

shall not be less than the allowance that would be paid by the retirement system in the absence of such agreement [the limitation provided for in section 6.3 notwithstanding]. Where the employe contributions are actuarially determined as amounts sufficient to provide a specified portion of the benefits such employe contributions may be correspondingly reduced. The provisions of this section shall not be deemed to restrict any city of the first class in modifying any pension and retirement system covering any officers or employes of such city.

[Section 6.3. Limitation on Retirement Benefits; Political Subdivisions.—Where the laws providing for administration of retirement system established by the Commonwealth of a political subdivision in a given class of subdivision do not require the modification of a system upon the extension of social security coverage, the total sum to be received monthly from the retirement system and from social security by each member following retirement shall not be more than eighty percent (80%) of average or final salary as defined by the law governing such system. This limitation shall not apply where it would reduce that portion of the retirement allowance of a member based on credits earned prior to the effective date of an agreement under this act.]

Act effective immediately.

Section 2. This act shall take effect immediately.

APPROVED—The 16th day of September, A. D. 1961.

DAVID L. LAWRENCE

No. 608

AN ACT

Amending the act of June 24, 1939 (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," making the sale of regrooved tires for motor vehicles or motorcycles without notice thereof a crime.

The Penal Code.

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

Act of June 24, 1939, P. L. 872, amended by adding a new section 899.1.

Section 1. The act of June 24, 1939 (P. L. 872), known as "The Penal Code," is amended by adding, after section 899, a new section to read:

Section 899.1. Sale of Regrooved Tires.—Whoever sells, offers or exposes for sale, or has in his possession with intent to sell, any motor vehicle tire or motorcycle tire which has had its tread regrooved without that fact being plainly shown by a marking or label in the English language on the shoulder, sidewall or other appropriate

place shall, upon conviction thereof in a summary proceeding, be sentenced to pay a fine of not more than twenty-five dollars (\$25) and costs of prosecution, and in default of payment thereof, shall undergo imprisonment for not more than ten (10) days.

APPROVED—The 16th day of September, A. D. 1961.

DAVID L. LAWRENCE

No. 609

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," regulating the issuance of operators' licenses to persons between sixteen and eighteen years of age, restricting their driving privileges, and providing penalties.

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

The Vehicle Code.

Section 1. Clause (1) of subsection (a) of section 604, act of April 29, 1959 (P. L. 58), known as "The Vehicle Code," is amended to read:

Clause (1), subsection (a), section 604, act of April 29, 1959, P. L. 58, amended.

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] a *junior* 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 is *sixteen (16) years of age or more and* has the consent of such parent or person in loco parentis to obtain a learner's permit or *junior* operator's license, *unless such person was issued a learner's permit or operator's license before September 1, 1961.*

* * * * *

Section 2. The act is amended by adding, after section 604, a new section to read:

Act amended by adding a new section 604.1.

Section 604.1. Junior Operator's License.—

(a) No operator's license shall be issued to any person under eighteen (18) years of age, except that junior operators' licenses may be issued to minors who have arrived at the age of sixteen (16) years but who have not reached the age of eighteen (18) years, under rules and regulations to be established by the secretary. The