

## No. 106

## AN ACT

HB 129

Providing for the Traffic Court of Philadelphia.

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

Section 1. The Traffic Court of Philadelphia shall be a court not of record. Notwithstanding any provision of the act of April 29, 1959 (P. L. 58), known as "The Vehicle Code," or any other law to the contrary, said court shall have jurisdiction in all prosecutions for summary offenses, arising under "The Vehicle Code" or any ordinance of the City of Philadelphia enacted pursuant thereto, committed within the limits of the city and county.

Section 2. The Traffic Court of Philadelphia shall consist of six judges.

Section 3. The salary of judges of the traffic court shall be paid by the Commonwealth of Pennsylvania. Said salary shall be sixteen thousand five hundred dollars (\$16,500) per year. The president judge of the traffic court shall receive an additional sum of one thousand dollars (\$1,000) per year. The salaries provided herein shall relate back to and be payable from July 1, 1969.

Section 4. All judges of the traffic court shall have full and complete jurisdiction and authority to receive and take informations on oath or affirmation of, and subscribed to by, the affiant accusing any person or persons of the commission of any summary offense, arising under the act of April 29, 1959 (P. L. 58), known as "The Vehicle Code" or any ordinance enacted pursuant thereto, committed within the limits of the City and County of Philadelphia and to administer oaths, issue summonses, subpoenas and warrants for the arrest of the accused and hear and decide all such summary offenses and impose the fines and costs of prosecutions imposed by law and to commit to jail in default of the payment thereof or discharge the accused person as the evidence produced at any public hearing or hearings may warrant. Facsimile signatures of the traffic court judges may be used for all purposes in lieu of the original signatures, except on affidavits for warrants of arrest and on the docket of the traffic court. Traffic court dockets shall contain a record of the disposition of every case and where a fine and costs are imposed shall record the amount of said fine and the amount of costs and said docket in all cases, where a summons has been issued shall, as to each case, be signed by the judge making the disposition or in his name by the clerk of the traffic court.

Section 5. Where a summons has been issued and the defendant has not paid in full the fine and costs set forth in the summons, there shall be

no disposition of any case without a hearing held in open court.

Section 6. The traffic court shall have a seal which shall contain the name of the court and the word "Seal." The seal shall be affixed to all processes, information, summonses, warrants, transcripts and other official certificates issued by or under the order of the court. A facsimile or preprinted seal may be used for all purposes in lieu of the original seal.

Section 7. Costs taxable in proceedings before the traffic court shall include all costs as allowed by law which costs shall be paid into the city treasury daily but shall not include witness fees for police officers.

Section 8. It shall be the duty of the City of Philadelphia to supply and pay for whatever may be necessary to transact the business of the Traffic Court of Philadelphia; to supply all proper judicial chambers, courtroom accommodations, blank books, legal books, stationery, furniture, equipment and such law books as may be necessary for the use of the court; and to pay all salaries (other than that of the judges), expenses and disbursements as are necessary for the operation of said court, and it shall be the duty of the council of said city to appropriate annually a sum sufficient to pay such salaries, expenses and disbursements.

Section 9. The traffic court shall have a chief clerk. Each judge of the traffic court shall be entitled to appoint one clerk to assist him with his work.

Section 10. The president judge of the traffic court shall appoint as writ-servers of the traffic court such number of individuals as shall be necessary and who shall execute warrants of arrests issuing out of the court. Such writ-servers shall possess such qualifications as the judges of the traffic court shall prescribe, and shall serve at the pleasure of the president judge of the traffic court. As compensation for their services, such writ-servers shall be paid by the violator a flat fee, with no additional charge for mileage, of four dollars (\$4) for each warrant which the writ-server executes, upon collection of the fine and costs due the City of Philadelphia.

Section 11. This act shall take effect immediately.

APPROVED—The 17th day of October, A. D. 1969.

RAYMOND P. SHAFER

The foregoing is a true and correct copy of Act of the General Assembly No. 106.



*Joseph P. Kelly*  
Secretary of the Commonwealth.