

*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.*

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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*

secretary shall prescribe the form of application for a junior operator's license and each applicant for such a license shall submit with his application an affidavit of a parent or person in loco parentis indicating the age of the applicant and indicating his consent to the issuance of such license. Upon receipt of a withdrawal of consent, duly acknowledged by the parent or person in loco parentis who executed the consent, on the basis of which a junior operator's license or a regular operator's license for a minor seventeen (17) years of age was issued, the secretary shall, provided the licensee has not reached the age of eighteen (18) years, revoke such junior operator's license. Where revocation is made pursuant to this provision, no new license shall be issued by the secretary until the licensee has reached the age of eighteen (18) years. In addition to the other provisions of this act relating to the suspension or revocation of operating privileges, in the event that a licensed junior operator is involved in an accident for which he is partially or fully responsible in the opinion of the secretary, pleads guilty or nolo contendere, or is convicted of any violation of "The Vehicle Code," or violates subsection (c) hereof, the secretary may, after a hearing, suspend the operating privileges of such junior operator until he has reached the age of eighteen (18) years, or for any other period of time. A junior operator's license shall automatically become a regular operator's license when the licensee reaches the age of eighteen (18) years.

(b) Notwithstanding the foregoing provision relating to age, a regular operator's license, including all provisions of the act relating to the suspension or revocation of such licenses, may be issued to a minor who has arrived at the age of seventeen (17) years and who has successfully completed a driver's training course, which course has been approved by the Department of Public Instruction and the secretary, and who has not been involved in any accident, for which he is partially or fully responsible in the opinion of the secretary, required to be reported under Section 1217 of this act, or who has not pleaded guilty or nolo contendere, or who has not been convicted of any violation of this act. The secretary shall prescribe the form for such application and each applicant shall submit with his application (1) an affidavit of a parent or person in loco parentis indicating the age of the applicant and indicating his consent to the issuance of such license, and (2) a diploma or other evidence to show that he has successfully completed a driver's training course, which course has been approved by the Department of Public Instruction and the secretary.

(c) *No person possessing a junior operator's license shall operate any vehicle or tractor upon any public highway between the hours of midnight and five o'clock antemeridian unless he is accompanied by a parent or a person in loco parentis.*

(d) *In addition to the other provisions of this act relating to the suspension or revocation of operating privileges, in the event that a regular operator under the age of eighteen (18) is involved in an accident for which he is partially or fully responsible in the opinion of the secretary, pleads guilty or nolo contendere, or is convicted of any violation of "The Vehicle Code," the secretary may, after a hearing, suspend the operating privileges of such operator or issue him a junior operator's license in lieu of or in addition to said suspension.*

*Penalty.—Any person violating 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.*

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

DAVID L. LAWRENCE

No. 610

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," further providing for the placing of reflectors on vehicles and providing penalties.

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

Section 1. Subsection (f) of section 801, act of April 29, 1959 (P. L. 58), known as "The Vehicle Code," is amended to read:

The Vehicle Code.

Subsection (f), section 801, act of April 29, 1959, P. L. 58, amended.

Section 801. Required Lighting Equipment.—

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

*[Whenever a red reflector is so used, or whenever reflectors are used, as hereinafter provided, it or they]*