

No. 217

AN ACT

SB 691

Amending the act of April 29, 1959 (P.L.58, No.32), 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," prohibiting the use of headphones or similar devices while operating a motor vehicle and imposing a penalty; providing for admissibility of certified microfilm reproductions as evidence.

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

Section 1. The act of April 29, 1959 (P.L.58, No.32), known as "The Vehicle Code," is amended by adding a section to read:

Section 1038.1. Use of Headphones and Operation of a Motor Vehicle.—It shall be unlawful for any vehicle operator to operate any motor vehicle while wearing or using headphones, earphones or any similar device: Provided, however, That this section shall not prohibit the use of hearing aids or devices for improving the operator's sense of hearing.

Penalty.—Any person violating the provisions of this section, shall, upon summary conviction thereof, be sentenced to pay a fine of not less than fifty dollars (\$50.00) and not more than three hundred dollars (\$300.00) and costs of prosecution, or undergo imprisonment for not more than three (3) months, or both.

Section 2. Section 1224 of the act is amended to read:

Section 1224. Admissibility of Certified Copies of Records as Evidence.—Any certified copies, or certified photostatic copies, ***or certified microfilm reproductions***, of any records, books, papers, documents, and rulings of the secretary, when certified under the seal of the department by its duly authorized agent, shall be acceptable as evidence in the courts of this Commonwealth with the same force and effect as the originals, in all cases where such original records, books, papers, documents, and rulings would be admitted in evidence.

Section 3. This act shall take effect immediately.

APPROVED—The 2nd day of October, A. D. 1974.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly
No. 217.

A handwritten signature in black ink, reading "C. McLaughlin Tucker". The signature is written in a cursive style with a large initial "C" and a prominent "T" at the end.

Secretary of the Commonwealth.