

Section 1038. Driving Without Lights to Avoid Identification or Arrest.—It shall be unlawful for any person to *drive without lights or to* turn off any or all the lights on a motor vehicle or tractor for the purpose of avoiding identification or arrest.

Penalty.—Any person violating the provisions of this section, shall be guilty of a misdemeanor, and shall, upon conviction thereof in a court of quarter sessions, be sentenced to pay a fine of not less than one hundred dollars (\$100.00) and not more than five hundred dollars (\$500.00) and costs of prosecution, or undergo imprisonment for not more than three (3) years, or suffer both such fine and imprisonment.

APPROVED—The 23rd day of April, A. D. 1963.

WILLIAM W. SCRANTON

No. 23

AN ACT

Amending the act of May 1, 1933 (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," increasing the maximum compensation of auditors and authorizing the expending of additional time by auditors for certain audits.

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

The Second Class Township Code.

Section 1. Section 545, act of May 1, 1933 (P. L. 103), known as "The Second Class Township Code," reenacted and amended July 10, 1947 (P. L. 1481) and amended June 1, 1956 (P. L. 2021), is amended to read:

Section 545, act of May 1, 1933, P. L. 103, reenacted and amended July 10, 1947, P. L. 1481 and amended June 1, 1956, P. L. 2021, further amended.

Section 545. Meetings; Duties; Quorum; Surcharges; Compensation.—The auditors of townships shall meet annually, at the place of meeting of the supervisors, on the day following the day which is fixed by this act for organization of the township supervisors; and shall organize by the election of a chairman and secretary, and shall audit, settle, and adjust the accounts of the supervisors, superintendents, roadmasters, treasurer, and tax collector of the township, and fix the compensations for the current year authorized in section 515 hereof. Two auditors shall constitute a quorum. The auditors shall also make an audit of the dockets, transcripts, and other official records of the justices of the peace to determine the amounts of fines and costs paid over or due the township, and the dockets and records of the justices of the peace shall be open to inspection by the auditors for such purpose.

Upon the death or resignation of any of the above officers the auditor, upon call of the chairman, shall meet

and audit the accounts of the former incumbent, and at that time fix the compensation of his successor if authorized by this act to fix the compensation for such office.

Any elected or appointed officer, whose act, error or omission has contributed to the financial loss of any township, shall be surcharged by the auditors with the amount of such loss, and the surcharge of any such officer shall take into consideration as its basis, the results of such act, error or omission and the results had the procedure been strictly according to law. The provisions hereof limiting the amount of any surcharge shall not apply to cases involving fraud or collusion on the part of such officers, nor to any penalty ensuing to the benefit of or payable to the Commonwealth.

Each auditor shall receive ten dollars per diem for each day necessarily employed in the duties of his office, to be paid out of the funds of the township. [but in] *In no event shall any auditor in a township having a population of ten thousand (10,000) or less be entitled to receive more than two hundred dollars (\$200) for any calendar year. In no event shall any auditor in a township having a population in excess of ten thousand (10,000) be entitled to receive more than four hundred dollars (\$400) for any calendar year.* A day shall consist of not less than five hours in the aggregate.

First paragraph, section 547 of the act, amended September 22, 1961, P. L. 1594, further amended.

Section 2. The first paragraph of section 547 of the act amended September 22, 1961 (P. L. 1594), is amended to read:

Section 547. Completion, Filing and Publication of Annual Township Report and Financial Statement.—The auditors shall complete their audit, settlement, and adjustment prior to March first of each year, and in townships having a population of ten thousand (10,000) or less, no more than twenty days shall be expended on such audit. In townships having a population in excess of ten thousand (10,000), no more than forty days shall be expended on such audit. *In addition to the time actually expended by the auditors to complete their audit, settlement and adjustment within such twenty or forty days limitations, the auditors may expend not more than a total of ten additional days at a compensation of ten dollars (\$10) per day to audit the accounts of any public official who handles public funds when a vacancy occurs in the office of such public official.*

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Act effective immediately.

Section 3. This act shall take effect immediately.

APPROVED—The 23rd day of April, A. D. 1963.

WILLIAM W. SCRANTON