonwealth, whose place of manufacture is located within the Commonwealth, to operate vehicles or combinations of vehicles on the public highways in accordance with section 906

* "oversize" in original.

** "over-size" in original.

of this act, while such vehicle or combination of vehicles is in the course of manufacture, shall be five dollars (\$5.00) for each trip or round trip within a radius of ten (10) miles from the place of manufacture. For trips or round trips of a distance greater than within a ten (10) mile radius from the place of manufacture, an additional fee of two dollars (\$2.00) for each five (5) miles or part thereof of additional radial distance shall be charged.

Section 726. Special Hauling Permits for Delivery of House Trailers from Manufacturer.—The fee for a special hauling permit for delivery of a house trailer which exceeds the maximum size or weight prescribed in this act, from the place of manufacture within this Commonwealth to its initial destination, either by or for the manufacturer or the purchaser, shall be five dollars (\$5.00) payable to the authorities issuing the permit.

Section 727. Mechanical Brake Testing Equipment.—The fee for approval and registration of a mechanical brake testing device shall be one hundred dollars (\$100.00) for each type approved.

Section 728. Head Lamp Testing Equipment.—The fee for approval and registration of a head lamp testing device shall be one hundred dollars (\$100.00) for each type approved.

Section 729. Exemptions from Fees.—

(a) No fee shall be charged for a certificate of title or registration of motor vehicles, tractors, fire department equipment, trailers and semi-trailers owned by and used exclusively in the performance of the duties of (1) the Federal Government, (2) any state, other than Pennsylvania, which issues titles or registrations to this Commonwealth without charge, (3) the Commonwealth of Pennsylvania, (4) any city, borough, incorporated town, township, county, county institution district or school district of this Commonwealth, (5) the Civil Air Patrol and duly authorized volunteer fire force, in the extinguishment and prevention of fires or in rescue work, hospital, humane society, or anticruelty society in this Commonwealth, (6) the American Red Cross, (7) churches, (8) Girl Scouts of America, (9) Boy Scouts of America, (10) Salvation Army, (11) duly chartered post organization or combination of organizations of the American Legion, Veterans of Foreign Wars, Philippine Pacific War Veterans, Navy Club of the United States, United States Army Ambulance Corps, Disabled American Veterans, American Veterans of World War II (AMVETS), the Marine Corps League, Military Order of the Purple Heart, Jewish War Vet-

erans, Catholic War Veterans, Inc., the Italian-American World War Veterans of the United States, Incorporated, or United Spanish War Veterans, of this Commonwealth, or La Societe Des Forty Hommes et Eight Chevaux, and organizations and units of the Pennsylvania National Guard, (12) mine or industrial ambulances, (13) the Y. M. C. A. and the Y. M. H. A., (14) the Y. W. C. A. and the Y. W. H. A., (15) ambassadors, ministers, foreign consuls, general consuls and vice consuls who are nationals of the country appointing them, and who are assigned to foreign consulates in this Commonwealth: Provided, That American consular officers of equal rank, who are citizens of the United States, and who exercise their official functions at American consulates in such foreign country, are granted reciprocal exemptions. No fee shall be charged for certificates of title or registration of one (1) motor vehicle owned and used by any veteran who served in the armed forces of the United States during any period of war or armed conflict in which it was engaged and who lost a limb or became totally blind in both eyes or became paralyzed as a result of such service. All such vehicles, or tractors, except those owned and used by the Federal Government, shall be titled and registered, and shall display registration plates as is now provided for privately owned motor vehicles, tractors, trailers and semi-trailers.

All vehicles titled and registered under the provisions of this subsection shall be operated and used exclusively for the purpose because of which payment of fees was not required.

Penalty.—Any person violating any of the provisions of this subsection, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

(b) No fee shall be required when a certificate of title or assigned certificate of title is returned to the department for cancellation.

(c) No fee shall be charged for replacement or substitution of registration card, registration plates, operator's license card, learner's permit card, or certificate of title, when satisfactory proof is furnished the secretary of loss of same in the mails.

(d) No fee shall be charged for certified copies, or certified photostatic copies, of any department record furnished to Federal, state, county or municipal authorities.

(e) No fee shall be charged for special hauling permits issued to the Commonwealth, any city, borough, incorporated town, township, county, county institution

district or school district of this *Commonwealth, or anyone entitled to exemption from fees under subsection (a) of this section, or to anyone hauling equipment or materials for use on a Federal or State emergency relief project.

(f) No fee shall be charged for transfer of registration for the succeeding year, when such transfer has been received and completed by the department prior to the first day of such succeeding registration year.

(g) No fee shall be charged for a certificate of junk issued to any person.

(h) No fee shall be charged to a manufacturer, jobber or dealer for a certificate of title to a motor vehicle, trailer or semi-trailer when assignment of certificate of title accompanies the application for certificate of title, and when the dealer, manufacturer or jobber is possessed of current manufacturer's, dealer's or jobber's registration plates.

(i) No fee shall be charged for inspection certificates issued to any official inspection station of, and when used on vehicles owned by and engaged exclusively in the performance of the official duties of, (1) the Federal Government, (2) the Commonwealth of Pennsylvania, (3) any city, borough, incorporated town, township, county, county institution district or school district of this Commonwealth, or (4) any duly authorized volunteer fire force.

Section 730. No Other Taxes or Fees to be Imposed; Exception.—No city, borough, incorporated town, township or county shall require or collect any registration or license fee or tax for any motor vehicle, trailer or semi-trailer, or license from any operator thereof, except that cities may levy a fee or tax upon motor buses and motor omnibuses transporting passengers for pay or hire within the limits of any city, or from points within such city to its suburbs which are within a radius of ten (10) miles.

ARTICLE VIII.

EQUIPMENT

Section 801. Required Lighting Equipment.

- (a) When Lights Must Be Displayed.
- (b) Head Lamps on Motor Vehicles.
- (c) Head Lamps on Motorcycles.
- (d) Rear Lamps and Illumination of Rear Registration Plate.
- (e) Stop Lamps.

* "Commonwealth" in original.

- (f) Reflectors and Reflective Materials.
- (g) Commercial Motor Vehicles, Trailers, Semi-Trailers, Buses and Omnibuses.
- (h) Lamps on Bicycles.
- (i) Lights on Other Vehicles.
- (j) Lights on Parked Motor Vehicles, Tractors, Trailers and Semi-Trailers.
- * (k) Lights on Parked Tractors.

Section 802. Additional Permissible Lights and Devices.

- (a) Spot Lamps.
- (b) Auxiliary Driving Lamps.
- (c) Signal Lamps and Mechanical Signal Devices.
- (d) Warning Devices.
- (e) Flashing Emergency Lamps.

Section 803. Multiple Beam Road Lighting Equipment.

Section 804. Illuminated Signs Prohibited.

Section 805. Single Beam Road Lighting Equipment.

Section 806. Number of Driving Lamps Required or Permitted.

Section 807. Use, Test and Approval of Lamps.

Section 808. Illegal Sale of Lighting Devices.

Section 809. Vacuum or Pressure Hose Shall Be Approved.

Section 810. Sale of Unapproved Vacuum or Pressure Hose Prohibited.

Section 811. Revocation of Certificates of Approval of Lighting Devices and of Vacuum or Pressure Hose for Brake **Systems.

Section 812. Enforcement and Authority to Refuse Title or Registration.

Section 813. Authority of Secretary Where Vacuum or Pressure Hose Is Not Approved.

Section 814. Red Light Visible From in Front of Vehicles.

Section 815. Blue Light Visible From in Front of Vehicles.

Section 816. Brakes.

Section 817. Brake Enforcement.

* "(k) Lights on Parked Tractors" not in original.

** "System" in original.

- Section 818. Brake Fluid Standards.
- Section 819. Official Inspection Stations.
- Section 820. Horns and Warning Devices.
- Section 821. Mirrors.
- Section 822. Windshields Must Be Unobstructed and Equipped with Wipers.
- Section 823. Safety Glass.
- Section 824. Unlawful to Sell Equipment Not in Conformance with Act.
- Section 825. Television in Vehicles in View of Operator Prohibited.
- Section 826. Obscene or Vulgar Signs or Markings.
- Section 827. Flag or Light at End of Load.
- Section 828. Prevention of Noise.
- Section 829. Chains and Tires.
- Section 830. Commercial Vehicles To Be Equipped with Rear Wheel Flaps or Shields.
- Section 831. Sifting or Leaking Loads.
- Section 832. Minimum Engine Capacity.
- Section 833. Transportation of Explosives.
- Section 834. Official Inspections.
- Section 835. Transfer or Removal of Certificates of Inspection.
- Section 836. Danger and Caution Signals.
- Section 837. Unlawful to Operate Certain Trailers or Semi-Trailers Unless Equipped with Fire Extinguisher.
- Section 838. Coupling Device for Trailer or Semi-Trailer Designed for Carriage of Persons Shall Be of Approved Type.
- Section 839. Violation of Federal Regulation Equipment.
- Section 840. School Buses; Safety Requirements.
- Section 841. Requirements as to Condition of Tires.
- Section 842. Vehicles and Trailers Loaded with Logs.
- Section 843. Safety Belts or Safety Harnesses Shall Be of Approved Type.

Section 844. Cleats, Guide Bands, Grousers, Chains and Tires.

Section 845. Spark Arresters and Fire Prevention.

Section 846. Limitations.

Section 801. Required Lighting Equipment.—

(a) When Lights Must Be Displayed.—Every vehicle or tractor upon a highway within this Commonwealth, during the period from one-half ($\frac{1}{2}$) hour after sunset to one-half ($\frac{1}{2}$) hour before sunrise, and at any other time when there is not sufficient light to render clearly discernible persons and vehicles on the highway at a distance of five hundred (500) feet ahead, shall be equipped with lighted lamps and illuminating devices, as in this section, respectively required for different classes of vehicles.

(b) Head Lamps on Motor Vehicles.—Every motor vehicle or tractor, other than a motorcycle or bicycle with motor attached, shall be equipped with two (2) head lamps, with one (1) on each side of the front of the motor vehicle, which head lamps shall comply with the requirements and limitations set forth in this act, and shall be of a type which at the time of their use are approved by the secretary.

(c) Head Lamps on Motorcycles.—Every motorcycle shall be equipped with at least one (1) head lamp, and not more than two (2), which shall comply with the requirements and limitations set forth in this act, and shall be of a type which at the time of its use is approved by the secretary.

(d) Rear Lamps and Illumination of Rear Registration Plate.—Every motor vehicle, and every trailer or semi-trailer attached to a motor vehicle, and every vehicle which is being drawn at the end of a combination of vehicles, shall carry at the rear at least two (2) lamps of a type which at the time of their use is approved by the secretary, and which exhibit a red light, plainly visible under normal atmospheric conditions from a distance of five hundred (500) feet to the rear of such vehicle. Such rear lamps or a separate lamp shall be so constructed and placed that the number plate carried on the rear of such vehicle shall, under like conditions, be so illuminated by a white light as to be read from a distance of fifty (50) feet to the rear of such vehicle. When the rear number plate is illuminated by an electric lamp, other than the required rear lamps, the three (3) lamps shall be turned on or off only by the same control switch at all times whenever head lamps are lighted: Provided, however, That the requirement of at least two (2) red rear lamps on such vehicles shall apply only to vehicles

initially registered in this Commonwealth on or after July 1, 1956. Vehicles initially registered in this Commonwealth prior to July 1, 1956, shall be required to carry one (1) red rear lamp rather than the two (2) red rear lamps as otherwise required by the provisions of this subsection. Tractors shall carry at least one (1) rear lamp which exhibits a red light plainly visible to the rear.

(e) Stop Lamps.—Every motor vehicle, and every trailer or semi-trailer attached to a motor vehicle, and every vehicle which is being drawn at the end of a combination of vehicles, shall carry at the rear at least two (2) stop lamps, one (1) on each side of the rear of the vehicle of a type which, at the time of their use, are approved by the Secretary of Revenue: Provided, however, That the requirement of at least two (2) stop lamps on such vehicles shall apply only to vehicles initially registered in this Commonwealth on or after July 1, 1956. All other such vehicles shall carry at the rear at least one (1) stop lamp.

(f) Reflectors and Reflective Materials.—Every motor bus, motor omnibus, commercial motor vehicle, trailer or semi-trailer, when operated on a highway, may display reflective materials, and shall display at each side of the rear a red reflector meeting the following requirements:

Whenever a red reflector is so used, or whenever reflectors are used, as hereinafter provided, it or they shall be mounted upon the vehicle at a height not to exceed sixty (60) inches and not less than twenty-four (24) inches above the ground upon which the vehicle stands, and every such reflector shall be of a type which, at the time of its use, is approved by the secretary and shall be so designed and maintained as to be visible at night from all distances within five hundred (500) feet to fifty (50) feet from such vehicle, when directly in front of or opposite to a motor vehicle displaying lawfully lighted head lamps as provided in this act.

Within the limitations of this subsection, the secretary may adopt standard specifications governing the use and display of reflective materials on the vehicles designated herein, and it shall be unlawful for any person to use or display any reflective materials as provided herein in violation of the standard specifications so adopted.

(g) Commercial Motor Vehicles, Trailers, Semi-Trailers, Buses and Omnibuses.—Every commercial motor vehicle, trailer, semi-trailer or every motor omnibus or motor bus, except motor buses or motor omnibuses operated entirely within municipalities when their interiors are illuminated, shall display lighted lamps at the times mentioned in subsection (a) when and as required in this section, except that such lamps may be,

but are not required to be, lighted when any such vehicle is upon a highway which is sufficiently illuminated by street lamps to render any person or vehicle visible at a distance of five hundred (500) feet.

(1) **Electric Clearance Lamps.**—Every such vehicle, having a width at any part in excess of eighty (80) inches, shall be equipped with two (2) electric clearance lamps located on the extreme left side of such vehicle, one (1) located at the front and displaying an amber light visible from a distance of five hundred (500) feet to the front of the vehicle, and the other located at the rear of the vehicle and displaying a red light visible from a distance of five hundred (500) feet to the rear of the vehicle, and said rear electric clearance lamp shall be in addition to the red rear lamp hereinbefore required: Provided, however, That vehicles equipped with acetylene head lamps may, in lieu of such electric clearance lights, be equipped with an amber reflector in front and a red reflector in the rear, which shall be so designed and maintained to meet the requirements as to reflectors provided in this section.

(2) **Electric Identification Lamps, Front and Rear.**—Every motor vehicle, trailer or semi-trailer, or combination of such vehicles, having a length in excess of thirty (30) feet or a width in excess of eighty (80) inches, except those which shall be equipped to conform to the regulations of the Interstate Commerce Commission, shall be equipped with electric lamps on the front displaying three (3) amber lights and electric lamps on the rear displaying three (3) red lights, and the lights in each such group shall be evenly spaced, not less than six (6) nor more than twelve (12) inches apart, along a horizontal line near the top of the vehicle, and said lights shall be visible from distances of five hundred (500) feet to the front and rear, respectively, of the vehicle: Provided, however, That vehicles equipped with acetylene head lamps may, in lieu of such electric identification lamps, be equipped with red and amber reflectors.

(3) **Electric Side Marker Lamps.**—Every such vehicle or combination of such vehicles, which exceeds twenty (20) feet in overall length, shall be equipped with at least four (4) electric side marker lamps, one (1) on each side near the front and one (1) on each side near the rear. Said electric lamps near the front shall display amber lights and said electric lamps near the rear shall display red lights, each visible from a distance of five hundred (500) feet to the side of the vehicle on which it is located. If the electric clearance lamps on the left side of a vehicle, as hereinbefore required, display lights visible from a distance of five hundred (500) feet at right angles to the left of the vehicle, they

shall be deemed to meet the requirements as to left marker lamps in this paragraph. In lieu of such electric side marker lamps, any such vehicle may be equipped with four (4) reflectors, two (2) on each side, and otherwise meeting the requirements of this act.

(h) Lamps on Bicycles.—Every bicycle shall be equipped with a lighted lamp, on the front thereof, visible, under normal atmospheric conditions, from a distance of at least five hundred (500) feet in front of such bicycle, and shall also be equipped with a red reflector or lamp on the rear, exhibiting or reflecting a red light visible, under like conditions, from a distance of at least five hundred (500) feet to the rear of such bicycle, and said red reflector or lamp on the rear shall be required to be of a diameter of at least one and one-half (1½) inches.

(i) Lights on Other Vehicles.—All vehicles not required in this act to be equipped with specific lighted lamps, shall carry one (1) or more lighted lamps or lanterns, displaying a white light visible, under normal atmospheric conditions, from a distance of not less than five hundred (500) feet to the front, and with a lamp or lantern displaying a red light visible from a distance of five hundred (500) feet to the rear of such vehicles, except for vehicles, other than motor vehicles, loaded with hay or straw in bulk.

(j) Lights on Parked Motor Vehicles, Trailers and Semi-Trailers.—Whenever a motor vehicle, trailer or semi-trailer is parked or stopped upon a highway, or shoulder adjacent thereto, whether attended or unattended, during the time when lights are required by this section, it may, in lieu of the lighting equipment specified, show one (1) white or amber light, carried on the left side of the motor vehicle, visible, under normal atmospheric conditions, from a distance of five hundred (500) feet to the front of such vehicle, and projecting a red light visible, under like conditions, from a distance of five hundred (500) feet to the rear: Provided, That local authorities may, by ordinance, establish zones within which motor vehicles, tractors, trailers or semi-trailers may remain standing without lights. Any lighted head lamps upon a parked vehicle or tractor shall be depressed or dimmed.

(k) Lights on Parked Tractors.—Whenever a tractor 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 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.

Penalty.—Any person violating any of the provisions of subsection (a), (b), (c), (d), (e) or (f) of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days. Any person violating any of the provisions of subsection (g), (h), (i), (j) or (k) of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of two dollars (\$2.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than one (1) day.

Section 802. Additional Permissible Lights and Devices.—

(a) Spot Lamps.—Any motor vehicle or motorcycle may be equipped with not to exceed one (1) spot lamp, and every lighted spot lamp shall be so aimed and used, upon approaching another vehicle, that no part of the high intensity portion of the beam will be directed to the left of the prolongation of the extreme left side of the vehicle displaying the light nor more than one hundred (100) feet ahead of said vehicle.

(b) Auxiliary Driving Lamps.—Any motor vehicle may be equipped with not more than three (3) nor less than two (2) auxiliary driving lamps, mounted on the front, spaced at a distance of not less than twenty (20) inches apart, and of a height not less than twelve (12) inches nor more than forty-two (42) inches above the level surface upon which the vehicle stands, which *lamps shall comply with requirements and limitations set forth in this act, and shall be of types which at the time of their use are approved by the secretary. Auxiliary or fog lamps shall not be used in substitution of head lamps, except under conditions of rain or fog rendering disadvantageous the use of head lamps.

(c) Signal Lamps and Mechanical Signal Devices.—

(1) Whenever a motor vehicle is required to be equipped with a signal lamp, or a signal device, such lamp or device shall be so constructed and located on the vehicle as to give a signal of intention to stop or to turn right or left. The signal shall be yellow or red in color, and shall be plainly visible in normal sunlight, and at night, from a distance of one hundred (100) feet to the front and from a distance of one hundred (100) feet to the rear of the vehicle, but shall not project a glaring or dazzling light, and all such signals shall be of types which at the time of their use are approved by the secretary, except that a signal giving the intention to stop shall

* "lamp" in original.

only be visible from a distance of one hundred (100) feet to the rear.

(2) When a vehicle is equipped with a mechanical signal, the mechanical signal shall be self-illuminated when in use, at the times mentioned in section 801, and shall be of a type which at the time of its use is approved by the secretary.

(3) When a vehicle is equipped with an electrical signal device, such device shall be of a type which at the time of its use is approved by the secretary.

(d) Warning Devices.—Any vehicle, used exclusively for repair or emergency purposes, may be equipped with, not to exceed, one (1) warning lamp of a type approved by the secretary, to be used only in connection with repair or emergency work while the vehicle is stationary.

(e) Flashing Emergency Lamps.—Every snow plow or cinder truck operated by or for the Department of Highways of this Commonwealth, or operated by or for the highway department of any political subdivision, must be equipped with at least one (1) flashing emergency lamp of a type approved by the secretary for use in emergency only.

Penalty.—Any person violating any of the provisions of this section, or any person who shall use a warning lamp of the type authorized by subsection (d) of this section while a vehicle is in motion, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 803. Multiple Beam Road Lighting Equipment.—Except as hereinafter provided, the head lamps or the auxiliary driving lamps, or combinations thereof, on motor vehicles other than motorcycles or motor driven cycles shall be so arranged that the operator may select at will between distributions of light projected to different elevations, and the lamps may in addition be so arranged that the selection can be made automatically, subject to the following requirements and limitations:

(1) There shall be an uppermost distribution of light or composite beam so aimed and of such intensity as to reveal persons and vehicles at a distance of at least three hundred fifty (350) feet ahead for all conditions of loading.

(2) There shall be a lowermost distribution of light or composite beam, so aimed and of sufficient intensity, to reveal persons and vehicles at a distance of at least one hundred (100) feet ahead, and on a straight level road under any condition of loading, none of the high in-

tensity portion of the beam shall be directed to strike the eyes of an approaching driver.

(3) Every motor vehicle, other than a motorcycle or motor driven cycle, registered in this State, which has multiple beam road lighting equipment, shall be equipped with a beam indicator which shall be lighted whenever the uppermost distribution of light from the head lamps is in use and shall not otherwise be lighted. The indicator shall be so designed and located that when lighted, it will be readily visible without glare to the driver of the vehicle so equipped.

Nothing in this act shall *affect the continued use of headlighting equipment currently approved by the secretary.

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 dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 804. Illuminated Signs Prohibited.—No vehicle shall bear or display any illuminated signs, letters, numerals or figures of any kind whatsoever, except that a vehicle carrying passengers for hire, or a school bus, may bear such sign, stating its use and destination.

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 dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 805. Single Beam Road Lighting Equipment.—Head lamps arranged to provide a single distribution of light, not supplemented by auxiliary driving lamps, shall be permitted on motor vehicles manufactured and sold prior to January 1, 1937, in lieu of multiple beam road lighting equipment herein specified, if the single distribution of light complies with the following requirements and limitations:

(1) The head lamps shall be so aimed that, when the vehicle is not loaded, none of the high intensity portion of the light shall, at a distance of twenty-five (25) feet ahead, project higher than a level of five (5) inches below the level of the center of the lamp from which it comes, and, in no case, higher than forty-two (42) inches above the level on which the vehicle stands, at a distance of seventy-five (75) feet ahead.

(2) The intensity shall be sufficient to reveal persons and vehicles at a distance of at least two hundred (200) feet.

* "effect" in original.

(3) Any motor vehicle, including antique motor vehicles, may be operated under the conditions specified in section 801, when equipped with two (2) lighted lamps upon the front thereof, which may be approved auxiliary driving lamps, capable of revealing persons and objects seventy-five (75) feet ahead, in lieu of lamps otherwise required: Provided, however, That at no time shall it be operated at a speed in excess of twenty (20) miles per hour.

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 dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 806. Number of Driving Lamps Required or Permitted.—

(a) At all times specified in section 801, at least two (2) lighted lamps shall be displayed, one (1) on each side of the front of every motor vehicle, except when such vehicle is parked subject to the regulations governing lights on parked vehicles.

(b) Whenever a motor vehicle equipped with head lamps as herein required, is also equipped with any auxiliary lamps or a spot lamp or any other lamp on the front thereof projecting a beam of an intensity greater than three hundred (300) candle power, not more than a total of four (4) of any such lamps on the front of a vehicle shall be lighted at any one time when upon a highway.

(c) Any lighted lamp or illuminating device upon a motor vehicle, other than head lamps, spot lamps or auxiliary driving lamps, which projects a beam of light of an intensity greater than three hundred (300) candle power shall be so directed that no part of the beam will strike the level of the roadway on which the vehicle stands, at a distance of more than seventy-five (75) feet from the vehicle.

(d) Any motor vehicle may be equipped with not more than two (2) side cowl or fender lamps which shall emit an amber or white light without glare.

(e) Any motor vehicle may be equipped with not more than one (1) running board courtesy lamp on each side thereof, which shall emit a white or amber light without glare.

(f) Any motor vehicle may be equipped with not more than two (2) back-up lamps, either separately or in combination with another lamp, except that no such back-up lamp shall be continuously lighted when the motor vehicle is in forward motion.

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 dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 807. Use, Test and Approval of Lamps.—

(a) It shall be unlawful for any person to use, upon a motor vehicle upon a highway, any electric head lamp, lens, reflector or headlight control device, or any electric auxiliary driving lamp, rear lamp, back-up lamp, mechanical signal device or signal lamp, unless of a type which has been submitted to the secretary for test, and for which a certificate of approval has been issued by the secretary, and is then in effect as provided in this act.

(b) The secretary is hereby authorized to adopt and enforce rules and uniform standard specifications as to the amount, color and direction of light to be emitted by head lamps, auxiliary driving lamps, rear lamps, back-up lamps, mechanical signal devices and signal lamps, and the secretary is authorized and required to determine whether any head lamps, auxiliary driving lamps, signal lamps, mechanical signal devices and rear lamps or back-up lamps submitted will comply with such rules and uniform standard specifications, and the secretary may approve such head lamps, auxiliary driving lamps, signal lamps, mechanical signal devices and rear lamps or back-up lamps, and publish lists of such devices, by name and type, together with the permissible candle power rating of the electric lamps or bulbs, as he shall determine are lawful thereunder.

(c) Any person desiring approval of any lighting device or mechanical signal device, herein provided, shall submit to the secretary two (2) sets of each type of device, upon which approval is desired, together with the fee provided in this act. The secretary shall, upon notice to the applicant, submit such device to the United States Bureau of Standards, or to such other recognized testing laboratory as he may elect, for a report as to the compliance of such device with the rules and uniform standard specifications adopted by the secretary. Such devices will also be subject to any road tests, or other tests, as the secretary may deem necessary to determine that each type of head lamp, auxiliary driving lamp, rear lamp, mechanical signal device and signal lamp, and their component parts, are so constructed and mounted as to render them readily and universally adjustable to conform to the requirements as adopted by the secretary. The secretary is authorized to refuse approval of any lighting device or mechanical signal de-

vice, certified as complying with the specifications and requirements, which the secretary determines will be, in actual use, unsafe or impracticable or would fail to comply with the provisions of this act, or such requirements as may be adopted by the secretary.

(d) The secretary shall request the testing agency to submit a report of each type of device to the secretary in duplicate. For those which are found to comply with the specifications and requirements, the report shall include any special adjustments required, and the candle power rating of the bulbs for such conformance. Reports of all tests shall be accessible to the public, and a copy thereof shall be furnished by the secretary to the applicant for the test.

(e) The secretary shall have the authority to give tentative approval of equipment upon receipt of the manufacturer's laboratory report.

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 ten dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 808. Illegal Sale of Lighting Devices.—It shall be unlawful for any person to sell or to lease, or to offer for sale or lease, either separately or as a part of the equipment of a motor vehicle, any head lamp, auxiliary driving lamp, rear lamp, back-up lamp or signal lamp, unless such device is approved by the secretary, and bears the trademark or name under which it is approved, so as to be legible when installed, and is accompanied by printed instructions as to the candle power of bulbs to be used therewith as approved by the secretary, and any particular methods of mounting or adjusting so as to focus or aim necessary for compliance with the requirements of this act.

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 dollars (\$50.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Section 809. Vacuum or Pressure Hose Shall Be Approved.—

(a) It shall be unlawful for any person to use upon any vehicle using the highways of this Commonwealth any vacuum or pressure hose for brake systems, unless of a type which has been submitted to the secretary for test, and for which a certificate of approval has been issued by the secretary and is then in effect as provided in this act.

(b) The secretary is hereby authorized to adopt and enforce rules and uniform standard specifications as to the strength, diameter and size of vacuum or pressure hose for brake systems, and the secretary is authorized and required to determine whether any vacuum or pressure hose for brake systems, submitted to him, complies with such rules and uniform standard specifications, and the secretary may approve such vacuum or pressure hose for brake systems, and may publish lists of such hose, by name and type, as he shall determine are lawful thereunder.

(c) Any person desiring approval of any vacuum or pressure hose for brake systems shall submit to the secretary two (2) exact samples of the hose upon which approval is desired, together with the fee provided in this act. The secretary shall, upon notice to the applicant, submit such device to the United States Bureau of Standards, or to such other recognized testing laboratory as he may elect, for a report as to the compliance of such hose with the rules and uniform standard specifications adopted by the secretary. Such hose will also be subject to any road tests, practical tests or other tests as the secretary may deem necessary, to determine that each type of hose, and its component parts, is so constructed and able to be mounted as to render it readily and universally adjustable to conform to the requirements as adopted by the secretary. The secretary is authorized to refuse approval of any vacuum or pressure hose for brake systems, certified as complying with the specifications and requirements, which the secretary determines would be in actual use unsafe or impracticable, or would fail to comply with the provisions of this act, or such requirements as may be adopted by the secretary.

(d) The secretary shall request the testing agency to submit a report of each sample of vacuum or pressure hose for brake systems to the secretary in duplicate. For those which are found to comply with the specifications and requirements, the report shall include any special corrections or adjustments required. Reports of all tests shall be accessible to the public, and a copy thereof shall be furnished by the secretary to the applicant for the test.

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 ten dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 810. Sale of Unapproved Vacuum or Pressure Hose Prohibited.—It shall be unlawful for any person to sell or lease, or to offer for sale or hire, either

separately or as a part of the equipment of a vehicle, any vacuum hose for brake systems, unless such hose is approved by the secretary and bears the trade-mark or name under which it is approved, so as to be legible when installed, and is accompanied by printed instructions as to the manner of installation or use necessary for compliance with the requirements of this act.

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 dollars (\$50.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Section 811. Revocation of Certificates of Approval of Lighting Devices and of Vacuum or Pressure Hose for Brake Systems. —

(a) Any certificate of approval, heretofore or hereafter issued, may be revoked by the secretary, after a hearing before the secretary or his representative, of which the person named therein or his successor in interest shall be given reasonable notice or opportunity to hear or to be heard, upon the grounds that the lighting device, reflector, mechanical signal device, or vacuum or pressure hose for brake systems, does not comply with the provisions of this act, or regulations adopted hereunder, or is not being supplied in production in accordance with specifications, original blueprint assemblies or sample devices originally submitted. However, revocation of certificates of approval of devices, heretofore or hereafter approved, shall not take effect until three (3) months after the decision of the secretary revoking same.

(b) The secretary may adopt uniform standard specifications for head lamps, auxiliary driving lamps, rear lamps, signal lamps, reflectors, or vacuum or pressure hose for brake systems, and may promulgate certain rules and regulations, not inconsistent with this act, to govern his decision in approving any lighting device, reflector, mechanical signal device, or vacuum or pressure hose for brake systems, or in revoking any certificate of approval issued for such devices.

(c) Certificates approving each type of head lamp device hereafter issued by the secretary shall expire and be void after four (4) years from date of issue, unless the manufacturer has, prior to the expiration date, made application for renewal of such certificate, furnishing two (2) pairs of samples for test purposes in accordance with this act, together with the fee provided in this act, and new certificate of approval has been issued.

(d) Certificates approving each type of auxiliary driving lamp, rear lamp, flares, mechanical signal device, reflector and signal lamp, hereafter issued by the secre-

tary, will not expire until revoked for cause by the secretary.

(e) When no renewal application is made, or when an application for renewal of certificate of approval is refused, the head lamp, auxiliary driving lamp, rear lamp, mechanical signal device, reflector or signal lamp, shall become illegal for use on motor vehicles after six (6) years from date of expiration of certificate: Provided, however, That new motor vehicles will not be titled unless the lighting devices are of an approved type for which certificates of approval are in effect at the time of application for title.

(f) Certificates approving each type of vacuum or pressure hose for brake systems, issued by the secretary, shall expire and be void after two (2) years from the date of issue, unless the manufacturer has, prior to the expiration date, made application for renewal of such a certificate, furnishing two (2) pairs of samples for test purposes in accordance with this act, together with the fee provided in this act, or the new certificate of approval has been issued.

(g) When no renewal application is made, or when an application for renewal of certificate of approval is refused, the vacuum or pressure hose for brake systems will become illegal for use on motor vehicles after two (2) years from the date of expiration of the certificate: Provided, however, That new motor vehicles, trailers or semi-trailers will not be titled unless the vacuum or pressure hose for brake systems is of an approved type for which a certificate of approval is in effect at the time of application for title.

Section 812. Enforcement and Authority to Refuse Title or Registration.—

(a) A head lamp or auxiliary driving lamp arranged to provide a single distribution of light will be presumed to project a glaring or dazzling light, if the top of any main beam of light projected by it is, at a distance of twenty-five (25) feet ahead of the motor vehicle, on an approximately level stretch of highway, projected on the body of a person, or on a motor vehicle, or on any object, at a height greater than the distance of the centers of the lamps from the highway. A head lamp or auxiliary driving lamp arranged to provide a single distribution of light, and mounted on a motor vehicle at a height higher than forty-two (42) inches above a highway, will be presumed to project a glaring or dazzling light, if the top of the beam of light projected by it, on an approximately level stretch of highway, be higher than forty-two (42) inches above the highway seventy-five (75) feet ahead of the vehicle.

(b) The owner or operator of any motor vehicle, equipped with approved head lamps, auxiliary driving lamps, rear lamps or signal lamps, who is notified by a peace officer that such lamps are improperly adjusted, or are equipped with bulbs of a candle power not approved for use therewith, shall be allowed forty-eight (48) hours within which to adjust and equip such lamps to conform with the requirements of this act. The submission to the peace officer, giving such notification of a certificate issued or executed by an official inspection station, showing that within forty-eight (48) hours after such notification the lamps have been adjusted or equipped to conform with the requirements of this act, shall relieve the owner or operator from arrest. Unless such certificate, showing that the lamps have been adjusted or equipped as required in this act, is received by the peace officer within five (5) days from the date of notification, information for arrest shall be made.

(c) The secretary may refuse to title or issue registration for any motor vehicle, the lighting equipment of which is not approved for use in this Commonwealth.

Penalty.—Any person violating any of the provisions of subsection (a) or (b) of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 813. Authority of Secretary Where Vacuum or Pressure Hose Is Not Approved.—The secretary may refuse to title or issue registration for any motor vehicle, trailer or semi-trailer, the vacuum or pressure hose for brake systems of which is not approved for use in this Commonwealth.

Section 814. Red Light Visible From in Front of Vehicles.—No person shall operate or move any vehicle or tractor with a red light displayed to the front thereof, except school bus, fire department, fire patrol apparatus, police department vehicles, ambulances or the private vehicles of those chiefs of fire or police departments, assistant chiefs of fire or police departments or fire marshals who, in accordance with a statement filed with the Pennsylvania State Police prior thereto, use the same for answering fire, police or emergency calls upon a highway.

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 dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 815. Blue Light Visible From in Front of Vehicles.—Volunteer firemen or members of a hose com-

pany in accordance with a statement, containing not over sixty-five (65) names, signed by the chief of the fire department or hose company, and filed with the Pennsylvania State Police, may operate or move a vehicle in answering fire or emergency calls upon a highway with a blue light or lights, not in excess of two (2) of a flasher type, displayed on the front thereof. The light shall not exceed the intensity of twenty-one (21) candle power nor shall the light exceed seven and one-half ($7\frac{1}{2}$) inches in diameter. The light shall be capable of operation inside the vehicle by the vehicle operator.

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 dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days, and shall not thereafter use the lights authorized by this section.

Section 816. Brakes.—

(a) Every vehicle and tractor using the highways of this Commonwealth, except trailers and semi-trailers having chassis and body weights of less than one thousand (1000) pounds, shall be equipped with brakes adequate to control the movement of, and to stop and to hold such vehicle or tractor. Brakes shall be capable of stopping the vehicle and its load, if any, traveling at a speed of twenty (20) miles per hour upon a dry, hard, approximately level stretch of highway, free from loose material, where the grade does not exceed one (1) percent, within the following distances: Namely, fifty-five (55) feet for emergency brakes, forty (40) feet for service brakes effective upon less than all wheels, and thirty (30) feet for service brakes effective upon all wheels. Brakes shall be maintained in good working order and so adjusted upon vehicles, other than motorcycles and bicycles with motors attached, as to operate as equally as practicable with respect to the wheels on opposite sides of the vehicles. Emergency brakes shall be adequate to hold such vehicle or vehicles stationary upon any grade upon which operated.

(b) Every motor vehicle using the highways of this Commonwealth, except motorcycles and bicycles with motors attached, shall be equipped with two (2) separate means of applying the brakes so constructed that failure of any one (1) part of the operating mechanism shall not leave the motor vehicle without operative brakes on at least two (2) wheels. One such means shall be an emergency brake employing a ratchet and pawl, or other suitable locking and releasing mechanism, effective to lock at least two (2) rear wheels on opposite sides of the vehicle. The other such means shall be a service brake

effective upon all wheels of every such motor vehicle sold new in this Commonwealth on or after January 1, 1956, and upon at least two (2) wheels of every other such motor vehicle.

(c) Every motorcycle and bicycle with motor attached, using the highways of this Commonwealth, shall be provided with at least one (1) brake which may be operated by hand or foot.

(d) Every combination of a commercial motor vehicle and trailer, or truck tractor and semi-trailer, when operated upon a highway, shall be equipped with brakes so designed as to be applied upon both vehicles by the driver of the towing motor vehicle from its cab. The brakes shall be so designed and connected that, in case of an accidental break-away of the towed vehicle, the brakes thereof shall be automatically applied, and stop and hold such vehicle for at least fifteen (15) minutes.

(e) Every commercial motor vehicle and every combination of a commercial motor vehicle and trailer, or of a truck tractor and semi-trailer, when used on a public highway, shall be equipped with service brakes having an aggregate friction lining surface of not less than one (1) square inch for each fifty-five (55) pounds of maximum gross weight allowed by this act, and of a type designed for a maximum of one hundred twenty (120) degrees and a minimum of ninety (90) degrees friction surface per brake shoe. This subsection shall apply only to drum and shoe type brakes.

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 dollars (\$25.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 817. Brake Enforcement.—

(a) It shall be unlawful for any person to operate a motor vehicle or a combination of vehicles upon the highways of this Commonwealth with brakes not conforming with the requirements of this act.

(b) It shall be unlawful for any person to operate a motor vehicle without the required number of brakes in good working condition. The owner or operator of any motor vehicle, who is notified by a peace officer that such brake or brakes are improperly adjusted, or are unsafe or unfit or in need of correction, adjustment or repairs, shall be allowed forty-eight (48) hours within which to correct, adjust or repair such brakes to conform with the requirements of this act. The submission to the peace officer, giving the notification of a certificate issued or executed by an official brake adjusting station, showing

that within forty-eight (48) hours after such notification the brakes have been corrected, adjusted or repaired to conform with the requirements of this act, shall relieve the owner or operator from arrest. Unless such certificate showing that the brakes have been corrected, adjusted or repaired as required in this act is received by the peace officer within five (5) days from the date of notification, information for arrest will be made: Provided, That when service and emergency brakes applied together will not stop a motor vehicle or combination of vehicles within distances defined in this act, or hold a motor vehicle or combination of vehicles stationary on any grade upon which operated, the owner or operator may be required to make temporary correction, adjustment or repairs before being permitted to proceed with the motor vehicle or combination of vehicles.

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 dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 818. Brake Fluid Standards.—

(a) Definitions.—The following terms as used or referred to in this section shall mean:

(1) "Brake fluid."—The liquid medium through which force is transmitted in the hydraulic brake system of any motor vehicle operated upon the highways of this State.

(2) "Package."—The immediate container in which the brake fluid is packed for sale, but does not include a carton or wrapping containing several packages nor a tank car or truck.

(b) Prohibition.—No person shall sell, have for sale, offer for sale, distribute or add to the hydraulic brake system of a motor vehicle in this State any brake fluid which is misbranded or adulterated.

(c) Misbranding.—A brake fluid shall be deemed to be misbranded—

(1) If its labeling is false or misleading in any particular.

(2) Unless the package in which it is packed for sale bears a label containing in clear and legible type—

(i) The name and address of the manufacturer, packer, seller or distributor,

(ii) The words "brake fluid" and the designation "heavy duty,"

(iii) An accurate statement of the net contents in terms of liquid measure.

(d) Adulteration.—A brake fluid shall be deemed to be adulterated unless it meets the minimum standard for brake fluid promulgated by the Secretary of Revenue pursuant to subsection (e) hereof.

(e) Standard and Specifications.—The Secretary of Revenue shall, by regulation adopted after due notice and opportunity for public hearing, establish such minimum standard and specifications for brake fluid as will, in his opinion, promote the public safety in the operation of motor vehicles in this State: Provided, however, That in order to promote uniformity between the states and thereby avoid increased cost to the people of this State, due to the necessity of complying with diverse requirements in the distribution and sale of brake fluids, the secretary is hereby authorized to adopt the standard and specifications established by the Society for Automotive Engineers for heavy duty type brake fluids.

(f) Misbranded or Adulterated Brake Fluid.—Any brake fluid which the Secretary of Revenue finds to be misbranded or adulterated, which is sold, held for sale or offered for sale within this State, shall be liable to be proceeded against in any court of competent jurisdiction in any county of the State where it may be found and seized for confiscation and condemnation. If following seizure the article is condemned, it shall, after entry of decree, be disposed of by destruction or sale as the court may direct, and the proceeds, if such article is sold, less costs shall be paid to the State Treasurer: Provided, That the article shall not be sold contrary to the provisions of this section. Upon payment of costs, and execution and delivery of a good and sufficient bond conditioned that the article shall not be disposed of unlawfully, the court may direct that said article be delivered to the owner thereof for relabeling or reprocessing as the case may be.

(g) Penalty.—Any person violating the provisions of this section, shall be guilty of a misdemeanor, and upon conviction thereof, shall be sentenced to pay a fine of not more than five hundred dollars (\$500.00) or undergo imprisonment for not more than sixty (60) days, or both.

(h) Exception to Enforcement.—Nothing in this section shall be construed as requiring the Secretary of Revenue to report for prosecution or for the institution of proceedings for seizure and condemnation, minor violations of this section, whenever he believes that the public interest will be best served by a suitable notice of warning, in writing, and that, if he believes such action to be consistent with the public safety, the manufacturer, packer, seller or distributor shall be afforded an opportunity, prior to the institution of proceedings, to bring the lot or lots of brake fluid proposed to be seized into

conformity with this section or to present to the secretary evidence that it is not misbranded or adulterated within the meaning of this section.

Section 819. Official Inspection Stations.—

(a) The secretary is authorized to designate, furnish instructions to, and to supervise official inspection stations for corrections, adjustments, repairs and inspection of motor vehicles, trailers and semi-trailers for the proper and safe performance of steering mechanism, brakes, lighting equipment, horns and warning devices, mirrors, windshield wipers, and such other conditions to assure that such vehicles are in conformity with this act. Every person desiring to operate as an official inspection station shall file an application for a certificate of appointment with the department. The application for an official inspection station shall be made upon a form prescribed and furnished by the department, and shall set forth the name under which the applicant transacts or intends to transact business, the location of his place of business within the Commonwealth, and such other information as the department may require. If the applicant has or intends to have more than one (1) place of business within the Commonwealth, a separate application shall be made for each place of business. If the applicant is an association, the application shall set forth the names and addresses of the persons constituting the association, and if a corporation, the names and addresses of the principal officers thereof, and any other information prescribed by the department for purposes of identification. The application shall be signed and verified by oath or affirmation of the owner, if a natural person; in the case of an association, by a member or partner thereof; and in the case of a corporation, by an executive officer thereof or some person specifically authorized by the corporation to sign the application, to which shall be attached written evidence of his authority. Only such locations which fulfill the department's requirements and whose owners or proprietors comply with department regulations shall qualify and be appointed and issued a certificate. Upon approval of the application, the department shall grant and issue to each owner a certificate of appointment as an official inspection station for the place of business within the Commonwealth set forth in his application. Certificates of appointment shall not be assignable, and shall be valid only for the owners in whose names issued and for the transaction of business at the place designated therein, and shall at all times be conspicuously displayed at the place for which issued.

(b) If the secretary finds that the provisions of this act are not being complied with, or that the business of an official inspection station in connection with the cor-

rections, adjustments, repairs or inspection of motor vehicles, trailers or semi-trailers is being improperly conducted, he shall suspend the certificate of appointment of any such station and require the immediate surrender and return of the certificate of appointment, together with all department forms: Provided, however, That if the servant or employe of any such inspection station shall without the authorization, knowledge or consent of his employer, violate any of the provisions of this act in reference to the inspection of vehicles, such violation or violations shall not be the cause of the suspension of the certificate of appointment, as herein provided, but such employe shall be subject to prosecution as herein-after provided. Any person whose certificate of appointment is suspended under the provisions of this subsection may, within thirty (30) days from the date thereof, appeal to the court of common pleas of the county wherein such official inspection station is located, and such court is hereby vested with jurisdiction, and it shall be its duty to set the matter down for hearing upon thirty (30) days' written notice to the secretary, and thereupon to take testimony and examine into the facts of the case and to determine whether the petitioner is subject to suspension of his certificate of appointment under the provisions of this act.

(c) It shall be unlawful for any person to display, or cause or permit to be displayed, any sign, mark or advertisement as an official inspection station, unless certificate of appointment has been issued by the department and is then in effect or to furnish certificate of inspection and approval when not authorized to do so.

(d) It shall be unlawful for any person to assign, or to attempt to assign, a certificate of appointment as an official inspection station, or to fail to display conspicuously his certificate of appointment at the place for which it is issued.

(e) Only when a motor vehicle, trailer or *semi-trailer has been inspected and found in conformity with the requirements of this act, shall the adjuster or inspector issue a certificate of inspection and approval to the owner or operator on a form prescribed and furnished by the department.

(f) It shall be unlawful for any person to furnish, give or sell to any owner or operator of a motor vehicle, trailer or semi-trailer, or to any other person, or to place in or on any such vehicle a certificate of inspection and approval, unless an official inspection of its mechanism and equipment shall have been made, and the vehicle conforms with the provisions of this act. It shall be unlawful for any such designated official inspection station to furnish, loan, give or sell a certificate or certificates

* "sem-trailer" in original.

of inspection and approval to any other such designated official inspection station or any other persons, except those entitled to receive them under the provisions of this act. It shall be unlawful for any person to have in his possession any certificate of inspection and approval with knowledge that such certificate has been illegally purchased, stolen or counterfeited.

(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 demonstrate that such vehicle conforms with the provisions of this act. If such demonstration discloses the necessity for corrections, adjustments or repairs to any such vehicle, the owner shall be notified that, unless a certificate issued or executed by a representative of an official inspection station indicating that the necessary corrections, adjustments or repairs have been made, is submitted within five (5) days to the peace officer, information for the arrest of the owner or operator will be made for the specific violation or violations of this act noted at the time of notification: Provided, That when service and emergency brakes, applied simultaneously, will not stop a motor vehicle, trailer or semi-trailer within the distance defined in this act, or hold such vehicle on a descending grade not exceeding ten (10) percent or when the lighting equipment is glaring or insufficient or not in operation, or is not equipped with a mirror or windshield wiper, as defined and required in this act, the owner or operator may be required to correct the faulty condition before being permitted to proceed with the vehicle, and may be prosecuted for the specific violation of this act.

(h) An official inspection station and the records thereof shall be open for inspection by any peace officer or department employe. The owner of an official inspection station shall file with the department, on a form prescribed and furnished by the department, such information relating to daily inspections as the secretary may require.

Penalty.—Any owner of an official inspection station who by himself, agent, servant or employe, or any manager, operator or employe thereof, or any other person who violates any of the provisions of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of not less than twenty-five dollars (\$25.00) nor more than fifty dollars (\$50.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Limitation.—The provisions of this section are subject to the limitation of actions set forth in section 1201 of this act.

Section 820. 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 spark plug 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, fire department and fire patrol vehicle, 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 spark plug whistle, of a type approved by the secretary.

(c) It shall be lawful for any owner or operator of a commercial motor vehicle to equip the vehicle with a warning device of a type approved by the secretary, to which there may be attached and made a part thereof a siren, bell, compression or spark plug whistle. The warning device authorized by this subsection shall not be used for any purpose other than to sound a warning to the public and the police of an attempted robbery or burglary of the freight or merchandise transported in the vehicle.

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 ten dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 821. Mirrors.—No person shall operate a motor vehicle on a highway, which motor vehicle is so constructed or loaded as to prevent the operator from obtaining a view of the highway to the rear by looking backward from the operator's position, unless such vehicle is equipped with a mirror, so located as to reflect to the operator a view of the highway for a distance of at least two hundred (200) feet to the rear of such vehicle: Provided, That persons who have less than two (2) percent of normal hearing, to whom an operator's license has been issued, shall be required to have any motor vehicle which they may operate equipped with a mirror

attached and adjusted to enable them to see traffic approaching from the rear.

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 dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 822. Windshields Must Be Unobstructed and Equipped with Wipers.—

(a) It shall be unlawful for any person to operate any motor vehicle upon a highway with any sign, poster or other material upon or placed in such a position as to interfere with the vision through the front windshield, side wings, side or rear windows of such motor vehicle, other than a device, certificate or other paper expressly allowed, or directed by the secretary to be displayed: Provided, however, That signal lamps of a type approved by the secretary shall not be considered a violation of this section.

(b) Every permanent windshield on a motor vehicle shall be equipped with a device for cleaning rain, snow or other moisture, from the windshield, which device shall be so constructed as to be controlled or operated by the operator of the vehicle.

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 dollars (\$5.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than three (3) days.

Section 823. Safety Glass.—

(a) The term "safety glass," as used in this section, shall be construed to mean any glass or transparent product, manufactured or fabricated in such manner as substantially to prevent shattering and flying of the glass or transparent product, when struck or broken, and which is approved by the department.

(b) It shall be unlawful to operate, on any public highway or street in this Commonwealth, a motor vehicle manufactured, assembled or reconstructed after January 1, 1934, designed or used for the purpose of carrying passengers for hire or as a public conveyance, to transport children, or others, unless such vehicle be equipped with safety glass whenever glass is used in doors, windows or windshields.

(c) It shall be unlawful to operate, on any public highway or street in this Commonwealth, any motor vehicle manufactured, assembled or reconstructed after Janu-

ary 1, 1935, unless such vehicle be equipped with safety glass, whenever glass is used in doors, windows or windshields.

(d) It shall be unlawful to operate, on any public highway or street in this Commonwealth, any trailer or semi-trailer manufactured, assembled or reconstructed after January 1, 1938, unless such trailer or semi-trailer is equipped with safety glass, whenever glass is used in doors, windows or windshields.

(e) The secretary shall maintain a list of types of safety glass approved by him as conforming to the specifications and requirements for safety glass as set forth in this section, and shall not issue a license for or relicense any motor vehicle, unless said motor vehicle is equipped as herein provided with such approved type of safety glass.

(f) It shall be unlawful to operate any vehicle on any public highway or street in this Commonwealth, unless such vehicle be equipped with safety glass, whenever the glass used in the doors, windows or windshields is replaced after the effective date of this act.

Penalty.—The owner or operator of any motor vehicle operated in violation of the provisions of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

In case of the violation of this section by any common carrier or persons operating under a certificate of public convenience issued by the Public Utility Commission, such certificate shall be revoked or, in the discretion of the commission, suspended until the provisions of this section are satisfactorily complied with.

Section 824. Unlawful to Sell Equipment Not in Conformance with Act.—It shall be unlawful for any person to sell, lease, use, install or repair, either for himself or as the agent or employe of another, or through such agent or employe, any glass, lighting devices, signal devices, brakes, vacuum or pressure hose, or any other kind of equipment whatsoever, for use in any vehicle, trailer or semi-trailer that is not in conformity with the provisions of this act or the regulations made thereunder.

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 dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 825. Television in Vehicles in View of Operator Prohibited.—It shall be unlawful for any person to

operate any motor vehicle upon a highway, in which has been installed any type of television set or equipment whereby the video screen of such television set is within the view of the operator of such motor vehicle.

Penalty.—Any person violating the provisions of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 826. Obscene or Vulgar Signs or Markings.—It shall be unlawful for any vehicle to be operated upon any highway having on any part of such vehicle or its legal attachments thereto any plates, cards, tags, lettering or markings of an obscene or vulgar nature.

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 dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 827. Flag or Light at End of Load.—Whenever the load on any vehicle, except fire department and fire patrol apparatus, shall extend more than four (4) feet beyond the rear of the chassis bed or body thereof, there shall be displayed, at the end of such load, in such position as to be clearly visible at all times from the rear, a red flag not less than twelve (12) inches both in length and width, except that, between one (1) hour after sunset and one (1) hour before sunrise, there shall be displayed, at the end of any such load, a red light plainly visible, under normal atmospheric conditions, at least two hundred (200) feet from the rear.

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 dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 828. Prevention of Noise.—

(a) No person shall operate a motor vehicle, except fire department and fire patrol apparatus, on a highway unless such motor vehicle is equipped with a muffler, in good working order and in constant operation, to prevent excessive or unusual noise.

(b) It shall be unlawful to use a muffler cutout, or a bypass in a muffler, on any motor vehicle, except fire department and fire patrol apparatus.

(c) No person shall operate a motor vehicle on any highway (1) equipped with a muffler from which the

baffles plates, screens or other original internal parts have been removed and not replaced; or (2) equipped with an exhaust system which has been modified in a manner which will amplify or increase the noise emitted by the motor of such vehicle above that emitted by the muffler originally installed on the vehicle.

Penalty.—Any person violating any of the provisions of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine not to exceed twenty-five dollars (\$25.00) or to undergo imprisonment not to exceed fifteen (15) days, or both,

Section 829. Chains and Tires.—

(a) Every solid rubber tire on a vehicle 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.

(b) Every cushion rubber tire on a vehicle moved on any highway shall have rubber on its entire traction surface at least two and one-quarter ($2\frac{1}{4}$) inches thick above the edge of the flange of the entire periphery.

(c) No tire on a vehicle moved on a highway shall have on its periphery any block, stud, flange, cleat or spike, or any other protuberance which projects beyond the tread of the traction surface of the tire, of any material other than rubber, except that it shall be permissible to use tire chains consisting of not less than five (5) cross chains and which do not project more than one (1) inch upon the outside surface of the periphery of the wheel of any vehicle, when required for safety because of snow, ice or other conditions tending to cause a vehicle to slide or skid.

(d) The width of rubber tires, for the purpose of this act, shall be ascertained by measuring the width of tire at the base of channel, or between the flanges of the metal rim, except pneumatic tires the width of which shall be determined by measuring the greatest width of tire casing. The width of metal tires shall be determined by measuring the width of contact of tire with the road surface.

Penalty.—Any person violating any of the provisions of subsection (a), (b) or (c) of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 830. Commercial Vehicles To Be Equipped with Rear Wheel Flaps or Shields.—Every commercial motor vehicle and every combination of a commercial motor vehicle and trailer or of a truck tractor and semi-trailer, when used on a highway, shall be so constructed

or equipped as to bar water or other road surface substances thrown from the rear wheels of such vehicle or combination at tangents exceeding twenty-two and one-half ($22\frac{1}{2}$) degrees, measured from the road surface, from passing in a straight line to the rear of such vehicle or combination.

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 dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 831. Sifting or Leaking Loads.—No vehicle shall be driven or moved on any highway unless such vehicle is so constructed or loaded as to prevent its contents from dropping, sifting, leaking or otherwise escaping therefrom.

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 dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 832. Minimum Engine Capacity.—Every commercial motor vehicle and every combination of a commercial motor vehicle and trailer or of a truck tractor and semi-trailer, when used on a highway, shall be equipped with an engine having a net brake horsepower ratio of not less than one (1) brake horsepower at governed speed for each four hundred fifty (450) pounds of maximum gross weight allowed but not less than thirty (30) net brake horsepower.

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 one hundred dollars (\$100.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Section 833. Transportation of Explosives.—Vehicles when used for transporting explosives over the highways must be marked or placarded on both sides and the rear with the word "Explosives," in letters not less than three (3) inches high, or conspicuously display on the rear of vehicle a red flag not less than twenty-four (24) inches square, marked with the word "Danger" in white letters six (6) inches high.

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 dol-

lars (\$25.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 834. Official Inspections.—

(a) On and after the first day of every May and until and including the thirty-first day of July and on and after the first day of every November and until and including the thirty-first day of January, every owner of a motor vehicle (except a commercial motor vehicle, motor bus, motor omnibus, truck tractor, trailer, semi-trailer, motorcycle or bicycle with motor attached), being operated in this Commonwealth, shall submit such motor vehicle to such inspection of its mechanism and equipment as may be designated by the secretary.

Every owner of a commercial motor vehicle, motor bus, motor omnibus, truck tractor, trailer and 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, shall submit the same to such inspection of its mechanism and equipment, as may be designated by the secretary, on or after the first day of every August and until and including the thirty-first day of October, and on and after the first day of every February and until and including the last day of April.

Motor vehicles, trailers and semi-trailers, determined by the department to be exempt from registration under the provisions of section 401 subsection (f) of this act, and antique motor vehicles, if either 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.

The secretary may, with the approval of the Governor, extend the time for not more than sixty (60) days for any of the inspections required by this section, in any case, where weather conditions of the highways or any other cause whatsoever renders compliance with the provisions of this section within the prescribed time difficult or impossible for a large number of persons.

(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 or approved 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 including tractors 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 station.

(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 any such vehicle, 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: Provided, That this subsection shall not apply to any vehicle while it is being towed to an official inspection station if the towing vehicle displays a certificate of inspection for the proper period.

(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. Such certificate shall bear the approval of and be countersigned by the Commissioner of the Pennsylvania 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 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. 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 requiring 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 subsection (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 dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days. Any person violating the provisions of subsection (h) of this section, shall be given by the arresting officer a ticket, whereon shall be indicated the date, time and place of arrest, and such person shall not be proceeded against more than one (1) time within any twenty-four hour period for the violation of said subsection.

Section 835. Transfer or Removal of Certificates of Inspection.—It shall be unlawful for any person to remove an official certificate of inspection from the vehicle for which it is issued, except for the purpose of replacing it with a currently valid certificate of inspection issued in conformity with the provisions of this act, or to transfer a certificate of inspection from the vehicle for which it was issued to another vehicle, or to take or remove any official certificate of inspection from any official inspection station to which issued for any other purpose than of affixing the same to a vehicle inspected by the official inspection station to which issued in conformity with the provisions of this act, or returning the same to the De-

partment of Revenue: Provided, That a peace officer may summarily remove an unlawfully issued official certificate of inspection from any vehicle.

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 not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00) and costs of prosecution, and, in default of the payment thereof, undergo imprisonment for thirty (30) days.

Limitation.—The provisions of this section are subject to the limitation of actions as set forth in section 1201 of this act.

Section 836. Danger and Caution Signals.—

(a) Every motor bus and every motor omnibus for the carriage of passengers for hire, except taxicabs, and every commercial vehicle, or combination of vehicles, having a registered capacity gross weight of eleven thousand (11,000) pounds, or more, and every trailer or semi-trailer, designed for the living quarters or carriage of persons, shall be equipped with at least three (3) red flags of dimensions not less than twelve by twelve (12 x 12) inches, and a sufficient number of flares, not less than three (3), or electric lanterns, electric flashing signals or other signals capable of continuously producing three (3) warning lights, each visible from a distance of at least five hundred (500) feet for a period of at least eight (8) hours, or three (3) reflector type flares: Provided, however, That the provisions of this section shall not apply to vehicles within the confines of a municipality or within a business or residence district.

Every such flare, lantern, electric flashing signal, reflector type flare or other signal shall be of a type approved by the secretary, and he shall publish lists of those devices which he has approved as adequate for the purposes of this section.

(b) Whenever any such vehicle and its lighting equipment are disabled, during the period when lighted lamps must be displayed on vehicles, and such vehicle cannot immediately be removed from the main traveled portion of a highway outside of a business or residence district, or if the lighting equipment on any such vehicle is not disabled but, due to the position of such vehicle upon the highway or by reason of contours or curves in such highway, it may constitute a menace to other vehicular traffic, the operator or other person in charge of such vehicle shall cause such flares, lanterns, flashing signals or other signals to be lighted and placed upon the highway, or reflector type flares placed upon the highway; one (1) at a distance of approximately one hundred (100) feet in advance of such vehicle, one (1) at a dis-

tance of approximately one hundred (100) feet to the rear of the vehicle, and the third upon the highway side of the vehicle, except that, if the vehicle is transporting flammables, such vehicles shall be equipped with a sufficient number of electric flares or electric flashing signals, or reflector type flares, not less than three (3). Whenever any such vehicle is disabled during the period when lighted lamps are not required to be displayed on vehicles, and such vehicle cannot immediately be removed from the main traveled portion of a highway outside of a business or residence district, or whenever a vehicle is disabled upon the highway, and by reason of contours or curves in such highway it may constitute a menace to other vehicular traffic, the operator or other person in charge of such vehicle shall cause the red flags to be placed upon the highway; one (1) at a distance of approximately one hundred (100) feet in advance of such vehicle, and one (1) at a distance of approximately one hundred (100) feet to the rear of the vehicle, and the third upon the highway side of the vehicle.

(c) No person shall at any time operate a vehicle transporting explosives as a cargo or part of a cargo upon a highway, unless it carries electric lanterns or electric flashing signals, or reflector type flares, as herein required. Such electric lanterns or electric flashing signals must be capable of producing a red light, and such reflector type flares must be in good condition capable of reflecting light of an oncoming vehicle at least five hundred (500) feet, and shall be displayed upon the highway when and as required in this section.

Penalty.—Any owner or operator who shall fail to comply with any of the provisions of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Section 837. Unlawful to Operate Certain Trailers or Semi-Trailers Unless Equipped with Fire Extinguisher.—It shall be unlawful for any person to operate on the highways of this Commonwealth, a vehicle towing a trailer or semi-trailer, designed for the living quarters or carriage of persons, or to operate any commercial motor vehicle engaged in transportation of flammable liquids, flammable or combustible chemicals, explosives or cargoes of a combustible nature, unless such trailer, semi-trailer or commercial vehicle be equipped with at least one (1) fire extinguisher of approved type, in good condition and ready for use, which utilizes an extinguishing agent which does not need protection from freezing. Such fire extinguisher shall not be smaller

than one (1) quart if the carbon tetrachloride type is used, and not smaller than two (2) pounds if the carbon dioxide type is used.

Penalty.—Any owner or operator who shall fail to comply with any of the provisions of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 838. Coupling Device for Trailer or Semi-Trailer Designed for Carriage of Persons Shall Be of Approved Type.—

(a) It shall be unlawful for any person to operate, on the highways of this Commonwealth, a vehicle towing a trailer or semi-trailer, designed for the living quarters or carriage of persons, unless such vehicle be equipped with a hitch or coupling device in good condition, of a type which has been submitted to the secretary for test, and for which a certificate of approval has been issued by the secretary and is then in effect as provided in this act.

(b) The secretary is hereby authorized to adopt and enforce rules and uniform standard specifications as to the requirements for approval of hitches or coupling devices, and the secretary is authorized and required to determine whether any hitch or coupling device submitted complies with such rules and uniform standard specifications, and the secretary may approve such hitches or coupling devices and may publish lists of such devices by name and type.

(c) Any person desiring approval of any hitch or coupling device shall submit to the secretary two (2) sets of each type of device on which approval is desired, together with the fee provided in this act. The secretary shall, upon notice to the applicant, submit such device to the United States Bureau of Standards, or to such other recognized testing laboratory as he may elect, for a report as to the compliance of such device with the rules and uniform standard specifications adopted by the secretary. Such devices will also be subjected to any road tests, or other tests as the secretary may deem necessary, to determine that each type of hitch or coupling device and its component parts, is so constructed and mounted as to render them readily and universally adjustable to conform to the requirements as adopted by the secretary. The secretary is authorized to refuse approval of any hitch or coupling device, certified as complying with the specifications and requirements, which the secretary determines will be in actual use unsafe or

impracticable, or would fail to comply with the provisions of this act, or such requirements as may be adopted by the secretary.

(d) The secretary shall request the testing agency to submit a report of each type of device to the secretary in duplicate. For those which are found to comply with the specifications and requirements, the report shall include any special adjustments required. Reports of all tests shall be accessible to the public, and a copy thereof shall be furnished by the secretary to the applicant for the test.

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 ten dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 839. Violation of Federal Regulation Equipment.—The owner or operator of any vehicle using the highways of this Commonwealth in violation of the terms of any Federal statute or regulation relating to the equipment of vehicles used in interstate commerce, and when the secretary has declared such persons or vehicles exempt from the provisions of Article VIII. of this act, shall be guilty of a violation of this section, and shall, upon summary conviction before a magistrate, be sentenced to pay a fine of not less than twenty-five dollars (\$25.00) and not more than fifty dollars (\$50.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than fifteen (15) days.

Section 840. School Buses; Safety Requirements.—

(a) "School Bus," for the purpose of this section, is any vehicle registered as a commercial vehicle, motor bus or motor omnibus, or any vehicle having a lineal seating space, including the space for the operator, or more than one hundred (100) inches, and used for the transportation of school children: Provided, That the term "school bus" shall not include any motor buses operated by common carriers holding a certificate of the Public Utility Commission, who also operate such motor buses over routes approved by such commission: And provided further, That all such buses comply with the safety regulations of that commission and the State Council of Education.

(b) No person shall own or operate a school bus carrying school children on the highways of this Commonwealth that, in addition to the other requirements of this act, does not conform with the following:

(1) The body of the vehicle shall be of all metal con-

struction and of the closed type, and shall provide only one (1) compartment for the operator and school children.

(2) The exhaust system shall be so constructed that exhaust gases will be kept out of the body of the school bus, and adequate ventilation shall be provided in all school buses.

(3) There shall be an entrance door located to the right of the operator and at all times controlled only by such operator. The door shall be at least twenty-four (24) inches wide and shall be an approved safety type with suitable handrails.

(4) There shall be an emergency exit door in the rear or on the left side near the rear of the vehicle, equipped with an emergency lock operated from the inside of the vehicle, which may be quickly released, and which shall be protected against accidental release. The emergency exit door shall open outwards, and shall be at least twenty (20) inches wide, and shall be labeled in black letters at least three (3) inches high on both the outside and inside "Emergency Door."

(5) All windows shall be so constructed and installed that they shall readily slide up and down only, except that the windows in the rear of the bus shall be stationary. All side windows in the bus shall be provided with removable heavy wire mesh or other removable guard of a sufficient height to prevent the extension of hands.

(6) There shall be at least thirteen (13) inches of seating space provided for each school child carried. And there shall be a measurement of at least twelve (12) inches from the front of every seat to the back of the seat next to the rear. All seats shall have spring cushions, and all back rests shall be well padded and shall be securely fastened to the bus. There shall be no longitudinal seats opposite to and facing each other within a distance of eighteen (18) inches, and in all new buses purchased after September 1, 1939, there shall be no longitudinal seats.

(7) Every school bus shall be of a uniform color which shall be orange, and every such bus shall be labeled both in the front and in the rear with black letters, not less than six (6) inches in height, with the words "School Bus," showing to the outside. Any school bus purchased or repainted shall be of a uniform color of national school bus chrome, and every school bus shall be labeled both in front and in the rear with black letters, not less than eight (8) inches in height, with the words "School Bus," showing to the outside. The type, size and form of school bus signs to be displayed by buses owned and operated by a person or company subject to the jurisdiction of the

Public Utility Commission shall be determined by the Secretary of Revenue, the Commissioner of the Pennsylvania State Police and the Superintendent of Public Instruction. When a school bus is being operated upon a highway other than for the transportation of school children either to or from school, all the labels containing the words "School Bus" shall be removed, covered or concealed.

(8) Every school bus shall be equipped with at least one (1) fire extinguisher of approved type, in good condition and ready for use, as prescribed by the secretary, and shall be so placed that it can be readily reached from the operator's seat.

(9) Every school bus shall in addition to any other equipment and distinctive markings required by this act, be equipped with one (1) signal lamp visible from the front and one (1) other visible from the rear, each showing a flashing red light. Each lamp shall be mounted as high as practicable upon the body of the bus. Each such additional device shall be plainly visible to operators of approaching vehicles in normal sunlight and at night from a distance of one hundred (100) feet to the front or rear, as the case may be, shall not project a glaring light, and shall be of types approved by the secretary.

(10) Every school district transporting pupils by school bus shall establish and maintain loading zones at or near all schools to or from which pupils are transported, and shall establish school bus loading zones along the highways traversed by school buses.

Such loading zones shall be located off the travelable portion of the highway wherever practicable. The Secretary of Highways with respect to State highways and local authorities with respect to highways under their jurisdiction, shall have the authority to determine if any school bus loading zone established as herein provided is hazardous to any other users of the highway, and if he or they so find, he or they may discontinue the same or cause it to be relocated to a point where such hazard will be eliminated.

(11) Whenever school bus loading zones have been established at or near a school or along a highway, it shall be unlawful for a school bus operator to stop his bus to pick up or discharge pupils at any location other than at such loading zones.

(12) The provisions of clause (7) of this section requiring labeling shall apply to all buses when used exclusively for the transportation of school children, whether or not the bus is owned and operated by a person or company subject to the jurisdiction of the Pennsylvania Public Utility Commission, but none of the other

provisions of said clause or of clause (9) of this section shall apply to buses subject to the jurisdiction of the Public Utility Commission.

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 not less than ten dollars (\$10.00) and not more than twenty-five dollars (\$25.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not less than five (5) days and not more than ten (10) days.

Section 841. Requirements as to Condition of Tires.—

(a) It shall be unlawful for any person to operate any vehicle or combination of vehicles upon the highways of this Commonwealth with tires or a tire showing breaker strip, cushion gum or fabric.

(b) The owner or operator of any vehicle who is notified by a peace officer that his tires or tire does not conform with the requirements of this act, or are unsafe or unfit, or in need of correction, adjustment or repairs, shall be allowed forty-eight (48) hours within which to adjust, repair or replace such tires or tire to conform with the requirements of this act.

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 dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 842. Vehicles and Trailers Loaded with Logs.—It shall be unlawful to operate, on any highway or street in this Commonwealth, any motor vehicle, commercial motor vehicle or truck tractor, or any motor vehicle, commercial motor vehicle or truck tractor in combination with a trailer or semi-trailer, and loaded with logs of any size, unless the logs are securely fastened with at least three (3) binders, chains or straps.

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 dollars (\$25.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Section 843. Safety Belts or Safety Harnesses Shall Be of Approved Type.—It shall be unlawful for any person to sell or display for sale for use upon a motor vehicle any safety belt or safety harness assembly, unless of a type which has been submitted to the secretary for test and for which a certificate of approval has been issued by the secretary and is then in effect.

The secretary shall adopt and enforce rules and uni-

form standard specifications as to the requirements for approval of safety belts or safety harness assemblies, and shall determine whether any safety belt or safety harness assembly submitted complies with such rules and uniform standard specifications.

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 dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof shall undergo imprisonment for not more than five (5) days.

Section 844. 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 which is not so constructed or equipped as required in this act.

(b) Tractors, except caterpillar or crawler type, shall not be used or operated on any highway with cleats or guide bands, which come in contact with the highway, of greater height or of lesser width than the size or measurement specified for the several classes and gross weights as follows:

Class.	Gross Weight in Pounds.	Cleats		Guide Bands	
		Maxi- mum Height.	Mini- mum Width.	Maxi- mum Height.	Mini- mum Width.
1st	Less than *12000 ...	2 Ins.	3/8 In.	1½ Ins.	2 Ins.
	*12000 and over	2 Ins.	1 In.	1½ Ins.	2¼ Ins.
2nd	Less than 7500	2 Ins.	1 In.	1½ Ins.	2 Ins.
	7500 and over but less than 12000	2 Ins.	1½ Ins.	1½ Ins.	2 Ins.
	12000 and over	2 Ins.	2 Ins.	1½ Ins.	2¼ Ins.

(c) When cleats are placed diagonally across the face of the driving surface, or when placed in two (2) sections similar to the letter "V," the cleats shall be spaced not to exceed nine (9) inches apart from center to center measured at right angles to the cleats. When the cleats are placed on the driving surface in two (2) sections, known as standard type of cleat mounting, the sections shall be spaced not to exceed seven and one-half (7½) inches apart from center to center measured at right angles to the cleats. All cleats and guide bands shall have a flat surface with rounded edges.

(d) Tractors of the caterpillar or crawler type shall not be used or operated on any highway with cleats or grousers or guide bands, which come in contact with the

* "1200" in original.

highway, of greater height or lesser width than the size or measurement specified for the several classes and gross weights as follows:

Class.	Gross Weight in Pounds.	Cleats or Grousers		Guide Bands	
		Maximum Height.	Minimum Width.	Maximum Height.	Minimum Width.
1st	Less than 7500	2 Ins.	1 In.	1½ Ins.	2 Ins.
	7500 and over, but less than 12000	2 Ins.	1½ Ins.	1½ Ins.	2 Ins.
	12000 and over	2 Ins.	2 Ins.	1½ Ins.	2¼ Ins.
2nd	Less than 5000	2 Ins.	1 In.	1½ Ins.	2 Ins.
	5000 and over, but less than 7500	2 Ins.	1½ Ins.	1½ Ins.	2 Ins.
	7500 and over, but less than 12000	2 Ins.	2 Ins.	1½ Ins.	2 Ins.
	12000 and over	2 Ins.	2½ Ins.	1½ Ins.	2¼ Ins.

Cleats or grousers on caterpillar or crawler type tractor shall have a flat surface with rounded edges and shall be placed at right angles to the axis of the tractor, so arranged that five (5) or more cleats on each traction surface shall be in road contact at all times. The length of a cleat at the surface, at the point of contact with the highway, shall not be less than *three-fourths ($\frac{3}{4}$) the width of the tread or driving surface.

(e) No tractor, equipped with boltheads, lugs, nuts, ice picks or spuds, shall be operated or moved upon any highway with an improved surface, except where it is not possible to operate said tractor along the unimproved surface of the highway.

(f) Every tractor 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.

(g) The width of rubber tires, for the purpose of this act, shall be ascertained by measuring the width of tire at the base of channel or between the flanges of the metal rim, except pneumatic tires—the width of which shall be determined by measuring the greatest width of tire casing. The width of metal tires or traction surface shall be determined by measuring the width of contact of tire or tread with the road surface.

* "three-fourth" in original.

Provided, however, That if, upon examination of any tractor, requiring registration or exempt from registration under this act, it is found that it is doing unusual damage, in the opinion of the Secretary of Highways of this Commonwealth, the secretary shall have power to compel such alterations as to him may seem expedient.

Penalty.—Any person violating any of the provisions of this section, shall, upon summary conviction before a magistrate for a first offense, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs of prosecution, and, in default of the payment thereof shall undergo imprisonment for not more than ten (10) days; and for the second offense, fifty dollars (\$50.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days; and for the third and any subsequent offense, thirty (30) days imprisonment and costs of prosecution.

Section 845. Spark Arresters and Fire Prevention.—

(a) No steam tractor shall be operated within three hundred (300) feet of any building unless such tractor is equipped with an efficient spark arrester.

(b) No steam tractor, using wood for fuel, shall be operated unless said tractor be equipped with a bonnet spark arrester having an oval top of number ten (10) mesh, twenty-two (22) gauge wire and sides composed of number six (6) mesh, sixteen (16) gauge wire.

(c) Every steam tractor shall at all times carry and be equipped with proper fire extinguishers.

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 dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 846. Limitations.—The regulations prescribed by this act, or made by the Secretary of Highways in pursuance of its provisions, shall not permit the owner or operator of any tractor to use the highway in an unusual or unreasonable manner, and shall not exempt the owners or operators of such tractors from indictment for nuisance, or prevent the granting of injunctions against unusual or unreasonable use of the highways, nor shall these regulations relieve the owner or operator of any tractor from liability for damages to the highways by reason of the careless, negligent, reckless or wanton operation of such tractor.

ARTICLE IX.

SIZE, WEIGHT, CONSTRUCTION

Section 901. Scope and Effect of Regulations.

- Section 902. Size of Vehicles, Tractors and Loads.
 Section 903. Weight of Vehicles and Loads.
 Section 904. Officers May Weigh Vehicles *or Tractors
 and Require Removal of Excess Load.
 Section 905. Permits for Excessive Size and Weight.
 Section 906. Permits for Movement of Vehicles in the
 Process of Being Manufactured.
 Section 907. Special Limitations.
 Section 908. Size, Weight and Construction of Vehicles
 Used in Interstate Commerce; Penalties.
 Section. 909. Motor Buses and Motor Omnibuses; Size
 and Loads.

Section 901. Scope and Effect of Regulations.—It shall be unlawful for any person to operate, or move, or for the owner to cause or knowingly permit to be driven or moved on any highway, any vehicle or vehicles or tractor or tractors of a size or weight exceeding the limitations provided in this act, or any vehicle or vehicles or tractor or tractors which are not so constructed or equipped as required in this act or the rules and regulations of the secretary adopted pursuant thereto; and the maximum size and weight of vehicles or tractors herein specified shall be lawful throughout this Commonwealth; and the secretary and local authorities shall have no power or authority to alter said limitations, except as express authority may be granted in this act.

Section 902. Size of Vehicles, Tractors and Loads.—

(a) No vehicle, except motor buses, motor omnibuses and fire department equipment, street sweepers and snow plows, shall exceed a total maximum width, including any load thereon, of ninety-six (96) inches, except that the limitations as to size of vehicle stated in this act shall not apply to vehicles loaded with hay or straw in bulk, nor, from daylight to dusk, to vehicles with nondivisible loads, except when on the Pennsylvania Turnpike or the National System of Interstate and Defense Highway. Vehicles with nondivisible loads may be of a total width, including any load thereon, of one hundred two (102) inches on highways twenty (20) feet or more in width on the improved travelable portion exclusive of shoulders, etc.

No tractors, except street sweepers, road graders and snow removal equipment other than snow plows, shall exceed a total maximum width, including any load thereon, of one hundred ten (110) inches.

Nondivisible loads, as used in this section, **mean that

* "or Tractors" omitted in original.
 ** "means" in original.

portion of the load which cannot be reduced in size, or which is wholly impracticable to divide, or which cannot be adjusted on the vehicle safely so as to be transported within the legal size limitations as provided by this act.

(b) No vehicle, except motor buses, motor omnibuses and vehicles used exclusively to repair overhead lights and wires, and fire department equipment, shall exceed a total maximum height, including any load thereon, of one hundred fifty (150) inches, but nothing herein contained shall be construed to require the public authorities to provide sufficient vertical clearance to permit the operation of such vehicles, excepting that until, but not after January 1, 1941, any vehicle, properly registered in Pennsylvania on the effective date of this act, may be of a total height, including any load thereon, of one hundred seventy-four (174) inches: Provided, however, That any vehicle carrying motor vehicles may be of a total height, including any load thereon, of one hundred sixty-two (162) inches.

(c) No vehicle or tractor, except motor buses, motor omnibuses and fire department equipment, shall exceed a total maximum length, including any load thereon, of four hundred twenty (420) inches, excepting that a semi-trailer designed exclusively for carrying motor vehicles, may exceed such total maximum length by not more than thirty (30) inches, and excepting that a refrigerating device attached to the front exterior of a semi-trailer shall be disregarded in measuring the length of the semi-trailer, if the presence or absence of such device would not affect the length of the combination of vehicles in which such semi-trailer is operated. No combination of two (2) vehicles or tractors, inclusive of load and bumpers coupled together, shall exceed a total maximum length of six hundred (600) inches, excepting that nothing in this subsection shall prohibit the transportation by a combination of vehicles of articles impossible of dismemberment, which do not exceed seventy (70) feet.

(1) No motor vehicle or tractor, except a tractor of the first class, shall be operated upon a highway drawing, or having attached thereto, more than one (1) other vehicle: Provided, That a trailer not exceeding ten (10) feet in length may be attached to one (1) motor vehicle for the purpose of towing another vehicle requiring service, to which such trailer is also attached.

(2) The distance between any two (2) vehicles, or between a tractor and another vehicle, one of which is towing or drawing the other, shall not exceed fifteen (15) feet from one (1) vehicle to the other, except when the load on the towed vehicle is coupled directly to and is not more than five (5) feet from the towing 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 in length and width. Every trailer, while being drawn upon the highway, shall be so attached to the vehicle drawing the same as to prevent the wheels of such trailer from deflecting more than six (6) inches from the path of the drawing vehicle's wheels.

(d) No vehicle, except a trailer or semi-trailer, shall carry upon any highway any load, or part thereof, extending more than five (5) feet beyond the front extremity.

(e) No vehicle, except as herein provided, shall carry any load extending beyond the line of the fenders on the left side of such vehicle, nor extending more than six (6) inches beyond the line of the fender on the right side thereof.

Penalty.—Any person violating any of the provisions of subsection (a), (b), (c), (d) or (e) of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days. Such fine shall be in addition to any penalty imposed by any other section or subsection of this act.

Section 903. Weight of Vehicles and Loads.—

(a) Commercial motor vehicles and truck tractors, other than those electrically operated, shall not be used or operated on any highway with gross weights exceeding those specified for the several classes as follows:

(2 Axles) Class.	Maximum Gross Weight In Pounds.
R	5000
S	7000
SA	9000
T	11000
TA	13000
TB	15000
U	16500
UA	17000
UB	19000
V	21000
VA	23000
VB	25000
W	26000
WA	27000
WB	29000
Y	30000
YA, but not including tractors,	31000
Z, but not including tractors,	33000

(3 Axles) Class.	Maximum Gross Weight In Pounds.
RZ	12000
SZ	14000
TZ	16000
UZ	26000
VZ	31000
WZ	36000
YZ	40000
ZZ, but not including tractors,	47000

(4 Axles in Pairs) Class.	Commercial Vehicles.	Maximum Gross Weight In Pounds.
RX		14000
SX		16000
TX		26000
UX		31000
VX		36000
WX		40000
YX		47000
ZX		60000

(b) Electrically operated commercial motor vehicles and truck tractors shall not be used or operated on any highway with gross weight exceeding those specified for the several classes as follows :

Four-Wheeled (2 Axles) Class.	Maximum Gross Weight In Pounds.
R	5000
S	7000
T	11000
U	15000
V	18000
W	22000
Y	25000
Z	26000

Six-Wheeled (3 Axles) Class.	Maximum Gross Weight In Pounds.
RZ	12000
SZ	14000
TZ	16000
UZ	22000
VZ	26000
WZ	30000
YZ	34000
ZZ	36000

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(c) Trailers and semi-trailers, except trailers designed and used exclusively for living quarters, shall not be used or operated on any highway with gross weight exceeding those specified for the several classes and date when originally titled as follows:

Table No. 1. Applicable to vehicles of this type originally titled prior to January 1, 1957.

Four-Wheeled (2 Axles)
Trailer or Semi-Trailer

Class.	Weight In Pounds.	Maximum Gross Weight In Pounds.
A	Less than 1000,	3000
B	1000 and over, but less than 2000,	6000
C	2000 and over, but less than 3000,	10000
D	3000 and over, but less than 4000,	16000
E	4000 and over, but less than 5000,	20000
F	5000 and over, but less than 6000,	24000
G	6000 and over,	36000

Six-Wheeled (3 Axles) Trailer Class.	Weight In Pounds.	Maximum Gross Weight In Pounds.
AZ	Less than 3000,	12000
BZ	3000 and over, but less than 4000,	15000
CZ	4000 and over, but less than 5000,	20000
DZ	5000 and over, but less than 6000,	26000
EZ	6000 and over, but less than 7000,	30000
FZ	7000 and over, but less than 9000,	34000
GZ	9000 and over,	47000

Two-Wheeled (1 Axle) Semi-Trailer Class.	Weight In Pounds.	Maximum Gross Weight In Pounds.
A	Less than 1000,	3000
B	1000 and over, but less than 2000,	8000
C	2000 and over, but less than 3000,	10000
D	3000 and over, but less than 4000,	12000
E	4000 and over, but less than 5000,	14000
F	5000 and over, but less than 6000,	16000
G	6000 and over,	22400

Table No. 2. Applicable to vehicles of this type originally titled on and after January 1, 1957.

Four-Wheeled (2 Axles) Trailer or Semi-Trailer Class.	Maximum Gross Weight In Pounds.
A	3000
B	6000
C	10000
D	16000
E	20000
F	24000
G	36000

Six-Wheeled (3 Axles) Trailer Class.	Maximum Gross Weight In Pounds.
AZ	12000
BZ	15000
CZ	20000
DZ	26000
EZ	30000
FZ	34000
GZ	47000

Two-Wheeled (1 Axle) Semi-Trailer Class.	Maximum Gross Weight In Pounds.
A	3000
B	8000
C	10000
D	12000
E	14000
F	16000
G	22400

(d) Whenever two (2) vehicles are used or operated as a combination on any highway, the gross weight of the combination shall not exceed the sum of the maximum gross weights allowed for the respective vehicles and, in addition, the gross weight of the combination shall not exceed the gross weight specified as follows:

Combination.	Maximum Gross Weight In Pounds.
Truck tractor and single-axle semi-trailer	50000
Truck tractor and two-axle semi-trailer	60000
Commercial motor vehicle and trailer	62000

(e) Maximum gross weights, provided in this section, are allowed only under conditions where no other restrictions are provided in this act or in any other laws regulating maximum gross weights of vehicles.

(f) No vehicle shall be operated upon any highway with weight in excess of eighteen thousand (18,000)

pounds upon any axle less than seventy-two (72) inches from any other axle, or with weight in excess of twenty-two thousand four hundred (22,400) pounds upon any other axle, or with weight in excess of eight hundred (800) pounds upon any one wheel for each nominal inch of width of tire on such wheel.

(g) No vehicle with four (4) or more wheels shall be operated upon any highway unless any two (2) axles be at least thirty-six (36) inches apart. No truck tractor and semi-trailer shall be operated as a combination on any highway unless the rearmost axle of the truck tractor and the foremost axle of the semi-trailer be at least ninety-six (96) inches apart.

(h) None of the restrictions provided in this section shall be applicable to fire department equipment or to any motor bus or motor omnibus.

Penalty.—Any person operating any vehicle or combination of vehicles, upon any highway, with a gross weight or with weight on any axle or wheel exceeding by more than three (3) percent the maximum weight allowed in that particular case, shall, upon summary conviction before a magistrate, be sentenced to pay the costs of prosecution and a fine for each and every pound of excess above the maximum weight allowed according to the following schedule:

If the excess is	The fine shall be
Not over 3000 pounds,	\$60.00
Over 3000 pounds, but not over 3500 pounds, ..	120.00
Over 3500 pounds, but not over 4000 pounds, ..	140.00
Over 4000 pounds, but not over 4500 pounds, ..	240.00
Over 4500 pounds, but not over 5000 pounds, ..	270.00
Over 5000 pounds, but not over 5500 pounds, ..	400.00
Over 5500 pounds, but not over 6000 pounds, ..	440.00
Over 6000 pounds, but not over 6500 pounds, ..	600.00

For each additional five hundred (500) pounds, or part thereof, over six thousand five hundred (6,500) pounds, six hundred dollars (\$600.00) plus fifty dollars (\$50.00) for each additional five hundred (500) pounds, or part thereof: Provided, That in any case, in which there shall be concurrent violations of more than one (1) of the subsections of this section prescribing maximum weights, the penalty imposed shall be for violation of that subsection which produces the greatest fine, but no penalty shall be imposed for violation of any other such subsection.

(i) 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 (2) axle type and forty thousand (40,000) pounds if of the three (3) axle type.

The width of tires on the wheels of tractors shall be sufficient so that, including the load on the tractor, 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.

Penalty.—Any person violating any of the provisions of this subsection, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of fifty dollars (\$50.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Any person operating a vehicle, or combination of vehicles, in violation of subsection (g) of this section, shall, upon summary conviction before a magistrate, be sentenced to pay the costs of prosecution and a fine of twenty-five dollars (\$25.00).

In default of payment of any fine and costs of prosecution imposed, pursuant to the foregoing provisions of this penalty clause, the magistrate shall impound the vehicle, or combination of vehicles, and order the arresting officer, or other peace officer, to seize them. The magistrate shall, forthwith, notify the sheriff of the county wherein the violation occurred, who shall store the impounded vehicle, or combination of vehicles. The sheriff's costs, storage costs, and all other costs incident to impounding, shall be deemed additional costs of prosecution. The sheriff shall give immediate notice by telegram and registered mail, return receipt requested, of the impoundment and location of the vehicle, or combination of vehicles, to the owner of said vehicle, or combination of vehicles, and the owner of the load if said owners' names and addresses are known or can be ascertained by the sheriff.

The title to the load shall remain in the owner thereof, and he shall be entitled to repossess it at any time upon presentation of proof of such ownership to the sheriff. If the load shall spoil during possession by the Commonwealth, the loss shall be upon the owner thereof, subject to any right of recovery of damages at common law that he may have against the owner of the vehicle or combination of vehicles and the cost of disposition thereof shall be deemed an additional cost of prosecution. In case any vehicle or combination of vehicles impounded, or the load thereon as aforesaid, shall remain unredeemed, in the case of the vehicle or combination of vehicles and unclaimed, in the case of a load, for a period of sixty (60) days after notice of impoundment is given as aforesaid, the same shall be deemed to be abandoned and shall be disposed of by the sheriff upon order of the magistrate, in accordance with the procedures outlined in section 4 of the act, approved the 3rd day of July, A. D. 1941 (Pamphlet Laws 263), with the exception that

the reference to court therein contained for the purposes of this act, shall be construed to mean magistrate: And provided further, That the proceeds of such sale after the payment of encumbrances shall be applied to the payment of fine and costs and the balance thereof shall be remitted to the owner.

For the enforcement of this section all peace officers shall have the power to arrest on view for violation of any of the provisions of this section.

Section 904. Officers May Weigh Vehicles or Tractors and Require Removal of Excess Load.—Any peace officer who shall be in uniform, and shall exhibit his badge or other sign of authority, having reason to believe that the gross weight of a vehicle or a tractor or combination thereof or the weight upon any axle or pair of axles thereof is unlawful, is authorized to weigh the same, either by means of portable or stationary scales, or may require that such vehicle or tractor or combination thereof be driven to the nearest stationary scales in the event such scales are within a distance of two (2) miles. If the gross weight or weight upon any axle shall exceed the maximum weight allowed therefor, the peace officer may and, if such excess in the case of a vehicle is more than three (3) percent or in the case of a tractor is more than ten (10) percent of such maximum weight allowed, he shall require the operator to reduce the load so as to bring the gross weight or weight upon an axle to not more than the maximum weight allowed except as herein provided for special permits.

Penalty.—Any operator who shall fail, neglect or refuse to comply with the requirements of a peace officer given pursuant to the provisions of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of one hundred dollars (\$100.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than thirty (30) days. In addition to the foregoing penalty, the secretary may suspend the operating privilege of the operator for a period of thirty (30) days: Provided, however, That any person while operating a tractor, who refuses to unload excess weight when so ordered, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 905. Permits for Excessive Size and Weight.—

(a) 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; *(when a permit has been issued by the Secretary of Highways, no other authorities shall require any further or additional permit for any portion of the route specified therein*) (1) a vehicle or a tractor, or combination thereof, of sizes and weights exceeding the maximum specified in this act; every such permit shall be issued for a single trip, or continuous round trip, and shall designate the route to be traversed; (2) any heavy piece of 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 ($\frac{1}{2}$) mile; (3) any oversized self-propelled combine up to one hundred sixty-six (166) inches in width; every such permit shall be issued (i) for the period between the fifteenth day of June and the**fifteenth day of December, 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, or (ii) for the period between the fifteenth day of June and the fifteenth day of December, both inclusive, for the movement of such equipment during the daylight hours within a radius of twenty (20) miles from the dealer's place of business, or (iii) for an entire year, for the movement of such equipment, during the daylight hours, ***within a radius of twenty (20) miles from the dealer's place of business. 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 or tractor to which it refers, shall be open to inspection by any peace officer or person having

* "parenthesis" not in original.

** "fifteen" in original.

*** "with" in original

collision with such vehicle or tractor, and shall be revocable at any time, at the discretion of the official who issued the same.

(b) The Secretary of Highways may, in his discretion, issue a single permit for any fixed number of movements across the highway of vehicles or tractors, or combinations thereof, exceeding the maximum size or weight specified in this act at specified locations. Whenever such permit shall have been issued for crossing the highway, it shall be unlawful to move said vehicles or tractors along the highway.

(c) In the event of a catastrophe or accident affecting the public safety or convenience, it shall be lawful to operate or move a vehicle or tractor of a size or weight in excess of that permitted by this act, if a report thereof is immediately made, in writing, to the Secretary of Highways of this Commonwealth or local authorities. In such cases, a permit shall be issued subsequent to the movement.

Penalty.—Any person operating or moving a vehicle or tractor or load of a size or weight exceeding the maximum specified in this act, without first having obtained a permit or permits so to do, and any person altering or forging a special permit for excessive size and weight, or presenting or exhibiting an altered or forged special permit for excessive size and weight, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of fifty dollars (\$50.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Section 906. Permits for Movement of Vehicles in the Process of Being Manufactured.—

(a) The Secretary of Highways of this Commonwealth and local authorities in their respective jurisdictions may, in their discretion, upon application in writing accompanied by the fee provided in this act, issue a special permit in writing authorizing a manufacturer of vehicles or combination of vehicles, not normally used on the highways of this Commonwealth, to move such vehicles while said vehicles or combination of vehicles are in the course of manufacture, and only over highways located entirely within the county within this Commonwealth in which the manufacture of said vehicles or combination of vehicles is conducted, and while said vehicles or combination of vehicles are entirely within the control of the manufacturer and not in transit from the manufacturer to a purchaser or dealer. Such permits may be issued for a single trip or a series of trips. Any such permit shall designate the vehicle for which it is issued, the route to be traversed, and be subject to such rules, regulations, restrictions or conditions which shall

be deemed necessary by the authority granting the permit. The movement of any vehicle requiring a permit shall impose the obligation on the permittee to restore or replace any section of highway or bridge damaged as a result of such movement, whether or not such damage may be attributable to negligence on the part of the permittee. When the permit has been issued by the Secretary of Highways, no other authorities shall require any further or additional permit for any portion of the route specified therein. Every such permit shall be carried in every vehicle operated thereunder and shall be open to inspection by any peace officer or employe of the Department of Highways of this Commonwealth, or to any person having collision with or suffering injury from such vehicle.

Penalty.—Any manufacturer operating or moving a vehicle without first having obtained a permit or permits so to do as herein provided, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of fifty dollars (\$50.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Section 907. Special Limitations.—

(a) No vehicles shall be operated upon any highway where such operation has been prohibited or restricted by the Secretary of Highways, or local authorities, as set forth in section 1101 of this act, when official signs are erected and maintained.

(b) It shall be unlawful for any person to drive, or cause to be driven, upon any bridge, causeway, or viaduct, any vehicle which, together with its load, exceeds the maximum weight permitted and stated in the official signs erected and maintained in accordance with the requirements as set forth in section 1102 of this act.

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 dollars (\$50.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Section 908. Size, Weight and Construction of Vehicles Used in Interstate Commerce; Penalties.—The owner or operator of any vehicle using the highways of this Commonwealth in violation of the terms of any Federal statute or regulation relating to the size, weight or construction of vehicles used in interstate commerce, and when the secretary has declared such persons or vehicle exempt from the provisions of Article IX. of this act, shall be guilty of a violation of this section, and shall, upon summary conviction before a magistrate, be

sentenced to pay a fine of not less than twenty-five dollars (\$25.00) and not more than fifty dollars (\$50.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than fifteen (15) days.

Section 909. Motor Buses and Motor Omnibuses; Size and Loads.—

(a) Motor buses and motor omnibuses shall not exceed a total maximum length of four hundred eighty (480) inches and shall not exceed a total maximum height of one hundred fifty (150) inches, motor buses and motor omnibuses shall not exceed a total maximum width of ninety-six (96) inches: Provided, however, That any motor bus or motor omnibus operated within a municipality or in a business or residence district may be of a total height, including any load thereon, of one hundred seventy-four inches: Provided further, That any motor bus or motor omnibus operated on a route or in group or party service wholly within a municipality may, with the consent of the municipality, be of a total length not exceeding four hundred eighty (480) inches and of a total width not exceeding one hundred two (102) inches and any motor bus or motor omnibus operated on a regular route or in group or party service which traverses more than one political subdivision may, with the approval of the Public Utility Commission, be of a total length not exceeding four hundred eighty (480) inches and of a total width not exceeding one hundred two (102) inches.

No motor bus nor motor omnibus having a total maximum width in excess of ninety-six (96) inches shall operate on any street or highway where the cartway (exclusive of parking space) is less than ten (10) feet in width on one-way routes or less than twenty (20) feet in width on two-way routes.

(b) No motor bus or motor omnibus having two (2) axles, except motor buses and motor omnibuses operated within a municipality or in a business or residence district, shall be operated upon any highway with a gross weight in excess of thirty thousand (30,000) pounds, or in excess of twenty thousand (20,000) pounds on any axle, or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel.

(c) No motor bus or motor omnibus having three (3) axles shall be operated upon any highway with a gross weight in excess of forty thousand (40,000) pounds, or in excess of twenty thousand (20,000) pounds on any axle, or in excess of eight hundred (800) pounds on any

one wheel for each nominal inch of width of tire on such wheel, and the two rear axles shall be parallel and shall not be less than thirty-six (36) inches apart.

(d) It shall be unlawful for any person to transport in a motor bus or motor omnibus a load exceeding by more than twenty-five (25) percent the registered seating capacity of such vehicle, or for any person to cause or permit any such operation: Provided, however, That a child under the age of six (6) years shall not be counted as a person when computing the load on any such vehicle: And provided further, That nothing contained in this subsection shall make unlawful the transportation of a load of more than twenty-five (25) percent in excess of the registered seating capacity when such load is carried by a vehicle for not more than thirty-five (35) consecutive miles.

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 ten dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days. Any person operating any motor bus or motor omnibus upon any highway with a gross weight or with weight on any one axle or wheel exceeding by more than five (5) percent the maximum weight allowed in subsection (b) or (c) and not exceeding by more than ten (10) percent the maximum weight allowed shall, in each case, upon summary conviction before a magistrate, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days; and any persons operating any motor bus or motor omnibus on any highway with a gross weight or with weight on any one axle or wheel exceeding by more than ten (10) percent the maximum weight allowed in subsection (b) or (c) shall, in each case, upon summary conviction before a magistrate, be sentenced to pay a fine of fifty dollars (\$50.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days. Any person violating any of the provisions of subsection (d) of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of not less than ten dollars (\$10.00) nor more than twenty-five dollars (\$25.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days. Such fine shall be in addition to any penalty imposed by any other section or subsection of this act.

ARTICLE X.

TRAFFIC

Operation of Vehicles; Rules of the Road

- Section 1001. Reckless Driving.
- Section 1002. Restrictions as to Speed.
- Section 1003. Railroad Warning Signals Must Be Obeyed.
- Section 1004. Drive on Right Side of Highway.
- Section 1005. Keep to the Right in Crossing Intersections or Railway Grade Crossings.
- Section 1006. Meeting of Vehicles.
- Section 1007. Overtaking a Vehicle.
- Section 1008. Limitations on Privilege of Overtaking and Passing.
- Section 1009. Driver to Give Way to Overtaking Vehicle.
- Section 1010. Following Too Closely.
- Section 1011. Turning at Intersection.
- Section 1012. Signals on Starting, Stopping or Turning.
- Section 1013. Right of Way.
- Section 1014. Exceptions to the Right of Way Rule.
- Section 1015. What to Do on Approach of Ambulance, Police or Fire Department Vehicle.
- Section 1016. Vehicles Must Stop at Through Highways and Stop Intersections.
- Section 1017. Passing Streetcars.
- Section 1018. Passing School Buses.
- Section 1019. Driving Through Safety Zone Prohibited.
- Section 1020. Stopping on Highway.
- Section 1021. Parking Prohibited in Specified Places.
- Section 1022. Motor Vehicle Left Unattended, Brakes to Be Set and Engine Stopped.
- Section 1023. Driving on Mountain Highways.
- Section 1024. Tampering with Vehicles.
- Section 1025. Throwing Material from Motor *Vehicle.

* "Vehicles" in original.

Section 1026. Coasting Prohibited.

Section 1027. Duty to Stop in Event of Accident.

Section 1028. Traffic Signal *Interpretations.

Section 1029. Certain Vehicles to Stop at Railway Grade Crossings.

Section 1030. Driving Over Fire Hose.

Section 1031. Regulating Speed on Bridges.

Section 1032. Soliciting Sale of Goods, Merchandise, Tickets and Contributions.

Section 1033. Pedestrians Soliciting Rides.

Section 1034. Use of Multiple Beam Road Lighting Equipment.

Section 1035. Vehicles Carrying Other Vehicles.

Section 1036. Regulation of Traffic on Pennsylvania Turnpike.

Section 1037. Driving Under the Influence of Liquor or Drugs.

Section 1038. Driving Without Lights to Avoid Identification or Arrest.

Section 1039. For the Protection of Blind Pedestrians.

Section 1001. Reckless Driving.—Reckless driving is unlawful, and for the purpose of this act, is construed to include the following:

(1) Any person who drives any vehicle or streetcar or trackless trolley omnibus upon a highway carelessly disregarding the rights or safety of others, or in a manner so as to endanger any person or property.

(2) If investigation into an accident arising from the use and operation of a motor vehicle discloses that the accident occurred due to the front seat of the motor vehicle having been occupied by more than three (3) persons: Provided, That this provision shall not apply to a motor vehicle, the front seat of which has been constructed to accommodate more than three (3) persons: And further provided, That there is sixteen (16) inches of seating capacity for each passenger or occupant so accommodated on said front seat.

(3) Participating in any physical endurance test or any race or speed contest with a motor vehicle on any highway.

Penalty.—Any person charged with reckless driving, shall, upon summary conviction before a magistrate, be

* "Interpretation" in original.

sentenced to pay a fine of not less than ten dollars (\$10.00) nor more than twenty-five dollars (\$25.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Section 1002. Restrictions as to Speed.—

(a) Any person driving a vehicle on a highway shall drive the same at a careful and prudent speed, not greater than nor less than is reasonable and proper, having due regard to the traffic surface, and width of the highway, and of any other restrictions or conditions then and there existing; and no person shall drive any vehicle, upon a highway at such a speed as to endanger the life, limb, or property of any person, nor at a speed greater than will permit him to bring the vehicle to a stop within the assured clear distance ahead.

(b) Subject to the provisions of subsection (a) of this section, speeds in excess of the maximum limits hereinafter provided shall be unlawful:

(1) Ten (10) miles an hour speed limit: All vehicles when passing any interurban or streetcar taking on or discharging passengers; at an intersection, where a safety zone has been established, or where traffic is controlled by a peace officer or a traffic signal.

(2) Fifteen (15) miles an hour speed limit: All vehicles, except those restricted by this act to lower maximum speeds, when passing a school building during school recess, or while children are going to or leaving school during opening or closing hours.

(3) Twenty (20) miles an hour speed limit: All vehicles, except those restricted by this act to lower maximum speeds when approaching within two hundred (200) feet of a railway grade crossing where official signs erected by the proper authorities are displayed.

All vehicles, except those being operated on through highways, and those restricted by this act to lower maximum speeds, when approaching within fifty (50) feet and in traversing an intersection of highways, within a business or residence district, or in traversing an intersection in a public park area, when the driver's view is obstructed, except on highways controlled at intersections by a peace officer or a traffic signal. A driver's view shall be deemed to be obstructed if, during the last fifty (50) feet of his approach to such intersection, he does not have a clear and uninterrupted view of such intersection and of the traffic upon all of the highways entering such intersection and of the traffic upon all of the highways entering such intersection for a distance of two hundred (200) feet from such intersection.

(4) Twenty-five (25) or thirty-five (35) or forty (40) miles an hour speed limit: All vehicles, except those re-

stricted by this act to lower maximum speeds, within business or residence districts, or public park areas, where official signs, erected by the proper authorities, on the right-hand side of the highway facing the traffic to be controlled, or on the left-hand side of one-way streets, are displayed. This limit shall be observed for a distance beyond said sign for not more than one-eighth ($\frac{1}{8}$) of a mile. An additional sign shall be placed at intervals not greater than one-eighth ($\frac{1}{8}$) of a mile, and any extension of such limited zone shall be marked by additional signs in like manner. At the end of such limited zone, there shall be an official sign, similarly placed as to traffic, indicating the end of the limited zone.

(5) Thirty-five (35) miles an hour speed limit: All vehicles, except those restricted by this act to lower maximum speeds, while using auxiliary driving lamps as provided for in section 802 (b).

(6) Fifty (50) miles an hour speed limit: All vehicles, except those otherwise restricted by this act to lower maximum speeds and except as provided in clauses (7) and (9).

(7) Seventy (70) miles an hour speed limit: All vehicles when being operated on highways under the supervision and control of a turnpike commission, except those otherwise restricted by this act to lower maximum speeds, and except when restricted to lower maximum speeds by such turnpike commission or any zones or sections thereof where official signs erected by such turnpike commission on the highway facing the traffic to be controlled are displayed.

(8) The Secretary of Highways may, after due investigation, establish further restricted speed zones on State highways outside of business and residence districts where traffic conditions or other conditions of the highway make it unsafe to operate motor vehicles at the maximum speeds as provided by this act.

Any such established restricted speed zone shall be indicated by the erection of official signs, spaced not less than one-eighth ($\frac{1}{8}$) of a mile apart, on the right-hand side of the highway facing the traffic to be controlled, and at the end of the restricted speed zone there shall be an official sign indicating the end of such restricted speed zone.

(9) Subject to the provisions of subsection (c) of this section, the Secretary of Highways may, after due investigation, establish certain speed zones with a sixty (60) mile an hour speed limit on State highways outside of business and residence districts, where traffic conditions and other conditions of the highway make it safe to operate motor vehicles at the maximum speed provided by this clause.

Any such established speed zone shall be indicated by the erection of official signs, spaced not less than one-eighth ($\frac{1}{8}$) of a mile apart, on the right-hand side of the highway facing the traffic to be controlled, and at the end of the speed zone there shall be an official sign indicating the end of such speed zone.

(c) Subject to the provisions of subsections (a) and (b) of this section, it shall be unlawful for the following kinds, types, and classes of vehicles to be operated at a greater speed than hereinafter provided, except when such vehicles are being operated on highways under the supervision and control of a turnpike commission in which case subject to speed restrictions by such turnpike commission as hereinbefore provided the maximum speed limits shall be twenty (20) miles per hour greater than hereinafter provided.

Commercial motor vehicles and truck tractors R class, fifty (50) miles per hour.

Motor buses and omnibuses, fifty (50) miles per hour.

All other commercial motor vehicles and truck tractors, all combinations of commercial motor vehicles or truck tractors and trailers or semi-trailers, fifty (50) miles per hour on highways having four (4) or more lanes, or forty (40) miles per hour on highways having less than four (4) lanes.

(d) (1) When the rate of speed of any vehicle is timed on any highway within a business or residence district, where official speed limit signs are erected, as provided in this section, for the purpose of ascertaining whether or not the operator of such vehicle is violating a speed provision of this act, such time may be taken by not less than two (2) peace officers, one of whom shall have been stationed at each end of a measured stretch, and no conviction shall be had upon the unsupported evidence of one (1) peace officer, except as hereinafter provided, and no such measured stretch shall be less than one-eighth ($\frac{1}{8}$) of a mile in length or, under any conditions, the rate of speed may be timed, for a distance of not less than one-quarter ($\frac{1}{4}$) mile, by a peace officer using a motor vehicle equipped with a speedometer tested for accuracy within a period of thirty (30) days prior to the alleged violation. An official certificate from an official speedometer testing station, showing such test was made, that the speedometer was adjusted for accuracy, if necessary, the date thereof, and the degree of accuracy of such speedometer, shall be competent and prima facie evidence of the fact that such certificate was issued by an official speedometer testing station appointed by the secretary, and of the accuracy of the speedometer, in every proceeding where an information is brought charging a violation of this section.

(2) The secretary shall have the authority to appoint official stations for testing speedometers, and may prescribe regulations as to the manner in which such tests shall be made, and shall issue to such stations official inspection certificate forms.

(e) In every information charging violation of this section, reference shall be made to this section and subsection alleged to have been violated, specifying the speed at which the defendant is alleged to have driven.

(f) The speed limitations set forth in this section shall not apply to vehicles, when operated with due regard for safety, under the direction of the police in the chase or apprehension of violators of the law, or of persons charged with or suspected of any such violation, nor to fire department or fire patrol vehicles when traveling in response to a fire alarm, nor to ambulances when traveling in emergencies. The exemption shall not, however, protect the driver of any such vehicle from the consequences of a reckless disregard of the safety of others.

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 dollars (\$10.00) and costs of prosecution, and, in default of payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 1003. Railroad Warning Signals Must Be Obeyed.—Whenever any person driving a vehicle approaches an interurban or steam railway grade crossing, and a clearly visible and positive signal gives warning of the immediate approach of a railway train or car, it shall be unlawful for the driver of the vehicle to fail to bring the vehicle to a complete stop before traversing such grade crossing.

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 dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 1004. Drive on Right Side of Highway.—Upon all highways of sufficient width, except upon one-way streets, the driver of a vehicle shall drive the same upon the right half of the highway, and shall drive as closely as possible to the right-hand edge or curb of such highway, unless it is impracticable to travel on such side of the highway, and except when overtaking and passing another vehicle, subject to the limitations applicable in overtaking and passing set forth in this act: Provided, however, That the provisions of this sec-

tion shall not apply to ridden animals of the National Guard or of the Regular Army of the United States of America when actually engaged in training or maneuvers.

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 dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 1005. Keep to the Right in Crossing Intersections or Railway Grade Crossings.—In crossing an intersection of highways, or in crossing a railway grade crossing, the driver of a vehicle shall, at all times, cause such vehicle to travel on the right half of the highway, unless such right half is obstructed or impassable.

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 dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 1006. Meeting of Vehicles.—Drivers of vehicles proceeding in opposite directions shall pass each other to the right, each giving to the other at least one-half ($\frac{1}{2}$) of the main traveled portion of the highway.

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 dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 1007. Overtaking a Vehicle.—The driver of any vehicle overtaking another vehicle proceeding in the same direction shall pass at a safe distance to the left thereof, and shall not again drive to the right side of the highway until safely clear of such overtaken vehicle, except that, on a highway, within a business or residence district, having two (2) or more marked lanes for movement of traffic in one direction, the driver of a vehicle may overtake and pass another vehicle on the right. Nothing in this section shall be construed to prohibit a driver overtaking and passing upon the right, another vehicle which is making or about to make a left turn.

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 dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 1008. Limitations on Privilege of Overtaking and Passing.—

(a) The driver of a vehicle shall not drive to the left side of the center line of a highway in overtaking or passing another vehicle proceeding in the same direction, unless such left side is clearly visible, and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking or passing to be made in safety.

(b) The driver of a vehicle shall not overtake or pass another vehicle proceeding in the same direction, when approaching the crest of a grade, nor upon a curve in the highway, where the driver's view along the highway is obstructed within a distance of five hundred (500) feet ahead, except on a highway having two (2) or more lanes for movement of traffic in one direction, the driver of a vehicle may overtake or pass another vehicle: Provided, That on a highway, within a business or residence district, having two (2) or more marked lanes for movement of traffic in one direction, the driver of a vehicle may overtake or pass another vehicle on the right.

(c) The driver of a vehicle shall not overtake or pass any other vehicle, proceeding in the same direction, at any railway grade crossing, nor at any intersection of highways, unless such intersection or crossing is controlled by a traffic signal, or unless permitted so to do by a watchman or peace officer, except on a highway having two (2) or more lanes for movement of traffic in one direction, the driver of a vehicle may overtake or pass another vehicle: Provided, That on a highway within a business or residence district, having two (2) or more marked lanes for movement of traffic in one direction, the driver of a vehicle may overtake or pass another vehicle on the right. Nothing in this subsection shall be construed to prohibit a driver overtaking or passing, upon the right, another vehicle which is making or about to make a left turn.

(d) The driver of a vehicle shall not overtake or pass, or attempt to pass, any other vehicle, proceeding in the same direction, between any points indicated by the placing of official temporary warning or caution signals indicating that men are working on the highway.

(e) The driver of a vehicle shall not overtake or pass, or attempt to overtake or pass, any other vehicle proceeding in the same direction in any "no passing zone."

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 dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 1009. Driver to Give Way to Overtaking Vehicle.—

(a) The driver of a vehicle, about to be overtaken and passed by another vehicle or streetcar approaching from the rear, shall give way to the right, in favor of the overtaking vehicle or streetcar, on suitable and audible signal being given by the driver of the overtaking vehicle or streetcar, and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle or streetcar.

(b) When a streetcar has started to cross an intersection, no driver of a vehicle shall drive upon or cross the car tracks within the intersection in front of the streetcar.

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 dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 1010. Following Too Closely.—

(a) The operator of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard to the speed of such vehicle, and the traffic upon and condition of the highway.

(b) The operator of any motor bus, motor omnibus, commercial motor vehicle, truck tractor or tractor, not being part of any military convoy in the military service of the United States or of this Commonwealth, when traveling upon a highway outside of a business or residence district shall not follow another such vehicle within five hundred (500) feet, but this shall not be construed to prevent one such vehicle overtaking and passing another such vehicle.

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 dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 1011. Turning at Intersection.—

(a) The driver of a vehicle intending to turn to the right at an intersection shall approach such intersection in the lane for traffic nearest to the right-hand side of the highway, and in turning, shall keep as close as practicable to the right-hand curb or edge of the highway.

(b) The driver of a vehicle intending to turn to the left shall approach such intersection in the lane for traffic to the right of and nearest to the center line of the highway, and in turning, shall pass to the left of the center of the intersection, keeping as close as shall be practicable to the center of the intersection, except

that, upon streets laned for traffic and upon one-way streets, a left turn shall be made from the left lane of traffic in the direction in which the vehicle is proceeding.

(c) For the purpose of this section, the center of the intersection shall mean the meeting point of the medial lines of the highways intersecting one another, except when it is occupied by a monument, grass plot, or any permanent structure, other than a traffic control device.

(d) Local authorities, when official signs are erected, may prohibit turning at intersections, and may in like manner when the center of the intersection is occupied by a monument, grass plot, or any permanent structure, other than a traffic control device, direct traffic to keep to the right when official signs are erected.

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 dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 1012. Signals on Starting, Stopping or Turning.—

(a) The driver of any vehicle upon a highway, before starting, stopping or turning from a direct line, shall first see that such movement can be made in safety, and, if any pedestrian may be affected by such movement, shall give a clearly audible signal by sounding the horn, and whenever the operation of any other vehicle approaching or following may be affected by such movement, shall give a signal, as required in this section, plainly visible to the driver of such other vehicle of the intention to make such movement.

(b) The signal herein required shall be given by means of the hand and arm, in the manner herein specified, or by an approved mechanical or electrical signal device of a type which, at the time of its use, is approved by the secretary.

(c) Whenever the signal is given by means of the hand and arm, the driver shall indicate his intention to start, stop, or turn, by extending the hand and arm horizontally from and beyond the left side of the vehicle, or, if he is driving a closed vehicle, by his hand and arm in such a way as to be visible through the window in the rear of the vehicle.

(d) The secretary is hereby authorized to make rules and regulations, not inconsistent with this act, for the efficient administration of this section.

(e) All mechanical or electrical signal devices shall be maintained at all times in good working order.

(f) No driver of any vehicle upon a highway shall give a signal indicating a stop, start, or turn, unless such signal is required by this act.

Penalty.—Any person violating any of the provisions of subsection (a), (b), (c), (e) or (f) of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 1013. Right of Way.—

(a) When two (2) vehicles, or two (2) streetcars, or two (2) trackless trolley omnibuses, approach or enter, or when any vehicle, streetcar, or trackless trolley *omnibus, approaches or enters an intersection at approximately the same time, the operator of the vehicle, streetcar, or trackless trolley omnibus on the left, shall yield the right of way to the vehicle, streetcar, or trackless trolley omnibus on the right, except as otherwise provided in this act. The driver of any vehicle, streetcar, or trackless trolley omnibus traveling at an unlawful speed shall forfeit any right of way which he might otherwise have hereunder.

(b) The driver of a vehicle, streetcar, or trackless trolley omnibus, approaching but not having entered an intersection, shall yield the right of way to a vehicle within such intersection or turning therein to the left across the line of travel of such first mentioned vehicle, provided the driver of the vehicle turning left has given a plainly visible signal of intention to turn as required in this act.

(c) The driver of any vehicle, streetcar, or trackless trolley omnibus, upon a highway within a business or residence district, shall yield the right of way to a pedestrian crossing such highway within a crosswalk, except at intersections where the movement of traffic is being regulated by a peace officer or traffic signal. Every pedestrian crossing a highway within a business or residence district, at any point other than a crosswalk, shall yield the right of way to vehicles upon the highway.

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 dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 1014. Exceptions to the Right of Way Rule.—

* "omnibuses" in original.

(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, fire department vehicles, 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 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 a 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 such vehicle on a through highway from the consequence of an arbitrary exercise of such right of way.

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 dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 1015. What to Do on Approach of Ambulance, Police or Fire Department Vehicle.—

(a) Upon the approach of any police, fire department vehicle, 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 such vehicle shall have passed.

(b) It shall be unlawful for the driver of any vehicle,

streetcar, 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 of where fire apparatus has stopped in answer to a fire alarm.

(c) Upon the approach of any police, fire department vehicle, 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 streetcar or trackless trolley omnibus shall immediately stop and remain in such position, unless otherwise directed by a peace officer, until 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 dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 1016. Vehicles Must Stop at Through Highways and Stop Intersections.—

(a) It shall be unlawful for the driver or operator of any vehicle, streetcar, or trackless trolley omnibus, except as is otherwise provided in this section, before entering a through highway, to fail to come to a full stop, within a reasonable distance, before entering the intersection on such through highway, when an official "STOP" sign or signs have been erected in accordance with the provisions of this act.

(b) It shall be unlawful for the driver or operator of any vehicle, streetcar, or trackless trolley omnibus, except as is otherwise provided in this section, before entering a stop intersection to fail to come to a full stop, within a reasonable distance, before entering the intersection, when an official "STOP" sign or signs have been erected in accordance with the provisions of this act.

(c) The driver or operator of any vehicle, streetcar, or trackless trolley omnibus shall not be subject to the provisions of this section during the hours when a traffic signal is actually in operation, or when a peace officer is actually on duty directing traffic.

(d) This section shall not apply to vehicles, when operated with due regard for safety, under the direction of the police in the chase or apprehension of violators of the law or persons charged with or suspected of any such violation, nor to fire department or fire patrol vehicles responding to a fire alarm, nor to ambulances

when traveling in emergencies. The exemption, however, shall not protect the driver of any such vehicle from the reckless disregard of the safety of others.

Penalty.—Any person violating the provisions of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of five dollars (\$5.00) and costs of prosecution, and, in default of payment thereof, shall undergo imprisonment for not more than three (3) days.

Section 1017. Passing Streetcars.—

(a) The driver of a vehicle shall not overtake and pass upon the left, any interurban or streetcar proceeding in the same direction, whether actually in motion or temporarily at rest, when a travelable portion of the highway exists to the right of such streetcar, even though such portion of the highway is occupied or obstructed: Provided, however, This provision shall not apply to one-way streets.

(b) No operator of a vehicle who meets or overtakes a street passenger car, that has stopped for the purpose of taking on or discharging passengers, shall pass said car on the side on which the passengers get on or off, until the car has started, and until any passengers who may have alighted have reached the side of the highway, except that, where a safety zone has been established, or at an intersection where traffic is controlled by a peace officer or a traffic signal, a vehicle need not be brought to a full stop before passing any such railway, interurban *or streetcar, but may proceed past such car at a speed not greater than is reasonable or proper, and in no event greater than ten (10) miles an hour and with due caution for the safety of pedestrians.

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 dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 1018. Passing School Buses.—

(a) On highways having roadways not divided by safety islands or physical traffic separation installation, the driver of any vehicle approaching or overtaking a school bus conforming to the requirements of this act, which is being used solely for the transportation of children to or from school and which has stopped for the purpose of receiving or discharging any school child, shall stop his vehicle not less than ten (10) feet from the school bus and keep his vehicle stationary until any child has entered the bus or has alighted and reached the side of the highway.

* "or" omitted in original.

(b) On highways having dual or multiple roadways separated by safety islands or physical traffic separation installations, the driver of any vehicle overtaking a school bus which has stopped for the purpose of receiving or discharging any school child shall stop his vehicle not less than ten (10) feet from the school bus and keep his vehicle stationary until any child has entered the bus or has alighted and reached the side of the highway.

(c) On highways having dual or multiple roadways separated by safety islands or physical traffic separation installations, the driver of a vehicle on another roadway approaching a school bus which has stopped for the purpose of receiving or discharging any school child shall reduce the speed of his vehicle to not more than fifteen (15) miles per hour, and shall not resume normal speed until his vehicle has passed the school bus and any child who may have alighted therefrom or is about to enter the school bus.

(d) Whenever a school bus is parked at the curb for the purpose of receiving children directly from a school or discharging children to enter a school which is located on the same side of the street as that on which the school bus is parked, drivers of vehicles shall be permitted to pass the school bus without stopping but at a speed not in excess of fifteen (15) miles per hour.

(e) The driver of any school bus being used solely for the transportation of children to or from school shall not start his bus until every child who may have alighted therefrom shall have reached a place of safety.

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 dollars (\$25.00) and costs of prosecution, and, in default of payment thereof, shall undergo imprisonment for not more than ten (10) days.

Section 1019. Driving Through Safety Zone Prohibited.—

(a) No person shall drive a vehicle through or over a safety zone as defined in this act.

(b) Traffic may move on either side of a safety zone, unless prohibited from driving to the left thereof by the erection of an official sign as provided in this act.

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 dollars (\$5.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than three (3) days.

Section 1020. Stopping on Highway. —

(a) No person shall park or leave standing any vehicle, whether attended or unattended, upon the paved or

improved or main traveled portion of any highway, outside of a business or residence district, when it is practicable to park or leave such vehicle standing off the paved or improved or main traveled portion of such highway: Provided, In no event shall any person park or leave standing any vehicle, whether attended or unattended, upon any highway, unless a clear and unobstructed width of not less than fifteen (15) feet upon the main traveled portion of said highway opposite such standing vehicle shall be left for free passage of other vehicles thereon, nor unless a clear view of such vehicle may be obtained from a distance of five hundred (500) feet in each direction upon such highway: And further provided, No person shall park or stand any vehicle, whether attended or unattended, in any no parking area, where official "No Parking" signs have been erected in accordance with the provisions of section 1115 of this act.

(b) Whenever any peace officer shall find a vehicle standing upon a highway in violation of the provisions of this section, he is hereby authorized to move such vehicle, or require the driver or person in charge of such vehicle to move such vehicle, to a position permitted under this section.

(c) The provisions of this section shall not apply to the operator of any vehicle which is disabled while on the paved or improved or main traveled portion of a highway, in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving such vehicle in such position.

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 not less than two dollars (\$2.00) nor more than ten dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 1021. Parking Prohibited in Specified Places.—No person shall park a vehicle, or permit it to stand, whether attended or unattended, upon a highway in any of the following places:

- (1) Within an intersection.
- (2) On a crosswalk.
- (3) Between a safety zone and the adjacent curb, or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone, unless local officials shall indicate a different length by signs or markings.
- (4) Within twenty-five (25) feet from the intersection of curb lines, or, if none, then within fifteen (15) feet of the intersection of property lines at an intersection of highways.

(5) Within thirty (30) feet upon the approach to any official flashing signal, stop sign, or traffic signal located at the side of the roadway.

(6) Within fifteen (15) feet of the driveway entrance to any fire station.

(7) Within fifteen (15) feet of a fire hydrant.

(8) On a sidewalk.

(9) In front of a private driveway, or alongside any street or highway excavation or obstruction, nor opposite the same, unless a clear and unobstructed width of not less than twenty (20) feet upon the main traveled portion of the said street or highway shall be left free for passage of other vehicles thereon.

(10) On the roadway side of any vehicle stopped or parked at the curb or edge of the highway.

(11) At any place where official signs have been erected prohibiting standing and parking.

(12) Within fifty (50) feet of the nearest rail of a steam or interurban railway crossing.

(13) Where such stopped or parked vehicle would prevent the free movement of a streetcar.

(14) Except when necessary in obedience to traffic regulations or traffic signs or signals or where angle parking is permitted, the operator of a vehicle shall not stop, stand, or park such vehicle on the highway within a business or residence district other than parallel with the edge of the highway, headed in the direction of traffic, and with the curb side of the vehicle within six (6) inches of the edge of the highway or curb. Vehicles, which because of type or construction cannot load or unload parallel to the curb, shall be exempt, while loading or unloading only, from the requirements of standing parallel to the curb.

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 not less than two dollars (\$2.00) nor more than ten dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 1022. Motor Vehicle Left Unattended, Brakes to Be Set and Engine Stopped.—No person having control or charge of a motor vehicle, shall allow such vehicle to stand on any highway unattended, without first effectively setting the brakes thereon and stopping the motor of said vehicle, and when standing upon any grade, without turning the front wheels of such vehicle to the curb or side of the highway.

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 dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 1023. Driving on Mountain Highways.—The operator of a motor vehicle traversing mountain highways shall hold such motor vehicle under control, and as near the right-hand side of the highway as reasonably possible.

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 dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 1024. Tampering with Vehicles.—

(a) No unauthorized person shall sound the horn, handle the levers, or set in motion or in any way tamper with or damage or deface any motor vehicle standing upon any highway.

(b) No person shall hang on to, or ride on, the outside or the rear end of any vehicle, and no person on a bicycle, roller skates, sled, or any similar device, shall hold fast to or hitch on to any moving vehicle, and no operator of a vehicle shall knowingly permit any person to hang on to, or ride on, the outside or rear end of the vehicle, which he is operating, or allow any person on a bicycle, roller skates, sled, or any similar device to hold fast or hitch on to the vehicle which he is operating on any public highway, and no owner of a vehicle, if present, shall knowingly permit any person to operate any vehicle under his control in violation of this subsection.

(c) No person shall throw any missile, circular or pamphlet at the occupants of any vehicle, or throw or place any substance upon any public highway injurious or damaging to the highway or a vehicle or the tires thereof.

Penalty.—Any person violating any of the provisions of subsection (a) or (c) of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

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 five dollars (\$5.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than three (3) days.

Section 1025. Throwing Material from Motor Vehi-

cle.—No person shall throw, or permit to be thrown, from a motor vehicle, any garbage, bottles, cans, rubbish, wire, glass or cardboard or wood cartons or boxes.

In any prosecution under this section the throwing of garbage, bottles, rubbish, wire, glass or cardboard or wood cartons or boxes from a motor vehicle shall be prima facie evidence that they were thrown, or permitted to be thrown, from the motor vehicle by the operator.

If at any hearing or proceeding the operator shall testify under oath or affirmation, that he did not throw garbage, bottles, rubbish, wire, glass or cardboard or wood cartons or boxes from the motor vehicle, and shall submit himself to an examination as to who did the throwing and reveal the name of such person, if known to him, or, if the information is made in a court other than that of his own residence, shall forward to the magistrate an affidavit setting forth these facts, then the prima facie evidence arising as above set forth shall be overcome and removed and the burden of proof shifted.

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 dollars (\$25.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Limitation.—The provisions of this section are subject to the limitation of actions as set forth in section 1201 of this act.

Section 1026. Coasting Prohibited.—The operator of a motor vehicle, when traveling upon a downgrade upon any highway shall not coast, with the gears of such vehicle in neutral or clutch disengaged.

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 dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 1027. Duty to Stop in Event of Accident.—

(a) The operator of any vehicle involved in an accident, resulting in injury or death to any person or damage to property, shall immediately stop such vehicle at the scene of such accident.

(b) The operator and owner, if present, of any vehicle involved in any accident, resulting in injury or death to any person or damage to property, shall give his name, address, and the registration number of his vehicle, and exhibit his operator's license to the person struck, or the operator or occupants of any vehicle involved, or the owner or custodian of any property involved, unless the

person struck, or the operator of the vehicle or the custodian of the property involved, signifies that no injuries have been received or damages sustained, and shall render to any person injured in such accident reasonable assistance, including the carrying of such person to a physician or surgeon for medical or surgical treatment, if it is apparent that such treatment is necessary, or is requested by the injured person.

(c) Whenever the operator of a vehicle is physically unable to give the information or assistance required in this section, and there are other occupants of the vehicle at the time of the accident who are physically able to give the information or assistance required in this section, then each of such other occupants shall fully reveal the identity of himself and the identity of the operator of the vehicle, and of the owner of the vehicle of which they were occupants, to the person struck, or to the operator, owner or occupants of any vehicle involved or to the owner or custodian of any property involved, and shall render to any such person injured in such accident, reasonable assistance, including the carrying of such person to a physician or surgeon for medical or surgical treatment, if it is apparent that such treatment is necessary, or is requested by the injured person.

(d) The operator of any vehicle, streetcar, or trackless trolley omnibus, which is involved in an accident with any vehicle or property which is unattended, shall immediately stop, and shall then and there either locate and notify the operator or owner of such unattended vehicle, or the owner or custodian of such unattended property, of the name and address of the operator and owner of the vehicle involved in such accident with the unattended vehicle or property, or shall leave in a conspicuous place, in or upon the unattended vehicle or property, a written notice, giving the name and address of the operator, and of the owner of the vehicle involved in such accident, and a statement of the circumstances thereof, and also shall, within twenty-four (24) hours, forward to the department a similar notice regardless of the amount of damage done to such unattended vehicle or property.

Limitation.—The provisions of subsection (d) are subject to the limitation of actions as set forth in section 1201 of this act.

(e) The operator of any streetcar or trackless trolley omnibus involved in an accident, resulting in injury or death to any person or damage to property, shall give his name and address to the person struck, or the driver or occupants of the vehicle involved, or the owner or custodian of any property involved, and shall render to any person injured in such accident reasonable assistance,

including the carrying of or the securing of carriage for such person to a physician or surgeon for medical or surgical treatment, if it is apparent that such treatment is necessary, or is requested by the injured person.

Penalty.—Any person violating any of the provisions of subsection (a), (b) or (e) of this section, shall be guilty of a misdemeanor and shall, upon conviction thereof in a court of quarter sessions, be sentenced to pay a fine of not more than two hundred dollars (\$200.00) and costs of prosecution, or undergo imprisonment for not more than three (3) years, or suffer both such fine and imprisonment.

Penalty.—Any person violating any of the provisions of subsection (c) or (d) of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 1028. Traffic Signal Interpretations.—

(a) It shall be unlawful for the driver or operator of any vehicle, streetcar, or trackless trolley omnibus to disobey the directions of any traffic signal placed in accordance with the provisions of this act unless otherwise directed by a peace officer.

(b) Whenever traffic at an intersection is alternately directed to stop and go, by the use of traffic signals, the colored lights shall indicate as follows, except as otherwise provided in this section:

(1) Green—Traffic facing the signal may proceed straight ahead, and make right or left turns, except where no such turns are permitted, when so indicated by official signs. Vehicular traffic shall yield the right of way to pedestrians crossing or who have started to cross the roadway on the green signal and vehicles lawfully within a crosswalk or the intersection at the time such signal was exhibited.

(2) Yellow—When Shown Alone.—Traffic facing the signal shall stop before entering the nearest crosswalk at the intersection, but if such stop cannot be made in safety, a vehicle may be driven cautiously through the intersection.

(3) Red—Traffic facing the signal shall stop before entering the intersection, and remain standing until green is shown. No movement or turns shall be lawful on red except as otherwise provided in this section.

(4) No "U" turns shall be made on a two-way street in a business or residence district, unless they shall be made back of the intersection on such signal, and at such times and places as may be indicated by official signs.

(c) Where official signs indicate turns, as provided in

this section, they shall be attached to the traffic signals, or immediately adjacent thereto, and they shall be clearly illuminated at night.

(d) The traffic signal interpretations set forth in this section shall not apply to vehicles, when operated with due regard for safety, under the direction of the police, in the chase or apprehension of violators of the law or of persons charged with or suspected of any violation, nor to fire department or fire patrol vehicles when traveling in response to a fire alarm, nor to ambulances when traveling in emergencies. This exemption shall not, however, protect the operator of any such vehicle from the consequences of a reckless disregard of the safety of others.

(e) Local authorities may provide for turns or movements straight ahead on special green arrow signals. Where a left turn is provided for in the above manner, there shall be no left turns on green as above provided, when so indicated by official signs.

(f) Flashing Yellow or Caution Signals.—A signal when illuminated by rapid intermittent yellow flashes shall indicate "Caution." No signal shall be so operated as to show a constant yellow light when not in operation as a traffic signal.

(g) Flashing Red Signal.—In cities, boroughs, incorporated towns, or townships, a signal when illuminated by rapid intermittent red flashes shall require the operators of all vehicles and streetcars and trackless trolleys to observe the same regulations as for through traffic stop signs and signs at stop intersections, as provided in this act.

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 five dollars (\$5.00) and costs of prosecution, and, in default of payment thereof, shall undergo imprisonment for not more than three (3) days.

Section 1029. Certain Vehicles to Stop at Railway Grade Crossings.—All motor buses and motor omnibuses engaged in the transportation of passengers for compensation, and all school buses used in the transportation of school children, and vehicles transporting explosives, or dangerous articles as defined in section 1117 of this act, as a cargo or part of a cargo, shall come to a complete stop immediately before crossing a railway grade crossing, except where there is no official railroad advance warning sign facing approaching traffic and the rails on both sides of the crossing have been disconnected, or physical barriers preventing the movement of railway traffic over the crossing from either direction have been erected.

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 dollars (\$25.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 1030. Driving Over Fire Hose.—No vehicle or streetcar shall be driven over any unprotected fire hose, when same is laid down on any highway or streetcar track to be used at any fire or alarm of fire, without the consent of the fire department or peace officers in command.

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 not less than ten dollars (\$10.00) nor more than one hundred dollars (\$100.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Section 1031. Regulating Speed on Bridges.—No person shall drive any vehicle upon any public bridge, causeway or viaduct, other than interstate bridges, as now provided by law, at a speed which is greater than the maximum speed which can, with safety to such structure, be maintained thereon, when such structure is posted with official signs as provided in section 1111 of this act.

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 dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 1032. Soliciting Sale of Goods, Merchandise, Tickets and Contributions.—No person or persons shall stand on a highway to stop, impede, hinder or delay the progress of any vehicle, for the purpose of soliciting the purchase of goods, merchandise or tickets, or for the purpose of soliciting contributions for any cause whatsoever, nor shall any person stand on or in proximity to a highway for the purpose of soliciting the watching or guarding of any vehicle while parked or about to be parked. The only question of law and fact in determining the guilt under this section shall be whether goods, merchandise or tickets were tendered or offered for sale, or whether a contribution was solicited, or whether such service was offered or implied: Provided, however, That the provisions of this section shall not apply to the solicitation or sale of toll bridge tickets.

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 dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 1033. Pedestrians Soliciting Rides.—It shall be unlawful for any person to stand on the main traveled portion of any street or highway for the purpose of soliciting a ride from the driver of any vehicle.

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 two dollars (\$2.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than one (1) day.

Section 1034. Use of Multiple Beam Road Lighting Equipment.—

(a) Whenever a motor vehicle is being operated on a roadway, or shoulder adjacent thereto, during the times specified in section 801, the driver shall use a distribution of light or composite beam directed high enough and of sufficient intensity to reveal persons and vehicles at a safe distance in advance of the vehicle, subject to the following requirements and limitations:

(b) Whenever the operator of a vehicle approaches an oncoming vehicle within five hundred (500) feet, such driver shall depress, dim or use a distribution of light or composite beam so aimed that the glaring rays are not projected into the eyes of the oncoming driver while such driver is approaching, and in no case shall the high intensity portion, which is projected to the left of the prolongation of the extreme left side of the vehicle, be aimed higher than the center of the lamp from which it comes at a distance of twenty-five (25) feet ahead, and in no case higher than a level of forty-two (42) inches above the level upon which the vehicle stands at a distance of seventy-five (75) feet ahead.

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 dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 1035. Vehicles Carrying Other Vehicles.—No person shall operate a vehicle on the highways of this Commonwealth carrying any other vehicle the weight of which is directly above the cab of the carrier vehicle or directly over the head of the operator of such carrier vehicle.

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 dollars (\$25.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 1036. Regulation of Traffic on Pennsylvania Turnpike.—

(a) The rules and regulations promulgated by the Pennsylvania Turnpike Commission governing the traffic upon any turnpike or highway under its supervision and control, shall become effective upon the publication thereof in accordance with law. A copy of all such rules and regulations, which shall become effective, shall be posted, and remain posted in a conspicuous place, so long as they are effective, at all entrances to such turnpike or highway for the inspection of persons using such turnpike or highway.

(b) Any person or persons violating any of the rules and regulations of said commission for which no penalty has been provided in The Vehicle Code or other laws relating to vehicles, shall, upon summary conviction before a magistrate or justice of the peace, be sentenced to pay a fine of not less than ten dollars (\$10.00) nor more than twenty-five dollars (\$25.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Section 1037. Driving Under the Influence of Liquor or Drugs.—It shall be unlawful for any person to operate a motor vehicle, tractor, streetcar or trackless trolley omnibus, while under the influence of intoxicating liquor or any narcotic drug or habit producing drug, or permit any person who may be under the influence of intoxicating liquor or narcotic or habit producing drug, to operate any motor vehicle or tractor owned by him or in his custody or control.

Penalty.—Any person violating the provisions of this section, shall be guilty of a misdemeanor, and shall, upon conviction thereof in a court of quarter sessions, be sentenced to pay a fine of not less than one hundred dollars (\$100.00) and not more than five hundred dollars (\$500.00) and costs of prosecution, or undergo imprisonment for not more than three (3) years, or suffer both such fine and imprisonment.

Section 1038. Driving Without Lights to Avoid Identification or Arrest.—It shall be unlawful for any person to turn off any or all the lights on a motor vehicle or tractor for the purpose of avoiding identification or arrest.

Penalty.—Any person violating the provisions of this section, shall be guilty of a misdemeanor, and shall, upon conviction thereof in a court of quarter sessions, be sen-

tenced to pay a fine of not less than one hundred dollars (\$100.00) and not more than five hundred dollars (\$500.00) and costs of prosecution, or undergo imprisonment for not more than three (3) years, or suffer both such fine and imprisonment.

Section 1039. For the Protection of Blind Pedestrians.—

(a) It is unlawful for any person, unless totally or partially blind, while on any public street or highway, to carry in a raised or extended position a cane or walking stick which is metallic or white in color or white tipped with red.

(b) Whenever a totally or partially blind pedestrian is crossing or attempting to cross a public street or highway at an intersection or crosswalk, guided by a guide dog or carrying in a raised or extended position a cane or walking stick which is metallic or white in color or white tipped with red, the driver of every vehicle approaching the said intersection or crosswalk shall take such precautions as may be necessary to avoid injuring or endangering such pedestrian, and if injury or danger to such pedestrian can be avoided only by bringing his vehicle to a full stop, he shall bring his said vehicle to a full stop.

(c) Nothing contained in this section shall be construed to deprive any totally or partially blind person not carrying such a cane or walking stick or not being guided by a dog of the rights and privileges conferred by law upon pedestrians crossing streets or highways, nor shall the failure of such totally or partially blind person to carry a cane or walking stick or to be guided by a guide dog upon the streets, highways or sidewalks of this Commonwealth be held to constitute nor be evidence of contributory negligence.

(d) Any person who violates any provision of this section, shall, upon summary conviction thereof, be sentenced to pay a fine not exceeding twenty-five dollars (\$25.00) and costs of prosecution, and, in default of payment thereof, shall undergo imprisonment not exceeding ten (10) days.

ARTICLE XI.

HIGHWAYS AND POWER TO REGULATE USE

Section 1101. When Authorities May Restrict Right to Use Highways.

Section 1102. Regulating Weight of Vehicles and Tractors on Bridges.

Section 1103. Powers of Local Authorities.

Section 1104. Rights of Operators on Highways.

Section 1105. Uniformity and Control of Traffic Signs, Signals and Markings.

Section 1106. Local Traffic Signs.

Section 1107. Other Than Official Signs Prohibited.

Section 1108. Defacing Signs, Signals or Markings.

Section 1109. Establishment of Safety Zones.

Section 1110. Erection of Traffic Signs, Signals and Markings.

Section 1111. Regulating Speed on Bridges.

Section 1112. Establishment of Thru Highways and Stop Intersections.

Section 1113. Secretary of Highways and Local Authorities Shall Designate "No Passing Zones."

Section 1114. Protection of Public and Workmen During Highway Work.

Section 1115. Parking Restriction on State Highways.

Section 1116. Use, Test, Approval and Sale of Traffic Signs, Signals and Regulatory Devices.

Section 1117. Uniform Law for Transportation of Dangerous Articles by Motor Vehicle.

Section 1101. When Authorities May Restrict Right to Use Highways.—

(a) The Secretary of Highways of this Commonwealth and local authorities may, by ordinance or resolution or ruling, prohibit the operation of vehicles upon any highway, or impose restrictions as to the weight of vehicles, including tractors, farm tractors, agricultural machinery and their loads, when operated upon any highway under the jurisdiction of and for the maintenance of which the Secretary of Highways of this Commonwealth or local authorities are responsible, whenever any said highway, by reason of deterioration, rain, snow, or other climatic conditions, may be seriously damaged or destroyed unless the use of such vehicles, tractors, farm tractors or agricultural machinery thereon is prohibited or the permissible weights thereof reduced. The Secretary of Highways of this Commonwealth and local authorities enacting or making any such ordinance or resolution or rule shall erect, or cause to be erected and maintained, official signs designating the provisions of the ordinance or resolution or rule, at each end of that portion of any highway affected thereby, and at intersec-

tions thereof; and the ordinance or resolution or rule shall not be effective until or unless such official signs are erected and maintained, except that local authorities shall have no power or authority to prohibit the operation of vehicles, tractors, farm tractors or agricultural machinery upon a State highway without first obtaining the consent of the Secretary of Highways.

(b) Whenever necessary for the protection of any highway or the safety of traffic thereon, the Secretary of Highways of this Commonwealth, or local authorities, may also, by ordinance or resolution or rule, prohibit the operation of motor vehicles, trailers, or semi-trailers on designated highways, as to the weights and loads thereon, which prohibitions and limitations shall be designated by official signs placed on such highways at their intersections with highways on which heavier loads are permitted, except that local authorities shall have no power or authority to prohibit the operation of vehicles upon a State highway without first obtaining the consent of the Secretary of Highways.

Penalty.—Any person refusing to unload excess weight when so ordered by a peace officer in uniform, or violating any of the other provisions of this section, or violating any ordinance, resolution or ruling promulgated under the provisions of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of fifty dollars (\$50.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days: Provided, however, That this penalty shall not apply to the operation of tractors.

Section 1102. Regulating Weight of Vehicles and Tractors on Bridges.—If 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 official signs, properly posted in conspicuous places at the entrances 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 vehicle or tractor which, together with its load, shall be of greater gross maximum weight than is stated on such signs: Provided, however, That restrictions as to maximum weight mentioned in such signs for tractors 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 refusing to unload excess weight when so ordered by a peace officer in uniform, or violating any of the other provisions of this section,

shall, upon summary conviction before a magistrate, be sentenced to pay a fine of fifty dollars (\$50.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days. However, any person while operating a tractor, who violates any of the provisions of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 1103. Powers of Local Authorities.—

(a) Local authorities, except as expressly authorized by this act, shall have no power or authority to alter any speed limitations declared in this act, or to enact or enforce any ordinance, rule or regulation contrary to the provisions of this act, except that local authorities shall have power to provide by ordinance for the regulation of traffic by means of peace officers or official traffic signals on any portion of the highway where traffic is heavy or continuous, and may regulate or prohibit parking, stopping or loading of vehicles, except that parking meters shall not be installed at entrances to theaters, hotels, motion picture theaters, or prohibit other than one-way traffic upon certain highways, and may regulate the use of the highways by processions or assemblages, and may regulate the kinds and classes of traffic and its turning on certain highways at all or certain hours, and may regulate the transportation by motor vehicles of passengers for compensation within the limits of a city, or from points in the city to points beyond the city limits, and make and enforce regulations for the operation of such vehicles not inconsistent with this act, and designate certain streets upon which such vehicles may be operated:

Provided, however, That any regulations of the kinds and classes of traffic on State highway routes within cities shall be subject to the approval of the Secretary of Highways, first had and obtained.

Local authorities may designate any highway or any part of a highway under their jurisdiction a "play highway," and may close such designated highway to general traffic where interference to traffic will not be serious. Such highways or portions of highways shall be used for play purposes and shall be clearly designated by appropriate signs, specifying the hours between which such highways shall be closed to general traffic.

(b) Local authorities in cities of the first class, second class, second class A and third class, townships of the first class, incorporated towns and boroughs in their respective jurisdictions, shall have the authority to provide, by ordinance, for the removal and impounding of

any vehicle parked on the streets, highways, or public property of such city, township, incorporated town or borough, in violation of any local ordinance, adopted pursuant to the authority of this act or of any of the provisions of this act.

(c) No ordinance for the removal and impounding of vehicles parked on such streets, highways, or on public property shall be legal or enforceable, unless such ordinance shall provide:

(1) For the designation of approved storage, garages as pounds for the storage of such impounded vehicles:

(2) For the bonding of such pounds in an adequate amount for the indemnifying of the owner of such impounded vehicle against the loss thereof, or injury or damage thereto, while in the custody of such pound-keeper.

(3) For the fixing of specific towing and storage charges;

(4) That within twelve (12) hours from the time of removal of such vehicle, notice of the fact that such vehicle has been impounded shall be sent by a police authority or authorities designated in such ordinance, to the owner of record of such vehicle, designating the place from which said vehicle was removed, the reason for its removal and impounding and the pound in which it has been impounded:

(5) That the payment of such charges, unless such payment shall be made "under protest," shall be final and conclusive, and shall constitute a waiver of any right to recover the money so paid:

(6) That in the event that the towing and impounding charges are paid "under protest," the offender shall be entitled to a hearing before a magistrate or court of record having jurisdiction, in which case defendant shall be proceeded against and receive such notice as is provided by this act in other cases of summary offenses, and shall have the same rights as to appeal and waiver of hearing.

(d) If the magistrate or court of record shall find, either—

(1) That the ordinance was not validly enacted pursuant to the provisions of this act.

(2) That the vehicle was not parked in a location prohibited by this act, or an ordinance properly enacted pursuant thereto.

(3) That at the time the vehicle was towed away, the owner or person for the time being in charge was present and ready and willing to remove the same.

(4) That the vehicle was parked by a person, other than the owner or someone in charge thereof, without

the owner's consent, after having been stolen, or for any other reason the towing or impounding was unlawful, and the defendant is acquitted, said magistrate shall forthwith certify to the city treasurer the facts, and the city treasurer shall, within five (5) days, refund to the defendant the amount of said towing and storage charges paid by him or in his behalf.

(e) No vehicle shall be removed under the authority of an impounding ordinance if, at the time of such intended removal, the owner or person for the time being in charge of such vehicle is present and expresses a willingness and intention to immediately remove said vehicle.

(f) Any city exercising its powers to remove and impound vehicles shall be liable to the owner of said vehicle resulting from the negligence of any city employe or agent for any injury or damage sustained by said vehicle while in the act of being removed from the place of parking to the pound.

(g) Local authorities are hereby prohibited from passing or enforcing any ordinance for the removal or impounding of any vehicle inconsistent with the provisions of this act.

Section 1104. Rights of Operators on Highways.— Operators of motor vehicles shall have the same right upon the highways as the drivers of other vehicles, and no highway open to other vehicles shall be closed to motor vehicles, except as otherwise provided in this act.

Section 1105. Uniformity and Control of Traffic Signs, Signals and Markings.—

(a) The Secretary of Highways of this Commonwealth shall forthwith make and publish regulations for the design, location, and operation of all official traffic signs, signals, and markings in this Commonwealth, and such traffic signs, signals, and markings shall correlate with, and, so far as practicable, conform with, the Manual on Uniform Traffic Control Devices adopted by the Joint Committee of the American Association of State Highway Officials, the Institute of Traffic Engineers, and the National Conference on Street and Highway Safety, published August, 1948, and amendments thereto. Local authorities are directed to follow the uniform regulations for traffic signs, signals, and markings as so provided, and no other system shall be regarded as official.

(b) The Secretary of Highways of this Commonwealth shall have authority over the type, installation, location, operation, and maintenance of all traffic signs, signals, and markings, on State highways in this Commonwealth, and on highways in cities, boroughs, and incorporated towns, where such highways form connecting links between or continuations of State highways, and shall

have the power and it shall be his duty to cause the removal, alteration, or adjustment of any signs, signals or markings that do not conform with the regulations of the Department of Highways.

(c) The Secretary of Highways and local officials, in their respective jurisdictions, shall have the authority to cause the removal of all colored or flashing light signs or other lights, signs, or markings so located as to interfere with traffic or to be confused with or to obstruct the view or effectiveness of official signs, traffic signals, or markings.

Section 1106. Local Traffic Signs.—Local authorities, in their respective jurisdictions, may cause official signs, in accordance with section 1105 of this act, to be erected and maintained, as may be appropriate, to give notice of legal parking and other local ordinances, rules and regulations. Local parking and other local ordinances, rules, and regulations shall not be enforceable against an alleged violator, if, at the time and place of the alleged violation, an official sign, giving notice thereof, is not posted conspicuously by the municipalities making the same, at points where any highway affected thereby joins other highways.

Section 1107. Other Than Official Signs Prohibited.—No unauthorized person shall erect or maintain, upon or along any highway, any warning or direction, sign, marker or traffic signal, in imitation of, or similar to, any official sign, marker or traffic signal, erected under the provisions of this act; and no person shall erect or maintain, upon any highway, any highway sign bearing thereon any commercial advertising, provided nothing in this section shall be construed to prohibit the erection or maintenance of signs, markers or traffic signals bearing thereon the name of an organization authorized to erect the same by the Secretary of Highways of this Commonwealth, or any proper local official. Every unauthorized sign, marker or traffic signal is hereby declared to be a public nuisance, and any official having jurisdiction over the highway is hereby empowered and directed to cause the removal of the same.

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 dollars (\$25.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Section 1108. Defacing Signs, Signals or Markings.—It shall be unlawful for any person to deface, damage, knock down, remove, obstruct, or interfere with any traffic sign, signal or marking placed as provided in this act.

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 not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ninety (90) days.

Section 1109. Establishment of Safety Zones.—The Secretary of Highways with reference to State highways and local authorities in counties, cities, boroughs, incorporated towns and townships of the first class with reference to highways under their jurisdiction, are hereby authorized to establish safety zones. The Secretary of Highways and local authorities, when establishing a safety zone, shall erect and maintain official signs illuminated at night or so designed as to reflect light from head lamps.

Section 1110. Erection of Traffic Signs, Signals and Markings.—

(a) The Secretary of Highways of this Commonwealth with reference to State highways and local authorities in counties, cities, boroughs, incorporated towns and townships of the first class with reference to highways under their jurisdiction, are hereby authorized to erect and maintain official traffic signs, signals and markings. Before local authorities, except in cities of the first and second class, shall erect or cause to be erected traffic signals, they must first obtain the approval of the Secretary of Highways of this Commonwealth.

Local authorities in counties, cities, boroughs, incorporated towns, townships and school districts, may, at their discretion, place or cause to be placed and used within school zones, warning figures commonly known as silent policemen, on highways and State highways within such political subdivisions, subject, however, to the following conditions:

(1) A school zone shall be a distance not exceeding one hundred (100) feet from the nearest boundary of the school grounds in any direction.

(2) No such warning figure shall be left in place on any highway, except for the period beginning one (1) hour before school convenes and ending one (1) hour after school adjourns.

(3) No such warning figure shall be placed on any highway in conflict with any rule or regulation adopted and promulgated by the Secretary of Highways under section 1105 of this act.

(4) The Secretary of Highways with reference to State highways and local authorities in counties, cities, boroughs, incorporated towns and townships with respect

to highways under their jurisdiction, may, in their discretion, determine the proper placing and location of such warning figures.

(b) Wherever it is desired to erect or maintain any traffic signal in this Commonwealth, the need thereof shall first be established upon the basis of safety or convenience or both to traffic. The basis of determination of the need for a traffic signal shall be the volume of traffic entering the intersection, the number of accidents that have occurred in each of the three (3) preceding years, and other factors. The secretary shall establish minimum standards for each of the factors upon which approval of the erection or maintenance of the signal shall be based.

(c) Traffic signals, electrically operated, shall conform to the following:

(1) A three-color system shall be used. No yellow light shall follow the red light in signals, hereafter erected. In signals heretofore erected, the yellow light following the red light shall not exceed three (3) seconds in length.

(2) The sequence or order of illumination of the colored lens of all traffic signals shall be as follows: The green light followed by the yellow light, followed by the red light, followed by the green light, and repeat. Green arrows, if used, may be illuminated, either alone or in combination with any other lens. There shall be no yellow lens illuminated following the red lens.

(3) The lamps shall be of such power as to cause the signal to be visible for at least three hundred (300) feet.

(4) Traffic signals of the pedestal type shall be placed at a height of not less than eight (8) feet above the pavement to the bottom of the signal. If on a mast arm, or if suspended, the bottom of the signal shall clear the pavement by at least fifteen (15) feet.

(d) Traffic signals, manually operated or commonly known as semaphores, shall conform to the following:

(1) There may be four (4) vanes or sides, the stop vanes having a red field with the word "STOP" plainly visible thereon, and the go vanes, a green field with the word "GO" plainly visible thereon.

(2) When used at night, they shall be equipped with red and green lights, corresponding with the vanes or sides, and with the same visibility as electrically operated signals.

(e) All traffic signals shall be so located as to be plainly visible to all traffic to be regulated. For the purposes of achieving desirable standards of uniformity, wherever physical conditions will permit, they shall be on or near the right curb line at the far side of the inter-

section facing in the direction of approaching traffic. The bottom of the signal shall be at a height of approximately (8) feet above the surface of the highway. Signal faces shall be located so as to give drivers and pedestrians a clear and unmistakable indication of the right-of-way assignment from their normal positions on the approaches and as they enter or pass through the intersection area. Whenever the Secretary of Highways shall determine that such location is not effective for the purposes of safety or visibility, he may, within his discretion, authorize any other type of installation, as provided in the Manual of Uniform Traffic Control Devices herein referred to.

(f) Traffic signals, electrically operated, erected after January 1, 1932, shall be of the three-color system. The red lens shall be at the top or left side, the yellow lens in the center, the green lens at the bottom or right side. Where a special green arrow is used for right or left turns, it shall be located below or to the right of the green lens.

(g) Traffic signals, electrically operated, that have been erected prior to the passage of this act, whenever reconstructed or the controllers or wiring are replaced, shall be made to conform with the provisions of this act and the regulations of the Secretary of Highways.

Penalty.—Any official of any county, city, borough, incorporated town or township of the first class, who shall erect or cause to be erected and operated a traffic signal in violation of the provisions of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of one hundred dollars (\$100.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Section 1111. Regulating Speed on Bridges.—The Secretary of Highways or other proper State body or any local authority, shall, upon request, or upon their own initiative may, conduct an investigation of any public bridge, causeway or viaduct under their respective jurisdiction, and, if it or they shall thereupon find that such structure cannot with safety to itself withstand vehicles traveling at the speed otherwise permissible under this act, the Secretary of Highways of this Commonwealth or other State body or local authorities, shall determine and declare the maximum speed of vehicles which such structure can withstand, and shall cause official signs stating such maximum speed to be erected and maintained thereon at each end of such structure facing approaching traffic. The provisions of this section shall not apply to interstate bridges as now provided by law.

Section 1112. Establishment of Thru Highways and Stop Intersections.—

(a) The Secretary of Highways of this Commonwealth, with reference to State highways, and local authorities in counties, cities, boroughs, incorporated towns and townships of the first and second class, with reference to highways under their jurisdictions, are hereby authorized to designate through highways, by erecting at the entrance thereto from intersecting highways signs bearing the word "STOP," the word "STOP" to be in letters at least six (6) inches in height: Provided, That no stop sign shall be erected at an intersection where, at all times, there is control by either a traffic signal or by a flashing signal.

(b) The Secretary of Highways, with reference to State highways, and local authorities in counties, cities, boroughs, incorporated towns and townships of the first and second class, with reference to highways under their jurisdictions, are hereby authorized to designate stop intersections, by erecting at the entrance thereto from intersecting highways signs bearing the word "STOP" in letters of at least six (6) inches in height.

(c) Before local authorities in counties, cities, boroughs, incorporated towns and townships of the first and second class, shall designate any highway as a through highway or stop intersection, which will intersect or affect a State highway, approval of such designation must first be obtained from the Secretary of Highways.

(d) All signs shall be of the size, form, design, and coloring as the Secretary of Highways shall direct, and shall be illuminated at night, or be so placed as to be illuminated by the head lamps of an approaching vehicle, or by street lights, or the word "STOP" may be illuminated at night or may be luminous.

Section 1113. Secretary of Highways and Local Authorities Shall Designate "No Passing Zones."—The Secretary of Highways with reference to State highways is hereby authorized to designate any portion or portions of any such highway as "No Passing Zones" by erecting, at the entrance thereto, official signs bearing the words "No Passing Zone" and by erecting, at the end of such "No Passing Zone," an official sign bearing the words "End of No Passing Zone." The letters and numerals in all of such signs shall be of a form and size approved by the Secretary of Highways. Such "No Passing Zone" shall extend for a distance of not greater than one-eighth ($\frac{1}{8}$) of a mile between such signs, and any extension of such "No Passing Zone" shall be marked by additional signs in like manner.

Section 1114. Protection of Public and Workmen

During Highway Work.—The Secretary of Highways of this Commonwealth with reference to State highways and local authorities with reference to highways under their jurisdiction, or their authorized representatives, are hereby authorized to erect barricades, signs, signals or other approved warning or protective devices, or to post flagmen, as may be considered needed, for the protection of the public or of workmen during the construction, reconstruction or maintenance of any highway or bridge.

Section 1115. Parking Restriction on State Highways.—The Secretary of Highways is hereby authorized to designate certain sections of State highway routes under his jurisdiction as “No Parking Areas,” and to erect and maintain the necessary official signs to carry out this provision.

Section 1116. Use, Test, Approval, and Sale of Traffic Signs, Signals and Regulatory Devices.—

(a) It shall be unlawful for any person to use on any street or highway in this Commonwealth any traffic regulator sign, signal, marking, or any other device, unless of a type which has been submitted to the Secretary of Highways for test, and for which a certificate of approval has been issued by the Secretary of Highways, and is then in effect as provided by this act.

(b) Any person desiring approval of any traffic sign, signal *or any other traffic regulatory device, shall, when required, submit to the Secretary of Highways, one or more sets of each type of device upon which approval is desired, together with the fee provided in this act. The Secretary of Highways shall, upon notice to the applicant, submit such device to the United States Bureau of Standards, or to such other recognized testing laboratory as he may elect, for a report as to the compliance of such device with the rules and uniform standard specifications adopted by the Secretary of Highways. Such devices will also be subject to any road test or other tests as the Secretary of Highways may deem necessary to determine that each type of device, they and their component parts, conform to the requirements as adopted by the Secretary of Highways. The Secretary of Highways is authorized to refuse approval of any device certified as complying with the specifications and requirements, which he determines will be, in actual use, unsafe or impracticable or would fail to comply with the provisions of this act, or such requirements as may be adopted by him.

(c) The Secretary of Highways shall request the testing agency to submit a report of each type of device to him in duplicate. For those which are found to comply

* “or” in original.

with the specifications and requirements, the report shall include any special adjustments required. Reports of all tests shall be accessible to the public and a copy thereof shall be furnished by the Secretary of Highways to the applicant for the test.

(d) It shall be unlawful for any manufacturer, jobber, retailer, or his agent, or for any other person, to sell, lease, or offer for sale or hire, any sign, signal or any other traffic regulatory device that does not conform to the provisions of this act.

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 not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than thirty (30) days.

Section 1117. Uniform Law for Transportation of Dangerous Articles by Motor Vehicle.—

(a) Definitions. As used in this section—

(1) "Highway" shall mean and include any public street, alley, road, tunnel, bridge, viaduct, turnpike or parkway.

(2) "Dangerous article" shall mean any flammable liquids, flammable solids, oxidizing materials, corrosive liquids, compressed gases, poisonous substances, and radioactive materials, as hereinafter defined, when transported as cargo by motor vehicle on a highway. This section however shall not apply to explosives, as defined in the act approved the 1st day of July, A. D. 1937 (Pamphlet Laws 2681), entitled "An act relating to and regulating the manufacture, storing, and possession of explosives; requiring permits for magazines, and prescribing permit fees; and providing penalties," or to flammable liquids transported in tank trucks, tank trailers or tank semi-trailers, in accordance with any other provisions of this act.

(3) "Flammable liquids" shall mean any liquid which gives off flammable vapors (as determined by flash point from Tagliabue's open cup tester as used for test of burning oil) at or below a temperature of 80 degrees F.

(4) "Flammable solids" shall mean any solid substance, other than an explosive as above defined, which is liable, under conditions incident to transportation, to cause fires through friction, through absorption of moisture, through spontaneous chemical changes, or as a result of retained heat from the manufacturing or processing.

(5) "Oxidizing materials" shall mean any substance such as a chlorate, permanganate, peroxide, or a nitrate, that yields oxygen readily to stimulate the combustion of organic matter.

(6) "Corrosive liquids" shall mean those acids, alkaline caustic liquids and other corrosive liquids which, when in contact with living tissue, will cause severe damage of such tissue by chemical action, or in case of leakage, will materially damage or destroy other freight by chemical action, or are liable to cause fire when in contact with organic matter or with certain chemicals.

(7) "Compressed gas" shall mean any material or mixture having in the container either an absolute pressure exceeding forty (40) pounds per square inch at seventy (70) degrees F., or an absolute pressure exceeding one hundred four (104) pounds per square inch at one hundred thirty (130) degrees F., or both, or any liquid flammable material having a Reid vapor pressure exceeding forty (40) pounds per square inch absolute at one hundred (100) degrees F.

(8) "Poisonous substances" shall mean liquids and gases of such nature that a very small amount of the gas or vapor of the liquid mixed with air is dangerous to life, or such liquid or solid substance as, upon contact with fire or when exposed to air, gives off dangerous or intensely irritating fumes or substances, which are chiefly dangerous by external contact with the body or by being taken internally.

(9) "Radioactive materials" shall mean any material or combination of materials that spontaneously emits ionizing radiation.

(b) It shall be unlawful to transport, by motor vehicle, over the highways within this State, any dangerous article in such manner or conditions as will unreasonably endanger the person or property of others.

(c) It shall be unlawful to transport by motor vehicle over the highways within this State any dangerous article, without conspicuously marking or placarding any motor vehicle engaged in such transportation, on each side and on the rear thereof, with the word "Dangerous" or the common or generic name of the substance transported or its principal hazard: Provided, That the secretary may, by regulation issued after a public hearing, prescribe, with respect to any specific dangerous article, the minimum quantities below which no placard shall be required.

(d) Nothing in this section shall apply to shipment or transportation of any dangerous article by rail or by water, nor to shipment or transportation of any dangerous article by highway, when packed, marked, labeled, placarded, or accompanied by shipping papers, in con-

formity with the applicable regulations of the Interstate Commerce Commission, or exempt from specification, packaging, marking, labeling, or placarding requirements thereunder, nor to the regular military or naval forces of the United States, nor to the duly authorized militia of any state or territory thereof, nor to the police or fire department of this State or of its counties, cities, boroughs, towns, townships, agencies, or instrumentalities, providing the same are acting within their official capacity and in the performance of their duties.

(e) Any violation of any provision of this section which results in death or injury to any person or damage to property in excess of the value of five thousand dollars (\$5,000.00) shall, in addition to any other liability imposed by law, constitute a felony.

(f) Except as provided in subsection (e) of this section, any violation of this section shall be a misdemeanor and be punishable, for a first violation, by a fine not exceeding five hundred dollars (\$500.00), or by imprisonment not exceeding sixty (60) days, or both such fine and imprisonment, and for a subsequent violation, by a fine not exceeding one thousand dollars (\$1,000.00), or by imprisonment not exceeding six (6) months, or by both such fine and imprisonment.

(g) This section shall be liberally construed and shall be so interpreted, construed and administered as to make uniform the law of those states which enact it.

ARTICLE XII.

ENFORCEMENT PROVISIONS

Section 1201. Limitation of Actions.

Section 1202. Proceedings by Information and Warrant.

Section 1203. Enforcement in Cities of the First, Second, Second Class A and Third Class.

Section 1204. Arrests on View or With Warrant.

Section 1205. Appeals; Waiving Hearings.

Section 1206. Discretion Regarding Fines Imposed; Exemptions.

Section 1207. Magistrates' Fees for Summary Convictions.

Section 1208. Record of Magistrates.

Section 1209. Report of Conviction.

Section 1210. Report of Coroner.

Section 1211. When Pleas and Payment of Fine, etc., Inadmissible as Evidence in Civil Cases.

Section 1212. Registration Number Prima Facie Evidence.

Section 1213. Liability for Costs Not Paid by Defendant.

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Section 1215. Enforcement of Local Ordinances.

Section 1216. Penalty for Resisting Arrest.

Section 1217. Duty to Report Accidents.

Section 1218. Garage Keepers to Report Certain Damaged Motor Vehicles.

Section 1219. Penalty for Fraudulent Removal of Motor Vehicle.

Section 1220. Penalty for Obtaining Motor Vehicle by Fraud.

Section 1221. Signals and Investigations by Officers.

Section 1222. Abandoned or Wrecked Motor Vehicles.

Section 1223. Garage Keepers to Report Abandoned Motor Vehicles.

Section 1224. Admissibility of Certified Copies of Records as Evidence.

Section 1225. Extension of Time for Inspection of Motor Vehicles.

Section 1226. Mental Reports.

Section 1201. Limitation of Actions.—

(a) Informations, charging violations of any of the summary provisions of this act in such detail as the department may prescribe as being necessary for its records, shall be brought before the nearest available magistrate within the city, borough, incorporated town, or township in the county where the alleged violation occurred, except for informations charging any such violations in the City of Philadelphia which shall be brought before any magistrate of the traffic court of Philadelphia, and except for informations charging any such violations in any city of the second class which shall be brought before any police magistrate of the municipal traffic court of such city, and except violations of section 624, clause (8), shall be determined to have occurred in the county where the affidavit was sworn to, or where the form was filled in, or in Dauphin County where the application or form was received by the de-

partment, and except information charging any such violations upon any turnpike or highway under the supervision of the Pennsylvania Turnpike Commission, which shall be brought before the available magistrate within the county where the alleged violation occurred who is nearest in either direction to the first exit or interchange or emergency exit from that part of the turnpike or highway where the alleged violation occurred; where there is no substantial difference between the respective distances from the place where the alleged violation occurred or the exit or interchange or emergency exit from a turnpike to the offices of more than one magistrate, any such prosecution may be brought before any one of such magistrates, or if there is no person holding the office of magistrate in such city, borough, incorporated town, or township, then such information shall be brought before such nearest available magistrate in any adjoining city, borough, incorporated town, or township in the county, within fifteen (15) days after the commission of the alleged offense and not thereafter, except that where an information is filed against a person prima facie guilty of a summary offense, and it subsequently appears that a person other than the person named in the information was the offender, an information may be filed against such other person within fifteen (15) days after his or her identity shall have been discovered, and excepting further, that informations charging violations of the provisions of sections 205, 207, 210, 212, 213, 407, 507 (a), 512, 612, 624 (2), (3), (8), 818, 834, 1025 and 1027 (d) of this act, may be brought within fifteen (15) days after it is discovered that a violation of any of these sections has been committed.

(b) Where the offense committed is designated a felony or misdemeanor, information may be filed as now provided by law.

(c) Any salaried police officer, excluding any person compensated solely or in part by fees, who shall be a member of a police department organized and operating under the authority of cities of the first, second and third class, or a borough, incorporated town or township of the first class, when in uniform and exhibiting his badge or other sign of authority, whenever a summary offense as described in this act is committed in his presence, shall be vested with the authority to stop and present to the alleged offender a printed notice to appear before the nearest available magistrate or in cities of the first class or cities of the second class, any magistrate sitting in the central traffic court. The notice shall have the full force and effect of a summons issued in the name of the Commonwealth. The notice to appear shall bear the name and address of the alleged offender, the license number and type of vehicle or other means of identifica-

tion, if a pedestrian, the nature of the offense charged, the location, date and time when and where the alleged offense took place, and shall be signed by the police officer issuing the notice, and shall bear his number, and date and time for the appearance of the offender before the nearest available magistrate having jurisdiction over summary offenses as defined by this act. The date and time for appearance shall be not less than five (5) days nor more than fifteen (15) days of the date of the alleged offense. Within twenty-four (24) hours after presenting to the alleged offender the printed notice, as provided herein, the police officer shall file a sworn information, charging the violation of the specific summary provisions of this act with the court having jurisdiction under this act.

(d) Any person who receives from a police officer a notice to appear, as provided in subsection (c) of this section, has the privilege of paying the prescribed fine to such magistrate before or within the time specified in the notice to appear by entering a plea of guilty and waiving appearance in court. The court, upon accepting the fine, shall issue a receipt to such person acknowledging payment thereof, and shall immediately record the payment upon the docket.

(e) A failure to respond to the notice to appear, provided in subsection (c) of this section, shall have the same effect as a failure to appear in cases wherein the proceedings are commenced by the filing of information under this act.

Section 1202. Proceedings by Information and Warrant.—

(a) Summary proceedings under this act may be commenced as provided in section 1201 (c) or 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 or in the notice provided for in section 1201 (c) shall not voluntarily appear within ten (10) days of the date of the written notice or at the date and time stated in the notice provided for in subsection (c) of section 1201 of this act, 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.

(b) Where the offense committed is designated a felony or misdemeanor, information may be filed and warrant served as now provided by law.

(c) Whenever an arrest is made upon view, under any of the provisions of and as limited by this act, the officer making the arrest shall forthwith make and file, with the magistrate before whom the arrested person is taken, an information setting forth in detail the offense, and at once furnish a copy thereof to the person arrested.

(d) Any person so arrested shall be given the opportunity of having an immediate hearing, or of giving bail, as provided in this act, for a hearing before the magistrate, to be held at a date not more than ten (10) days from the date of such arrest, or of waiving a hearing and giving bail for his appearance in court.

Section 1203. Enforcement in Cities of the First, Second, Second Class A and Third Class.—In addition to and notwithstanding any other provisions in this act relating to procedures dealing with enforcement, the filing of informations, the institution of summary proceedings and the issuance of warrants for arrest of alleged violators, a police officer of a city of the first, second, second class A or third class, who observes a violation of any of the summary provisions of this act or any local traffic ordinance, and has reasonable ground to believe that the violator is a nonresident of this Commonwealth and may not appear in the traffic court of the city in response to a traffic violation citation handed to him, and that the offender will not be available for service of a warrant which may thereafter be issued for his arrest for the violation, is authorized to arrest the offender forthwith in accordance with the authority of police officers of any city of the first, second, second class A or third class, to arrest on view persons violating any ordinance of the city.

Section 1204. Arrests on View or With Warrant.—

(a) Peace officers, when in uniform and displaying a badge or other sign of authority, may arrest, upon view, any person violating any of the provisions of this act, where the offense is designated a felony or a misdemeanor, or in cases causing or contributing to an accident resulting in injury or death to any person, and in all cases of arrest such peace officers shall forthwith make and file with the magistrate, before whom the arrested person is taken, an information setting forth in detail the offense, and at once furnish a copy thereof to the person arrested.

(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 vehicle or tractor 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 vehicle or tractor or other articles accepted as bail as shall seem just and proper.

Section 1205. Appeals; Waiving Hearings.—

(a) Any person convicted in any summary proceeding under this act shall have the right of appeal as in other cases of summary conviction.

(b) Any person charged with violating any of the summary provisions of this act may waive summary hearing, and give bond in a sum equal to double the amount of the fine and costs that might be imposed, for appearance for trial before a judge of the court of quarter sessions, or in the county court, or in the municipal court in counties wherein such court exists, and thereupon the magistrate shall, within fifteen (15) days, return the information to the said court.

(c) If any person, so accused, having waived a hearing, or having appealed from a summary conviction under this act, shall be convicted in such court of the offense charged, he shall be sentenced to pay the fine and costs of prosecution, or suffer imprisonment provided in this act for the offense committed.

(d) If on a waived hearing, or the hearing of an appeal from a summary conviction under this act before a judge of such court, the defendant is found not guilty, and the defendant has paid a fine, or fine and costs, following the sentence on which he appealed, such court, upon acquitting the defendant, shall decree a restitution of the said fine, or fine and costs, to the defendant, and, upon presentation of a certified copy of said decree, it shall be the duty of the magistrate, or other officer to whom such fine or fine and costs has been paid, to re-

fund same to the defendant: Provided, however, if the fine shall have been paid by such magistrate, according to this act, to the treasurer of any city or borough or incorporated town or township, such treasurer shall refund to the defendant such fine upon presentation of claim: And further provided, That if the fine shall have been paid by such magistrate, according to this act, to the department, refund shall be made as provided in this act. In no case where the defendant is found not guilty shall any costs of prosecution be imposed upon him in a summary proceeding under this act, whether heard by a magistrate or court of record.

Penalty.—Any person violating any of the provisions of subsection (d), shall be deemed guilty of a misdemeanor in office, and, upon conviction thereof in a court of quarter sessions, shall be sentenced to pay a fine of one hundred dollars (\$100.00) and costs of prosecution, or undergo imprisonment for not more than thirty (30) days, or suffer both such fine and imprisonment.

Section 1206. Discretion Regarding Fines Imposed; Exemptions.—The fines and penalties provided for in this act are mandatory, and no magistrate or judge shall impose any penalty for a violation of this act varying from the penalties prescribed herein, unless the authority to impose a greater or lesser fine or penalty, than prescribed herein, is expressly contained in this act.

Penalty.—Any person violating any of the provisions of this section, shall be deemed guilty of a misdemeanor in office, and, upon conviction thereof in a court of quarter sessions, shall be sentenced to pay a fine of one hundred dollars (\$100.00) and costs of prosecution, or undergo imprisonment for not more than thirty (30) days, or suffer both such fine and imprisonment.

Section 1207. Magistrates' Fees for Summary Convictions.—In all cases of summary convictions relating to the use and operation of motor vehicles, the fee charged by the magistrate shall be five dollars (\$5.00) which fee shall include all charges, including when called for the costs of postage and registered mail and the costs of giving a transcript to the prosecutor or defendant, or both, if requested.

Section 1208. Record of Magistrates.—

(a) Every magistrate shall, in every case arising under this act, make and preserve for the period of three (3) years an exact record of the proceedings, showing the subsection, section and article violated, and the fine and costs paid, bail forfeited, if any, or commitment to prison, which record shall be subject to inspection on demand of any person.

(b) The magistrate shall deliver, without charge, to

the defendant a receipt showing in detail the subsection, section and article violated, and the amount of fine and costs imposed upon and paid by him.

(c) The magistrate shall not divide fees of his office with any peace officer, or with any person who may assist in making an arrest, or furnish evidence in any case arising under this act.

Penalty.—Any magistrate violating any of the provisions of this section shall be deemed guilty of a misdemeanor in office, and, upon conviction thereof in a court of quarter sessions, shall be sentenced to pay a fine of five hundred dollars (\$500.00) and costs of prosecution, or undergo imprisonment for not more than sixty (60) days, or suffer both such fine and imprisonment.

Section 1209. Report of Conviction.—

(a) Every magistrate in this Commonwealth shall keep, for a period of at least two (2) years, a full report of every case in which a person is charged with a violation of any provision of this act, and such records shall be open for inspection by any peace officer or department employe. Every magistrate shall make a monthly report to the department, not later than the tenth day of the following month, of the disposition of every case where a notice charging a violation of the provisions of this act has been sent to a person, or where such person has been arrested on view, or with a warrant, charging a violation of any of the provisions of this act. These requirements shall not be deemed to make such a court a court of record. Abstracts required by this section shall be made upon forms prepared by the department, and shall include all necessary information as to the parties to the case, the nature of the offense, the date of hearing, the plea, the judgment, and the amount of the fine or forfeiture, and every such abstract shall be certified by the magistrate as a true abstract of the record of the court.

(b) The clerk of any court of record of this Commonwealth, within ten (10) days after final judgment of conviction or acquittal of any of the provisions of this act, shall send to the department a certified copy of such judgment of conviction or acquittal. Certified copies of the judgment shall also be forwarded to the department upon conviction or acquittal of any person of manslaughter or other felony or misdemeanor in the commission of which a motor vehicle or tractor was used.

(c) The department may keep such records in its offices for at least five (5) years, and they shall be open to the inspection of any person during reasonable business hours.

Penalty.—Any magistrate who shall violate any of the provisions of subsection (a), or any clerk of court who

shall violate any of the provisions of subsection (b), or either of them, shall be guilty of a misdemeanor in office, and upon conviction thereof in a court of quarter sessions, shall be sentenced to pay a fine of not more than five hundred dollars (\$500.00) and costs of prosecution, or undergo imprisonment for not more than sixty (60) days, or suffer both such fine and imprisonment.

Failure, refusal or neglect to comply with any of the provisions of this section shall constitute misconduct in office, and shall be grounds for removal therefrom.

Section 1210. Report of Coroner.—Every coroner in the Commonwealth shall keep, for a period of at least two (2) years, a full report of every case in which a fatality occurred as a result of every motor vehicle or tractor accident. A report of each case in which a fatality occurred as a result of a motor vehicle or tractor accident shall be made to the secretary by every coroner not later than the tenth day of the month following the month in which the fatality occurred. Reports required by this section shall be made on forms prepared by the Department of Revenue.

Penalty.—Any coroner who shall violate any of the provisions of this section shall, upon summary conviction thereof before a magistrate, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Section 1211. When Pleas and Payment of Fine, etc., Inadmissible as Evidence in Civil Cases.—A plea of guilty or nolo contendere, or payment by any person charged with a violation of this act of the fine and costs prescribed for such violation, after such a plea in any summary proceedings before a magistrate, shall be inadmissible as evidence in every civil proceeding arising out of the same violation or under the same facts or circumstances: Provided, That the provisions of this section shall not be applicable to administrative or judicial proceedings involving the suspension of a motor vehicle or tractor operating privilege, learner's permit, or right to apply for a motor vehicle or tractor operating privilege, or the suspension of a certificate of appointment as an official inspection station, or the suspension of a motor vehicle, tractor, or trailer registration.

Section 1212. Registration Number Prima Facie Evidence.—In any proceeding for a violation of the provisions of this act or any local ordinance, rule or regulation, the registration plate displayed on such vehicle shall be prima facie evidence that the owner of such vehicle was then operating the same. If at any hearing or proceeding, the owner shall testify, under oath or

affirmation, that he was not operating the said vehicle at the time of the alleged violation of this act or any local ordinance, rule or regulation, and shall submit himself to an examination as to who at that time was operating such motor vehicle, and reveal the name of the person, if known to him, or, if the information is made in a county other than that of his own residence, shall forward to the magistrate an affidavit setting forth these facts, then the prima facie evidence arising from the registration plate shall be overcome and removed and the burden of proof shifted.

Section 1213. Liability for Costs Not Paid by Defendant.—Whenever any peace officer, whose duty it is to enforce the provisions of this act, shall, in good faith, bring suit for any violation of such provisions, and for any reason, shall fail to recover the costs of record, such costs shall be a charge upon the proper county, as shall such costs in the event defendant is imprisoned for failure to pay fine or costs, or both, and shall be audited and paid as are costs of like character in said county.

Section 1214. Limitation of Authority for Pennsylvania State Policemen.—Such employes of the Commonwealth as are designated as Pennsylvania State Policemen are hereby declared to be peace officers, and are hereby given police power and authority throughout the Commonwealth in addition to any other power or authority conferred by law to arrest on view, on Sunday or any other day, when in uniform, without writ, rule, order, or process, any person violating any of the provisions of this act.

Whenever an arrest is made upon view, on Sunday or any other day, under the provisions of this section, the officer making the arrest shall forthwith take the defendant before the nearest available magistrate in the city, borough, incorporated town or township, where the alleged offense occurred: Provided, however, That where there is no substantial difference between the respective distances from the place where the alleged violation occurred to the offices of more than one magistrate, any such prosecution may be brought before any one of such magistrates, or, if there is no magistrate available in such district, then the officer shall forthwith take the defendant to the nearest available magistrate in any adjoining city, borough, incorporated town or township, and shall make and file with the magistrate before whom the arrested person is taken, an information setting forth in detail the offense, and at once furnish a copy thereof to the person arrested.

Any person so arrested on any day other than Sunday shall be given the opportunity of having an immediate hearing, or of waiving a hearing, or of giving bail, and

any person so arrested on Sunday shall be given the opportunity of giving bail which shall be accepted by the magistrate the same as on any other day, as provided in this act, for a hearing before the magistrate to be held at a date not more than ten (10) days from the date of such arrest, or of waiving a hearing and giving bail for his appearance in court.

Section 1215. Enforcement of Local Ordinances.—

(a) Prosecutions for offenses defined in this act, except as otherwise herein provided, shall be brought under this act and not under any local ordinance, rule or regulation.

(b) Prosecutions brought under any local ordinance, rule, regulation, or for common law offenses, which are based on a violation for which there is a specific penalty provided in this act, shall be deemed and considered as having been brought under this act, and the disposition of the fines and forfeitures shall be so governed.

(c) Any city, borough, incorporated town, township or county, which enforces an ordinance, rule or regulation, on a matter concerning which authority is expressly delegated to said authorities by this act, or for traffic matters not covered by this act, may impose a fine of not more than fifty dollars (\$50.00), to be collected by summary conviction before any magistrate, as fines and penalties are now by law collected. In the event of nonpayment of fines and costs of prosecution, the magistrate may sentence any person convicted of violating an ordinance, rule or regulation, to undergo imprisonment for a period of not exceeding ten (10) days: Provided, That any person so convicted shall have the right of appeal as in other cases of summary conviction: And further provided, That any person accused of violating a local ordinance, rule or regulation, enforced under the authority of this act, may waive summary hearing and give bond, in a sum equal to double the amount of the maximum fine and costs that might be imposed for appearance for trial before a judge of the court of quarter sessions, or in the county court, or in the municipal court in counties wherein such courts exist, and thereupon the magistrate shall, within fifteen (15) days, return the information to the said court, and if any person, so accused, shall be convicted in such court of the offense charged, he shall be fined as prescribed by said ordinance, rule or regulation, or in event of nonpayment of such fine and costs of prosecution to suffer imprisonment for a period not to exceed ten (10) days. All fines and bail forfeited, as provided for in this section, shall be paid to the treasurer of such city, borough, incorporated town or township for the construction, repair and maintenance of the highways thereof.

Section 1216. Penalty for Resisting Arrest.—Any person who, by force, menace, threat, or in any manner resists arrest for violation of any of the provisions of this act, or refuses to go with a peace officer after an arrest has been made, or interferes with any peace officer in the performance of his duty under the provisions of this act, shall be guilty of a misdemeanor, and shall, upon conviction thereof in a court of quarter sessions, be sentenced to pay a fine of one hundred dollars (\$100.00) and costs of prosecution, and, in default of the payment thereof, shall be imprisoned for not more than thirty (30) days, or suffer both such fine and imprisonment.

Section 1217. Duty to Report Accidents.—

(a) The operator of any motor vehicle, involved in an accident resulting in bodily injury or death to any person or damage to the property of any one person in excess of one hundred dollars (\$100.00), shall, within twenty-four (24) hours, forward a report of such accident to the department upon forms furnished by the department. If the operator is physically incapable, as a result of the accident, of making a report, it shall be the duty of any other participant in the accident, who is not incapacitated as the result of the accident, to forward such report.

The department may require operators involved in accidents or police departments to file supplemental reports of accidents, upon forms furnished by the department, whenever the original report is insufficient in the opinion of the secretary. All such reports shall be without prejudice, shall be for the information of the department, and shall not be open to public inspection. The fact that such reports have been made shall be admissible in evidence solely to prove a compliance with this act, but no such report, or any part thereof, or statement contained therein, shall be admissible in evidence for any other purpose in any trial, civil or criminal, arising out of such accidents.

(b) Local authorities may require the reporting of motor vehicle accidents occurring within their jurisdictions in such form as they deem advisable, but such local reports shall not conflict with the necessity for reporting such accidents to the department.

(c) Provided, however, That nothing herein contained shall affect the duty of filing accident reports required by any other act or acts of the General Assembly or regulations made thereunder.

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 dollars

(\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 1218. Garage Keepers to Report Certain Damaged Motor Vehicles.—The person in charge of any garage or repair shop, to which is brought any motor vehicle which shows evidence of having been struck by any bullet, shall report to the nearest police station or sheriff's office within twenty-four (24) hours after such motor vehicle is received, giving the name, engine number, manufacturer's serial number, registration plate number, and the name and address of the owner or operator of such vehicle.

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 dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 1219. Penalty for Fraudulent Removal of Motor Vehicle.—Whoever places in any garage or automobile shop any motor vehicle for storage, repairing or garage service, and surreptitiously removes or causes it to be removed by any false pretension or device, with intent to defraud, is guilty of a misdemeanor, and upon conviction, shall be sentenced to pay a fine of not more than one hundred dollars (\$100.00), or undergo imprisonment not exceeding three (3) months, or both.

Section 1220. Penalty for Obtaining Motor Vehicle by Fraud.—Any person who shall, with intent to defraud the owner of any motor vehicle or any person in lawful possession thereof, obtain possession of such motor vehicle by agreeing to pay a rental for the use thereof, based in whole or in part upon the distance such motor vehicle shall travel, shall, upon conviction thereof, be deemed guilty of a misdemeanor, and punished by imprisonment in the county jail for not less than thirty (30) days nor more than one (1) year, or by a fine of not less than twenty-five dollars (\$25.00) nor more than two hundred dollars (\$200.00), or both, in the discretion of the court. The refusal to pay the rental for such motor vehicle, or absconding without paying or offering to pay such rental, shall be prima facie evidence of the intent to defraud.

Section 1221. Signals and Investigations by Officers.—

(a) The operator of any vehicle or, except in any city of the first class, any pedestrian charged with a violation of any summary provisions of this act, shall stop upon request or signal of any peace officer, who shall be in

uniform, and shall exhibit his badge or other sign of authority, and shall, upon request, exhibit his registration card, or operator's license card, or learner's permit, or other means of identification if a pedestrian, and shall write his name in the presence of such peace officer, if so required for the purpose of establishing his identity.

(b) Any peace officer, who shall be in uniform, and shall exhibit his badge or other sign of authority, shall have the right to stop any vehicle, upon request or signal, for the purpose of inspecting the said vehicle, as to its equipment and operation, or manufacturer's serial number or engine number, and securing of such other information as may be necessary.

(c) Any peace officer, or department employe, who shall be in uniform, or shall exhibit a badge or other sign of authority, shall have the right to inspect any motor vehicle in any public garage or repair shop and on the premises of any dealer, for the purpose of locating stolen motor vehicles, and investigating the title and registration of motor vehicles, and, for such purpose, the owner of any such garage or repair shop and any such dealer shall permit any such peace officer or department employe, without let or hindrance, to make investigation as herein authorized.

(d) It shall be unlawful for any operator of a vehicle to refuse to comply with any lawful order, signal or direction of a peace officer who shall be in uniform and shall exhibit his badge or other sign of authority.

Penalty.—Any person failing to comply with the signals or requests of peace officers or department employes, as provided in this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 1222. Abandoned or Wrecked Motor Vehicles.—Peace officers shall have authority to remove, or direct removal of, abandoned or wrecked motor vehicles from any highway to the nearest point where such vehicle will not interfere with or obstruct traffic thereon.

Section 1223. Garage Keepers to Report Abandoned Motor Vehicles.—

(a) The person in charge of any garage or repair shop, in which has been left a motor vehicle of unknown ownership for a period of fifteen (15) consecutive days, without being removed by its owner or any other person duly authorized to remove same, shall report to the department within twenty-four (24) hours of the elapse of such fifteen-day period, giving the name, engine number,

manufacturer's serial number, registration plate number, and the name and address of the person abandoning same, if known.

(b) Upon receipt of such report in the department, it shall be the duty of the secretary to make a distinctive record thereof, and file the same in the manner provided in section 209 of this act.

(c) The secretary may authorize the destruction of abandoned or wrecked motor vehicles placed in storage by police authorities, when it is found, after investigation by the secretary, that the vehicle is valueless except as junk, and the whereabouts of the owner is unknown. Such investigation shall be completed and authority for the destruction granted within sixty (60) days of the time such matter shall have been brought to the attention of the secretary.

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 dollars (\$25.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Section 1224. Admissibility of Certified Copies of Records as Evidence.—Any certified copies, or certified photostatic copies, of any records, books, papers, documents, and rulings of the secretary, when certified under the seal of the department by its duly authorized agent, shall be acceptable as evidence in the courts of this Commonwealth with the same force and effect as the originals, in all cases where such original records, books, papers, documents, and rulings would be admitted in evidence.

Section 1225. Extension of Time for Inspection of Motor Vehicles.—The secretary may, with the approval of the Governor, extend the time for not more than sixty (60) days for the inspection of motor vehicles, trailers and semi-trailers, required by section 834 of this act, in any case where weather conditions of the highway, or any other cause whatsoever, renders compliance with the provisions of said section within the prescribed time difficult or impossible for a large number of persons.

Section 1226. Mental Reports.—The person in charge of every mental hospital, mental institution or mental clinic, shall make a report to the secretary, of the admission of every person who, upon examination therefor, is found to be suffering from a mental disability which, in the opinion of the examining physician, would prevent such person from exercising reasonable and ordinary control over a motor vehicle or tractor, and at the completion of treatment or upon discharge, shall inform the secretary as to such person's ability or inability to exercise reasonable and ordinary control over a motor vehicle.

ARTICLE XIII.

MISCELLANEOUS PROVISIONS

Section 1301. Disposition of Fines and Forfeitures.

Section 1302. Fees, etc., Paid into Motor License Fund.

Section 1303. Civil Actions for Damages.

Section 1304. Drivers of Commonwealth, County and City Vehicles Subject to Provisions of the Act.

Section 1305. This Act Not to Interfere with Rights of Owners of Real Property with Reference Thereto.

Section 1306. Secretary May Supply Certain Information; Fee.

Section 1307. Refunds of Moneys Erroneously Paid.

Section 1301. Disposition of Fines and Forfeitures.—

(a) All fines and penalties collected under the provisions of this act for violations of the same, and all bail forfeited under said provisions, shall be paid to the department, and transmitted to the State Treasury, and credited to the "General Fund," except those collected for violations of the provisions of sections 903, 905, 1002, 1011, 1015, 1016, 1019, 1021, 1028 and 1030 of this act, committed within cities, boroughs, incorporated towns and townships, which fines and penalties and all bail forfeited shall be paid to the treasurer of the city, borough, incorporated town or township, wherein the violation occurred, and except those collected for violations of the provisions as to weight, which fines, penalties and forfeited bail shall be paid to the treasurer of the city, borough, incorporated town or township wherein the violation occurred. All moneys paid to any such city, borough, incorporated town or township, under the provisions of this section, shall be used for the construction, repair and maintenance of the highways thereof: Provided, That all fines and penalties collected, and all bail forfeited for violations of the provisions of section 1037, shall be paid to the treasurer of the county wherein the violation occurred, to be used by such county for the payment of physicians' fees for the examination of persons accused of violating the provisions of the said section. Any balance remaining in the treasury of the county at the expiration of the calendar year and not payable for physicians' services rendered, shall be used for county highway purposes.

(b) Sworn statements of all fines and penalties so collected and all bail forfeited shall also be made by the magistrate or other officer, imposing or receiving the

same, to the secretary upon forms furnished by the department. Such reports shall be made monthly not later than the tenth day of the following month.

Penalty.—Any magistrate or other officer, who shall fail to make such monthly reports and returns, or either of them, shall be guilty of a misdemeanor in office, and upon conviction thereof in a court of quarter sessions, shall be sentenced to pay a fine of five hundred dollars (\$500.00) and costs of prosecution, or undergo imprisonment for not more than sixty (60) days, or suffer both such fine and imprisonment.

Section 1302. Fees, etc., Paid into Motor License Fund.—The department shall collect all fees payable under this act, and all other moneys received in connection with the administration of this act, and transmit them to the State Treasury where they shall be kept in the "Motor License Fund," separate and apart from all other moneys in the State Treasury.

Section 1303. Civil Actions for Damages.—All civil actions for damages, arising from the use and operation of any vehicle, 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 damage repaired, and shall produce a receipted bill for the same, properly sworn to by the said party making such repairs or his agent; or 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 wherein 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 dollars (\$100.00) shall be brought before any magistrate in cities of the first class, and no action involving more than three hundred dollars (\$300.00) shall be brought before any alderman or justice of the peace.

Section 1304. Drivers of Commonwealth, County and City Vehicles Subject to Provisions of the Act.—The provisions of this act, applicable to the drivers of vehicles upon the highways, shall apply to the drivers of all vehicles owned or operated by this Commonwealth, or any county, city, incorporated town, borough or any other political subdivision of the Commonwealth, subject to such specific exceptions as are set forth in this act. The provisions of Article X. of this act shall not apply to persons, teams, motor vehicles, and other equipment,

while actually engaged in work upon the surface of a highway, but shall apply to such persons and vehicles when traveling to or from such work.

Section 1305. This Act Not to Interfere with Rights of Owners of Real Property with Reference Thereto.—Nothing in this act shall be construed to prevent the owner of real property, used by the public for purposes of vehicular travel by permission of the owner and not as matter of right, from prohibiting such use, nor from requiring other or different or additional conditions than those specified in this act, or otherwise regulating such use as may seem best to such owner.

Section 1306. Secretary May Supply Certain Information; Fee.—The secretary may, in his discretion, supply such information relating to encumbrances and information relating to learners' permits, operators' licenses, the registration and titling of vehicles, as has not been disposed of under the provisions of section 417 of this act, and may require the payment of a fee of fifty cents (50¢) for each record, document or letter comprising a part thereof.

Section 1307. Refunds of Moneys Erroneously Paid.—All moneys erroneously paid into the Motor License Fund of the State Treasury may be refunded by the Board of Finance and Revenue as provided by law.

ARTICLE XIV.

MOTOR VEHICLE SAFETY RESPONSIBILITY PROVISIONS

Section 1401. Secretary to Administer This Article; Appeal to Court.

Section 1402. Secretary to Furnish Operating Record.

Section 1403. Additional Information Required in Accident Reports; Effect of Failure to Report Accident.

Section 1404. Security Required Unless Evidence of Insurance; When Security Determined; Suspension; Exceptions.

Section 1405. Reciprocity.

Section 1406. Exceptions to Requirements of Security.

Section 1407. Duration of Suspension.

Section 1408. Application to Nonresidents; Unlicensed Drivers and Unregistered Motor Vehicles.

Section 1409. Form and Amount of Security.

Section 1410. Custody, Disposition and Return of Security.

Section 1411. Matters Not to Be Evidence in Civil Suits.

Section 1412. Courts to Report Nonpayment of Judgments.

Section 1413. Suspension for Nonpayment of Judgments; Exceptions.

Section 1414. Suspension to Continue Until Judgments Paid and Proof Given.

Section 1415. Payments Sufficient to Satisfy Requirements.

Section 1416. Instalment Payment of *Judgment; Default.

Section 1417. Proof Required Upon Certain Convictions or Violations.

Section 1418. Alternate Methods of Giving Proof.

Section 1419. Certificate of Insurance as Proof.

Section 1420. Certificate Furnished by Nonresident as Proof.

Section 1421. "Motor Vehicle Liability Policy" Defined.

Section 1422. Notice of Cancellation or Termination of Certified Policy.

Section 1423. Act Not to Affect Other Policies.

Section 1424. Bond as Proof Collection of Unpaid Judgment.

Section 1425. Money or Securities as Proof.

Section 1426. Owner May Give Proof for Others.

Section 1427. Substitution of Proof.

Section 1428. Other Proof May Be Required.

Section 1429. Duration of Proof; When Proof May Be Cancelled or Returned.

Section 1430. Transfer of Registration to Defeat Purpose of This Article Prohibited.

Section 1431. Surrender of License and Registration.

Section 1432. Other Violations; Penalties.

Section 1433. Exceptions.

* "Judgments" in original.

Section 1434. Self-Insurers.

Section 1435. Other Processes Optional with Plaintiff.

Section 1436. Uniformity of Interpretation with the States Where Enacted.

Section 1401. Secretary to Administer This Article; Appeal to Court.—

(a) The secretary shall administer and enforce the provisions of this article, and may make rules and regulations necessary for its administration.

(b) Any person aggrieved by an order or act of the secretary under the provisions of sections 1403 to 1411 of this act may, within ten (10) days after notice thereof, file a petition in the Court of Common Pleas of Dauphin County for a trial de novo to determine whether such order or act is lawful and reasonable. The filing of such a petition shall not suspend the order or act of the secretary, unless a stay thereof shall be allowed by a judge of said court pending final determination of the matter. The court shall summarily hear the petition, and may make any appropriate order or decree.

Section 1402. Secretary to Furnish Operating Record.—The secretary shall, upon request, furnish any person a certified abstract of the operating record of any person, subject to the provisions of this article, which abstract shall also fully designate the motor vehicles, if any, registered in the name of such person, and if there shall be no record of any conviction of such person of violating any law relating to the operation of a motor vehicle, or of any injury or damage caused by such person, the secretary shall so certify. Such abstracts shall not be admissible as evidence in any action for damages or criminal proceedings arising out of a motor vehicle accident.

Section 1403. Additional Information Required in Accident Reports; Effect of Failure to Report *Accident.—In addition to the information required by this act in the report of a motor vehicle accident, such report shall contain such information as may be prescribed by the secretary to enable him to determine whether the requirements for the deposit of security under section 1404 of this act are inapplicable by reason of the existence of insurance or other exceptions specified in this article or to make appraisal of all operative facts.

The secretary shall suspend the license, or any non-resident's operating privilege, of any person who willfully fails, refuses or neglects to make report of a motor vehicle accident as required by the laws of this State

* "accidents" in original.

until such report has been filed, and for such further period as may be determined in accordance with the provisions of section 1404 of this act.

Section 1404. Security Required Unless Evidence of Insurance; When Security Determined; Suspension; Exceptions.—

(a) If twenty (20) days after the receipt of a report of a motor vehicle accident within this State which has resulted in bodily injury or death or damage to the property of any one person in excess of one hundred dollars (\$100.00), the secretary does not have on file evidence satisfactory to him that the person who would otherwise be required to file security under subsection (b) of this section has (1) been released from liability or (2) has been finally adjudicated not to be liable or (3) has executed a warrant for confession of judgment payable in such instalments as the parties have agreed to or (4) has executed a duly acknowledged written agreement providing for the payment of an agreed amount in instalments with respect to all claims for injuries or damages resulting from the accident, the secretary shall determine the amount of security which in his judgment shall be sufficient to satisfy any judgment or judgments that may be recovered against each operator or owner for damages resulting from such accident upon the basis of reports, information or other evidence submitted to or obtained by the secretary. In the event a person involved in an accident as described in this article fails to submit any information requested by the secretary indicating the extent of his injuries or the damage to his property, within fifty (50) days after the accident, and the secretary does not have sufficient evidence on which to base an evaluation of such injuries or damage, then the secretary, after reasonable notice to such person if it is possible to give such notice, otherwise without such notice, shall not require any deposit of security for the benefit or protection of such person.

(b) The secretary shall, within sixty (60) days after the receipt of such report of a motor vehicle accident, suspend the license of each operator and all registrations of each owner of a motor vehicle in any manner involved in such accident, and if such operator is a nonresident, the privilege of operating a motor vehicle within this State, and if such owner is a nonresident, the privilege of the use within this State of any motor vehicle owned by him, unless such operator or owner or both shall deposit security in the sum so determined by the secretary. Notice of such suspension shall be sent by the secretary to such operator and owner not less than ten (10) days prior to the effective date of such suspension and shall state the amount required as security. Where

erroneous information is given the secretary with respect to the matters set forth in clause (1), (2) or (3) of subsection (c) of this section, he shall take appropriate action, as hereinbefore provided, within sixty (60) days after receipt by him of correct information with respect to such matters.

(c) This section shall not apply under the conditions stated in section 1406 or to any of the following:

(1) To such operator or owner, if such owner had in effect at the time of such accident, an automobile liability policy with respect to the motor vehicle involved in such accident.

(2) To such operator, if not the owner of such motor vehicle, if there was in effect at the time of such accident an automobile liability policy or bond with respect to his operation of motor vehicles not owned by him.

(3) To such operator or owner if the liability of such operator or owner for damages resulting from such accident is, in the judgment of the secretary, covered by any other form of liability insurance policy or bond, or

(4) To any person qualifying as a self-insurer under section 1434.

(d) No such policy or bond shall be effective under this section unless issued by an insurance company or surety company authorized to do business in this State, except that if such motor vehicle was not registered in this State or was a motor vehicle which was registered elsewhere than in this State at the effective date of the policy or bond or the most recent renewal thereof, such policy or bond shall not be effective under this section unless the insurance company or surety company, if not authorized to do business in this State, shall execute a power of attorney authorizing the secretary to accept service on its behalf of notice or process in any action upon such policy or bond arising out of such accident, provided, however, every such policy or bond is subject, if the accident has resulted in bodily injury or death, to a limit exclusive of interest and costs of not less than ten thousand dollars (\$10,000.00) because of bodily injury to or death of one (1) person in any one accident, and subject to said limit for one (1) person to a limit of not less than twenty thousand dollars (\$20,000.00) because of bodily injury to or death of two (2) or more persons in any one accident, and if the accident has resulted in injury to or destruction of property to a limit of not less than five thousand dollars (\$5,000.00) because of injury to or destruction of property of others in any one accident.

Section 1405. Reciprocity.—Upon receipt of certification that operating privileges of a resident of this State

have been suspended or revoked in any other state or the District of Columbia, pursuant to a law providing for such suspension or revocation for failure to deposit security for the payment of judgments arising out of a motor vehicle accident under circumstances which would require the secretary to suspend a nonresident's operating privilege had the accident occurred in this State, and if the law of such state or the District of Columbia contains reciprocal provisions, the secretary shall suspend the license of such resident if he was the operator and all of his registrations if he was the owner of a motor vehicle involved in such accident. Such suspension shall continue until such resident furnishes evidence of his compliance with the law of such other state or the District of Columbia relating to the deposit of security.

Section 1406. Exceptions to Requirements of Security.—The requirements as to security and suspension of section 1404 shall not apply:

(1) To the operator or the owner of a motor vehicle involved in an accident, wherein no injury or damage was caused to the person or property of anyone other than such operator or owner.

(2) To the operator or the owner of a motor vehicle legally parked at the time of the accident.

(3) To the owner of a motor vehicle, if at the time of the accident, the vehicle was being operated without his permission, express or implied, or was parked by a person who had been operating such motor vehicle without such permission.

(4) If prior to the date that the secretary would otherwise suspend license and registration or nonresident's operating privilege under section 1404, there shall be filed with the secretary evidence satisfactory to him that the person who would otherwise have to file security has been released from liability, or been finally adjudicated not to be liable, or has executed a warrant for confession of judgment payable when and in such instalments as the parties have agreed to, or has executed a duly acknowledged written agreement, providing for the payment of an agreed amount in instalments with respect to all claims for injuries or damages resulting from the accident.

Section 1407. Duration of Suspension.—The license and registration and nonresident's operating privilege suspended as provided in section 1404 shall remain so suspended and shall not be renewed nor shall any such license or registration be issued to such person until:

(1) Such person shall deposit or there shall be deposited on his behalf, the security required under section 1404, or

(2) One (1) year shall have elapsed following the date of such accident, and evidence satisfactory to the secretary has been filed with him that during such period no action for damages arising out of such accident has been instituted, or

(3) Evidence satisfactory to the secretary has been filed with him of a release from liability, or a final adjudication of nonliability, or a warrant for confession of judgment, or a duly acknowledged written agreement in accordance with clause (4) of section 1406: Provided, however, That in the event there shall be any default in the payment of any instalment under any confession of judgment, then upon notice of such default, the secretary shall forthwith suspend the license and registration or nonresident's operating privilege of such person defaulting, which shall not be restored unless and until the entire amount provided for in said confession of judgment has been paid: And provided further, That in the event there shall be any default in the payment of any instalment under any duly acknowledged written agreement, then upon notice of such default, the secretary shall forthwith suspend the license and registration or nonresident's operating privilege of such person defaulting, which shall not be restored unless and until (i) such person deposits and thereafter maintains security as required under section 1404 in such amount as the secretary may then determine, or (ii) one (1) year shall have elapsed following the date when such security was required and during such period no action upon such agreement has been instituted in a court in this State.

Section 1408. Application to Nonresidents; Unlicensed Drivers and Unregistered Motor Vehicles.—In case the operator or the owner of a motor vehicle involved in an accident within this State has no license or registration, he shall not be allowed a license or registration until he has complied with the requirements of this article to the same extent that would be necessary if, at the time of the accident, he had held a license and registration.

Section 1409. Form and Amount of Security.—The security required under this article shall be in such form and in such amount as the secretary may require but in no case in excess of the limits specified in section 1404 in reference to the acceptable limits of a policy or bond. The person depositing security shall specify in writing the person or persons on whose behalf the deposit is made, and at any time while such deposit is in the custody of the secretary or State Treasurer the person depositing it may, in writing, amend the specification of the person or persons on whose behalf the deposit is made to include

an additional person or persons: Provided, however, That a deposit of security shall be applicable only on behalf of persons required to furnish security because of the same accident.

The secretary may change the amount of security ordered in any case within six (6) months after the date of the accident, upon the production of evidence as to the probable measure of damages, and if, in his judgment, the amount ordered is excessive or insufficient. In case the security originally ordered has been deposited, the excess deposited over the reduced amount ordered shall be returned to the depositor or his personal representative forthwith, notwithstanding the provisions of section 1410. In case the security originally deposited is found to be insufficient, the deficiency under the increased amount ordered shall be deposited forthwith or, in default thereof, the operator or owner or both shall be subject to the provisions of subsection (b) of section 1404 of this act.

Section 1410. Custody, Disposition and Return of Security.—Security deposited in compliance with the requirements of this article shall be placed by the secretary in the custody of the State Treasurer and shall be applicable only to the payment of a judgment or judgments rendered against the person or persons on whose behalf the deposit was made, for damages arising out of the accident in question, in an action at law begun not later than one (1) year after the date of such accident, or within one (1) year after the date of deposit of any security under clause (3) of section 1407, and such deposit, or any balance thereof, shall be returned to the depositor, or his personal representative, when evidence, satisfactory to the secretary, has been filed with him that there has been a release from liability, or a final adjudication of nonliability, or a warrant for confession of judgment, or a duly acknowledged agreement in accordance with clause (4) of section 1406, or whenever after the expiration of one (1) year from the date of the accident, or within one(1) year after the date of deposit of any security under clause (3) of section 1407, the secretary shall be given reasonable evidence that there is no such action pending and no judgment rendered in such action left unpaid.

Section 1411. Matters Not to Be Evidence in Civil Suits.—Neither the report required by section 1403, the action taken by the secretary pursuant to this article, the findings, if any, of the secretary upon which action is based, nor the security filed as provided in section 1404 shall be referred to in any way nor be any evidence of the negligence or due care of either party at the trial of any action at law to recover damages.

Section 1412. Courts to Report Nonpayment of Judgments.—Whenever any person fails within sixty (60) days to satisfy any judgment, it shall be the duty of the clerk of the court or of the judge of a court, which *has no clerk, in which any such judgment is rendered within this State, to forward to the secretary immediately after the expiration of said sixty (60) days, a certified copy of such judgment.

If the defendant named in any certified copy of a judgment reported to the secretary is a nonresident, the secretary shall transmit a certified copy of the judgment to the official in charge of the issuance of licenses and registration certificates of the state of which the defendant is a resident.

Section 1413. Suspension for Nonpayment of Judgments; Exceptions.—

(a) The secretary, upon receipt of a certified copy of a judgment, shall forthwith suspend the license and registration of any resident operator or owner and any nonresident's operating privilege of any person against whom such judgment was rendered, except as hereinafter otherwise provided in this section and in section 1416.

(b) If the judgment creditor consents in writing, in such form as the secretary may prescribe, that the judgment debtor be allowed license and registration or nonresident's operating privilege, the same may be allowed by the secretary, in his discretion, for six (6) months from the date of such consent, and thereafter until such consent is revoked in writing, notwithstanding default in the payment of such judgment, or of any instalments thereof prescribed in section 1416, provided the judgment debtor furnishes proof of financial responsibility.

(c) Any person whose license, registration or nonresident's operating privilege, has been suspended, or is about to be suspended, or shall become subject to suspension under the provisions of this article, may be relieved from the effect of such judgment as hereinbefore prescribed in this article, if such person can present to or file with the secretary proper evidence that a bond or insurance policy as provided for in this article was in force and effect at the time of the accident, resulting in the judgment, and is or should be available for the satisfaction of the judgment to the extent provided for in this article.

Section 1414. Suspension to Continue Until Judgments Paid and Proof Given.—Such license, registration and nonresident's operating privilege shall remain so suspended and shall not be renewed nor shall any such license or registration be thereafter issued in the name of such person, including any such person not previously

* "RS" in original.

licensed, unless and until every such judgment is stayed, satisfied in full or to the extent hereinafter provided, and until the said person gives proof of financial responsibility subject to the exemption stated in sections 1413 and 1416 of this act.

A discharge in bankruptcy following the rendering of any such judgment shall not relieve the judgment debtor from any of the requirements of this article.

Section 1415. Payments Sufficient to Satisfy Requirements.—Judgments herein referred to shall for the purpose of this article only be deemed satisfied :

(1) When ten thousand dollars (\$10,000.00) has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of one (1) person as the result of any one accident, or

(2) When subject to such limit of ten thousand dollars (\$10,000.00) because of bodily injury to or death of one (1) person, the sum of twenty thousand dollars (\$20,000.00) has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of two (2) or more persons as the result of any one accident, or

(3) When five thousand dollars (\$5,000.00) has been credited upon any judgment or judgments rendered in excess of that amount because of injury to or destruction of property of others as the result of any one accident :

Provided, however, That payments made in settlement of any claims because of bodily injury, death or property damage arising from a motor vehicle accident shall be credited in reduction of the amounts provided for in this section.

Section 1416. Instalment Payment of Judgment; Default.—

(a) A judgment debtor, upon due notice to the judgment creditor, may apply to the court in which such judgment was rendered for the privilege of paying such judgment in instalments, and the court in its discretion and without prejudice to any other legal remedies which the judgment creditor may have, may so order and fix the amounts and times of payment of the instalments.

(b) The secretary shall not suspend a license, registration or a nonresident's operating privilege and shall restore any license, registration or nonresident's operating privilege suspended following nonpayment of a judgment, when the judgment debtor gives proof of financial responsibility and obtains such an order permitting the payment of such judgment in instalments and while the payment of any instalment is not in default.

(c) In the event the judgment debtor fails to pay any instalment as specified by such order, then, upon notice of such default, the secretary shall forthwith suspend the license, registration or nonresident's operating privilege of the judgment debtor until such judgment is satisfied as provided in this article.

Section 1417. Proof Required Upon Certain Convictions or Violations.—

(a) Whenever the secretary, under any law of this State, suspends or revokes the license of any person upon receiving record of a conviction or a forfeiture of bail, the secretary shall also suspend the registration for all motor vehicles registered in the name of such person, except that he shall not suspend such registration, unless otherwise required by law, if such person has previously given or shall immediately give and thereafter maintain proof of financial responsibility with respect to all motor vehicles registered by such person.

(b) Such license and registration shall remain suspended or revoked and shall not at any time thereafter be renewed, nor shall any license be thereafter issued to such person, nor shall any motor vehicle be thereafter registered in the name of such person until permitted under the provisions of this act pertinent thereto and not then, unless and until he shall give and thereafter maintain proof of financial responsibility.

(c) If a person is not licensed but by final order or judgment is convicted of or forfeits any bail or collateral deposited to secure an appearance for trial for any offense, requiring the suspension or revocation of license, or for operating a motor vehicle upon the highways without being licensed to do so, or for operating an unregistered motor vehicle upon the highways, no license shall be thereafter issued to such person and no motor vehicle shall continue to be registered or thereafter be registered in the name of such person, until he shall give and thereafter maintain proof of financial responsibility.

(d) Whenever the secretary suspends or revokes a nonresident's operating privilege by reason of a conviction or forfeiture of bail, such privilege shall remain so suspended or revoked unless such person shall have previously given or shall immediately give and thereafter maintain proof of financial responsibility.

(e) Whenever the secretary shall, in the exercise of his discretion, revoke or suspend the operator's license of a resident or the operating privilege of a nonresident, or whenever the secretary has the right, in his discretion, to revoke or suspend an operator's license of a nonresident or the operating privilege of a nonresident, but is disposed, in the exercise of his discretion, not to do so,

he may require the holder of the license or operating privilege to furnish proof of financial responsibility before such license or operating privilege shall be renewed or reinstated or continued.

Section 1418. Alternate Methods of Giving Proof.—Proof of financial responsibility shall be furnished for each motor vehicle registered by any person required to give such proof and may be given by filing:

- (1) A certificate of insurance as provided in section 1419 or section 1420,
- (2) A bond as provided in section 1424, or
- (3) A certificate of deposit of money or securities as provided in section 1425.

Section 1419. Certificate of Insurance as Proof.—

(a) Proof of financial responsibility may be furnished by filing with the secretary the written certificate of any insurance carrier duly authorized to do business in this State, certifying that there is in effect a motor vehicle liability policy for the benefit of the person required to furnish proof of financial responsibility. Such certificate shall give the effective date of such motor vehicle liability policy, which date shall be the same as the effective date of the certificate and shall designate by explicit description, or by appropriate reference, all motor vehicles covered thereby, unless the policy is issued to a person who is not the owner of a motor vehicle.

(b) No motor vehicle shall be or continue to be registered in the name of any person required to file proof of financial responsibility unless such motor vehicle is so designated in such a certificate.

Section 1420. Certificate Furnished by Nonresident as Proof.—The nonresident owner of a motor vehicle not registered in this State may give proof of financial responsibility by filing with the secretary a written certificate or certificates of an insurance carrier authorized to transact business in the state in which the motor vehicle or motor vehicles described in such certificate is registered, or if such nonresident does not own a motor vehicle, then in the state in which the insured resides, provided such certificate otherwise conforms to the provisions of this article, and the secretary shall accept the same upon condition that said insurance carrier complies with the following provisions with respect to the policies so certified:

- (1) Said insurance carrier shall execute a power of attorney authorizing the secretary to accept service on its behalf of notice or process in any action arising out of a motor vehicle accident in this State.

(2) Said insurance carrier shall agree in writing that such policies shall be deemed to conform with the laws of this State relating to the terms of motor vehicle liability policies issued herein.

If any insurance carrier, not authorized to transact business in this State, which has qualified to furnish proof of financial responsibility, defaults in any said undertakings or agreements, the secretary shall not thereafter accept as proof any certificate of said carrier whether theretofore filed or thereafter tendered as proof as long as such default continues.

Section 1421. "Motor Vehicle Liability Policy" Defined.—

(a) A "motor vehicle liability policy," as said term is used in this article, shall mean an owner's or an operator's policy of liability insurance, certified as provided in section 1419 or section 1420 as proof of financial responsibility, and issued, except as otherwise provided in section 1420, by an insurance carrier duly authorized to transact business in this State to or for the benefit of the person named therein as insured.

(b) Such owner's policy of liability insurance:

(1) Shall designate by explicit description, or by appropriate reference, all motor vehicles with respect to which coverage is thereby to be granted, and

(2) Shall insure the person named therein and any other person as insured using any such motor vehicle or motor vehicles, with the express or implied permission of such named, insured against loss from the liability imposed by law for damages arising out of the ownership, maintenance or use of such motor vehicle or motor vehicles within the United States of America or the Dominion of Canada, subject to limits exclusive of interest and costs with respect to each such motor vehicle as follows: Ten thousand dollars (\$10,000.00) because of bodily injury to or death of one (1) person in any one accident, and, subject to said limit for one (1) person, twenty thousand dollars (\$20,000.00) because of bodily injury to or death of two (2) or more persons in any one accident, and five thousand dollars (\$5,000.00) because of injury to or destruction of property of others in any one accident.

(c) Such operator's policy of liability insurance shall insure the person named, as insured, therein against loss from the liability imposed upon him by law for damages arising out of the use, by him, of any motor vehicle, not owned by him, within the same territorial limits, and subject to the same limits of liability as are set forth above with respect to an owner's policy of liability insurance.

(d) Such motor vehicle liability policy shall state the name and address of the named insured, the coverage afforded by the policy, the premium charged therefor, the policy period, and the limits of liability, and shall contain an agreement or be endorsed that insurance is provided thereunder in accordance with the coverage defined in this act as respects bodily injury and death, or property damage, or both, and is subject to all the provisions of this article.

(e) Such motor vehicle liability policy shall not insure any liability under any workmen's compensation law, nor any liability on account of bodily injury to, or death of, an employe of the insured, while engaged in the employment, other than domestic, of the insured, or while engaged in the operation, maintenance or repair of any such motor vehicle, nor any liability for damage to property owned by, rented to, in charge of, or transported by the insured.

(f) Every motor vehicle liability policy shall be subject to the following provisions which need not be contained therein:

(1) The liability of the insurance carrier with respect to the insurance required by this article shall become absolute whenever injury or damage, covered by said motor vehicle liability policy, occurs. Said policy may not be cancelled or annulled as to such liability by any agreement between the insurance carrier and the insured after the occurrence of the injury or damage. No statement made by the insured, or on his behalf, and no violation of said policy shall defeat or void said policy.

(2) The satisfaction by the insured of a judgment for such injury or damage shall not be a condition precedent to the right or duty of the insurance carrier to make payment on account of such injury or damage.

(3) The insurance carrier shall have the right to settle any claim covered by the policy and if such settlement is made in good faith, the amount thereof shall be deductible from the limits of liability specified in clause (2) of subsection (b) of this section.

(4) The policy, the written application therefor, if any, and any rider or endorsement which does not conflict with the provisions of this act, shall constitute the entire contract between the parties.

(g) Any policy, which grants the coverage required for a motor vehicle liability policy, may also grant any lawful coverage in excess of, or in addition to, the coverage specified for a motor vehicle liability policy, and such excess or additional coverage shall not be subject to the provisions of this article. With respect to a policy which grants such excess or additional coverage,

the term "motor vehicle liability policy" shall apply only to that part of the coverage which is required by this section.

(h) Any motor vehicle liability policy may provide that the insured shall reimburse the insurance carrier for any payment the insurance carrier would not have been obligated to make under the terms of the policy, except for the provisions of this article.

(i) Any motor vehicle liability policy may provide for the prorating of the insurance thereunder with other valid and collectible insurance.

(j) The requirements for a motor vehicle liability policy may be fulfilled by the policies of one or more insurance carriers, which policies together meet such requirements.

(k) Any binder issued pending the issuance of a motor vehicle liability policy shall be deemed to fulfill the requirements for such a policy.

Section 1422. Notice of Cancellation or Termination of Certified Policy.—When an insurance carrier has certified a motor vehicle liability policy under section 1419 or section 1420, the insurance so certified shall not be cancelled or terminated until at least ten (10) days after a notice of cancellation or termination of the insurance so certified shall be filed in the office of the secretary, except that such a policy, subsequently procured and certified, shall, on the effective date of its certification, terminate the insurance previously certified with respect to any motor vehicle designated in both certificates.

Section 1423. Act Not to Affect Other Policies.—

(a) This article shall not be held to apply to or affect policies of automobile insurance against liability which may now or hereafter be required by any other law of this State, and such policies, if they contain an agreement or are endorsed to conform to the requirements of this article, may be certified as proof of financial responsibility under this article.

(b) This article shall not be held to apply to or affect policies insuring solely the insured named in the policy against liability resulting from the maintenance or use by persons in the insured's employ, or on his behalf of motor vehicles not owned by the insured.

Section 1424. Bond as Proof Collection of Unpaid Judgment.—

(a) Proof of financial responsibility may be evidenced by the bond of a surety company duly authorized to transact business within this State, or a bond with at least two (2) individual sureties, each owning real estate

within this State, and together having equities equal in value to at least twice the amount of such bond, which real estate shall be scheduled in the bond, approved by a judge of a court of record, which said bond shall be conditioned for payment of the amounts specified in section 1421. Such bond shall be filed with the secretary and shall not be cancellable except after ten (10) days' written notice to the secretary. Such bond shall constitute a lien in favor of the State upon the real estate so scheduled of any surety, which lien shall exist in favor of any holder of a final judgment against the person who has filed such bond for damages, including damages for care and loss of services because of bodily injury to or death of any person, or for damages because of injury to or destruction of property, including the loss of use thereof resulting from the ownership, maintenance, use or operation of a motor vehicle, after such bond was filed, upon the filing of notice to that effect by the secretary in the office of the prothonotary of the county where such real estate shall be located. The prothonotary upon receipt of notice from the secretary shall index the lien in the names of the persons owning such real estate.

(b) If such judgment rendered against the principal on such bond shall not be satisfied within sixty (60) days after it has become final, the judgment creditor may for his own use and benefit and at his sole expense bring an action or actions in the name of the State against the company or persons executing such bond, including an action or proceeding to enforce any lien that may exist upon the real estate of a person who has executed such bond. Such lien may be enforced by writ of seire facias.

Section 1425. Money or Securities as Proof.—

(a) Proof of financial responsibility may be evidenced by the certificate of the State Treasurer that the person named therein has deposited with him eleven thousand dollars (\$11,000.00) in cash or securities, such as may legally be purchased by savings banks, or for trust funds of a market value of eleven thousand dollars (\$11,000.00). The State Treasurer shall not accept any such deposit and issue a certificate therefor, and the secretary shall not accept such certificate, unless accompanied by evidence that there are no unsatisfied judgments of any character against the depositor in the county where the depositor resides.

(b) Such deposit shall be held by the State Treasurer to satisfy in accordance with the provisions of this article any execution on a judgment issued against such person making the deposit for damages, including damages for care and loss of services because of bodily injury to or death of any person, or for damages because of injury

to or destruction of property, including the loss of use thereof, resulting from the ownership, maintenance, use or operation of a motor vehicle after such deposit was made. Money or securities so deposited shall not be subject to attachment or execution, unless such attachment or execution shall arise out of a suit for damages as aforesaid.

Section 1426. Owner May Give Proof for Others.—Whenever any person required to give proof of financial responsibility hereunder is or later becomes an operator in the employ of any owner, or is or later becomes a member of the immediate family or household of the owner, the secretary shall accept proof given by such owner in lieu of proof by such other person to permit such other person to operate a motor vehicle for which the owner has given proof as herein provided. The secretary shall designate the restrictions imposed by this section on the face of such person's license.

Section 1427. Substitution of Proof.—The secretary shall consent to the cancellation of any bond or certificate of insurance, or the secretary shall direct and the State Treasurer shall return any money or securities to the person entitled thereto, upon the substitution and acceptance of other adequate proof of financial responsibility pursuant to this article.

Section 1428. Other Proof May Be Required.—Whenever any proof of financial responsibility, filed under the provisions of this article, no longer fulfills the purposes for which required, the secretary shall for the purpose of this act require other proof as required by this act, and shall suspend the license and registration or the nonresident's operating privilege pending the filing of such other proof.

Section 1429. Duration of Proof; When Proof May Be Cancelled or Returned.—The secretary shall, upon request, consent to the immediate cancellation of any bond or certificate of insurance, or the secretary shall direct, and the State Treasurer shall return to the person entitled thereto, any money or securities deposited pursuant to this article as proof of financial responsibility, or the secretary shall waive the requirement of filing proof in any of the following events:

(1) At any time after three (3) years from the date such proof was required, when during the three-year period preceding the request, the secretary has not received record of a conviction or a forfeiture of bail which would require or permit the suspension or revocation of the license, registration or nonresident's operating privilege of the person by or for whom such proof was furnished, or

(2) In the event of the death of the person on whose behalf such proof was filed or the permanent incapacity of such person to operate a motor vehicle, or

(3) In the event the person who has given proof surrenders his license and registration to the secretary: Provided, however, That the secretary shall not consent to the cancellation of any bond or the return of any money or securities in the event any action for damages upon a liability covered by such proof is then pending, or any judgment upon any such liability is then unsatisfied, or in the event the person who has filed such bond or deposited such money or securities has, within one (1) year immediately preceding such request, been involved as an operator or owner in any motor vehicle accident resulting in injury or damage to the person or property of others. An affidavit of the applicant as to the non-existence of such facts, or that he has been released from all of his liability, or has been finally adjudicated not to be liable for such injury or damage, shall be sufficient evidence thereof in the absence of evidence to the contrary in the records of the secretary.

Whenever any person whose proof has been cancelled or returned under clause (3) of this section applies for a license or registration within a period of three (3) years from the date proof was originally required, any such application shall be refused unless the applicant shall reestablish such proof for the remainder of such three-year period.

Section 1430. Transfer of Registration to Defeat Purpose of This Article Prohibited.—If an owner's registration has been suspended hereunder, such registration shall not be transferred, nor the motor vehicle in respect of which such registration was issued registered in any other name, until the secretary is satisfied that such transfer of registration is proposed in good faith and not for the purpose or with the effect of defeating the purposes of this article. Nothing in this section shall be held to apply to or affect the registration of any motor vehicle sold by a person, who, pursuant to the terms or conditions of any written instrument giving a right of repossession, has exercised such right and has repossessed such motor vehicle from a person whose registration has been suspended under the provisions of this article. This article shall not in any wise affect the rights of any conditional vendor, chattel mortgagee or lessor of a motor vehicle registered in the name of another as owner who becomes subject to the provisions of this article.

Section 1431. Surrender of License and Registration.—Any person whose license or registration shall have been suspended, as herein provided, or whose policy of insurance or bond, when required under this article, shall

have been cancelled or terminated, or who shall neglect to furnish other proof upon request of the secretary shall immediately return his license and registration to the secretary. If any person shall fail to return to the secretary the license or registration, as provided herein, the secretary shall forthwith direct any peace officer to secure possession thereof and to return the same to the secretary.

Section 1432. Other Violations; Penalties.—

(a) Any person whose license or registration or non-resident's operating privilege has been suspended or revoked under this article, and who during such suspension or revocation drives any motor vehicle upon any highway, or knowingly permits any motor vehicle owned by such person, to be operated by another upon any highway, except as permitted under this article, shall be guilty of a misdemeanor, and upon conviction, shall be fined not more than five hundred dollars (\$500.00) or imprisoned not exceeding six (6) months, or both, in the discretion of the court.

(b) Any person wilfully failing to return a license or registration as required in section 1431 shall, upon summary conviction before a magistrate, be fined one hundred dollars (\$100.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for thirty (30) days.

(c) Any person who gives any information required by the secretary under section 1403 of this act in a report of a motor vehicle accident, knowing or having reason to believe that such information is false or who makes a false affidavit in connection with any transaction under this article, or who forges or without authority signs any evidence of proof of financial responsibility, or who files or offers for filing any such notice or evidence of proof, knowing or having reason to believe that it is forged or signed without authority, shall be guilty of a misdemeanor, and, upon conviction, shall be fined not more than one thousand dollars (\$1,000.00), or imprisoned not more than one (1) year, or both, in the discretion of the court.

(d) Any person who wilfully transfers any registration or wilfully causes any motor vehicle to be registered in violation of the provisions of section 1430 of this act shall be guilty of a misdemeanor, and, upon conviction, shall be fined not more than five hundred dollars (\$500.00), or imprisoned not more than six (6) months, or both, in the discretion of the court.

(e) Any person who shall violate any provision of this article for which no penalty is otherwise provided shall be guilty of a misdemeanor, and, upon conviction,

shall be fined not more than five hundred dollars (\$500.00), or imprisoned not more than ninety (90) days, or both, in the discretion of the court.

(f) All fines and penalties imposed pursuant to the provisions of this article shall be paid to the Commonwealth.

Section 1433. Exceptions.—This article shall not apply with respect to any motor vehicle owned by the United States, this State or any political subdivision of this State.

Section 1434. Self-Insurers.—

(a) Any person in whose name more than twenty-five (25) motor vehicles are registered may qualify as a self-insurer by obtaining a certificate of self-insurance issued by the secretary as provided in subsection (b) of this section.

(b) The secretary may, in his discretion, upon the application of such a person, issue a certificate of self-insurance when he is satisfied that such person is possessed and will continue to be possessed of ability to pay judgments obtained against such person.

(c) Upon not less than five (5) days' notice and a hearing pursuant to such notice, the secretary may, upon reasonable grounds, cancel a certificate of self-insurance. Failure to pay any judgment within thirty (30) days after such judgment shall have become final shall constitute a reasonable ground for the cancellation of a certificate of self-insurance.

Section 1435. Other Processes Optional with Plaintiff.—Nothing in this article shall be construed as preventing the plaintiff in any action at law from relying for relief upon the other processes provided by law.

Section 1436. Uniformity of Interpretation with the States Where Enacted.—This article shall be so interpreted and construed as to effectuate its general purpose to make uniform the laws of those states which enact the provisions thereof.

ARTICLE XV.

REPEALS AND EFFECTIVE DATE

Section 1501. Specific Repeals.

Section 1502. General Repeal.

Section 1503. Effective Date of Act.

Section 1501. Specific Repeals.—The following acts and parts of acts and all amendments thereof are hereby repealed absolutely.

The act approved the 1st day of May, A. D. 1929 (Pamphlet Laws 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, streetcars, 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."

The act approved the 1st day of May, A. D. 1929 (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 this 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."

The act approved the 15th day of May, A. D. 1933 (Pamphlet Laws 553), entitled "An act relating to the financial responsibility of operators and owners of motor vehicles; and to make uniform the law with reference thereto; requiring operators and owners of automobiles under certain circumstances to furnish proof of financial responsibility as herein defined; providing for the suspension of operators' licenses and motor vehicle regis-

tration certificates in certain cases; regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties upon the Secretary of Revenue, the State Treasurer and prothonotaries; and prescribing penalties."

Sections 847 and 848 of the act approved the 24th day of June, A. D. 1939 (Pamphlet Laws 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth."

The act approved the 23rd day of April, A. D. 1942 (Pamphlet Laws 56), entitled "An act to suspend and modify existing laws providing for and requiring the use of plates or tags as evidence of registration of any vehicle or payment of any license or registration fee or compliance with any other legal requirement, in so far as such laws require the use of plates or tags manufactured of metal or the display on plates or tags of the year number for which issued, and by authorizing the use of other material in whole or in part."

The act approved the 6th day of May, A. D. 1942 (Pamphlet Laws 99), entitled "An act authorizing in certain cases the drawing of agricultural machinery and wagons on the highways of this Commonwealth by tractors and motor vehicles without such machinery or wagons being registered, and the temporary suspension of existing laws requiring the registration thereof."

The act approved the 1st day of June, A. D. 1945 (Pamphlet Laws 1340), entitled "An act relating to the financial responsibility of operators and owners of motor vehicles; and to make uniform the law with reference thereto; requiring owners and operators in certain cases to furnish proof of financial responsibility; providing for the suspension of operators' licenses and motor vehicle registration certificates in certain cases; regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties upon the Secretary of Revenue, the State Treasurer and prothonotaries; and prescribing penalties."

The act approved the 10th day of August, A. D. 1951 (Pamphlet Laws 1156), entitled "An act to protect the blind pedestrians on public streets and highways; requiring vehicles to come to a full stop in certain cases; restricting the use of certain colored canes by other pedestrians; and imposing penalties."

The act approved the 3rd day of July, A. D. 1957 (Pamphlet Laws 476), entitled "An act regulating the sale, distribution, possession and use of brake fluid for motor vehicles; authorizing the Secretary of Revenue to fix minimum standards and specifications therefor; authorizing the seizure and confiscation thereof in certain cases; and fixing penalties for the violation of the act."

Section 1502. General Repeal.—All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Effective
July 1, 1959.

Section 1503. Effective Date of Act.—The provisions of this act shall become effective July 1, 1959.

APPROVED—The 29th day of April, A. D. 1959.

DAVID L. LAWRENCE

No. 33

AN ACT

Providing for the destruction of certain records and papers upon petition in cities of the first class.

Destruction of
old court records
in first class
cities.

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

Order of court
required for
records on file
over twenty-five
years.

Section 1. In the City and County of Philadelphia the board of judges of the Courts of Common Pleas or the board of judges of the Municipal Court, as the case may be, upon petition of the prothonotary or clerk, may direct the destruction or disposition of all papers and records of every and all description in his custody, except docket and other book entries, without reproducing the same: Provided, That the said papers and records have been on file for a period of twenty-five years or more.

Contents of
petition.

Section 2. The petition need not list or name the papers or records nor give the courts, terms or numbers, but shall set forth by general description the nature and kind of papers, records and proceedings involved as well as such other information as the rules of court may require.

Time for hearing
to be fixed.

Section 3. The court shall fix a time for hearing such petition, which shall not be less than thirty days from the date of such order. A copy of such petition and order shall be conspicuously posted in the office of the prothonotary or clerk for a period of not less than twenty days prior to such hearing.

Notice of hearing
to be posted.

Final decision by
the court.

Section 4. At such hearing which shall be held in open court, the assigned judge shall consider such petition and any answer or answers filed by any party in interest in such proceeding, and shall enter a final decision from which no appeal shall lie.

Act not appli-
cable to certain
proceedings.

Section 5. This act shall not apply to any papers or records in proceedings determining or affecting title to real estate, in actions of adoption, divorce, annulment of