

No. 157

AN ACT

SB 179

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," changing the penalty for second or subsequent offenses of operating a motor vehicle or tractor without a license.

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

Section 1. The penalty clause of subsection (a) of section 601, act of April 29, 1959 (P.L.58), known as "The Vehicle Code," amended July 24, 1969 (P.L. 199), is amended to read:

Section 601. Operators Must Be Licensed.—(a) No person, except those expressly exempted under this act, shall operate any motor vehicle or tractor upon a highway in this Commonwealth, unless such person has been licensed as an operator or a learner by the department under the provisions of this act.

Penalty.—Any person violating any of the provisions of subsection (a) of this section, shall, upon summary conviction before a magistrate for a first offense be sentenced to pay a fine of fifty dollars (\$50.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days, and for the second and any subsequent offense, shall **[be guilty of a misdemeanor, and, upon conviction thereof in a court of quarter sessions, shall be sentenced to pay a fine of not less than one hundred dollars (\$100) and not more than five hundred dollars (\$500) and costs of prosecution, or to undergo imprisonment for not more than three (3) years, or both such fine and imprisonment], upon summary conviction thereof, be sentenced to pay a fine of not less than fifty dollars (\$50.00), or more than three hundred dollars (\$300.00), or undergo imprisonment for not more than three (3) months, or both,** and if any person charged with violating this subsection (a) shall not have previously violated this subsection (a), and furnishes satisfactory proof of having held a Pennsylvania operator's license during the preceding operator's license period and sixty (60) or fewer days have elapsed from the last date for renewal, the fine shall be twenty-five dollars (\$25.00) and costs of prosecution and in default of the payment thereof, shall undergo imprisonment for not more than five (5) days. If such person fails to renew and more than sixty (60) days have elapsed, then such fine shall be fifty dollars (\$50.00) and costs of prosecution and in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

No person charged with violating this subsection (a) shall be convicted if he produces in court or at the office of the arresting officer an operator's

license or learner's permit theretofore issued to him and valid in Pennsylvania at the time of his arrest.

* * *

APPROVED—The 2nd day of December, A. D. 1971.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly No. 157.

A handwritten signature in cursive script, reading "C. McLaughlin Tucker".

Secretary of the Commonwealth.