

application for absentee ballot or declaration of elector on the [form] *forms* prescribed [by section 1302-B] knowing any matter declared therein to be false, or shall vote any ballot other than one properly issued to him, or vote or attempt to vote more than once in any election for which an absentee ballot shall have been issued to him, or shall violate any other provisions of Article XIII [-B] of this act, he shall be guilty of a misdemeanor, and, upon conviction, shall be sentenced to pay a fine not exceeding one thousand dollars (\$1000), or be imprisoned for a term not exceeding one year, or both, at the discretion of the court.

If any chief clerk or member of a board of elections, member of a return board or member of a board of registration commissioners, shall neglect or refuse to perform any of the duties prescribed by Article XIII [-B] of this act, or shall reveal or divulge any of the details of any ballot cast in accordance with the provisions of Article XIII [-B] of this act, or shall count an absentee ballot knowing the same to be contrary to Article XIII [-B], or shall reject an absentee ballot without reason to believe that the same is contrary to Article XIII [-B], or shall permit an elector to cast his ballot at a polling place knowing that there has been issued to the elector an absentee ballot, he shall be guilty of a misdemeanor, and, upon conviction, shall be punished by a fine not exceeding one thousand dollars (\$1000), or be imprisoned for a term of one year, or both, at the discretion of the court.

Articles XIII-A and XIII-B of act repealed.

Section 26. Articles XIII-A and XIII-B of the act and its amendments are repealed.

All other acts or parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act.

Cities of first class.

Section 27. Cities of the first class and counties are hereby authorized and empowered to appropriate the moneys necessary to carry out the provisions of this amendment.

Effective date.

Section 28. This act shall take effect January 1, 1964.

APPROVED—The 13th day of August, A. D. 1963.

WILLIAM W. SCRANTON

No. 380

AN ACT

Amending the act of April 29, 1937 (P. L. 487), entitled, as amended, "An act to provide for the permanent personal registration of electors in cities of the second class, cities of the sec-

ond class A, cities of the third class, boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," changing the method of personal registration and change of enrollment of political party by authorizing electors who are unable to go to their polling places because of illness or physical disability, and spouses and dependents of persons in military service, of persons in the Merchant Marine, religious and welfare groups officially attached to and serving with the Armed Forces, civilian Federal personnel overseas and their spouses and dependents to register and to change enrollment of political party by mail; providing that an elector may state his social security number; and further regulating the time within which certain qualified electors may register.

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

Section 1. Subsection (k) of section 2, act of April 29, 1937 (P. L. 487), known as "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns and Townships," reenacted and amended May 31, 1955 (P. L. 62), is amended to read:

Section 2. Definitions.—\* \* \*

(k) "Qualified elector" shall mean any person who shall possess all of the qualifications for voting now or hereafter prescribed by the Constitution of this Commonwealth, or who, being otherwise qualified by continued residence in his election district, shall obtain such qualifications before the next ensuing election, except that this term shall not include qualified electors [in actual military service] as hereinafter defined in section 18.1.

\* \* \* \* \*

Section 2 of the act, reenacted and amended May 31, 1955 (P. L. 62), is amended by adding, at the end thereof, four new subsections to read:

Section 2. Definitions.—\* \* \*

(v) *The words "members of the Merchant Marine of the United States" means persons (other than persons in military service) employed as officers or members of*

The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns and Townships.

Subsection (k), section 2, act of April 29, 1937, P. L. 487, reenacted and amended May 31, 1955, P. L. 62, further amended.

Section 2 of act, reenacted and amended May 31, 1955, P. L. 62, further amended by adding four new subsections (v), (w), (x) and (y).

crews of vessels documented under the law of the United States or of vessels owned by the United States or of vessels of foreign-flag registry under charter to or control of the United States, and persons (other than persons in military service) enrolled with the United States for employment or for training for employment or maintained by the United States for emergency relief service as officers or members of crews of any such vessels, but does not include persons so employed or enrolled for such employment or for training for employment or maintained for such emergency relief on the Great Lakes or the Inland waterways.

(w) The word "dependent" means any person who is in fact a dependent.

(x) The words "Person authorized to administer oaths" shall mean any person who is a commissioned officer in military service or any member of the Merchant Marine of the United States designated for this purpose by the Secretary of Commerce or any civilian official empowered by any State or Federal law to administer oaths.

(y) The words "In military service" shall mean the uniformed services as defined in section 102 of the Career Compensation Act of 1949 (63 Stat. 804, U. S. Code Title 37, Par. 231).

Section 18.1 of act, reenacted and amended May 31, 1955, P. L. 62, further amended.

Section 3. Section 18.1 of the act, reenacted and amended May 31, 1955 (P. L. 62), is amended to read:

Section 18.1. Manner of Registration by Persons in Military Service, *Persons in the Merchant Marine, Persons in Religious and Welfare Groups Officially Attached To and Serving with the Armed Forces and Civilian Federal Personnel Overseas and Their Spouses and Dependents.*—

[A person in military service may in] In addition to any other method herein provided, the following persons may also be registered in the [following] manner hereinafter set forth under this section: (1) any person in military service, his spouse and dependents; or (2) any person in the Merchant Marine, his spouse and dependents; or (3) any person in religious and welfare groups officially attached to and serving with the armed forces, his spouse and dependents; or (4) any person who is a civilian employee of the United States outside the territorial limits of the several States of the United States and the District of Columbia, whether or not such person is subject to the civil-service laws and the Classification Act of 1949 and whether or not paid from funds appropriated by the Congress, his spouse and dependents.

(a) He may make application to the commission for a registration card. *The commission is hereby authorized to consider a request for an absentee ballot from any person enumerated in this section as an application for a registration card and to cause to be forwarded to any such person, together with his absentee ballot and balloting material, a registration card, in duplicate, to be completed and sworn to or affirmed prior to or concurrently with the time of voting the absentee ballot: Provided, however, That the envelope containing such executed duplicate registration cards shall bear a postmark no later than the day of the primary or election for which the absentee ballot is being voted and shall be received at the office of the commission no later than the date as provided by law for the canvassing of absentee ballots.*

(b) The registration card shall require the statement of, and shall provide sufficient space for the following information: (1) The surname of the applicant, (2) his Christian name or names, (3) his *civilian* occupation, if any [, on the date of entering military service], (4) the street or road and number, if any, of his *home* residence [on] and the date of [entering military service] *leaving same*, (5) if his residence was a portion only of a house, the location or number of the room or rooms, apartment, flat or floor which he occupied, (6) the date his residence began at the place [at] which [he resided on the date of entering military service] *is his home residence*, (7) his *home* residence address when he last registered and the year of such registration, *including any former registration under any other surname*, (8) the sex of the applicant, (9) the color of the applicant, (10) the state or territory of the United States or the foreign country where he was born, (11) the date when, place where, and the court by which naturalized, and the number of the naturalization certificate, (12) if not naturalized personally, the name of father, mother or husband through whom naturalized, (13) whether he is unable by reason [if] *of illiteracy* to read the names on the ballot or voting machine labels, (14) whether he has a physical disability which will render him unable to see or mark the ballot or operate the voting machine or to enter the voting compartment or voting machine booth without assistance, and, if so, his declaration of that fact and his statement of the exact nature of such disability, (15) the designation of the political party of the elector for the purpose of voting at primaries, (16) the affidavit of registration, as hereinafter prescribed, which shall be signed by the elector, attested by the signature of [the superior officer of the applicant or the judge of any court of record of the United States or of any state or

territory thereof and dated by such superior officer or judge] *any person authorized to administer oaths*, (17) the height of the applicant in feet and inches, (18) the color of his hair, (19) the color of his eyes, (20) the date of his birth. Each registration card for registration by persons [in military service] *registering under this section* shall also have (21) a sufficient number of spaces thereon for the insertion by the commission, but not by the applicant, of the city of the second class, city of the second class A, city of the third class, borough, town, township, ward and election district, if any, in which the applicant resided on the date of [entering military service] *leaving home residence* and to which he may from time to time remove after [leaving military service] *returning to his home residence*, together with his street address in each city of the second class, city of the second class A, city of the third class, borough, town or township and the other data required to be given upon such \*removal, [(21)] (22) the date of each election and primary at which the applicant votes after registration, the number and letter, if any, of the stub of the ballot issued to him, or his number in the order of admission to the voting machines, and [(22)] (23) the signature or initials of the election officer, *commissioner, register or clerk*, who enters the record of voting on the card: *Provided, however, That the applicant may state (24) his social security number.*

(c) In addition, the foregoing registration card shall contain the following affidavit:

REGISTRATION AFFIDAVIT

I hereby swear or affirm that I am a citizen of the United States, that on the day of the next election I shall be at least twenty-one years of age, and shall have resided in the Commonwealth of Pennsylvania for one year (or having previously been a qualified elector or a native born citizen of the Commonwealth, and having removed and returned, then six months) and in the election district [two months] *sixty days*, that I am [now in actual military service under a requisition of the President of the United States or by the authority of the Commonwealth of Pennsylvania, that the military, naval, or air unit in which I am enrolled or commissioned is ..... with the rank of ..... now located at ..... that I am] legally qualified to vote, that I have read (or have had read to me) the foregoing statements made in connection with my registration and that they are true and correct.

\* "removal" in original.

.....  
 Signature of applicant for registration  
 Sworn to and subscribed before me this ..... day of  
 ....., 19.....

.....  
 Signature of [superior officer or judge  
 of any court of record of the United States or any state  
 or territory thereof, and statement of official position]  
*any person authorized to administer oaths.*

(d) Upon written application by any person [in military service] *who may register under the provisions of this section* to the registration commission having jurisdiction in the city of the second class, city of the second class A, city of the third class, borough, town or township in which the applicant last resided on the date of [entering military service] *leaving his home residence*, a registration card, in the form herein prescribed, in duplicate, shall be mailed [, postage prepaid,] to the applicant at the address given in such application. Such person shall thereupon supply the information required on the registration card, in duplicate, and shall take the affidavit thereto in duplicate in the presence of [his superior officer or of any judge of a court of record of the United States or any state or territory thereof] *any person authorized to administer oaths*, and shall mail the same, in duplicate, [postage prepaid] to the registration commission from which it was procured.

(e) Registration in [this] *the manner prescribed for* by persons [in military service] *registering under this section* may be made at any time [: Provided, however, That if any registration card is received by any registration commission from any person in military service at any time when registration by personal appearance in the manner provided in section eighteen of this act could not be made under the provisions of section sixteen of this act, such application shall be retained by the commission until the beginning of the next period during which such registration by personal appearance could be made, and at such time the applicant, if otherwise entitled, shall be duly registered].

(f) The status of any person [in military service] *qualified to register under this section* with respect to residence shall remain *as the same* [as it was when such person entered military service] *home residence from which he is qualified to register*: Provided, however, That if at the time of [entering military service] *leaving such home address* any person shall not have resided in Pennsylvania or in a particular election district thereof for a sufficient time to have been entitled to be registered, but by continued residence would have become so

entitled, he shall be entitled to be registered at such time as he would have been so entitled had he not [entered military service] *left such home address* and had continued to reside where he then resided.

(g) Registration cards returned by persons [in military service] *qualified to register under this section* to any registration commission shall be examined by a member of the commission or any clerk or registrar [at a time and place when personal registrations are] *upon* being received [, and such member of the commission, clerk or registrar shall announce in the hearing of all present the name of the person in military service who has thus offered to register and the address of his residence on the date of entering military service]. The right of such person [in military service] to be registered shall not be subject to challenge for any reason other than failure to have mailed the commission a properly completed registration card. If the commission finds the registration card not properly completed it shall reject it in the manner hereinafter provided.

Act amended by  
adding a new  
section 18.2.

Section 4. The act is amended by adding, after section 18.1, a new section to read:

*Section 18.2. Manner of Absentee Registration by Certain Ill or Disabled Electors.—Any elector who is unable to appear in person to register because of illness or physical disability may, in addition to any other method herein provided, also be registered in the following manner:*

(a) *He may make application to the commission for a registration card.*

(b) *The registration card shall require the statement of, and shall provide sufficient space for the following information: (1) The surname of the applicant, (2) his Christian name or names, (3) his occupation, if any, (4) the street or road and number of his residence, (5) if his residence is a portion only of a house, the location or number of the room or rooms, apartment, flat or floor which he occupies, (6) the date his residence began at the place at which he resides, (7) his residence address when he last registered and the year of such registration, including any former registration under any other surname, (8) the sex of the applicant, (9) the color of the applicant, (10) the state or territory of the United States or the foreign country where he was born, (11) the date when, place where, and the court by which naturalized, and the number of the naturalization certificate, (12) if not naturalized personally, the name of father, mother or husband through whom naturalized, (13) whether he is unable by reason of illiteracy to read the names on the ballot or on voting machines labels,*

(14) whether he has a physical disability which will render him unable to see or mark the ballot or operate the voting machine or to enter the voting compartment or voting machine booth without assistance and, if so, his declaration of that fact and his statement of the exact nature of such disability, (15) the designation of the political party of the elector for the purpose of voting at primaries, (16) the affidavit of registration as hereinafter prescribed which shall be signed by the elector attested by the signature of any person authorized to administer oaths or affirmations, (17) the height of the applicant in feet and inches, (18) the color of his hair, (19) the color of his eyes, (20) the date of his birth. Each registration card for electors registering in the manner prescribed by this section shall also have a sufficient number of spaces thereon for the insertion of (21) the city of the second class, city of the second class A, city of the third class, borough, town, township, ward and election district, if any, in which the applicant resides and to which he may, from time to time, remove together with his street address in each city of the second class, city of the second class A, city of the third class, borough, town or township, and the other data required to be given upon such removal, (22) the date of each election and primary at which the applicant votes after registration, the number and letter, if any, of the stub of the ballot issued to him or his number in the order of admission to the voting machines, and (23) the signature or initials of the election officer, commissioner, registrar or clerk, who enters the record of voting on the card: Provided, however, That the applicant may state (24) his social security number.

(c) In addition, the foregoing registration card shall contain the following affidavit:

**REGISTRATION AFFIDAVIT**

I hereby swear or affirm that I am a citizen of the United States, that on the day of the next election I shall be at least twenty-one years of age, and shall have resided in the Commonwealth of Pennsylvania for one year (or having previously been a qualified elector or a native born citizen of the Commonwealth and having removed and returned, then six months), and in the election district sixty days, that I am now legally entitled to register under this section by virtue of being ill or disabled, that I am legally qualified to vote, that I have read (or have had read to me) the foregoing statements made in connection with my registration, and that they are true and correct.

.....  
Signature of applicant for registration

*Sworn to and subscribed before me this ..... day  
of ....., 19.....*

*.....  
Signature of any person authorized to administer oaths  
or affirmations.*

*(d) Upon written application by an elector in the manner prescribed by this section to the registration commission having jurisdiction in the city of the second class, city of the second class A, city of the third class, borough, town or township, in which the applicant resides, a registration card in the form herein prescribed, in duplicate, shall be mailed, postage prepaid, to the applicant at the address given in such application. Such elector shall thereupon supply the information required on the registration card, in duplicate, and shall take the affidavit thereto, in duplicate, in the presence of any person authorized to administer oaths or affirmations and shall have delivered or mail the same, in duplicate, to the registration commission from which it was procured.*

*(e) Registration in the manner prescribed by this section may be made at any time. If any registration card is received by any registration commission from any elector so registering any time when registration by personal appearance in the manner provided in section 18 of this act could not be made under the provisions of section 16 of this act, such application shall be retained by the commission until the beginning of the next period during which such registration by personal appearance could be made and at such time the applicant, if otherwise entitled, shall be duly registered.*

*(f) Registration cards returned by electors registering in the manner prescribed by this section to any registration commission shall be examined by a member of the commission or any clerk or registrar at a time and place when personal registrations are being received and such member of the commission, clerk or registrar shall announce in the hearing of all present the name and address of the elector who has thus offered to register. The right of such elector to be registered shall be subject to challenge in like manner and for the same causes as set forth in section 20 of this act. If the commission finds the registration card not properly completed, it shall reject it in the manner hereinafter provided.*

Subsection (a),  
section 28 of act,  
reenacted and  
amended May 31,  
1955, P. L. 62,  
further amended.

Section 5. Subsection (a) of section 28 of the act, reenacted and amended May 31, 1955 (P. L. 62), is amended to read:

Section 28. Change of Enrollment of Political Party; Cancellation of Party Enrollment; Persons Suf-

fering Disability After Registration to Have Fact Recorded; Cancellation.—

(a) At any time prior to the fiftieth day next preceding a primary or an election, excepting the thirty days next following each election and the five days next following each primary, any person who desires to change the enrollment of his political designation, or who, although registered, has not hitherto enrolled as a member of a party, may appear before a registrar, commissioner or clerk and state in writing, over his signature, the political party in which he desires to be enrolled, and the registrar, commissioner or clerk shall cause the enrollment of the elector's political designation to be made or altered accordingly in the general and district registers: Provided, however, That no registered elector shall be permitted to change his party enrollment between any primary and the following general or municipal election, nor more than once between any November election and the following primary election. In such cases the signature of the elector shall be verified by comparison with his signature on the general and district registers before the change of enrollment is made. If any elector desiring to change his party enrollment is unable to sign his application, he shall make his mark thereto in the presence of the registrar, commissioner or clerk, and shall produce such other evidence as may be necessary to establish his identity. When an elector has applied for a change in the enrollment of his political designation, as provided herein, the registrar, commissioner or clerk shall, upon request, stamp or mark the change so made on the elector's card attesting his registration. Any person [in military service] *who is duly registered and is a member of any of the categories enumerated in sections 18.1 and 18.2 herein*, who desires to change his party enrollment, shall be permitted to do so by addressing to the commission a signed written application under oath taken and subscribed to before any [commissioned officer of the military or naval forces either within or without the Commonwealth, or before any officer of this or any other state or territory of the United States] *person* authorized to administer oaths. The application shall be sent by the applicant *if outside the continental limits of the United States* by registered mail, return receipt required, *otherwise by certified mail, return receipt required*, and shall also contain a statement that such person is at the time of making the application absent from his residence [in military service] *or is ill or disabled*. If upon examination the signature appears authentic and the application conforms to the provisions

of this section the enrollment shall be changed in accordance with the application.

\* \* \* \* \*

Effective date. Section 6. This act shall take effect January 1, 1964.

APPROVED—The 13th day of August, A. D. 1963.

WILLIAM W. SCRANTON

No. 381

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," extending the time for notice of change of address of temporary use of registration plates pending transfer of filing, for transfer of registration of dealers making application for certificate of title and annual registration, and of the period of use of temporary plates.

The Vehicle Code.

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

Sections 407 and 508, act of April 29, 1959, P. L. 58, amended.

Section 1. Sections 407 and 508, act of April 29, 1959 (P. L. 58), known as "The Vehicle Code," are amended to read:

Section 407. Name and Address on Registration Card Shall Correspond with Actual Name and Address.—No person shall operate or allow another person to operate a motor vehicle, tractor, trailer or semi-trailer, registered in this Commonwealth, when the name or address of the owner as appearing on the registration card, is not identical with the actual name and address of such owner, unless the owner has notified the department of this variance, and given the correct name and address within [forty-eight (48) hours] *fifteen (15) days* of the time of change of name or address, or of discovery of the variance.

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 five dollars (\$5.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than three (3) days.

Limitation.—The provisions of this section are subject to the limitation of actions as set forth in section 1201 of this act.

Section 508. Temporary Use of Registration Plates Pending Transfer.—After the transfer of registration