

Section 803. **Exemption from Execution.**—The right of a person to a member's annuity, a State annuity, or retirement allowance, to the return of contributions, any benefit or right accrued or accruing to any person under the provisions of this act, and the moneys in the fund [created under this act], are hereby exempt from any State or municipal tax, and exempt from levy and sale, garnishment, attachment or any other process whatsoever, and shall be unassignable, except as in this act specifically otherwise provided, and with the further exception that the assignment of any or all such rights as security for a loan not in excess of three hundred dollars (\$300.00), the interest on which loan shall not exceed six (6) percent per annum discounted by a person to a credit union now or hereafter organized and incorporated under the laws of the Commonwealth, the membership of which credit union is limited solely to officers and employes of the Commonwealth, shall be valid.

Act effective immediately.

Section 40. This act shall become effective immediately.

APPROVED—The 4th day of August, A. D. 1959.

DAVID L. LAWRENCE

No. 204

AN ACT

Amending the act of April 29, 1959 (P. L. 58) (Act No. 32), entitled "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," authorizing the issuance of dealer registration plates to certain collector-repossessors and limiting their use thereof.

The Vehicle Code.

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

Definition of "dealer," section 102, sections 502 and 720, act of April 29, 1959, P. L. 58, Act No. 32, amended.

Section 1. The definition of the word "dealer" in section 102 and sections 502 and 720, act of April 29, 1959 (P. L. 58) (Act No. 32), known as "The Vehicle Code," are amended to read:

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

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"Dealer."—(1) A person as defined in this act actively and principally engaged in and devoting a sub-

stantial 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 [busi-any person as defined in this act who maintains an established place of ness] *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, 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. or (8) any duly licensed collector-repossessor regularly engaged as an independent contractor in the business of repossessing motor vehicles, trailers or semi-trailers, which are the subject of installment sale contracts.

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

* "of" in original.

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 *and a person entitled to dealer regis-*

* "business" in original.

** "of" in original.

*** "or" omitted in original.

*tration under clause (8) of said definition may only use dealer's registration plates for the purpose of moving or operating a motor vehicle, trailer or semi-trailer which he is repossessing: 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 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 *duly licensed collector-repossessor*, 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).

APPROVED—The 6th day of August, A. D. 1959.

DAVID L. LAWRENCE

No. 205

AN ACT

Amending the act of May 28, 1937 (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania

* "jobber" in original.