

"Owner" or
"owners."

The term "owner" or "owners," as used in this act, shall include the person or persons having a motor vehicle in his or their possession, custody, or control, under a lease or contract of conditional sale or other like agreement.

Section 2 of act
amended.

Section 2. That section two of said act is hereby amended to read as follows:

Application for
registration.

Section 2. That no certificate of registration of any motor vehicle, or registration number plates therefor, shall hereafter be issued by the commissioner unless the owner thereof shall make application for, and be granted, an official certificate of title to such motor vehicle, or shall present satisfactory evidence that such a certificate of title has been previously issued to the owner covering such motor vehicle *except as hereinafter provided*. Said application shall be made upon a blank form to be furnished by the commissioner, and shall be acknowledged before a notary public or other officer empowered to administer oaths, and shall contain a full description of the motor vehicle, together with a statement of the owner's title, and of any liens or encumbrances upon said motor vehicle, and whether possession is held under a lease, contract of conditional sale, or other like agreement. The commissioner shall use reasonable diligence in ascertaining whether or not the facts stated in said application for a certificate of title are true, and if satisfied that the applicant is the lawful owner of such motor vehicle, or is otherwise entitled to have the same registered in his name, he shall thereupon issue an appropriate certificate of title over his signature and sealed with the seal of his office. Said certificate of title shall contain such description and other evidences of identification of said motor vehicle as the commissioner may deem reasonably necessary and proper, together with a statement of any liens, [or] encumbrance, or legal claims which the [application] applicant may show to be thereon, *together with the name and address of holder of said lien, encumbrance, or legal claim, and said certificate of title shall be delivered to the person holding the first lien, encumbrance, or legal claim upon said motor vehicle and retained by such person until the entire amount of such lien, encumbrance, or legal claim is fully paid by the owner of said motor vehicle, when the said certificate of title shall be delivered to said owner*: Provided, That a corrected certificate of title shall be issued, upon request of the owner, when original certificate of title is returned with evidence that lien, encumbrance, or legal claim has been satisfied. The charge for each original certificate of title so issued shall be two (\$2) dollars, except in the case of a *manufacturer, jobber, or dealer*

Form of applica-
tion.

Acknowledgment.

Contents.

Certificate of title.

Contents.

Statement of
liens, encum-
brances or legal
claims.

To whom certi-
ficate delivered.

Proviso.

Fee.

acquiring a new, [or] rebuilt, or used motor vehicle for which no certificate of title has been issued, when the charge for each original certificate of title shall be fifty (50¢) cents, and except in case of a dealer acquiring a new, [or] rebuilt, or used motor vehicle from a jobber or other dealer to whom the original certificate of title has been issued and by whom it has been directly assigned to said dealer, in which case the charge for the certificate shall likewise be fifty (50¢) cents; and the certificate of title shall be good for the life of the car so long as the same is owned or held by the original holder of such certificate of title, and shall not have to be renewed annually or at any other time except as herein provided. In the case of motor vehicle now owned or registered in this Commonwealth during and for the year one thousand nine hundred twenty-three, an application for a certificate of title, accompanied by such evidence of ownership, liens, and encumbrances, or possession under a lease, contract of conditional sale, or other like agreement, as the commissioner may require, shall be made within six (6) months after this act is approved. Immediately upon the passage of this act, it shall be the duty of the commissioner to cause to be printed copies of this act, and to mail every person to whom he has issued a certificate of registration for the year one thousand nine hundred and twenty-three, one of such printed copies, accompanied by a specific notice that the title of such motor vehicle must be registered as herein provided, together with the necessary prescribed form upon which to make application for an official certificate of title as hereinbefore provided: *Provided, That it shall be lawful for the commissioner to issue in the name of the first owner of a new or rebuilt motor vehicle a certificate of title, a certificate of registration, and registration number plates if such owner presents to the commissioner an application for registration of certificate of title duly made and acknowledged by the manufacturer, jobber, or dealer and assigned to such owner together with the required application for registration of such motor vehicle accompanied by the fees prescribed by law.*

Section 3. That section three of said act is hereby amended to read as follows:

Section 3. It shall be unlawful, and a misdemeanor punishable by a fine of not less than fifty (\$50) dollars nor more than one thousand (\$1,000) dollars, for any person to own or operate in this Commonwealth a motor vehicle under a Pennsylvania registration unless such certificate of title shall have been issued as herein provided. In the event of the sale or transfer of the ownership of a motor vehicle for which an

Motor vehicles registered during 1923.

Copies to be mailed to holders of certificates issued in 1923.

Proviso.

Certificates in name of first owner or assignment from jobber or dealer.

Section 3 of act amended.

Unlawful to operate motor vehicle without certificate.

| | |
|--|--|
| Statement of liens, encumbrances and legal claims. | original certificate of title has been issued as aforesaid, the original holder of such certificate of title shall endorse on the back of the same an assignment thereof with warranty of title, in a form printed thereon, with a statement of all liens, encumbrances, or legal claims on said motor vehicle, <i>together with the name and address of the holder of said liens, encumbrances, or legal claims,</i> and deliver the same to the purchaser or transferee at the time of the delivery to him of such motor vehicle: <i>Provided, That it shall be lawful for the commissioner upon payment of the proper fee to issue a certificate of title in the name of the owner of a used motor vehicle if such owner presents to the commissioner a properly assigned certificate of title with a re-assignment thereof to such owner.</i> The [purchaser] owner or transferee shall within ten days thereafter present such certificate of title, assigned as aforesaid, <i>together with a statement of all liens, encumbrances, or legal claims on said motor vehicle,</i> to the commissioner, whereupon a new certificate of title shall be issued to the assignee, for which the charge shall be two (\$2) dollars, <i>except that in the case of a manufacturer, jobber, or dealer the fee shall be fifty (50¢) cents for each such certificate, and said certificate of title shall be delivered to the person holding the first lien, encumbrance, or legal claim upon said motor vehicle and retained by such person until the entire amount of such lien, encumbrance, or legal claim is fully paid by the owner of said motor vehicle, when the said certificate of title shall be delivered to said owner: Provided, That a corrected certificate of title shall be issued upon request of the owner when the original certificate of title is returned with evidence that the lien, encumbrance, or legal claim has been satisfied.</i> Certificates of title when so assigned and returned to the commissioner shall be retained by the commissioner, and appropriately classified and indexed in such a manner as most convenient to trace title to the motor vehicle designated therein. |
| Proviso. | |
| Certificate to owner of used motor vehicle upon re-assignment. | |
| Certificate to be presented in 10 days. | |
| Statement of liens, etc. | |
| New certificate. | |
| Delivery of certificate of title. | |
| Proviso. | |
| Corrected certificate. | |
| Filing of returned certificates. | |
| Section 6 of act amended. | Section 4. That section six of said act is hereby amended to read as follows: |
| Removal or alteration of distinguishing numbers or marks. | Section 6. Any person [or persons], <i>except as otherwise provided in this act,</i> who shall destroy remove, cover, alter, or deface, or cause to be removed, covered, altered, or defaced, the engine number, manufacturer's number, or other distinguishing number or identification mark of any motor vehicle in this Commonwealth for any reason whatsoever other than provided herein; or who shall give a wrong description in an application for a certificate of title of any motor vehicle in this Commonwealth for the purpose of concealing or hiding the identity of such motor |
| Felony. | |

vehicle,—shall be deemed guilty of a felony, and, upon conviction thereof, shall be fined not less than one hundred (\$100) dollars nor more than one thousand (\$1,000) dollars, and imprisoned for a term of not less than two (2) years nor more than ten (10) years, at the discretion of the court.

Penalty.

Section 5. That section seven of said act is hereby amended to read as follows:

Section 7 of act amended.

Section 7. Any person who, thirty (30) days after this act is approved, shall sell, or offer for sale, in this Commonwealth, a motor vehicle on which the original engine number, manufacturer's number, or other distinguishing number or identification of which has been destroyed, removed, altered, covered, or defaced with knowledge of said destruction, removal, alteration, covering, or defacement, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not less than two hundred (\$200) dollars nor more than five hundred (\$500) dollars, and by imprisonment for a term of not less than thirty (30) days nor more than one hundred and eighty (180) days, in the discretion of the court, and upon a second conviction, under this section, the punishment shall be imprisonment for a term of not less than one (1) year nor more than five (5) years in the discretion of the court. The selling, or offering for sale, in this Commonwealth, of a motor vehicle on which the original engine number, manufacturer's number, or other distinguishing number or identification of which has been destroyed, removed, altered, covered, or defaced shall be prima facie evidence of knowledge on the part of the person selling, or offering for sale, such motor vehicle of said destruction, removal, alteration, covering, or defacement of said original engine number, manufacturer's number, or other distinguishing number or identification: Provided, however, That any person being the owner or custodian of or having possession of a motor vehicle at the time this act is approved, the original engine number or manufacturer's number of which has been previously destroyed, removed, altered, covered, or defaced, shall, before the expiration of thirty (30) days after this act is approved, apply to the commissioner, on a blank to be prepared and furnished by the commissioner upon request, for a special number plate to be placed on the motor vehicle: And further provided, That should the engine of a motor vehicle be replaced by a new or used engine on which the engine number has been destroyed, removed, covered, altered, or defaced, it shall be the duty of the owner of such motor vehicle to apply to the commissioner, on a blank furnished by the commissioner, for a special number plate to be placed on such engine. Such blank shall be accompanied by

Unlawful to sell or offer for sale a motor vehicle on which numbers have been altered or destroyed.

Misdemeanor.

Penalties.

Selling or offering for sale to be prima facie evidence of knowledge of alteration, etc., of original numbers.

Proviso.

Proviso.

Special number plate.

| | |
|---|---|
| Contents of appli- cation. | certificate of title issued to said motor vehicle, upon receipt of which a corrected certificate of title shall be issued without additional fee. The application shall contain a description of such motor vehicle, including the make, style, and year of model of the same; as complete a description of the original engine number or manufacturer's number, if any part of the same remain, as is possible to give; any distinguishing marks that may be on the engine or body of such motor vehicle; and the name and post office address of the applicant, the date on which he purchased or procured possession of the same, the name and post-office address of the person from whom he purchased, such motor vehicle, and such other information as the commissioner may require. All of which description and facts shall be sworn to by said applicant. Upon receipt of such application, the commissioner shall issue to said applicant a special number plate and certificate for such motor vehicle, and when such special number plate has been placed on the motor vehicle, it shall become and thereafter be the lawful engine or manufacturer's number, as the case may be, of such motor vehicle for the purpose of identification and registration and for all other purposes under the provisions of this act, and the owner thereof may sell and transfer the same under said special number; and any person or persons who shall destroy, remove, cover, alter, or deface any special number plate so issued by the commissioner shall be deemed guilty of a felony, and, upon conviction thereof, shall be punished by imprisonment for a term of not less than two (2) years nor more than ten (10) years: <i>Provided, That the commissioner may in his discretion annually issue licenses to manufacturers or manufacturers' authorized representatives to remove engine numbers on motors being replaced by new, rebuilt, or used motors and transferring the engine numbers from the motors being removed to the new, rebuilt, or used motors. Such licenses issued to manufacturers' authorized representatives will automatically expire with the termination of the contract or agreement with the manufacturers during the terms of such licenses. Every such license must be posted in a conspicuous place in the manufacturer's or manufacturer's authorized representative's place of business, and such place of business and the records thereof shall be open for inspection by any sheriff or deputy sheriff or county detective or constable or police officer or member of the State Police Force or designated officer of the Department of Highways who shall be in uniform or shall exhibit his badge or other sign of authority. Any manufacturer or manufacturer's authorized representative shall file with his application for such license a satisfactory bond, and in addition there-</i> |
| Special number to become lawful number. | |
| Removal or altera- tion of special number. | |
| Felony. | |
| Proviso. | |
| Annual license to manufacturers to remove and trans- fer numbers on motors being re- placed. | |
| Posting of license. | |
| Records to be open to inspection. | |
| Bond. | |

to in the case of a manufacturer's authorized representative an affidavit from the manufacturer certifying that such applicant is his authorized representative. Manufacturers or manufacturers' authorized representatives so licensed shall maintain and keep records for a period of not less than five (5) years of all changes of motors on forms prescribed by the commissioner; such forms to give the name of the motor vehicle, classification (passenger, truck, or otherwise), engine number, manufacturer's serial number, Pennsylvania Department of Highways' certificate of title, number, current year's registration number, name and address of the owner of the motor vehicle, date on which motor was changed, and any other information required by the Department. Such licensed manufacturer or manufacturer's authorized representative shall file with the Department immediately after each change of engine and engine number on a form prescribed and furnished by the Department of Highways the following information: name of motor vehicle, classification (passenger, truck, or otherwise), engine number, manufacturer's serial number, Pennsylvania Department of Highways' certificate of title number, current year's registration number, name and address of owner, date on which motor was changed, reason for change of motor, manufacturer's or manufacturer's authorized representative's license number to change engine and engine number, and any other information required by the Department. Failure to maintain and keep said records and failure to file reports with the Department shall constitute a misdemeanor and upon conviction thereof the person so convicted shall be subject to a fine of not less than one hundred (\$100) dollars or more than five hundred (\$500) dollars and imprisonment for a term of not less than thirty (30) days or more than one hundred and eighty (180) days in the discretion of the court, and the clerk of the court in which such conviction is had shall certify forthwith such conviction to the commissioner, who shall suspend or revoke the license issued to such person.

Section 6. That section thirteen of said act is hereby amended to read as follows:

Section 13. The moneys derived, under the provisions of this act, from certificates of title, certified copies of records, duplicate copies of certificates of title, fines and penalties collected under the provisions of this act for violation of the same, bail forfeited, and sale of confiscated motor vehicles, shall be paid by the [State Highway Department into the State Treasury; and the same] Department of Highways into the State Treasury, there to be kept separate and from all other moneys in the State Treasury and to be known as the "Motor License Fund." Except to the extent that the

Records.

Information to be filed with Department.

Failure to file report a misdemeanor.

Penalty.

Section 13 of act amended.

Disposition of moneys.

"Motor License Fund."

Appropriation.

moneys in the said Motor License Fund shall be necessary for the payment by the Board of Finance and Revenue of interest and sinking fund charges on bonds of this Commonwealth issued for the purpose of improving and rebuilding highways and for the payment of the compensation of the State's fiscal agent for services in registering, transferring, and paying the interest on such bonds, the moneys which may be from time to time in the said Motor License Fund from whatever source derived are hereby specifically appropriated to the [State Highway] Department of Highways to carry out and enforce the provisions of the act to which this is an amendment and all amendments and supplements thereto, including the penal provisions thereof, for the purpose of assisting in the reconstruction, improvement, maintenance, construction, replacement, and repairs of State Highways and of State-aid Highways; for the maintenance of inter-state bridges over the Delaware River between this Commonwealth and the State of New Jersey at Milford, Easton, Riegelsville, Point Pleasant, New Hope, Washington Crossing, Yardley, and Morrisville and of inter-state bridges between this Commonwealth and the State of New York at Hancock, Shohola, and Matamoras; [and] for the payment of the salaries, wages, or other compensation of such deputies, directors, superintendents, bureaus, or division chiefs, assistant chiefs, experts, scientists, engineers, surveyors, draftsmen, accountants, secretaries, auditors, inspectors, examiners, statisticians, clerks, stenographers, bookkeepers, messengers, laborers, and other assistants and employes as may be required for the proper conduct of the work of the Department of Highways; for the payment of the traveling and other expenses of the Secretary of Highways and other officers and employes of the Department; for the purchase, through the Department of Property and Supplies as purchasing agency, of furniture, furnishings, stationery, supplies, materials, equipment, fuel, motor vehicles, and printing and binding necessary for the conduct of the work of the Department; for the payment of rentals for branch offices or any other grounds, buildings, or quarters necessary for the work of the Department; for the erection and repairs of buildings; for the payment of postage, telegrams, telephone rentals, and toll charges and rentals; for the royalties upon leased office or other devices or machines; for the payment of medical attendance and hospital charges for employes of the Department injured in line of duty; and for any and all other expenses of every kind and description necessary, in the judgment of the [State Highway] Commissioner, to effectually carry on the work of the [State Highway] Department of High-

ways as described in the act of Assembly, approved May thirty-first, one thousand nine hundred and eleven, known as the State Highway Act with amendments and supplements thereto, and to carry out and enforce the provisions of this act and amendments thereto, including the penal provisions thereof; and for that purpose the Commissioner is hereby authorized to appoint such employes as, in his discretion, are necessary. Said moneys to be paid from the State Treasury upon requisition of the [State Highway] Commissioner, and after audit and approval by the Auditor General and State Treasurer in the usual manner.

Provided, however, That it shall not be necessary for the Department of Highways to purchase through the Department of Property and Supplies as purchasing agency materials, supplies, and equipment necessary for the construction and repair of highways, but all other materials, supplies, and equipment shall be purchased through the Department of Property and Supplies as heretofore provided: Provided, That in case any moneys are or have been paid to the State Treasurer as provided for in this section and to which it appears the Department is not rightfully entitled, the person or persons who have paid the same may present a claim to the Department for a refund. The said claim and all evidence presented therewith shall be presented to the Auditor General, State Treasurer, and Attorney General, who shall consider the same; and if in their opinion the Department has no valid claim to such moneys and the same properly belong to the claimant or claimants and ought in equity and good faith to be refunded to him or them, they shall so certify under their hands and official seals, specifying the amount or amounts to be refunded and the person or persons to whom the same are to be paid respectively. The said certificates shall be filed in the office of the Auditor General, who shall thereupon draw his warrant upon the State Treasurer payable to said claimant or claimants for the amount found to be due him or them; the said claim to be paid out of the moneys derived under the provisions of this act from registration and license fees and from fines and forfeited bail and other miscellaneous receipts.

Proviso.

Proviso.

Claims for refund.

Section 7. That section fifteen of said act is hereby amended to read as follows:

Section 15 of act amended.

Section 15. The commissioner is authorized to [make requisition on the Department of Public Printing and Binding for] *order through the Department of Property and Supplies as purchasing agency the printing of necessary forms, certificates of title, bulletins, and other printed matter required for carrying out the provisions of this act and for the dissemination of information to the public.*

Printing.

Section 16 of act
amended.

Vehicles for which
no fee shall be
charged.

Section 8. That section sixteen of this act is hereby amended to read as follows:

Section 16. No fee shall be charged for a certificate of title of motor vehicles owned and used by the United States, the Commonwealth of Pennsylvania, *other States*, or by any city, borough, incorporated town, township, [or] county, *school or poor district*, duly authorized volunteer fire force, hospital, humane society, or anti-cruelty society, in this Commonwealth, or by the American Red Cross, but all such vehicles shall be issued a certificate of title as is provided for privately owned motor vehicles.

APPROVED—The 27th day of April, A. D. 1925.

GIFFORD PINCHOT.

No. 163.

AN ACT

To amend sections four, five, eight, and fifteen of the act, approved the seventeenth day of May, one thousand nine hundred and seventeen (Pamphlet Laws, two hundred and eight), entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof; defining the words 'drug' and 'poison,' and providing for the appointment of a board which shall have in charge the enforcement of said law, and the power to make rules and regulations for the enforcement of said law, and providing for the purchase of samples of drugs for determining their quality, strength, and purity," as amended.

Pharmacy and
sale of poisons
and drugs.

Section 4 of
act of May 17,
1917 (P. L. 208),
further amended.

Section 1. Be it enacted, &c., That section four of the act approved the seventeenth day of May, one thousand nine hundred and seventeen (Pamphlet Laws, two hundred and eight), entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof; defining the words 'drug' and 'poison'; and providing for the appointment of a board which shall have in charge the enforcement of said law, and the power to make rules and regulations for the enforcement of said law; and providing for the purchase of samples of drugs for determining their quality, strength, and purity," as amended by the act, approved the fourth day of June, one thousand nine hundred and nineteen (Pamphlet Laws, three hundred and ninety-one), entitled "An act to amend section four of an act, approved the seventeenth day of May, one thousand nine hundred and seventeen (Pamphlet Laws, two hundred and eight), entitled 'An act to regulate the practice of pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof; defining the words 'drug' and 'poison'; and