

county may enter upon, appropriate, take, injure or destroy private lands, property or material. *Any such taking for the purpose of originally laying out or opening of any road shall be in fee simple.*

Section 2. Section 2901 of the act is amended by adding, after subsection (b), a new subsection to read:

Section 2901 of the act, amended by adding a new subsection (b.1).

Section 2901. County Roads; Establishment and Maintenance.—

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*(b.1) When the county commissioners acquire real property for the county to be used for originally laying out or opening any road, sufficient property may be acquired to enable construction of roads two hundred (200) feet in width exclusive of division strips: Provided, That the limits of width shall not be construed to include the width required for necessary slopes in cuts or fills.*

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APPROVED—The 25th day of July, A. D. 1961.

DAVID L. LAWRENCE

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No. 371

AN ACT

Amending the act of May 2, 1929 (P. L. 1518), entitled, as amended, "An act regulating the construction, equipment, maintenance, operation and inspection of elevators; granting certain authority to and imposing certain duties upon the Department of Labor and Industry; providing fees for inspection of elevators, certificates of operation, and approval of plans; providing penalties for violations of this act; and repealing all acts or parts of acts inconsistent with this act," changing the definition of "elevator" and regulating the repairing and renovating of elevators; requiring permits and fixing fees for permits, inspections and certificates.

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

Section 1. The definition of "elevator" in section 1, act of May 2, 1929 (P. L. 1518), entitled, as amended, "An act regulating the construction, equipment, maintenance, operation and inspection of elevators; granting certain authority to and imposing certain duties upon the Department of Labor and Industry; providing fees for inspection of elevators, certificates of operation, and approval of plans; providing penalties for violations of this act; and repealing all acts or parts of acts inconsistent with this act," reenacted and amended April 8, 1937

Elevators.  
Definition of "elevator," section 1, act of May 2, 1929, P. L. 1518, reenacted and amended April 8, 1937, P. L. 277 and amended May 21, 1943, P. L. 327, further amended.

(P. L. 277) and amended May 21, 1943 (P. L. 327), is amended to read:

Section 1. Definitions.—Be it enacted, &c., That, as used in this act, “Department” shall mean the Department of Labor and Industry of the Commonwealth of Pennsylvania.

“Elevator” shall mean all the machinery, construction apparatus, and equipment used in raising and lowering *personnel, material, equipment or other goods or cargo by means of a car, cage or platform vertically between permanent rails or guides, and shall also include all elevators, dumb-waiters, escalators, gravity elevators, inclined passenger lifts, hoists, except portable construction hoists less than fifty feet in height, and other lifting or lowering apparatus, except elevators, hoists and lifting or lowering apparatus used in raising and lowering a car, cage or platform in the coal mines [of] and on slopes used in open-pit coal mining in this Commonwealth, and in the breakers, washeries and cleaning plants connected therewith and which are under the jurisdiction of the Department of Mines and Mineral Industries and the mine inspectors, and shall not include elevators, hoists and lifting apparatus used on farms, and except elevators, hoists and lifting or lowering apparatus used in raising and lowering a car, cage or platform in any ore mine.*

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Section 10 of the act, reenacted and amended April 8, 1937, P. L. 277 and amended May 22, 1953, P. L. 202, further amended.

Section 2. Section 10 of the act, reenacted and amended April 8, 1937 (P. L. 277) and amended May 22, 1953 (P. L. 202), is amended to read:

Section 10. Fees for Inspection.—The fee for the certificate of operation for all insured and uninsured elevators shall be [three dollars (\$3)] *four dollars (\$4)*. When elevators are inspected by inspectors of the department, the following fee shall be charged in addition to the certificate fee:

For passenger elevators, fees not exceeding [twenty dollars (\$20)] *twenty-eight dollars (\$28)* per annum.

For freight elevators, including gravity elevators, fees not exceeding [ten dollars (\$10)] *fourteen dollars (\$14)* per annum.

For dumb-waiters, hoists and other lifting apparatus, fees not exceeding [five dollars (\$5)] *seven dollars (\$7)* per annum.

For building hoists, fees not exceeding [five dollars (\$5)] *seven dollars (\$7)* for each inspection.

Section 3. Section 11 of the act, reenacted and amended April 8, 1937 (P. L. 277) and amended June 21, 1947 (P. L. 791), is amended to read:

Section 11 of the act, reenacted and amended April 8, 1937, P. L. 277 and amended June 21, 1947, P. L. 791, further amended.

Section 11. [Approval of] Plans, *Permits and Inspections*.—(a) Before any elevator shall be erected and installed, [or undergo repairs amounting to one-half or more of the original value of the said elevator,] detailed plans and specifications of the said apparatus, in duplicate, shall be submitted to the department for approval. The application for the approval of plans of elevators shall be accompanied by the following fees: Dumb-waiters, seven dollars and fifty cents (\$7.50); freight elevators, ten dollars (\$10); and passenger elevators, fifteen dollars (\$15). If the said plans are approved, a permit for the erection [or repair] *and installation* of such elevator shall be issued by the department, and a final inspection shall be made of the apparatus when installed [or repairs completed] *and ready for operation*, before final approval shall be given by the department. The elevator shall not be operated until such final inspection and approval be given, unless a temporary permit be granted by the department.

(b) *No elevator shall hereafter be repaired, renovated or reerected when the changes involve major repairs unless a permit is obtained from the department. Major repairs are those likely to involve reinspection or testing and may be more specifically defined by rules and regulations established by the department. When repairs or changes are extensive, the department may require that duplicate plans and specifications be submitted to it before a permit is granted. The fee for such permit shall be fifteen dollars (\$15) for passenger elevators and ten dollars (\$10) for freight elevators. Where major repairs have been made on an elevator or lifting apparatus, it shall not again be operated until a final inspection or test and approval by the department has been given. The testing or inspection fee shall be five dollars (\$5).*

APPROVED—The 25th day of July, A. D. 1961.

DAVID L. LAWRENCE

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No. 372

AN ACT

Regulating the manufacture of stuffed toys intended for sale, gift, or use in Pennsylvania; providing for registration of such manufacturers, the paying of a fee for such registration, the issuance of a seal of approval to such manufacturers; providing that material used in such toys shall