

Approval and
execution of
deed.

Section 2. The deed of conveyance shall be approved by the Department of Justice and shall be executed by the Secretary of Property and Supplies in the name of the Commonwealth of Pennsylvania.

APPROVED—The 14th day of July, A. D. 1961.

DAVID L. LAWRENCE

No. 313

AN ACT

Amending the act of April 29, 1959 (P. L. 58), 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," redefining Motorcycle; limiting the use of the transcript and the record of a suspension hearing; providing for the designation of inspection stations for trucks and truck tractors; permitting the private vehicle of the chief and the first assistant chief of police and the first assistant chief of any fire department and in certain cases the second assistant chief to be equipped with a siren; prohibiting parking in certain additional places; and prescribing penalties.

The Vehicle
Code.

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

Definition of
"Motorcycle,"
section 102,
subsection (h),
section 618,
subsection (a),
section 819, and
subsection (b),
section 820, act
of April 29,
1959, P. L. 58,
amended.

Section 1. The definitions of "Motorcycle" in section 102, subsection (h) section 618, subsection (a) section 819, and subsection (b) section 820, act of April 29, 1959 (P. L. 58), known as "The Vehicle Code," are amended to read:

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:

* * * * *

"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, *and* 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."

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Section 618. Suspension of Licenses or Operating Privileges.—

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(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. *The transcript and record of such hearing shall be without prejudice, shall be for the information of the department and shall be open to public inspection. The fact that such transcript and record of such hearing have been made shall be admissible in evidence solely to prove compliance with this act, but no such transcript and record or any part thereof or statement contained therein shall be admissible in evidence for any other purpose in any legal proceeding, civil or criminal, arising out of the circumstances for which the hearing was conducted.*

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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, *trucks, truck tractors*, 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 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.

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Section 820. Horns and Warning Devices.—

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(b) Every police, fire department and fire patrol vehicle, ambulance or the private vehicle of the chief of any fire department *and the first assistant chief of any fire department, and when a fire company has three (3) or more pieces of apparatus, a second assistant chief, or the private vehicle of the chief of any police department and the first assistant chief of any police 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.

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Section 1021 of the act, amended by adding a new clause (15) and subsection (b), section 1404, amended.

Section 2. Section 1021 of the act is amended by adding, at the end thereof, a new clause, and subsection (b), section 1404, are amended to read:

Section 1021. Parking Prohibited in Specified Places.—No person shall park a vehicle, or tractor or permit it to stand, whether attended or unattended, upon a highway or in any of the following places:

* * * * *

(15) *Except for disabled vehicles on a medial or dividing strip or plot separating divided highways, which disabled vehicles may remain there for a period of thirty-six (36) hours, after which said vehicle shall be deemed to have been abandoned and peace officers shall have authority to remove it and place it in storage.*

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 1404. Security Required Unless Evidence of Insurance; When Security Determined; Suspension; Exceptions.—

* * * * *

(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.

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APPROVED—The 14th day of July, A. D. 1961.

DAVID L. LAWRENCE

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No. 314

AN ACT

Amending the act of April 9, 1929 (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and