

No. 263

AN ACT

To amend the act, approved the first day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, nine hundred five), entitled "For the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation; and providing for refunds," by further regulating the registration and titling of motor vehicles, trailers and semi-trailers, their operation on the highway, the licensing of operators, and the suspension of licenses; making certain changes in fees; modifying penalties, and procedure for enforcement; and affecting the powers, duties, and rights of political subdivisions of the Commonwealth, and their officers, the Department of Highways, the Department of Revenue, and the courts.

Section 1. Be it enacted, &c., That the following definitions appearing in section one hundred two of the act approved the first day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, nine hundred five), entitled "For the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; provid-

The Vehicle Code.

Amended.

Section 102, act of May 1, 1929 (P. L. 905), certain definitions amended.

ing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation; and providing for refunds," are hereby amended to read as follows:

"Commercial Motor Vehicle."—[Shall include all motor vehicles] *Any motor vehicle* designed for carrying freight or merchandise: Provided, however, That a motor vehicle, originally designed for passenger transportation, with a removable box body, shall not be deemed a "commercial motor vehicle" for the purpose of this act: *And further provided, That any motor vehicle of the bus type, operated under contract with or owned by any school district of this Commonwealth for the transportation of school children, shall be deemed a "commercial motor vehicle."*

"Gross Weight."—The combined weight of the vehicle or combination of vehicles and its or their [maximum allowable] load or loads. [or any fractional parts thereof.]

"Motor Omnibus."—Shall include all motor vehicles operated for the carriage of passengers for hire by individuals, associations, copartnerships, or corporations, who or which were not engaged in the carriage of passengers for hire as common carriers prior to the first day of January, one thousand nine hundred and fourteen, and who or which are not required under the laws of this Commonwealth to obtain from the Public Service Commission of the Commonwealth of Pennsylvania certificate of public convenience for the carriage of passengers for hire, [Provided, That this] *or motor vehicle of the bus type not operated for the carriage of passengers for hire except as herein provided. This definition shall not include or apply to any motor vehicle operated under contract with any school district of this Commonwealth for [part time] the transportation of school children; such motor vehicles to come within the [definition under this section within which such motor vehicle would come were it not used or operated for the transportation of school children.] definitions of commercial motor vehicles or motor vehicles.*

"Parking."—[Every vehicle standing or waiting on any highway,] *The standing of a vehicle, except police or fire department vehicle or ambulance, whether occupied or not, upon a highway otherwise than temporarily for the purpose and while actually engaged in loading or unloading, or in obedience to traffic regulations or traffic signs or signals. [not actually engaged in taking up or setting down passengers or merchandise.]*

"Tractor."—Every vehicle of the tractor type, [which is self-propelled, equipped with metal-tired wheels or crawlers, operated or propelled by any form of engine, motor, or mechanical power;] *excepting power shovels, road rollers, concrete mixers, ditch diggers, [self-*

propelled engines which move or are operated upon or are guided by an immovable track, excepting tractors,] or vehicles used exclusively upon stationary rails or tracks. [agricultural implements such as grass mowers, binders, manure spreaders, hay loaders, hay rakes, grain drills, or potato planters, to be used exclusively by any person upon the farm or farms he owns or operates, or upon highways connecting by the most direct route any farms or portions of farms under the single ownership or operation of such person.]

Section 2. That sections two hundred one, two hundred two, two hundred three, two hundred seven, two hundred ten, three hundred two, three hundred three, three hundred four, four hundred two, four hundred nine, four hundred ten, four hundred eleven, four hundred twelve, six hundred one, six hundred three, six hundred five, six hundred eight, six hundred ten, six hundred fourteen, six hundred fifteen, six hundred sixteen, six hundred nineteen, six hundred twenty, six hundred twenty-one, seven hundred two, seven hundred three, seven hundred four, seven hundred five, seven hundred six, seven hundred seven, seven hundred thirteen, seven hundred sixteen, seven hundred nineteen, seven hundred twenty-two, seven hundred twenty-three, eight hundred one, eight hundred two, eight hundred nine, eight hundred ten, eight hundred thirteen, eight hundred eighteen, eight hundred nineteen, eight hundred twenty-three, nine hundred two, nine hundred three, nine hundred five, one thousand two, one thousand seven, one thousand eight, one thousand nine, one thousand ten, one thousand eleven, one thousand thirteen, one thousand fourteen, one thousand fifteen, one thousand sixteen, one thousand twenty, one thousand twenty-five, one thousand twenty-six, one thousand twenty-seven, one thousand thirty, one thousand one hundred one, one thousand one hundred three, one thousand one hundred five, one thousand one hundred seven, one thousand one hundred nine, one thousand one hundred ten, one thousand one hundred twelve, one thousand two hundred one, one thousand two hundred two, one thousand two hundred three, one thousand two hundred four, one thousand two hundred six, one thousand two hundred seven, one thousand two hundred eight, one thousand two hundred nine, one thousand two hundred twelve, and one thousand two hundred twenty-one of said act are hereby amended to read as follows:

Sections cited
for amendment.

Section 201. Certificate of Title Required.—

(a) No person who is a resident of this Commonwealth shall own a motor vehicle in this Commonwealth unless a certificate of title therefor shall have been obtained as provided in this act:

(b) Provided, That manufacturers and jobbers shall not be required to obtain certificate of title for new

motor vehicles when consigned by such manufacturers or jobbers to dealers: And further provided, That dealers need not obtain certificate of title for [new] motor vehicles until and before sale thereof.

Penalty.—Any person violating the provisions of subsection (a) of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Section 202. Application for Certificate of Title.—

Application for a certificate of title shall be made upon a form *prescribed and* furnished by the department; [and shall be sworn to before a notary public or other officer empowered to administer oaths;] and shall be accompanied by the fee prescribed in this act; and shall contain a full description of the motor vehicle, the actual or bona fide address and name of the owner, together with a statement of the [owner's] *applicant's* title, and of any liens or encumbrances [or legal claims] upon said motor vehicle, and whether possession is held under a lease, contract of conditional sale, or other like agreement. The application shall be signed *and verified by oath or affirmation* by the [owner] applicant, if a natural person; [and] in the [cases where the owner is a corporation, copartnership, or] *case of an association, by a member or partner thereof; and in the case of a corporation,* by an executive officer thereof, or some person specifically authorized by said corporation [copartnership, or association] to sign the [same] *application, to which shall be attached written evidence of his authority.* The secretary shall use reasonable diligence in ascertaining whether or not the facts stated in said application are true, and, if satisfied that the applicant is the lawful owner of such motor vehicle, or is otherwise entitled to have the same titled in his name, the department shall issue a certificate of title, bearing the signature or facsimile signature of the secretary, or such officer of the department as he shall designate, and sealed with the seal of the department.

Section 203. Contents, Delivery and Life of Certificate of Title.—

(a) A certificate of title shall contain such description and other evidence of identification of the motor vehicle for which it is issued as the secretary may deem necessary, together with a statement of any liens or encumbrances [or legal claims] which the applicant may show to be thereon, together with the name and address of the holder or holders of any such liens *or* encumbrances. [or legal claims.]

(b) Where there are no liens *or* encumbrances [or legal claims] upon the motor vehicle, the certificate of title shall be delivered to the owner, but otherwise the

certificate of title shall be delivered to the person holding the first lien or encumbrance [or legal claim] upon said motor vehicle, and be retained by such person until the entire amount of such first lien or encumbrance [or legal claim] is fully paid by the owner of said motor vehicle. [when] *Upon the final payment being made of any lien or encumbrance*, the [said] certificate of title shall be delivered *immediately* to [said] the owner of said motor vehicle [by the person who held the first lien, encumbrance, or legal claim,] with proper evidence of satisfaction of same. A corrected certificate of title without statement of liens or encumbrances [or legal claims] shall be issued by the [secretary] department, upon request of the owner, when original certificate of title is returned with proper evidence that all said liens or encumbrances [or legal claims] have been satisfied, or when the original certificate of title cannot be returned and proper evidence is produced that all said liens or encumbrances [or legal claims] have been satisfied.

(c) A certificate of title [shall not have to] *may* be renewed when record of certificate of title has been cancelled by the department.

Section 207. Assignment of Certificate of Title.—

(a) In the event of the sale or transfer of the ownership of a motor vehicle for which certificate of title has been issued, the owner of such motor vehicle shall execute an assignment of the certificate of title to the purchaser or transferee, with warranty of title, with a statement of all liens, encumbrances, or legal claims on said motor vehicle, the name and address of the holder of said liens, encumbrances, or legal claims, sworn to before a notary public or other officer empowered to administer oaths, and deliver the same to the purchaser or transferee at the time of the delivery to him of such motor vehicle.

(b) The [owner] purchaser or transferee, *except as herein provided*, shall, within [ten (10)] *thirty (30)* days of such assignment or reassignment of certificate of title, on a reassignment form furnished by the department, present to the secretary such assigned certificate of title or reassignment form, sworn to before a notary public or other officer empowered to administer oaths, with the assigned certificate of title attached thereto, together with a statement of all liens, encumbrances, or legal claims on said motor vehicle, with application for certificate of title and accompanied by the fee prescribed in this act, whereupon a new certificate of title may be issued in the name of the owner.

(c) *When the purchaser or transferee of a motor vehicle is a manufacturer, jobber, or dealer, who holds the same for resale, such manufacturer, jobber, or dealer shall not be required to apply for a certificate of title as provided for in subsection (b) of this section, but*

such manufacturer, jobber, or dealer shall, within ten (10) days from the date of assignment of the certificate of title to such manufacturer, jobber, or dealer, notify the department, upon a form prescribed and furnished by it, the acquisition of such motor vehicle. The manufacturer, jobber, or dealer's notification as to any motor vehicle so acquired must be executed in duplicate, the original of which must be forwarded to the department as herein required, and the duplicate shall be retained by such manufacturer, jobber, or dealer and shall be exhibited, with the assigned certificate of title, upon request of any peace officer or department employe.

The manufacturer, jobber, or dealer, upon transferring his interests in said motor vehicle, shall execute and deliver to the purchaser thereof an assignment upon a form prescribed and furnished by the department, to which shall be attached the assigned and executed application for certificate of title by such manufacturer, jobber, or dealer. Thereupon the purchaser of said motor vehicle shall apply for a certificate of title within thirty (30) days of the assignment by the manufacturer, jobber, or dealer: Provided, however, The provisions of this subsection shall not apply to a motor vehicle repossessed upon default of the performance of the terms of a lease, contract of conditional sale, or other like agreement, or when ownership of a motor vehicle is transferred from one manufacturer, jobber, or dealer to another manufacturer, jobber, or dealer.

Penalty.—Any person violating any of the provisions of subsection (a) or (b) of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days. Any person violating any of the provisions of subsection (c) of this section shall, upon summary conviction before a magistrate, for a first offense, be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days, for a second offense, the fine shall be fifty (\$50) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than twenty (20) days.

Section 210. Destruction and Cancellation of Records of Certificates of Title; Notice of Junking Motor Vehicles.—

(a) The secretary shall maintain a record of certificates of title issued and may, after [five (5)] *three* (3) years from year of issue, at his discretion, destroy such records.

(b) The owner of a motor vehicle shall notify the secretary, within ten (10) days, of the destruction or

junking of any motor vehicle, and return certificate of title to the department for cancellation of record.

(c) Any owner, who sells a motor vehicle as scrap, or to be destroyed or junked, shall assign the certificate of title thereto to the person to whom the motor vehicle is sold, but shall return such assigned certificate of title to the department immediately, with an application for a certificate of junk, whereupon the department shall issue to the person shown as the assignee a certificate of junk which shall authorize the holder thereof to possess, transport, or, by endorsement, transfer ownership in such junked motor vehicle, and a certificate of title shall not again be issued for such motor vehicle.

(d) The secretary, upon receipt of notification from another state or foreign country that a certificate of title issued by the department has been surrendered by the owner in conformity with the laws of such other state or foreign country, may cancel such record of certificate of title.

(e) The secretary, upon receipt of certification from the clerk of the courts showing conviction for a misstatement of facts on an application for certificate of title or duplicate thereof or any assignment of certificate of title, shall forthwith cancel the record of such certificate of title, assignment, or duplicate certificate, and require that the certificate of title be returned immediately to the department for cancellation of record.

(f) The secretary may cancel any record of certificate of title when check received in payment of fee therefor is not paid on demand.

(g) The secretary may cancel the certificate of title issued for a new motor vehicle in the possession of a dealer when it is shown by satisfactory evidence that the motor vehicle has been returned to the manufacturer, jobber, or dealer from whom obtained.

(h) It shall be unlawful to purchase or sell a certificate of title or certificate of junk. Peace officers or department representatives may confiscate such certificates when unlawfully possessed or used.

(i) The secretary may cancel the record of certificate of title of any motor vehicle when registration has not been applied for within any of the three (3) immediate preceding years.

Penalty.—Any person violating any of the provisions of subsections (b), [or] (c) or (h) of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Section 302. [Registration When] *Special Number* [Defaced] *Plate*.—

(a) No motor vehicle on which the manufacturer's serial number or engine number has been omitted, obliterated, or defaced, shall be titled without special permit from the secretary.

(b) Before [issuing] a certificate of title for any such motor vehicle *can be obtained*, the owner shall apply to the secretary for a special number plate, on a form furnished by the department, which shall contain the full name and actual or bona fide address of the owner, the date of purchase of such motor vehicle, the name and address of the person from whom it was purchased, together with satisfactory evidence that the engine or manufacturer's serial number was not removed for the purpose of concealing the identity of such vehicle, and shall be sworn to before a notary public or other officer empowered to administer oaths. The secretary shall furnish a special number plate, which shall be immediately placed on the component part from which the original number was destroyed, removed, covered, altered, or defaced, and the certificate of title will not be valid until this special number requirement has been complied with. Such special number shall be preceded by the letter "S," and followed by "Pa."

[Penalty.—Any person violating any of the provisions of this section shall be guilty of a misdemeanor, and shall, upon conviction thereof in a court of quarter sessions, be sentenced to pay a fine of two hundred (\$200) dollars and costs of prosecution, or undergo imprisonment for not more than three (3) years, or suffer both such fine and imprisonment.]

Section 303. Replacing Engines on Which the Number Is Defaced.—

(a) Where the engine of a motor vehicle is 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 secretary, on a form furnished by the department, for a special number plate to be placed on such engine. Such form shall be accompanied by the certificate of title issued for said motor vehicle, upon receipt of which a corrected certificate of title shall be issued without additional fee.

(b) The application shall contain a description of such motor vehicle and facts pertaining thereto, as the secretary may require, which description and facts shall be sworn to by the owner before a notary public or other officer empowered to administer oaths. Upon receipt of such application, the secretary shall issue to the owner a special number plate for such motor vehicle, and, when such special number plate has been placed on the engine, it shall become and thereafter be the lawful engine number of such motor vehicle.

[Penalty.—Any person violating any of the provi-

sions of this section shall be guilty of a misdemeanor, and shall, upon conviction thereof in a court of quarter sessions, be sentenced to pay a fine of two hundred (\$200) dollars and costs of prosecution, or undergo imprisonment for not more than three (3) years, or suffer both such fine and imprisonment.]

Section 304. License to Transfer Engine Numbers.—

(a) The secretary may, in his discretion, issue license to manufacturers, or manufacturers' authorized representatives, or authorized dealers, to remove engine numbers on engines being replaced by new, rebuilt, or used engines, and transferring the engine numbers from the engines being removed to the new, rebuilt, or used engines. Such licenses issued to manufacturers' authorized representatives, or authorized dealers, shall automatically expire with the termination of the contract or agreement with the manufacturers.

(b) Every such license must be posted in a conspicuous place in the manufacturer's, or manufacturer's authorized representative's, or dealer's place of business, and such place of business and the records thereof shall be open for inspection by any peace officer or department employe who shall exhibit his badge or other sign of authority.

(c) The manufacturer, or manufacturer's authorized representative, or authorized dealer, shall file, with his application for such license, [a satisfactory bond. Such bond to be renewed annually, and proof of renewal to be filed with the department, and, in addition thereto, in the case of a manufacturer's authorized representative, or authorized dealer,] an affidavit from the manufacturer certifying that such applicant is his authorized representative or authorized dealer. Manufacturers or manufacturers' authorized representatives or authorized dealers, so licensed, shall maintain and keep records, for a period of not less than five (5) years, of all changes of engines, on forms prescribed by the secretary.

(d) Such licensed manufacturer, or manufacturer's authorized representative, or authorized dealer, shall file with the department, immediately after each change of engine and engine number, on a form furnished by the department, such information as the secretary may require.

(e) *It shall be unlawful for any person to remove or transfer an engine number or manufacturer's serial number unless such person shall have applied and been issued a license as herein required.*

Penalty.—Any person violating any of the provisions of this section shall be guilty of a misdemeanor, and shall, upon conviction thereof in a court of quarter sessions, be sentenced to pay a fine of two hundred (\$200) dollars and costs of prosecution, or undergo

imprisonment for not more than three (3) years, or suffer both such fine and imprisonment.

Section 402. Application for Registration.—

(a) Application for the registration of a motor vehicle, trailer, or semi-trailer shall be made to the department, upon a form furnished by the department. The application shall contain the full name and the actual or bona fide address of the owner or owners, together with the name, manufacturer's serial number, engine number, the character of the motive power, and the horsepower or seating capacity, and, in the case of commercial motor vehicles, the gross weight of the chassis as given and certified to by the manufacturer, and, in the case of electric commercial motor vehicles, the gross maximum weight of chassis, battery, body, and load, as given and certified to by the manufacturer, and, in the case of trailers, and semi-trailers, the [gross] *combined weight of the chassis and body, if so constructed, or the gross weight of the trailer or semi-trailer exclusive of the load to be transported,* [as given and certified to by the manufacturer.] and also such description of the motor vehicle, trailer, or semi-trailer, including lamps and other equipment, *and, in the case of transfer of ownership of a used motor vehicle, shall include a certificate of inspection and approval of such vehicle and its equipment by a duly authorized official inspection station,* as the secretary shall require. The application shall be signed by the owner, if a natural person, and in cases where the owner is a corporation, copartnership, or association, by an executive officer thereof or some person specifically authorized by said corporation, copartnership, or association to sign the same, and shall be accompanied by the fee provided in this act.

(b) Applicants for registration, who are not residents of this Commonwealth, shall, by their application, in addition to the above requirements, designate the secretary as their authorized agent upon whom process may be served.

(c) Annual renewals of the registration of a motor vehicle shall be made in such manner as the department may require, upon a form furnished by the department, accompanied by the fee provided in this act. The department shall mail such forms to the last address of the owner as it appears on the department records.

Provided, That annual renewal forms will not be mailed to owners of motor vehicles not registered by such owners during the previous year. Such renewal forms may, however, be obtained upon presentation of certificate of title, or such other information as the secretary may deem satisfactory.

Section 409. Registration by Nonresidents.—

(a) Nonresidents of this Commonwealth, except as

otherwise provided in this act, will be exempt from the provisions of this act as to the registration of motor vehicles, trailers, and semi-trailers, for the same time, and to the same extent, as like exemptions are granted residents of this Commonwealth under laws of the foreign country or state of their residence: Provided, That they shall have complied with the provisions of the law of the foreign country or state of their residence relative to the registration and equipment of their motor vehicles, trailers, and semi-trailers, and shall conspicuously display the registration plates as required thereby, and have in their possession the registration certificate issued for such vehicle.

(b) The owner of a foreign vehicle, operated within this Commonwealth for the transportation of persons [or property] for compensation, either regularly according to schedule, or for a period exceeding thirty (30) days *in the calendar year*, shall register such [vehicles] *vehicle* and pay the same fees therefor as are required for like vehicles owned by residents of this Commonwealth.

(c) Every nonresident, including any foreign corporation carrying on business within this Commonwealth and owning and regularly operating in such business any motor vehicle, trailer, or semi-trailer, exclusively within this Commonwealth, shall be required to register each such vehicle, and pay the same fee therefor as is required with reference to like vehicles owned by residents of this Commonwealth.

Penalty.—Any person violating any of the provisions of subsection (a) of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days. Any person violating any of the provisions of subsections (b) or (c) of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Section 410. Registration Shall Be Refused.—The department shall not [accept an application for the registration of a] *register any* vehicle in any of the following events:

1. When the applicant therefor is not entitled thereto under the provisions of this act.
2. When the applicant has neglected or refused to furnish the department with the information required in the appropriate official form, or reasonable additional information required by the department.
3. When the fees required therefor by law have not been paid.

4. When the vehicle is not constructed or equipped as required by this act.

5. *When evidence of recent inspection and approval of a used motor vehicle by an official inspection station is not presented as required by this act.*

Section 411. Transfer of Registration.—

(a) Upon transfer of ownership, or the destruction of any motor vehicle, trailer, or semi-trailer, the registration shall expire.

(b) When transfer is made from one registration classification to another registration classification, application shall be made immediately to the department, upon a form furnished by the department, upon payment of the transfer fee provided in this act, when the motor vehicle, trailer, or semi-trailer is of equal or less horsepower or classification than that originally registered, or upon payment of the transfer fee provided in this act, and the difference between the fee originally paid and that due, if the motor vehicle, trailer, or semi-trailer be properly registered in a higher class.

(c) The application shall contain the full name and the actual or bona fide address of the owner, together with the name, manufacturer's serial number, engine number, the character of the motive power, and the horsepower or seating capacity, and, in the case of a commercial motor vehicle, the gross weight of the chassis as given and certified to by the manufacturer, and, in the case of electric commercial motor vehicles, the gross maximum weight of chassis, battery, body, and load, as given and certified to by the manufacturer, and, in the case of trailers and semi-trailers, the [gross] *combined* weight of the chassis [as given and certified to by the manufacturer] *and body*, and also such description of the motor vehicle, trailer, or semi-trailer, including lamps and other equipment, *and, in the case of transfer of ownership of a used motor vehicle, shall include a certification of inspection and approval of such vehicle and its equipment by a duly authorized official inspection station*, as the secretary shall require. The application shall be signed by the owner, if a natural person, and in the cases where the owner is a corporation, copartnership, or association, by an executive officer thereof or some person specifically authorized by said corporation, copartnership, or association to sign the same.

(d) When transfer of registration is made, the owner shall be given a transfer registration card, and new registration number, if transfer is made to another classification.

(e) When a transfer of registration is made after a vehicle has been registered for the succeeding year, and the transfer application has been received and completed by the department prior to January first of such suc-

ceeding year, the transfer fee provided in this act shall not be required.

Penalty.—Any person violating any of the provisions of subsection (b) of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 412. Registration Suspended.—

(a) The secretary may suspend any registration, with or without a hearing before the secretary or his representative, in any of the following cases:

1. When the vehicle is unsafe or unfit for operation or is not equipped as required by this act.

2. When the owner shall make, or permit to be made, any unlawful use of a vehicle, or registration plate or plates, or permit the use thereof by a person not entitled thereto.

3. When the owner has been convicted of using a false or fictitious name, or giving a false or fictitious address, in any application or form required under the provisions of this act, or knowingly making a false statement, or knowingly concealing a material fact, or otherwise committing a fraud in any application.

4. Upon certification, or request, or order of any court, or the Public Service Commission, duly authorized under the laws of this Commonwealth, and empowered by such laws to make such certifications, requests, or orders.

5. When check submitted in payment of any registration is returned to the department because of insufficient funds, or is not paid on demand.

The secretary may suspend any registration, after a hearing before the secretary or his representative, in any of the following cases:

When a motor vehicle is habitually used or operated in violation of any of the provisions of this act.

(b) The secretary, upon suspending any registration, shall require the registration plate or plates and registration card to be surrendered immediately to the department, and may delegate authority to any department employe or peace officer to seize such registration plate or plates and registration card.

(c) Any person whose registration has been suspended shall not be entitled to apply for or receive new or duplicate registration until the suspension is lifted by the secretary.

(d) Whenever the secretary suspends any registration, the secretary shall immediately notify the owner, and afford him an opportunity of a hearing before said secretary or his representative, provided such hearing has not been already held, and, after such hearing, the secretary shall either rescind his order of suspension, or, good

cause appearing therefor, may suspend the registration for a further period.

(e) Any person whose registration has been suspended by the secretary under the provisions of this act shall have the right to file a petition in the court of quarter sessions of Dauphin County, within thirty (30) days thereafter, for a hearing in the matter before a judge thereof; and such court is hereby vested with jurisdiction, and it shall be its duty, to set the matter down for hearing upon thirty (30) days' written notice to the secretary, and thereupon to take testimony and examine into the facts of the case, and to determine whether the petitioner is subject to suspension of registration under the provisions of this act.

Penalty.—Any person violating any of the provisions of subsection (b) of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of fifty (\$50) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Section 601. Operators Must Be Licensed.—No person, except those expressly exempted under this act, shall operate any motor vehicle 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 this section shall, upon summary conviction before a magistrate, *for a first offense*, be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days, *and for the second offense, twenty-five (\$25) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days, and for the third and any subsequent offense, fifty (\$50) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.*

Section 603. Nonresidents, When Exempt from License.—

(a) A nonresident who has been duly licensed as an operator under a law requiring the licensing of operators in his home state or country, and who has in his immediate possession a valid operator's license issued to him in his home state or country, shall be permitted, without examination or operator's license under this act, to operate a motor vehicle upon the highways of this Commonwealth, for the same time and to the same extent as like exemptions are granted residents of this Commonwealth under laws of the foreign state or country. [as provided in this act.]

(b) It shall be unlawful for any nonresident, *except*

as herein provided, whose home state or country does not require the licensing of operators, to operate any motor vehicle upon any highway in this Commonwealth, without first making application for and obtaining a license as an operator, as required under this act, except that any said unlicensed nonresident, who is the owner of a motor vehicle which has been duly registered for the current calendar year in the state or country of which the owner is a resident, may operate motor vehicles upon the highways of this Commonwealth for the same time and to the same extent as like exemptions are granted residents of this Commonwealth under the laws of the state or county of the nonresident, without making application for or obtaining an operator's license under this act, upon condition that the nonresident owner has in his immediate possession a registration card evidencing such ownership and registration in his home state or country: *Provided, That unlicensed nonresident operators not the owners of motor vehicles registered in states or countries not requiring an operator's license may operate any motor vehicle properly registered in their home state or country on any highway within this Commonwealth, without making application for or obtaining an operator's license under this act, upon condition that they may be required at any time or place to prove lawful possession of such motor vehicle and proper identity.*

(c) Provided, That nonresident operators, operating motor vehicles within this Commonwealth for the transportation of persons [or property] for compensation, either regularly according to a schedule, or for a period exceeding thirty (30) days *in the calendar year*, shall be required to obtain a Pennsylvania operator's license.

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 ten (\$10.00) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 605. Age Limits for Drivers of School Buses and Public Passenger Carrying Motor Vehicles.—It shall be unlawful for any person, who is under the age of twenty-one (21) years, to operate a motor vehicle of *the bus type* [while used] in the transportation of pupils to or from school, or to operate a motor bus or motor omnibus *in the transportation of passengers.*

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 ten (\$10.00) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 608. Examination of Applicants *and Operators.*—

(a) Before issuing an operator's license to any [person] *permittee*, except as otherwise provided, the secretary shall require the applicant to demonstrate personally to him, or his representative, in such a manner as the secretary may direct, that such applicant is a proper person to operate a motor vehicle, has sufficient knowledge of the mechanism of motor vehicles to insure their safe operation, and a satisfactory knowledge of the laws and regulations concerning motor vehicles and their operation.

(b) The secretary may issue an operator's license, either unlimited or containing certain restrictions or limitations, as the secretary may deem advisable.

(c) The secretary may, in his discretion, waive the examination of any person applying for the renewal of an operator's license issued under this act.

(d) The secretary may, in his discretion, issue an operator's license under this act, without examination, to any person applying therefor, who is of sufficient age as required by this act to receive the license applied for, when the secretary is satisfied that the applicant is fully qualified as an operator of motor vehicles, and to any person who at the time of such application has a valid unrevoked license of like nature issued to such person in another state under a law requiring the licensing and examination of operators.

(e) Following any examination, and pending the issue of the operator's license, the secretary's representative may authorize any applicant, who has qualified as an operator, to operate a motor vehicle with his learner's permit card, and without being accompanied by a licensed operator, provided such learner's permit card is properly approved for such purpose.

(f) *The secretary may, in his discretion, require the special examination, by such agencies as the secretary may direct, of any applicant for learner's permit or operator's license, or of any operator, to determine incompetency, physical or mental disability or disease, or any other condition which might prevent such applicant from exercising reasonable and ordinary control over a motor vehicle.*

Section 610. Licenses Issued to Operators.—

(a) The department shall issue to every person licensed as an operator an operator's license card.

(b) Every such card shall bear thereon the operator's license number, the name, [residence,] address, and such other information as may be required, also a space for the signature of the licensee.

Section 614. Revocation of [Licenses] *Operating Privilege.*—

(a) The secretary shall forthwith revoke, for a period

of one (1) year from date of revocation, the [operator's license or learner's permit] *operating privilege* of any person, upon receiving a certified record from the clerk of the court of [the conviction of such person] *proceedings in which such person pleaded guilty, entered a plea of nolo contendere, or was found guilty by a jury*, of any of the following crimes:

1. Operating a motor vehicle while under the influence of intoxicating liquor, or any narcotic or habit producing drug, or permitting any person who may be under the influence of intoxicating liquor or narcotic or habit producing drug to operate any motor vehicle owned by him or in his custody or control.

2. Using a false or fictitious name, or giving a false or fictitious address, in any application or form required under the provisions of this act, or knowingly making a false statement, or knowingly concealing a material fact, or otherwise committing a fraud in any application.

3. Any crime punishable as a felony under the motor vehicle laws of this Commonwealth, or any other felony in the commission of which a motor vehicle is used.

4. Conviction of an operator of a motor vehicle involved in an accident, resulting in injury or death to any person or damage to property, upon the charge of failing to stop and render assistance or disclose his identity at the scene of the accident.

(b) The secretary, upon receiving a certified record from the clerk of the court of the conviction of any person upon a charge of operating a motor vehicle while the operator's license or learner's permit of such person is revoked, shall immediately extend the period of such first revocation for an additional like period.

(c) The secretary, upon revoking any operator's license or learner's permit, shall require that such license of any operator whose license or permit is so revoked shall immediately be surrendered to and retained by the department.

Section 615. Suspension of Licenses or Operating Privileges.—

(a) The secretary may suspend the [operator's license or learner's permit] *operating privilege* of any person, with or without a hearing before the secretary or his representative, [and without] *upon* receiving a record of [conviction of] *proceedings, if any, in which such person [of crime,] pleaded guilty, entered a plea of nolo contendere, or was found guilty by a jury*, whenever the secretary finds upon sufficient evidence:

1. That such person is incompetent to operate a motor vehicle, or is afflicted with mental or physical infirmities or disabilities rendering it unsafe for such person to operate a motor vehicle upon the highways.

[2. That such person has been convicted of, or for-

feited bail upon, three (3) charges of reckless driving, all within the preceding twelve (12) months.]

[3] 2. That such person has been convicted of a misdemeanor, or has forfeited bail upon such a charge, in the commission of which a motor vehicle was used.

[4] 3. That such person has been convicted of manslaughter resulting from the operation of a motor vehicle.

4. That such person has attempted by offering a bribe, or by other fraud, or by substitution of another person in his place, to take or pass an examination for an operator's license.

(b) The secretary may suspend the operator's license or learner's permit of any person, after a hearing before the secretary or his representative, or upon failure of the said person to appear at such hearing, whenever the secretary finds upon sufficient evidence:

1. That such person has committed any offense for the conviction of which mandatory revocation of license is provided in this act.

2. That such person [is an habitual reckless or negligent operator of a motor vehicle, or] has committed any violation of the motor vehicle laws of this Commonwealth.

3. That such person has failed to file a report with the department of a motor vehicle accident as required by this act.

4. That such person was operating any motor vehicle involved in an accident resulting fatally to any person.

(c) The secretary may suspend any operator's license or learner's permit, when check submitted in payment is returned to the department because of insufficient funds, or is not paid on demand, and may delegate authority to any department employe or peace officer to lift operator's license or learner's permit card so cancelled.

(d) The secretary is hereby authorized to suspend the privilege of any nonresident to operate a motor vehicle in this Commonwealth for any cause for which the license of a resident operator may be suspended or revoked. The secretary is further authorized, upon receiving a record of the conviction in this Commonwealth of a nonresident operator of a motor vehicle of any offense under the motor vehicle laws of this Commonwealth, to forward a report of such conviction to the motor vehicle administrator in the state wherein the person so convicted is a resident.

(e) The secretary is hereby authorized, after a hearing before the secretary or his representative, to suspend the operator's license or learner's permit of any person licensed in this Commonwealth, upon receiving notice of the conviction of such person in another state of an offense therein which, if committed in this Common-

wealth, would be grounds for the suspension or revocation of the license of an operator.

(f) The secretary may suspend any operator's license or learner's permit, upon certification, or request, or order of any court or commission duly authorized under the laws of this Commonwealth and empowered by such laws to make such certifications, requests, or orders.

(g) The secretary, upon suspending any operator's license or learner's permit, shall require that such licenses of any operator, whose license or permit is so suspended, shall be surrendered immediately to and retained by the department.

(h) Whenever the secretary suspends the operator's license or learner's permit of any person, the secretary shall immediately notify such person, and afford him an opportunity of a hearing before said secretary or his representative, provided such hearing has not already been held, and, after such hearing, the secretary shall either rescind his order of suspension, or, good cause appearing therefor, may suspend the operator's license or learner's permit of such person for a further period.

Section 616. Right of Appeal to Court from Suspension.—Any person, whose operator's license or learner's permit has been suspended by the secretary under the provisions of this act, shall have the right to file a petition, within thirty (30) days thereafter, for a hearing in the matter in the court of common pleas of [Dauphin] *the county in which the operator or permittee resides*; and such court is hereby vested with jurisdiction, and it shall be its duty, to set the matter down for hearing upon thirty (30) days' written notice to the secretary, and thereupon to take testimony and examine into the facts of the case, and to determine whether the petitioner is subject to suspension of operator's license or learner's permit under the provisions of this act.

Section 619. Counties and Municipalities Liable for Negligence of Their Employes.—Every county, city, borough, incorporated town, or township within this Commonwealth, employing any person, shall be jointly and severally liable with such person for any damages caused by the negligence of such person while operating a motor vehicle upon a highway in the course of their employment; *and every city, borough, incorporated town, and township shall also be jointly and severally liable with any member of a volunteer fire company, of any such city, borough, incorporated town, or township, for any damage caused by the negligence of such member while operating a motor vehicle used by or belonging to such volunteer fire company while going to, attending, or returning from a fire, or while engaged in any other proper use of such motor vehicle for such volunteer*

fire company within such city, borough, incorporated town, or township.

Section 620. Violation of License Provisions.—It shall be unlawful for any person to commit any of the following acts:

(a) To display, or cause or permit to be displayed, or to have in possession, any operator's license or learner's permit, knowing the same to be fictitious or to have been cancelled, revoked, suspended or altered.

(b) To lend to, or knowingly permit the use of by, one not entitled thereto any operator's license or learner's permit issued to the person so lending or permitting the use thereof.

(c) To display, or to represent as one's own, any operator's license or learner's permit not issued to the person so displaying the same.

(d) To fail or refuse to surrender to the department, upon demand, any operator's license, learner's permit, registration card, registration plates, certificate of title, or duplicates thereof, which have been suspended, cancelled or revoked as provided in this act.

(e) To make use of or operate any motor vehicle without the knowledge or consent of the owner or custodian thereof.

(f) To operate a motor vehicle while under the influence of intoxicating liquor, or any narcotic drug or *habit producing drug*, or permit any person who may be under the influence of intoxicating liquor, or narcotic or *habit producing drug*, to operate any motor vehicle owned by him or in his custody or control.

(g) To turn off any or all the lights on a motor vehicle for the purpose of avoiding identification or arrest.

(h) To operate any motor vehicle upon the highways of this Commonwealth, after [operator's license or learner's permit] *operating privilege* is suspended or revoked.

(i) To operate any motor vehicle upon the highways of this Commonwealth, after its registration has been suspended by the secretary.

(j) To use a false or fictitious name, or give a false or fictitious address, in any application or form required under the provisions of this act, or knowingly make a false statement, or knowingly conceal a material fact, or otherwise commit a fraud in any application.

Penalty.—Any person violating any of the provisions of subsections (a), (b), (c) or (d) of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of fifty (\$50) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Any person violating any of the provisions of subsections (e), (f), (g), (h), (i) or (j) of this section shall be guilty of a misdemeanor, and shall, upon conviction thereof in a court of quarter sessions, be sentenced to pay a fine of two hundred (\$200) dollars and costs of prosecution, or undergo imprisonment for not more than three (3) years, or suffer both such fine and imprisonment.

Section 621. Unlawful for [Minor] *Person Under Eighteen (18) Years* to Operate Motor Vehicle as a Paid Employee.—It shall be unlawful for any person under the age of eighteen (18) years to operate a motor vehicle upon any highway as a paid employe, or for any person to cause or permit any such operation.

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 ten (\$10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

*Section 702. *Motor Vehicles*.—The fee for annual registration of motor vehicles, except as provided in this act, shall be at the rate of forty (40) cents for each horsepower, or fractional part thereof: Provided, That the minimum fee payable for such annual registration shall be ten (\$10) dollars.

Section 703. *Commercial Motor Vehicles and Truck Tractors with Pneumatic Tires*.—Commercial motor vehicles and truck tractors with pneumatic tires, other than those electrically operated, shall be divided into [nine (9)] *eight (8)* classes, and the fee for annual registration of such vehicles in each of the respective classes, based on the gross chassis weight, as given and certified to by the manufacturer, shall be as follows:

Four-Wheeled

Class.	Chassis Weight in Pounds.	Fee.
R	.....Less than 2000,	\$16.50
S	.....2000 and over, but less than 3000, ...	26.00
T	.....3000 and over, but less than 4000, ...	35.00
U	.....4000 and over, but less than 5000, ...	45.00
V	.....5000 and over, but less than 6000, ...	63.00
W	.....6000 and over, but less than 7500, ...	90.00
Y	.....7500 and over, but less than 9000, ...	110.00
Z	.....9000 and over, [but less than 12000]..	155.00
[ZZ	...12000 and over,	225.00]

* This section is a reenactment of the original section of the act of May 1st, 1929 (P. L. 905), without change. All proposed amendatory matter was eliminated in the passage of the bill.

Six-Wheeled (3 Axles)

<i>Class.</i>	<i>Chassis Weight in Pounds.</i>	<i>Fee.</i>
RZ	....2000 and over, but less than 3000, ...	\$40.00
SZ	....3000 and over, but less than 4000, ...	50.00
TZ	....4000 and over, but less than 5000, ...	60.00
UZ	....5000 and over, but less than 6000, ...	90.00
VZ	....6000 and over, but less than 7500, ...	155.00
WZ	...7500 and over, but less than 9000, ...	175.00
YZ	....9000 and over, but less than 12000, ..	200.00
ZZ	....12000 and over,	225.00

Section 704. Commercial Motor Vehicles and Truck Tractors with Solid Rubber or Cushion Rubber Tires.—Commercial motor vehicles and truck tractors with solid rubber or cushion rubber tires, approved by the Secretary of Highways of this Commonwealth, other than those electrically operated, shall be divided into [nine (9)] *eight (8)* classes, and the fee for the annual registration of such vehicles in each of the respective classes, based on the gross chassis weight as given and certified to by the manufacturer, shall be as follows:

Four-Wheeled

<i>Class.</i>	<i>Chassis Weight in Pounds.</i> (Solid Rubber Tires)	<i>Fee.</i>
R	.....Less than 2000,	\$28.00
S	....2000 and over, but less than 3000, ...	45.00
T	....3000 and over, but less than 4000, ...	60.00
U	....4000 and over, but less than 5000, ...	75.00
V	....5000 and over, but less than 6000, ...	105.00
W	....6000 and over, but less than 7500, ...	150.00
Y	.....7500 and over, but less than 9000, ...	190.00
Z	....9000 and over, [but less than 12000]..	300.00
[ZZ	..12000 and over,	350.00]

Six-Wheeled (3 Axles)

<i>Class.</i>	<i>Chassis Weight in Pounds.</i> (Solid Rubber Tires)	<i>Fee.</i>
RZ	....2000 and over, but less than 3000, ...	\$65.00
SZ	....3000 and over, but less than 4000, ...	75.00
TZ	....4000 and over, but less than 5000, ...	90.00
UZ	....5000 and over, but less than 6000, ...	150.00
VZ	....6000 and over, but less than 7500, ...	275.00
WZ	...7500 and over, but less than 9000, ...	300.00
YZ	....9000 and over, but less than 12000, ..	325.00
ZZ	...12000 and over,	350.00

Four-Wheeled

<i>Class.</i>	<i>Chassis Weight in Pounds.</i> (Cushion Rubber Tires)	<i>Fee.</i>
R	.....Less than 2000,	\$25.00
S	....2000 and over, but less than 3000, ...	35.00
T	....3000 and over, but less than 4000, ...	50.00

U	.....4000 and over, but less than 5000, ...	60.00
V	.....5000 and over, but less than 6000, ...	85.00
W	.....6000 and over, but less than 7500, ...	125.00
Y	.....7500 and over, but less than 9000, ...	150.00
Z	.....9000 and over, [but less than 12000] .	200.00
[ZZ	..12000 and over,	275.00]

Six-Wheeled (3 Axles)

Class.	Chassis Weight in Pounds. (Cushion Rubber Tires)	Fee.
RZ	....2000 and over, but less than 3000, ...	\$55.00
SZ	....3000 and over, but less than 4000, ...	65.00
TZ	....4000 and over, but less than 5000, ...	70.00
UZ	....5000 and over, but less than 6000, ...	125.00
VZ	....6000 and over, but less than 7500, ...	200.00
WZ	...7500 and over, but less than 9000, ...	225.00
YZ	....9000 and over, but less than 12000, ..	250.00
ZZ	...12000 and over,	275.00

Section 705. Electrically Operated Commercial Motor Vehicles and Truck Tractors.—Electrically operated commercial motor vehicles and truck tractors shall be divided into eight (8) classes, and the fee for annual registration of such vehicles in each of the respective classes, based on the gross maximum weight of chassis, battery, body, and load, as given and certified to by the manufacturer, shall be as follows:

Four-Wheeled

Class.	Weight of Chassis, Battery, Body and Load in Pounds.	Fee.
R	....Less than 5001,	\$16.50
S	....5001 and over, but less than 7001, ..	26.00
T	....7001 and over, but less than 11001, ..	35.00
U	....11001 and over, but less than 15001, ..	45.00
Y	....15001 and over, but less than 18001, ..	63.00
W	....18001 and over, but less than 22001, ..	90.00
Y	....22001 and over, but less than 25001, ..	110.00
Z	....25001 and over, but less than 26000, ..	155.00

Six-Wheeled (3 Axles)

Class.	Weight of Chassis, Battery, Body and Load in Pounds.	Fee.
RZ	..Less than 12001,	\$40.00
SZ	..12001 and over, but less than 14001, ..	50.00
TZ	..14001 and over, but less than 16001, ..	60.00
UZ	..16001 and over, but less than 22001, ..	90.00
VZ	..22001 and over, but less than 26001, ..	155.00
WZ	..26001 and over, but less than 30001, ..	175.00
YZ	..30001 and over, but less than 34001, ..	200.00
ZZ	..34001 and over, but less than 36000, ..	225.00

Section 706. Trailers and Semi-Trailers.—Trailers and semi-trailers [whether] equipped with pneumatic [cushion rubber] or solid rubber or cushion rubber tires approved by the Secretary of Highways shall be divided

into seven (7) classes, and the fee for annual registration of such vehicles in each of the respective classes, based on the [gross] *combined* weight of chassis and body, if so constructed, or the gross weight of the trailer or semi-trailer exclusive of the load to be transported, [as given and certified to by the manufacturer] shall be as follows:

Class.	Two-Wheeled [Chassis] Weight in Pounds.	Semi-Trailer Fee		
		Tire Equipment.		
		Pneumatic.	Cushion.	Solid.
A	Less than 1000,	\$5.00	\$6.00	\$8.00
B	1000 and over, but less than 2000,	8.00	10.00	15.00
C	2000 and over, but less than 3000,	15.00	20.00	25.00
D	3000 and over, but less than 4000,	25.00	30.00	35.00
E	4000 and over, but less than 5000,	30.00	40.00	50.00
F	5000 and over, but less than 6000,	45.00	60.00	75.00
G	6000 and over,	75.00	85.00	100.00

Four-Wheeled (2 Axles)

Class.	Trailer or Semi-Trailer Weight in Pounds.	Fee		
		Tire Equipment.		
		Pneumatic.	Cushion.	Solid.
A	Less than 1000,	\$5.00	\$6.00	\$8.00
B	1000 and over, but less than 2000,	8.00	10.00	15.00
C	2000 and over, but less than 3000,	15.00	20.00	25.00
D	3000 and over, but less than 4000,	25.00	30.00	35.00
E	4000 and over, but less than 5000,	30.00	40.00	50.00
F	5000 and over, but less than 6000,	45.00	60.00	75.00
G	6000 and over,	75.00	85.00	100.00

Six-Wheeled (3 Axles)

Class.	Trailer Weight in Pounds.	Fee		
		Tire Equipment.		
		Pneumatic.	Cushion.	Solid.
AZ	Less than 3000,	\$40.00	\$45.00	\$50.00
BZ	3000 and over, but less than 4000,	45.00	50.00	60.00
CZ	4000 and over, but less than 5000,	50.00	60.00	70.00
DZ	5000 and over, but less than 6000,	60.00	75.00	90.00
EZ	6000 and over, but less than 7000,	75.00	100.00	125.00
FZ	7000 and over, but less than 9000,	85.00	110.00	135.00
GZ	9000 and over,	100.00	125.00	150.00

Section 707. Motor Buses and Motor Omnibuses with Pneumatic Tires.—

The fee for annual registration of each motor bus, and motor omnibus with pneumatic tires, shall be according to seating capacity and the following classes:

Class.	Seating Capacity.	Fee.
A	Five (5) passenger or less,	\$25.00
B	More than five (5) passengers and less than eight (8) passengers,	\$30.00
C	More than seven (7) passengers and not more than twenty-six (26) passengers,	\$40.00, plus \$4.00 for each seat over seven seats.

Class.	Seating Capacity.	Fee.
D	In excess of twenty-six (26) pas- sengers,	\$40.00, plus \$4.00 for each seat over seven seats to and includ- ing twenty-six seats, plus \$10.00 for each seat over twenty-six.

*E In excess of fifty-three (53) passengers,
when operated exclusively in cities, \$300.00*

* Section 713. Operator's Licenses; Duplicate Registration or Operator's License Card.—The fee for issuing an operator's license to a person unable to produce satisfactory proof of having held a Pennsylvania operator's license, during any one of the three (3) years preceding application, shall be three (\$3) dollars, which fee shall entitle the applicant for such license to receive a learner's permit, valid for sixty (60) days from date of issue, and, if the examination shall have been passed during the sixty (60) day period, an operator's license for the current year.

The fee for renewal of an operator's license shall be two (\$2.00) dollars.

The fee for a duplicate operator's license card or duplicate registration card shall be fifty (\$.50) cents.

Section 716. Certificates of Title; Duplicate Certificates of Title.—The fee for each certificate of title shall be two (\$2) dollars, except in the case [of] *where a certificate of title is issued in the name of manufacturer, jobber or dealer, [when] then* the fee shall be fifty (\$.50) cents. The fee for a duplicate certificate of title shall be fifty (\$.50) cents.

[No fee shall be required when a certificate of title or assigned certificate of title is returned to the department for cancellation.]

Section 719. Special Hauling Permits.—The fee for a special hauling permit shall be five (\$5) dollars and *two (\$.02) cents per ton of two thousand (2000) pounds, or fraction thereof, of gross weight of vehicle and load for each mile, or fraction thereof, of length of haul*, payable to the authorities issuing such permit.

Section 722. Exemptions from Fees.—

(a) No fee shall be charged for a certificate of title or registration of motor vehicles, trailers and semi-trailers owned and used by (a) the Federal Government, (b) any State, other than Pennsylvania, which issues titles or registrations to this Commonwealth without charge, (c) the Commonwealth of Pennsylvania, (d) any city, borough, incorporated town, township, county, poor or school district of this Commonwealth, (e) any duly au-

* This section is a reenactment of the original section of the act of May 1st, 1929 (P. L. 905), without change. All proposed amendatory matter was eliminated in the passage of the bill.

thorized volunteer fire force, hospital, humane society, or anti-cruelty society in this Commonwealth, (f) by the American Red Cross, (g) by churches, (h) Girl Scouts of America, (i) Boy Scouts of America, (j) Salvation Army, (k) mine or industrial ambulances, (l) ambassadors, ministers, consular representatives and other diplomatic representatives who are entitled to exemption under the terms of a treaty, but all such vehicles, except those owned and used by the Federal Government, shall be titled and registered, and shall display registration plates as is now provided for privately owned motor vehicles, trailers and semi-trailers.

(b) [No fee shall be charged for operator's licenses issued to employes of this Commonwealth engaged in the operation of motor vehicles owned by this Commonwealth.] *No fee shall be required when a certificate of title or assigned certificate of title is returned to the department for cancellation.*

(c) No fee shall be charged for replacement or substitution of registration card, registration plates, operator's license card, learner's permit card, or certificate of title, when satisfactory proof is furnished the secretary of loss of same in the mails.

(d) No fee shall be charged for certified copies, or certified photostatic copies, of any department record furnished to Federal, State, county, or municipal authorities.

(e) No fee shall be charged for special hauling permits issued to the Commonwealth of Pennsylvania, any city, borough, incorporated town, township, county, poor or school district of this Commonwealth.

(f) No fee shall be charged for transfer of registration for the succeeding year, when such transfer has been received and completed by the department prior to January first of such succeeding year.

(g) No fee shall be charged for a certificate of junk issued to any person.

(h) No fee shall be charged a manufacturer, jobber or dealer for a certificate of title to a [new] motor vehicle, when assignment of certificate of title accompanies the application for certificate of title.

Section 723. No Other Taxes or Fees to be Imposed; Exception.—[The fees herein set forth shall be in lieu of any other fees or taxes to be imposed by this Commonwealth or subdivision thereof; and no] *No* city, borough, incorporated town, township or county shall require or collect any registration or license fee or tax for any motor vehicle, trailer or semi-trailer, or license from any operator thereof, *except that cities may levy a fee or tax upon* motor buses and motor omnibuses transporting passengers for pay or hire within the limits of any city, or from points within such city to points outside of the city limits.

Section 801. Required Lighting Equipment.—

(a) When [Vehicles] *Lights Must Be [Equipped] Displayed.*—Every vehicle upon a highway within this Commonwealth, during the period from one (1) hour after sunset to one (1) hour before sunrise, and at any other time when there is not sufficient light to render clearly discernible any person on the highway at a distance of two hundred (200) feet ahead, shall be equipped with lighted front and rear lamps, as in this section, respectively, required for different classes of vehicles.

(b) **Head Lamps on Motor Vehicles.**—Every motor vehicle, other than a motorcycle or bicycle with motor attached, shall be equipped with two (2) head lamps, and no less, at the front of and on opposite sides of the motor vehicle, which head lamps shall comply with the requirements and limitations set forth in this act, and, except as to acetylene head lamps, shall be of a type which at the time of their use are approved by the secretary.

(c) **Head Lamps on Motorcycles.**—Every motorcycle shall be equipped with at least one (1) head lamp, which shall comply with the requirements and limitations set forth in this act, and, except as to acetylene head lamps, shall be of a type which at the time of its use is approved by the secretary.

(d) **Rear Lamps and Illumination of Rear Registration Plate.**—Every motor vehicle, and every trailer or semi-trailer attached to a motor vehicle, shall carry at the rear a lamp of a type which at the time of its use is approved by the secretary, and which exhibits a red light, plainly visible under normal atmospheric conditions from a distance of five hundred (500) feet to the rear of such vehicle, and so constructed and placed that the number plate carried on the rear of such vehicle shall, under like conditions, be so illuminated by a white light as to be read from a distance of fifty (50) feet to the rear of such vehicle.

(e) **Clearance Lamps.**—Every [motor] vehicle, having a width at any part in excess of ninety (90) inches, shall carry at least one (1) clearance lamp on the left side of such vehicle, and displaying a white or green light visible, under normal atmospheric conditions, from a distance of five hundred (500) feet to the front of the vehicle, and displaying a red light visible, under like conditions, from a distance of five hundred (500) feet to the rear of the vehicle: Provided, That motorcycles, having more than two (2) wheels, or with side car equipment, shall display a clearance lamp in such a manner as to indicate the right lateral extension of the vehicle.

Every combination of vehicles coupled together, having an overall length in excess of thirty-five (35) feet, shall carry at least one (1) clearance lamp on both the right and left sides of such vehicles, and displaying a white

or green light visible, under normal atmospheric conditions, from a distance of five hundred (500) feet to the front and rear of such vehicles.

(f) Lamps on Bicycles.—Every bicycle, and every bicycle with motor attached, shall be equipped with a lighted lamp, on the front thereof, visible, under normal atmospheric conditions, from a distance of at least two hundred (200) feet in front of such bicycle or bicycle with motor attached, and shall also be equipped with a reflex mirror or lamp on the rear, exhibiting or reflecting a red light visible, under like conditions, from a distance of at least two hundred (200) feet to the rear of such bicycle or bicycle with motor attached.

(g) Lights on Other Vehicles.—All vehicles, not required in this act to be equipped with specific lighted lamps, shall carry one (1) or more lighted lamps or lanterns, displaying a white light visible, under normal atmospheric conditions, from a distance of not less than five hundred (500) feet to the front and rear of such vehicles, except for vehicles, other than motor vehicles, loaded with hay or straw in bulk.

(h) Lights on Parked Motor Vehicles.—Whenever a motor vehicle is parked or stopped upon a highway, whether attended or unattended, during the time when lights are required by this section, may, in lieu of the lighting equipment specified, show one (1) white or green light, carried on the left side of the motor vehicle, visible, under normal atmospheric conditions, from a distance of five hundred (500) feet to the front of such vehicle, and projecting a red light visible, under like conditions, from a distance of five hundred (500) feet to the rear: Provided, That local authorities may, by ordinance, [or rule or regulation,] establish zones within which motor vehicles may remain standing without lights.

Penalty.—Any person violating any of the provisions of subsections (a), (b), (c), (d) or (e) [or (f)] of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days. Any person violating any of the provisions of subsection (f) or (g) of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of two (\$2) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than one (1) day.

Section 802. Additional Permissible Lights and Devices.—

(a) Spot Lamps.—

Any motor vehicle may be equipped with not to exceed two (2) spot lamps, except that a motorcycle shall

not be equipped with more than one (1) spot lamp, and every lighted spot lamp shall be so aimed and used, upon approaching another vehicle, that no part of the beam will be directed to the left of the center of the highway nor more than one hundred (100) feet ahead of the vehicle.

(b) **Auxiliary Driving Lamps.**—Any motor vehicle may be equipped with not less than two (2) auxiliary driving lamps, mounted on the front, which lamps shall comply with requirements and limitations set forth in this act, and shall be of types which at the time of their use are approved by the secretary.

(c) **Signal Lamps and Mechanical Signal Devices.**—

1. Whenever a motor vehicle is equipped with a signal lamp, the signal lamp shall be so constructed and located on the vehicle as to give a signal, yellow or red or green in color, which shall be plainly visible in normal sunlight from a distance of one hundred (100) feet to the rear of the vehicle, but shall not project a glaring or dazzling light, and shall be of a type which at the time of its use is approved by the secretary.

2. When a vehicle is equipped with a mechanical signal, the mechanical signal shall be so constructed and located on the vehicle as to give a signal plainly visible from a distance of one hundred (100) feet to the rear of the vehicle, and shall be of a type which at the time of its use is approved by the secretary.

(d) **Reflector.**—*Any vehicle may be equipped with a reflector so located as to reflect rays of light thrown upon such reflector.*

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 ten (\$10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 809. Red Light Visible From in Front of Vehicles.—No person shall operate or move any vehicle, *except fire department and fire patrol apparatus*, upon a highway with a red light displayed on the front thereof.

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 ten (\$10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

[Section 810. **Official Headlight Adjusting Stations.**—

(a) The secretary is authorized to designate, furnish instructions to, and to supervise official stations for adjusting head lamps and auxiliary driving lamps to conform with the provisions of this act. The estab-

ishment of official headlight adjusting stations shall mean the designation of any place which shall comply with the requirements for a test station as determined by the secretary. When headlamps and auxiliary driving lamps have been adjusted, in conformity with the instructions issued by the secretary, a certificate of adjustment shall be issued to the owner or operator of the motor vehicle, on a form prescribed by the secretary, and showing date of issue, registration number of the motor vehicle, owner's name, name of vehicle, and official designation of the adjusting station.

(b) The secretary shall approve methods of headlamp and auxiliary driving lamp tests. Approval of the use of head lamp testing equipment may be given by the secretary. When necessary the United States Bureau of Standards, or such other recognized testing agency, may be called upon to assist the secretary in determining whether the headlamp testing equipment shall be approved for the purposes set forth in this act.

(c) If the secretary finds that the business of any official adjusting station is being poorly or badly conducted, he may revoke the designation of such station.

(d) It shall be unlawful for any person to display, or cause or permit to be displayed, any sign, mark, or advertisement, as an official headlight adjusting station, unless certificate of appointment has been issued by the secretary, and is then in effect, or to furnish a certificate of headlight adjustment when not authorized to do so.

(e) It shall be unlawful for the owner, or any employe, of an official headlight adjusting station to violate rules adopted by the secretary governing the correction, adjustment, or repair and inspection of lamps.

Penalty.—Any person violating any of the provisions of subsections (d) or (e) of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.]

Section 813. Official [Brake Adjusting] *Inspection Stations.*—

(a) [The secretary is authorized to designate, furnish instructions to and to supervise official stations for correction, adjustment, repairs, and inspection of motor vehicle brakes. The establishment of official brake adjusting stations shall mean the designation of any place which shall comply with the requirements for a test station as determined by the secretary. When brakes have been corrected, adjusted, or repaired, and inspected and found to conform with the instructions issued by the secretary, only then shall a certificate of adjustment be issued to the owner or operator of the

motor vehicle, on a form prescribed by the secretary, showing date of issue, registration, number of the vehicle, owner's name and address, name of vehicle, and official designation of the adjusting station.

(b) If the secretary finds that the business of any official brake adjusting station is being poorly or badly conducted, he may revoke the designation of such station.

(c) It shall be unlawful for any person to display, or cause or permit to be displayed, any sign, mark, or advertisement as an official brake adjusting station, unless certificate of appointment has been issued by the secretary and is in effect, or to furnish certificate of brake adjustment when not authorized to do so.

(d) The secretary shall approve methods of brake tests. Approval of the use of mechanical brake testing equipment may be given by the secretary. When necessary the United States Bureau of Standards, or such other recognized testing agency, may be called upon to assist the secretary in determining whether the mechanical brake testing equipment shall be approved for the purposes set forth in this act.

(e) It shall be unlawful for the owner, or any employe of an official brake adjusting station to violate rules adopted by the secretary governing the correction, adjustment, repair, or inspection of brakes.

Penalty.—Any person violating any of the provisions of subsections (c) or (e) of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.]

The secretary is authorized to designate, furnish instructions to, and to supervise official inspection stations for corrections, adjustments, repairs, and inspection of motor vehicles, trailers and semi-trailers for the proper and safe performance of steering mechanism, brakes, lighting equipment, horns and warning devices, mirrors, windshield wipers, and such other conditions to assure that such vehicles are in conformity with this act. Every person desiring to operate as an official inspection station shall file an application for a certificate of appointment with the department. The application for an official inspection station shall be made upon a form prescribed and furnished by the department, and shall set forth the name under which the applicant transacts or intends to transact business, the location of his place of business within the Commonwealth, and such other information as the department may require. If the applicant has or intends to have more than one place of business within the Commonwealth, a separate application shall be made for each

place of business. If the applicant is an association, the application shall set forth the names and addresses of the persons constituting the association, and if a corporation, the names and addresses of the principal officers thereof, and any other information prescribed by the department for purposes of identification. The application shall be signed and verified by oath or affirmation by the owner, if a natural person; in the case of an association, by a member or partner thereof; and in the case of a corporation, by an executive officer thereof or some person specifically authorized by the corporation to sign the application, to which shall be attached written evidence of his authority. Only such locations which fulfill the department's requirements and whose owners or proprietors comply with department regulations shall qualify and be appointed and issued a certificate. Upon approval of the application, the department shall grant and issue to each owner a certificate of appointment as an official inspection station for the place of business within the Commonwealth set forth in his application. Certificates of appointment shall not be assignable, and shall be valid for the owners in whose names issued and for the transaction of business at the place designated therein, and shall at all times be conspicuously displayed at the place for which issued.

(b) If the secretary finds that the provisions of this act are not being complied with, or that the business of an official inspection station in connection with the corrections, adjustments, repairs, or inspection of motor vehicles, trailers or semi-trailers is being improperly conducted, he may suspend the certificate of appointment of any such station and require the immediate surrender and return of the certificate of appointment, together with all department forms.

(c) It shall be unlawful for any person to display, or cause or permit to be displayed, any sign, mark, or advertisement as an official inspection station, unless certificate of appointment has been issued by the department and is then in effect, or to furnish certificate of inspection and approval when not authorized to do so.

(d) It shall be unlawful for any person to assign, or to attempt to assign, a certificate of appointment as an official inspection station, or to fail to display conspicuously his certificate of appointment at the place for which it is issued.

(e) When a motor vehicle, trailer or semi-trailer has been inspected and, if in conformity with the requirements of this act, only then shall the adjuster or inspector issue a certificate of inspection and approval to the owner or operator on a form prescribed and furnished by the department.

(f) It shall be unlawful for any such designated

official inspection station to furnish, give, or sell to any owner or operator of a motor vehicle, trailer or semi-trailer, or to place in or on any motor vehicle, trailer or semi-trailer, a certificate of inspection and approval, unless an official inspection of its mechanism and equipment shall have been made and the motor vehicle, trailer or semi-trailer conforms with the provisions of this act. It shall be unlawful for any such designated official inspection station to furnish, loan, give, or sell a certificate or certificates of inspection and approval to any other such designated official inspection station or any other persons, except those entitled to receive them under the provisions of this act.

(g) It shall be unlawful, in case of transfer of ownership of any used motor vehicle, for the owner to submit, with his application for registration, a certificate of inspection and approval, unless an official inspection shall have been made and the vehicle found to conform with the provisions of this act.

(h) Any peace officer, who shall be in uniform and shall exhibit his badge or other sign of authority, may stop any motor vehicle, trailer or semi-trailer, and require the owner or operator to demonstrate that such vehicles conform with the provisions of this act. If such demonstration discloses the necessity for corrections, adjustments, or repairs to such vehicle, the owner shall be notified that, unless a certificate, issued or executed by a representative of an official inspection station, is submitted within five (5) days to the peace officer, indicating that the necessary corrections, adjustments, or repairs have been made, information for the arrest of the owner or operator will be made for the specific violation or violations of this act noted at the time of notification: Provided, That when service and emergency brakes, applied simultaneously, will not stop a motor vehicle, trailer or semi-trailer within distance defined in this act, or hold a motor vehicle, trailer or semi-trailer on a descending grade not exceeding ten (10) per centum, or when the lighting equipment is glaring or insufficient or not in operation as defined and required in this act, the owner or operator may be required to correct the faulty condition before being permitted to proceed with the vehicle, and may be prosecuted for the specific violation of this act.

(i) An official inspection station and the records thereof shall be open for inspection by any peace officer or department employe. The owner of an official inspection station shall file with the department, on a form prescribed and furnished by the department, such information relating to daily inspections as the secretary may require.

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 twenty-five (\$25.00) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Section 818. Flag or Light at End of Load.—Whenever the load on any vehicle, *except fire department and fire patrol apparatus*, shall extend more than four (4) feet beyond the rear of the chassis bed or body thereof, there shall be displayed, at the end of such load, in such position as to be clearly visible at all times from the rear, a red flag not less than twelve (12) inches both in length and width, except that, between one (1) hour after sunset and one (1) hour before sunrise, there shall be displayed, at the end of any such load, a red light plainly visible, under normal atmospheric conditions, at least two hundred (200) feet from the rear.

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 ten (\$10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than (5) days.

Section 819. Prevention of Noise.—

(a) No person shall operate a motor vehicle, *except fire department and fire patrol apparatus*, on a highway unless such motor vehicle is equipped with a muffler, in good working order, and in constant operation, to prevent excessive or unusual noise.

(b) It shall be unlawful to use a muffler cut-out, or a *bi-pass in a muffler*, on any motor vehicle, [upon a highway] *except fire department and fire patrol apparatus*.

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 ten (\$10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 823. Official *Inspections*. [Inspection Stations.]

(a) It shall be the duty of the secretary, upon proclamation by the Governor, to compel every resident owner of a motor vehicle being operated in this Commonwealth, except motorcycles and bicycles with motor attached, to submit the motor vehicle to such inspection of its mechanism and equipment as may be designated by the secretary.

(b) If such inspections disclose the necessity for adjustments, corrections, or repairs, in order to bring the motor vehicle in conformance with the provisions of this act, it shall be compulsory upon the owner to have such adjustments, corrections, or repairs made within

the period designated in the hereinbefore mentioned proclamation.

(c) The secretary is hereby authorized to designate, furnish instructions to, and supervise *the* official inspection stations, *as provided in this act*, for the purpose of such inspections.

(d) Such official inspection stations, when duly authorized, shall issue official certificates of inspection for every motor vehicle so inspected, on a form furnished by the department, but no such certificates of inspection shall be issued or displayed on any motor vehicle, or by the owner or operator of any motor vehicle, until and unless the motor vehicle for which it is issued has been brought into conformance with the requirements of the hereinbefore mentioned proclamation and this act.

(e) It shall be the duty of such designated official inspection stations to report all such inspections to the secretary, on forms furnished by the department, and, in the event of refusal on the part of any owner or operator to have the necessary adjustments, corrections, and repairs made, the secretary, after investigation, may invoke the provisions of [section four hundred eleven, subsection (a), of] this act *relative to vehicles unsafe or unfit for operation*.

(f) If the secretary finds that the provisions of the hereinbefore mentioned proclamation, or the directions of the secretary, are not being complied with, or that the business of such stations in connection with such inspections is being [poorly or badly] *improperly* conducted, he may [revoke] *suspend* the designation of any such stations.

(g) During the period designated in the hereinbefore mentioned proclamation, any peace officer, who shall be in uniform and shall exhibit his badge or other sign of authority, may stop any motor vehicle, and require the owner or operator to display an official certificate of inspection for the motor vehicle being operated. It shall be unlawful for any such certificate to be displayed on a motor vehicle, or by the owner or operator, unless an official inspection of its mechanism or equipment shall have been made and the motor vehicle conforms to the provisions of this act.

(h) For a further period of [thirty (30) days] *three (3) months* after the expiration of the inspection period, it shall be unlawful to operate any motor vehicle on a highway unless the motor vehicle has been inspected and a certificate furnished and displayed, or other satisfactory proof of inspection furnished.

Penalty.—Any person violating any of the provisions of subsections (g) or (h) of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten (\$10) dollars and costs of prosecu-

tion, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 902. Size of Vehicles and Loads.—

(a) No vehicle, except fire department equipment, *street sweepers, and snow plows*, shall exceed a total maximum width, including any load thereon, of ninety-six (96) inches, except that the limitations as to size of vehicles stated in this act shall not apply to vehicles loaded with hay or straw in bulk.

(b) No vehicle, except fire department equipment, shall exceed a total maximum height, including any load thereon, of one hundred seventy-four (174) inches, but nothing herein contained shall be construed to require the public authorities to provide sufficient vertical clearance to permit the operation of such vehicles.

(c) No vehicle, except fire department equipment, shall exceed a total maximum length, including any load thereon, of three hundred ninety-six (396) inches, and no combination of vehicles, coupled together, shall exceed a total maximum length of [eighty-five (85)] *seventy (70)* feet.

1. No motor vehicle shall be operated upon a highway drawing, or having attached thereto, more than one other vehicle, except that a truck tractor, with semi-trailer attached, may draw, in addition thereto, one (1) other vehicle.

2. The distance between any two vehicles, one of which is towing or drawing the other, shall not exceed fifteen (15) feet from one vehicle to the other, except when the load on the towed vehicle is coupled directly to and is not more than five (5) feet from the towing vehicle. Whenever the connection consists of a chain, rope, bar, or cable, there shall be displayed, upon such connection, a flag not less than twelve (12) inches in length and width. *Every trailer, while being drawn upon the highway, shall be so attached to the vehicle drawing the same as to prevent the wheels of such trailer from deflecting more than six (6) inches from the path of the drawing vehicle's wheels.*

(d) No vehicle, except a trailer or semi-trailer, shall carry any load, or part thereof, extending more than five (5) feet beyond the front extremity.

(e) No vehicle, except as herein provided, shall carry any load extending beyond the line of the fenders on the left side of such vehicle, nor extending more than six (6) inches beyond the line of the fender on the right side thereof.

(f) *It shall be unlawful for any person to transport on a motor vehicle, trailer or semi-trailer, operated for the carriage of passengers for hire, a load in excess of twenty-five (25) per centum of the registered seating capacity, or for any person to cause or permit any such operation: Provided, however, That a child under the*

age of six years shall not be counted as a person when computing load on any such vehicle.

Penalty.—Any person violating any of the provisions of subsections (a), (b), (c), (d) or (e) of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days. Any person violating any of the provisions of subsection (f) of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of not less than ten (\$10) dollars or more than twenty-five (\$25) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days. Such fine shall be in addition to any penalty imposed by any other section or subsection of this act.

Section 903. Weight of Vehicles and Loads.—

(a) Commercial motor vehicles and truck tractors, other than those electrically operated, shall not be used or operated on any highway with gross weight exceeding those specified for the several classes and weights of chassis as follows:

<i>Four-Wheeled</i> Class.	Chassis Weight in Pounds.	<i>Maximum</i> Gross Weight in Pounds.
R	....Less than 2000,	5000
S	....2000 and over, but less than 3000,	7000
T	....3000 and over, but less than 4000,	11000
U	....4000 and over, but less than 5000,	13000
V	....5000 and over, but less than 6000,	18000
W	....6000 and over, but less than 7500,	22000
Y	....7500 and over, but less than 9000,	25000
Z	....9000 and over, [but less than 12000] ...	26000
[ZZ	....12000 and over,	36000]

<i>Six-Wheeled (3 Axles)</i> Class.	Chassis Weight in Pounds.	<i>Maximum</i> Gross Weight in Pounds.
RZ	....2000 and over, but less than 3000,	12000
SZ	....3000 and over, but less than 4000,	14000
TZ	....4000 and over, but less than 5000,	16000
UZ	....5000 and over, but less than 6000,	22000
VZ	....6000 and over, but less than 7500,	26000
WZ	....7500 and over, but less than 9000,	30000
YZ	....9000 and over, but less than 12000,	34000
ZZ	....12000 and over,	36000

(b) Electrically operated commercial motor vehicles and truck tractors shall not be used or operated on any highways with gross weight exceeding those specified for the several classes as follows:

Four-Wheeled

Class.	<i>Maximum Gross Weight in Pounds.</i>
R	5000
S	7000
T	11000
U	15000
V	18000
W	22000
Y	25000
Z	26000

Six-Wheeled (3 Axles)

Class.	<i>Maximum Gross Weight in Pounds.</i>
RZ	12000
SZ	14000
TZ	16000
UZ	22000
VZ	26000
WZ	30000
YZ	34000
ZZ	36000

(c) Trailers and semi-trailers shall not be used or operated on any highway with gross weight exceeding those specified for the several classes [and weights of chassis] as follows:

Four-Wheeled (2 Axles)

Class.	<i>Trailer or Semi-Trailer [Chassis] Weight in Pounds.</i>	<i>Maximum Gross Weight in Pounds.</i>
A	Less than 1000,	3000
B	1000 and over, but less than 2000,	6000
C	2000 and over, but less than 3000,	10000
D	3000 and over, but less than 4000,	16000
E	4000 and over, but less than 5000,	20000
F	5000 and over, but less than 6000,	24000
G	6000 and over,	26000

Six-Wheeled (3 Axles)

Class.	<i>Trailer Weight in Pounds.</i>	<i>Maximum Gross Weight in Pounds.</i>
AZ	Less than 3000,	12000
BZ	3000 and over, but less than 4000,	15000
CZ	4000 and over, but less than 5000,	20000
DZ	5000 and over, but less than 6000,	26000
EZ	6000 and over, but less than 7000,	30000
FZ	7000 and over, but less than 9000,	34000
GZ	9000 and over,	36000

[(d) Semi-trailers shall not be used or operated on any highway with gross weight exceeding those specified for the several classes and weights of chassis as follows:]

<i>Two-Wheeled</i> Class.	<i>Semi-Trailer</i> [Chassis] Weight in Pounds.	<i>Maximum</i> Gross Weight in Pounds.
A .Less than 1000,		3000
B .1000 and over, but less than 2000,		6000
C .2000 and over, but less than 3000,		10000
D .3000 and over, but less than 4000,		12000
E .4000 and over, but less than 5000,	[15000]	14000
F .5000 and over, but less than 6000,	[18000]	16000
G .6000 and over,	[19500]	18000

(d) *No two-wheeled vehicle, except fire department equipment, shall be operated upon any highway with gross weight in excess of eighteen thousand (18,000) pounds, or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire.*

(e) *No four-wheeled vehicle, except fire department equipment, shall be operated upon any highway with a gross weight in excess of twenty-six thousand (26,000) pounds, or in excess of [nineteen] eighteen thousand [five hundred (19,500)] (18,000) pounds on any axle, or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel.*

(f) *No six or more wheeled vehicle, except fire department equipment, shall be operated upon any highway with gross weight in excess of thirty-six thousand (36,000) pounds, or in excess of eight thousand (8000) pounds on the front axle, [and] or in excess of [fourteen] sixteen thousand five hundred [(14,000)] (16,500) pounds on [each] any one of the rear axles, or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel; and the two rear axles shall be parallel and shall not be less than thirty-six (36) inches apart.*

(g) *No truck tractor and semi-trailer combined, except fire department equipment, shall be operated upon any highway with a gross weight in excess of thirty-nine thousand (39,000) pounds, or in excess of [nineteen] eighteen thousand [five hundred (19,500)] (18,000) pounds on any axle, or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel; axle or axles of semi-trailer shall not be less than ninety-six (96) inches from the axle of the truck tractor.*

(h) *No commercial motor vehicle and trailer combined, except fire department equipment, shall be operated upon any highway with a gross weight in excess of sixty-two thousand (62,000) pounds, or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel.*

No truck tractor, semi-trailer and trailer combined, except fire department equipment, shall be operated

upon any highway with a gross weight in excess of sixty-five thousand (65,000) pounds, or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel.

[(h)] (i) Maximum gross weights provided in this section are permissible only under conditions where no other restrictions are provided in this act, or in any other laws regulating the gross maximum weight of vehicles.

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 fifty (\$50) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Section 905. Permits for Excessive Size and Weight.—

(a) The Secretary of Highways of this Commonwealth, and local authorities in their respective jurisdictions, may, in their discretion, upon application in writing accompanied by the fee provided in this act, and good cause being shown therefor, issue a special permit, in writing, authorizing the applicant to operate or move a vehicle of a size and weight exceeding the maximum specified in this act upon any highway under the jurisdiction of and for the maintenance of which the authorities granting the permit are responsible. Every such permit shall be issued for a single trip, and shall designate the route to be traversed, *subject to such rules and regulations and [contain] any other restrictions or conditions, including the obligation on the part of the permittee to restore or replace any section of highway or bridge damaged as a result of such movement, whether or not the same was attributable to negligence on the part of the permittee, as shall be deemed necessary by the authority granting such permit.* Every such permit shall be carried in the vehicle to which it refers, and shall be open to inspection by any peace officer or employe of the Department of Highways of this Commonwealth or person having collision with vehicle.

(b) In the event of a catastrophe or accident affecting the public safety or convenience, it shall be lawful to operate or move a vehicle of a size or weight in excess of that permitted by this act, if a report thereof is immediately made, in writing, to the Secretary of Highways of this Commonwealth or local authorities. In such cases, a permit shall issue subsequent to the movement.

Penalty.—Any person operating or moving a vehicle or load of a size or weight exceeding the maximum specified in this act, without first having obtained a permit or permits so to do, shall, upon summary conviction be-

fore a magistrate, be sentenced to pay a fine of fifty (\$50) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Section 1002. Restrictions as to Speed.—

(a) Any person driving a vehicle on a highway shall drive the same at a careful and prudent speed, not greater than nor less than is reasonable and proper, having due regard to the traffic, surface and width of the highway, and of any other restrictions or conditions then and there existing; and no person shall drive any vehicle upon a highway at such a speed as to endanger the life, limb, or property of any person, nor at a speed greater than will permit him to bring the vehicle to a stop within the assured clear distance ahead.

(b) Subject to the provisions of subsection (a) of this section, speeds in excess of the maximum limits hereinafter provided shall be unlawful:

1. Ten (10) miles an hour speed limit:

All vehicles, when passing any interurban or street car taking on or discharging passengers; at an intersection, where a safety zone has been established, or where traffic is controlled by a peace officer or a traffic signal.

2. Fifteen (15) miles an hour speed limit:

All vehicles, except those restricted by this act to lower maximum speeds, when passing a school building during school recess, or while children are going to or leaving school during opening or closing hours.

3. Twenty (20) miles an hours speed limit:

All vehicles, except those restricted by this act to lower maximum speeds, within business or residence districts, where signs, erected by the proper authorities, on the right-hand side of the highway facing the traffic to be controlled, are displayed bearing the words "TWENTY MILE SPEED LIMIT," in letters not less than four (4) inches in height. This limit shall be observed for a distance beyond said sign for not more than one-eighth ($\frac{1}{8}$) of a mile. An additional sign shall be placed at intervals not greater than [one-eight] *one-eighth* ($\frac{1}{8}$) of a mile, and any extension of such limited zone shall be marked by additional signs in like manner. At the end of such limited zone, there shall be a sign, similarly placed as to traffic, bearing the words "END OF TWENTY MILE SPEED LIMIT," in letters not less than four (4) inches in height.

All vehicles, except those restricted by this act to lower maximum speeds, when approaching within two hundred (200) feet of a railway grade crossing where sign erected by the proper authorities is displayed, bearing the words "TWENTY MILE SPEED LIMIT," in letters not less than four (4) inches in height.

All vehicles, except those being operated on through highways, and those restricted by this act to lower maxi-

imum speeds, when approaching within fifty (50) feet and in traversing an intersection of highways, within a business or residence district, when the driver's view is obstructed, except on highways controlled at intersections by peace officer or traffic signal. A driver's view shall be deemed to be obstructed if, during the last fifty (50) feet of his approach to such intersection, he does not have a clear and uninterrupted view of such intersection and of the traffic upon all of the highways entering such intersection for a distance of two hundred (200) feet from such intersection.

4. Forty (40) miles an hour speed limit:

All vehicles, except those otherwise restricted by this act to lower maximum speeds.

(c) Subject to the provisions of subsections (a) and (b) of this section, it shall be unlawful for the following kinds, types, and classes of vehicles to exceed the maximum speed limits hereinafter provided:

1. Ten (10) miles an hour speed limit:

Tractors,

Commercial motor vehicles and truck tractors with solid rubber tires—Class Z, VZ, WZ, YZ, and ZZ.

2. Twelve (12) miles an hour speed limit:

Commercial motor vehicles and truck tractors with solid rubber tires—Class Y.

3. Fifteen (15) miles an hour speed limit:

Commercial motor vehicles and truck tractors with solid rubber tires—Class V, [and] W, and UZ.

4. Eighteen (18) miles an hour speed limit:

Commercial motor vehicles and truck tractors with solid rubber tires—Class U, SZ, and TZ.

5. Twenty (20) miles an hour speed limit:

Commercial motor vehicles and truck tractors with solid rubber tires—Class S, [and] T, and RZ.

Commercial motor vehicles and truck tractors with cushion rubber tires—Class W, Y, Z, UZ, VZ, WZ, YZ, and ZZ.

6. Twenty-four (24) miles an hour speed limit:

Commercial motor vehicles and truck tractors with solid rubber tires—Class R.

Commercial motor vehicles and truck tractors with pneumatic tires—Class Y, Z, VZ, WZ, YZ, and ZZ.

Commercial motor vehicles and truck tractors with cushion rubber tires—Class U, [and] V, SZ, and TZ.

7. Thirty (30) miles an hour speed limit:

Motor buses and omnibuses with solid rubber or cushion rubber tires—Class, B, C, D, and E.

Commercial motor vehicles and truck tractors with pneumatic tires—Class V, [and] W, SZ, TZ, and UZ.

Commercial motor vehicles and truck tractors with cushion rubber tires—Class R, S, [and] T, and RZ.

8. Thirty-five (35) miles an hour speed limit:

Commercial motor vehicles and truck tractors with pneumatic tires—Class R, S, T, [and] U, *and RZ.*

Motor buses and omnibuses with pneumatic tires—Class C, [and] D, *and E.*

(d) When the rate of speed of any vehicle is timed, on a measured stretch of any highway within a business or residence district, where "TWENTY MILE SPEED LIMIT" signs are erected, as provided in this section, for the purpose of ascertaining whether or not the operator of such vehicle is violating a speed provision of this act, such time shall be taken by not less than two (2) peace officers, one of whom shall have been stationed at each end of such measured stretch, and no conviction shall be had upon the unsupported evidence of one (1) peace officer, except as hereinafter provided, and no such measured stretch shall be less than one-eighth ($\frac{1}{8}$) of a mile in length. Under all other conditions, the rate of speed may be timed, for a distance of not less than one-quarter ($\frac{1}{4}$) mile, by a peace officer using a motor vehicle equipped with a speedometer tested for accuracy within a period of thirty (30) days prior to the alleged violation.

(e) In every information charging violation of this section, reference shall be made to this section and subsection alleged to have been violated, specifying the speed at which the defendant is alleged to have driven.

(f) The speed limitations set forth in this section shall not apply to vehicles, when operated with due regard for safety, under the directions of the police in the chase or apprehension of violators of the law, or of persons charged with or suspected of any such violation, nor to fire department or fire patrol vehicles when traveling in response to a fire alarm, nor to ambulances when traveling in emergencies. The exemption shall not, however, protect the driver of any such vehicle from the consequences of a reckless disregard of the safety of others.

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 ten (\$10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 1007. Overtaking a Vehicle.—

[(a)] The driver of any vehicle overtaking another vehicle proceeding in the same direction shall pass at a safe distance to the left thereof, and shall not again drive to the right side of the highway until safely clear of such overtaken vehicle, except [when such overtaken vehicle is stopped in the lane for traffic to the right of and nearest to the centre line of the highway for the purpose of making a left-hand turn, then the overtaking vehicle may pass such stopped vehicle to the right.]

that, on a highway, within a business or residence district, having two (2) or more marked lanes for movement of traffic in one direction, the driver of a vehicle may overtake and pass another vehicle on the right. Nothing in this section shall be construed to prohibit a driver overtaking and passing, upon the right, another vehicle which is making or about to make a left turn.

[(b) The driver of an overtaking motor vehicle, not within a business or residence district as herein defined, shall give audible warning with his horn, or other warning device, before passing or attempting to pass a vehicle proceeding in the same direction.]

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 ten (\$10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 1008. Limitations on Privilege of Overtaking and Passing.—

(a) The driver of a vehicle shall not drive to the left side of the center line of a highway in overtaking and passing another vehicle proceeding in the same direction, unless such left side is clearly visible, and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be made in safety.

(b) The driver of a vehicle shall not overtake and pass another vehicle proceeding in the same direction, when approaching the crest of a grade, nor upon a curve in the highway, where the driver's view along the highway is obstructed within a distance of three hundred (300) feet ahead, *except, on a highway having two (2) or more lanes for movement of traffic in one direction, the driver of a vehicle may overtake and pass another vehicle: Provided, That on a highway, within a business or residence district, having two (2) or more marked lanes for movement of traffic in one direction, the driver of a vehicle may overtake and pass another vehicle on the right.*

(c) The driver of a vehicle shall not overtake and pass any other vehicle, proceeding in the same direction, at any railway grade crossing, nor at any intersection of highways, unless such intersection or crossing is controlled by traffic signal, or unless permitted so to do by a watchman or peace officer, *except, on a highway having two (2) or more lanes for movement of traffic in one direction, the driver of a vehicle may overtake and pass another vehicle: Provided, That on a highway, within a business or residence district, having two (2) or more marked lanes for movement of traffic in one direction, the driver of a vehicle may overtake and pass*

another vehicle on the right. Nothing in this subsection shall be construed to prohibit a driver overtaking and passing, upon the right, another vehicle which is making or about to make a left turn.

(d) The driver of a vehicle shall not overtake and pass, or attempt to pass, any other vehicle, proceeding in the same direction, between any points indicated by the placing of temporary warning or caution signs indicating that men are working on the highway.

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 ten (\$10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 1009. Driver to Give Way to Overtaking Vehicle.—

(a) The driver of a vehicle, about to be overtaken and passed by another vehicle or street car approaching from the rear, shall give way to the right, in favor of the overtaking vehicle or street car, on suitable and audible signal being given by the driver of the overtaking vehicle or street car, and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle or street car.

(b) When a street car has started to cross an intersection, no driver of a vehicle shall drive upon or cross the car tracks within the intersection in front of the street car.

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 ten (\$10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 1010. Following Too Closely.—

(a) The operator of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard to the speed of such vehicle and the traffic upon and condition of the highway.

(b) The operator of any motor bus, motor omnibus, commercial motor vehicle, truck tractor or tractor, when traveling upon a highway outside of a business or residence district, shall not follow another such vehicle within [one] five hundred [(100)] (500) feet, but this shall not be construed to prevent one such vehicle overtaking and passing another such vehicle.

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 ten (\$10) dollars and costs of prosecution, and, in default of the

payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 1011. Turning at Intersections.—

(a) The driver of a vehicle intending to turn to the right at an intersection shall approach such intersection in the lane for traffic nearest to the right-hand side of the highway, and, in turning, shall keep as closely as practicable to the right-hand curb or edge of the highway.

(b) The driver of a vehicle intending to turn to the left shall approach such intersection in the lane for traffic to the right of and nearest to the centre line of the highway, and, in turning, shall pass to the left of the center of the intersection, keeping as close as shall be practicable to the center of the intersection, except that, upon streets laned for traffic and upon one-way streets, a left turn shall be made from the left lane of traffic in the direction in which the vehicle is proceeding.

(c) For the purpose of this section, the center of the intersection shall mean the meeting point of the medial lines of the highways intersecting one another, *except when it is occupied by a monument, grass plot, or any permanent structure, other than a traffic control device.*

(d) Local authorities, when proper signs are erected, may prohibit turning at intersections, *and may, when the center of the intersection is occupied by a monument, grass plot, or any permanent structure, other than a traffic control device, direct traffic to keep to the right when proper signs are erected.*

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 ten (\$10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 1013. Right of Way.—

(a) When two vehicles approach or enter an intersection at approximately the same time, the driver of the vehicle on the left shall yield the right of way to the vehicle on the right, except as otherwise provided in this act. The driver of any vehicle traveling at an unlawful speed shall forfeit any right of way which he might otherwise have hereunder.

(b) The driver of a vehicle, street car, or trackless trolley omnibus, approaching but not having entered an intersection, shall yield the right of way to a vehicle within such intersection [and] *or* turning therein to the left across the line of travel of such first mentioned vehicle, provided the driver of the vehicle turning left has given a plainly visible signal of intention to turn as required in this act.

(c) The driver of any vehicle, street car, or trackless trolley omnibus, upon a highway within a business or residence district, shall yield the right of way to a pedestrian crossing such highway within a crosswalk, except at intersections where the movement of traffic is being regulated by a peace officer or traffic signal. Every pedestrian crossing a highway within a business or residence district, at any point other than a crosswalk, shall yield the right of way to vehicles upon the highway.

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 ten (\$10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 1014. Exceptions to the Right of Way Rule.—

(a) The driver of a vehicle entering a highway from a private road or drive shall yield the right of way to all vehicles approaching on such highway.

(b) The driver of a vehicle upon a highway shall yield the right of way to police and fire department vehicles and ambulances, when such vehicles are operated upon official business and the drivers thereof sound audible signal. This provision shall not operate to relieve the driver of a police or fire department vehicle or ambulance from the duty to drive with due regard for the safety of all persons using the highway, nor shall it protect the driver of any such vehicle from the consequence of an arbitrary exercise of such right of way.

(c) The driver of a vehicle entering a through highway or stop intersection, which has been established as such under [section one thousand one hundred and twelve (1112)] provisions of this act, shall yield the right of way to all vehicles approaching in either direction on such through highway. This provision shall not operate to relieve the driver of any vehicle being operated on a through highway from the duty to drive with due regard for the safety of vehicles entering such through highway, nor shall it protect the driver of any vehicle on a through highway from the consequence of an arbitrary exercise of such right of way.

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 ten (\$10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 1015. What to do on Approach of Police or Fire Department Vehicle.—

(a) Upon the approach of any police or fire depart-

ment vehicle or ambulance, giving audible signal, the driver of every other vehicle shall immediately drive the same to a position as near as possible, and parallel to, the right-hand edge or curb of the highway, clear of any intersection of highways, and shall stop and remain in such position, unless otherwise directed by a peace officer, until the police or fire department vehicle or ambulance shall have passed.

(b) It shall be unlawful for the driver of any vehicle, other than one on official business, to follow any fire apparatus traveling in response to a fire alarm closer than five hundred (500) feet, or to [drive into or] park such vehicle within [the block] *five hundred (500) feet* where fire apparatus has stopped in answer to a fire alarm.

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 ten (\$10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 1016. Vehicles Must Stop at [Certain] Through Highways and Stop Intersections.—

(a) It shall be unlawful for the driver or operator of any vehicle, street car, or trackless trolley omnibus, *except as is otherwise provided in this section*, before entering a through highway, to fail to come to a full stop, within a reasonable distance, before entering the intersection on such through highway, when "THRU TRAFFIC STOP" sign has been erected in accordance with the provisions [of section one thousand one hundred and twelve (1112)] of this act.

(b) *It shall be unlawful for the driver or operator of any vehicle, street car, or trackless trolley omnibus, except as is otherwise provided in this section, before entering a stop intersection to fail to come to a full stop, within a reasonable distance, before entering the intersection, when a "STOP" sign has been erected in accordance with the provisions of this act.*

(c) *The driver or operator of any vehicle, street car, or trackless trolley omnibus shall not be subject to the provisions of this section during the hours when a traffic signal is actually in operation, or when a peace officer is actually on duty directing traffic.*

(d) *This section shall not apply to vehicles, when operated with due regard for safety, under the direction of the police in the chase or apprehension of violators of the law or to persons charged with or suspected of any such violation, nor to fire department or fire patrol vehicles responding to a fire alarm, nor to ambulances when traveling in emergencies. The exemption, how-*

ever, shall not protect the driver of any such vehicle from the reckless disregard of the safety of others.

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 (\$5) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than three (3) days.

Section 1020. Parking [in Front of Fire Hydrant, Fire Station or Private Driveway] *Prohibited in Specified Places.*—No person shall park a vehicle, or permit it to stand, whether attended or unattended, upon a highway in [front of a private driveway, or within fifteen (15) feet in either direction of a fire hydrant or the entrance to a fire station, nor within twenty-five feet from the intersection of curb lines, or, if none, then within fifteen (15) feet of the intersection of property lines at an intersection of highways.] *any of the following places:*

1. *Within an intersection.*
2. *On a cross-walk.*
3. *Between a safety zone and the adjacent curb, or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone, unless local officials shall indicate a different length by signs or markings.*
4. *Within twenty-five (25) feet from the intersection of curb lines, or, if none, then within fifteen (15) feet of the intersection of property lines at an intersection of highways.*
5. *Within thirty (30) feet upon the approach to any official flashing signal, stop sign, or traffic signal located at the side of the roadway.*
6. *Within fifteen (15) feet of the driveway entrance to any fire station.*
7. *Within fifteen (15) feet of a fire hydrant.*
8. *In front of a private driveway.*
9. *On a sidewalk.*
10. *Along-side any street or highway excavation or obstruction, nor opposite the same, unless a clear and unobstructed width of not less than twenty (20) feet upon the main traveled portion of the said street or highway shall be left free for passage of other vehicles thereon.*
11. *On the roadway side of any vehicle stopped or parked at the curb or edge of the highway.*
12. *At any place where official traffic signs have been erected prohibiting standing and parking.*
13. *Within fifty (50) feet of the nearest rail of a steam or interurban railway crossing.*
14. *Where such stopped or parked vehicle would prevent the free movement of a street car.*

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 ten (\$10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 1025. Duty to Stop in Event of Accident.—

(a) The driver of any vehicle involved in an accident, resulting in injury or death to any person or damage to property, shall immediately stop such vehicle at the scene of such accident.

(b) The driver and owner, if present, of any vehicle involved in any accident, resulting in injury or death to any person or damage to property, shall, upon request, give his name, address, and the registration number of his vehicle, and exhibit his operator's license to the person struck, or the driver or occupants of any vehicle [collided with] *involved*, and shall render to any person injured in such accident reasonable assistance, including the carrying of such person to a physician or surgeon for medical or surgical treatment, if it is apparent that such treatment is necessary, or is requested by the injured person.

Penalty.—Any person violating any of the provisions of this section shall, be guilty of a misdemeanor, and shall, upon conviction thereof in a court of quarter sessions, be sentenced to pay a fine of not more than two hundred (\$200) dollars and costs of prosecution, or undergo imprisonment for not more than three (3) years, or suffer both such fine and imprisonment.

Section 1026. Traffic Signal Interpretation.—

(a) It shall be unlawful for the driver or operator of any vehicle, street car, or trackless trolley omnibus to disobey the directions of any traffic signal placed in accordance with the provisions [of section eleven hundred and ten (1110)] of this act, unless otherwise directed by a peace officer.

(b) Whenever traffic at an intersection is alternately directed to stop and go, by the use of traffic signals, the words, or colored lights, or combinations thereof, shall indicate as follows, except as otherwise provided in this section:

1. Green or "Go."—Traffic facing the signal may proceed straight ahead, and make right or left turns, except where no such turns are permitted, when so indicated by proper signs. Vehicular traffic shall yield the right of way to pedestrians *crossing or who have started to cross the roadway on the green signal* and vehicles lawfully within a crosswalk or the intersection at the time such signal was exhibited.

2. Yellow or "Caution," When Shown Alone.—Traffic facing the signal shall stop before entering the inter-

section, and no movement of traffic shall be made, except [that] *the traffic* then within the intersection, and a "U" turn on a two-way street back of the intersection, when so indicated by proper signs. [but local authorities may provide for left turns on yellow or "Caution," when so indicated by proper signs, in which case there shall be no left turns on green or "Go," as above provided.]

3. Red or "Stop."—Traffic facing the signal shall stop before entering the intersection, and remain standing until green or "Go" is shown alone. No movement or turns shall be lawful on red or "Stop," except that "U" turns may be made on a two-way street back of the intersection when so indicated by proper signs.

(c) Where signs indicate turns, as above provided, they shall be attached to the traffic signals, or immediately adjacent thereto, and the letters shall be at least two (2) inches in height, and they shall be clearly illuminated at night.

(d) The traffic signal interpretations set forth in this section shall not apply to vehicles, when operated with due regard for safety, under the direction of the police, in the chase or apprehension of violators of the law or of persons charged with or suspected of any such violation, nor to fire department or fire patrol vehicles when traveling in response to a fire alarm, nor to ambulances when traveling in emergencies. This exemption shall not, however, protect the operator of any such vehicle from the consequences of a reckless disregard of the safety of others.

(e) *Local authorities may provide for turns on special green arrow signals. Where a left turn is provided for in the above manner, there shall be no left turns on green or "Go," as above provided, when so indicated by proper signs.*

(f) *Flashing Yellow or Caution Signals.—A signal when illuminated by rapid intermittent yellow flashes shall indicate "Caution." No signal shall be so operated as to show a constant yellow light when not in operation as a traffic signal.*

(g) *Flashing Red Signal.—In cities, a signal when illuminated by rapid intermittent red flashes shall require the operators of all vehicles and street cars and trackless trolleys to observe the same regulations as for through traffic stop signs and signs at stop intersections, as provided in this act.*

Penalty.—Any person violating any of the provisions of subsection (a) of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of five (\$5) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than three (3) days.

Section 1027. *Certain Vehicles to Stop at Railway Grade Crossings.*—All *motor buses and motor omnibuses* engaged in the transportation of passengers for compensation, and all motor vehicles used in the transportation of school children, either on contract with the school district authorities or owned by school districts, and vehicles transporting explosives, shall come to a complete stop immediately before crossing a railway grade crossing.

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 twenty-five (\$25) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 1030. *Soliciting Sale of Goods, Merchandise, Tickets and Contributions.*—No person or persons shall stand on a highway to stop, impede, hinder or delay the progress of any vehicle, for the purpose of soliciting the purchase of goods, merchandise or tickets, or for the purpose of soliciting contributions for any cause whatsoever, *nor shall any person stand on or in proximity to a highway for the purpose of soliciting the watching or guarding of any vehicle while parked or about to be parked*, and the only question of law and fact in determining guilt under this section shall be whether goods, merchandise or tickets were tendered or offered for sale, or whether a contribution was solicited, *or whether such service was offered or implied.*

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 ten (\$10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 1101. *When Authorities May Restrict Right to Use Highways.*—

(a) The Secretary of Highways of this Commonwealth and local authorities may, by ordinance or resolution or ruling, prohibit the operation of vehicles upon any highway, or impose restrictions as to the weight of vehicles and their loads, for a total period not to exceed ninety (90) days in any one (1) calendar year, when operated upon any highway under the jurisdiction of and for the maintenance of which the Secretary of Highways of this Commonwealth or local authorities are responsible, whenever any said highway, by reason of deterioration, rain, snow, or other climatic conditions, will be seriously damaged or destroyed unless the use of vehicles thereon is prohibited or the permissible weights thereof reduced. The Secretary of Highways of this Commonwealth and local authorities enact-

ing or making any such ordinance or resolution or rule shall erect, or cause to be erected and maintained, signs designating the provisions of the ordinance or resolution or rule, at each end of that portion of any highway affected thereby, and at intersections thereof; and the ordinance or resolution or rule shall not be effective until or unless such signs are erected and maintained.

(b) *Whenever necessary for the protection of any highway or the safety of traffic thereon, [The] the Secretary of Highways of this Commonwealth, or local authorities, may also, by ordinance or resolution or rule, prohibit the operation of motor vehicles, trailers, or semi-trailers on designated highways, as to the weights and loads thereon, which prohibitions and limitations shall be designated by appropriate signs placed on such highways and their intersections.*

Section 1103. Powers of Local Authorities.—

(a) Local authorities, except as expressly authorized by this act, shall have no power or authority to alter any speed limitations declared in this act, or to enact or enforce any ordinance, rule or regulation contrary to the provisions of this act, except that local authorities shall have power to provide by ordinance for the regulation of traffic by means of peace officers or traffic signals on any portion of the highway where traffic is heavy or continuous, and may regulate or prohibit parking, stopping or loading of vehicles, or prohibit other than one-way traffic upon certain highways, and may regulate the use of the highways by processions or assemblages, and may regulate the kinds and classes of traffic and its turning on certain highways at all or certain hours, and may regulate the transportation by motor vehicles of passengers for compensation within the limits of a city, or from points in the city to points beyond the city limits, and make and enforce regulations for the operation of such vehicles not inconsistent with this act, and designate certain streets upon which such vehicles may be operated.

(b) *Local authorities in cities of the first class, second class and second class A, in their respective jurisdictions, shall have the authority to provide, by ordinance, for the removal and impounding of any vehicle parked on the streets, highways, or public property of such city in violation of any local ordinance, adopted pursuant to the authority of this act or of any of the provisions of this act.*

(c) *No ordinance for the removal and impounding of vehicles parked on such streets, highways, or on public property shall be legal or enforceable, unless such ordinance shall provide:*

1. *For the designation of approved storage garages as pounds for the storage of such impounded vehicles;*

2. For the bonding of such pounds in an adequate amount for the indemnifying of the owner of such impounded vehicle against the loss thereof, or injury or damage thereto, while in the custody of such pound-keeper;

3. For the fixing of specific towing and storage charges;

4. That within twelve (12) hours from the time of removal of such vehicle, notice of the fact that such vehicle has been impounded shall be sent by a police authority or authorities, designated in such ordinance, to the owner of record of such vehicle, designating the place from which said vehicle was removed, the reason for its removal and impounding, and the pound in which it has been impounded;

5. That the payment of such charges, unless such payment shall be made "under protest," shall be final and conclusive, and shall constitute a waiver of any right to recover the money so paid;

6. That in the event that the towing and impounding charges are paid "under protest," the offender shall be entitled to a hearing before a magistrate or court of record having jurisdiction, in which case defendant shall be proceeded against and receive such notice as is provided by the Vehicle Code in other cases of summary offenses, and shall have the same rights as to appeal and waiver of hearing.

(d) If the magistrate or court of record shall find, either—

1. That the ordinance was not validly enacted pursuant to the provisions of this act.

2. That the vehicle was not parked in a location prohibited by this act, or an ordinance properly enacted pursuant thereto.

3. That at the time the vehicle was towed away, the owner or person for the time being in charge was present and ready and willing to remove the same.

4. That the vehicle was parked by a person, other than the owner or someone in charge thereof, without the owner's consent, after having been stolen, or for any other reason the towing or impounding was unlawful, and the defendant is acquitted, said magistrate shall forthwith certify to the city treasurer the facts, and the city treasurer shall, within five days, refund to the defendant the amount of said towing and storage charges paid by him or in his behalf.

(e) No vehicle shall be removed under the authority of an impounding ordinance if, at the time of such intended removal, the owner or person for the time being in charge of such vehicle is present and expresses a willingness and intention to immediately remove said vehicle.

(f) *Any city exercising its powers to remove and impound vehicles shall be liable to the owner of said vehicle resulting from the negligence of any city employe or agent for any injury or damage sustained by said vehicle while in the act of being removed from the place of parking to the pound.*

(g) *Local authorities are hereby prohibited from passing or enforcing any ordinance for the removal or impounding of any vehicle inconsistent with the provisions of this act.*

Section 1105. [Uniform Marking of and Erection of Signs on Highways.—The Secretary of Highways of this Commonwealth is hereby authorized to classify and mark State highways, and to provide a uniform system of marking and sign posting such highways, and such system of marking and sign posting shall correlate with and so far as possible conform to the system adopted in other states.]

Uniformity and Control of Signs and Markings.—

(a) *The Secretary of Highways of this Commonwealth shall make and publish regulations for the design and location of all traffic signs and markings in this Commonwealth, and such signs and markings shall correlate with, and, so far as possible, conform with, the system adopted in other states. Local authorities are directed to follow the uniform regulations for signs and markings as so provided, and no other system shall be regarded as official.*

(b) *The Department of Highways shall have authority over the installation, location, operation, and maintenance of all signs, signals, and markings, on State highways, in townships in this Commonwealth; and authority over the installation, location, and maintenance of all signs and markings on highways in cities, boroughs, and incorporated towns, where such highways form connecting links between or continuations of State highways, and shall have the power and duty to cause the removal, alteration, or adjustment of any such signs, signals, or markings that do not conform with the regulations of the Department of Highways.*

(c) *The Secretary of Highways and local officials, in their respective jurisdictions, shall have the authority to cause the removal of all colored or flashing light signs or other lights or signs so located as to interfere with traffic or to be confused with or to obstruct the view or effectiveness of official signs, traffic signals, or markings.*

Section 1107. *Other Than Official Signs Prohibited.*—No unauthorized person shall erect or maintain, upon or along any highway, any warning or direction, sign, marker, or traffic signal, [or light,] in imitation of, or similar to, any official sign, marker, or traffic signal,

[or light] erected under the provisions of this act; and no person shall erect or maintain, upon any highway, any [traffic or] highway sign [or signal] bearing thereon any commercial advertising, provided nothing in this section shall be construed to prohibit the erection or maintenance of signs, markers, or *traffic* signals bearing thereon the name of an organization authorized to erect the same by the Secretary of Highways of this Commonwealth, or any proper local official. *Every unauthorized sign, marker, or traffic signal is hereby declared to be a public nuisance, and the official having jurisdiction over the highway is hereby empowered and directed to cause the removal of the same.*

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 twenty-five (\$25) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Section 1109. Establishment of Safety Zones.—The Secretary of Highways of this Commonwealth, with reference to State highways, and local authorities in *counties*, cities, boroughs, incorporated towns, and townships of the first class, with reference to highways under their jurisdiction, are hereby authorized to establish safety zones. The Secretary of Highways of this Commonwealth, and local authorities, when establishing a safety zone, shall erect and maintain signs bearing the words "SAFETY ZONE," illuminated at night or so designed to reflect light from head lamps.

Section 1110. Erection of Traffic Signals.—

(a) The Secretary of Highways of this Commonwealth, with reference to State highways, and local authorities in cities, boroughs, incorporated towns, and townships of the first class, with reference to highways under their jurisdiction, are hereby authorized to erect and maintain traffic signals. Before local authorities in [cities, boroughs, incorporated towns, and] townships [of the first class] shall erect or cause to be erected traffic signals on a State highway, they must first obtain the approval of the Secretary of Highways of this Commonwealth.

(b) Traffic signals, electrically operated, shall conform to the following:

1. Where a three-color system is used, the yellow light following the red light shall not exceed three (3) seconds in length. The timing of all lights shall be determined by the volume of traffic and other conditions.

2. Where three colored lights are used, the yellow shall be in the center.

3. The light shall be of such power as to cause the

signal to be visible for at least three hundred (300) feet.

4. Traffic signals of the pedestal type shall be placed at a height of not less than eight (8) feet above the pavement to the bottom of the signal if on a mast arm, or, if suspended, the bottom of the signal shall clear the pavement by at least fifteen (15) feet: Provided, That the requirements as to height of traffic signals shall not apply to such signals installed and in operation prior to January the first, nineteen hundred thirty, except that replacement of present traffic signals made in the interim shall conform to these provisions.

(c) Traffic signals, manually operated or commonly known as semaphores, shall conform to the following:

1. There may be four vanes or sides; the stop vanes having a red field with the word "STOP" plainly visible thereon; and the go vanes, a green field with the word "GO" plainly visible thereon.

2. When used at night, they shall be equipped with red and green lights, corresponding with the vanes or sides, and with the same visibility as electrically operated signals.

(d) All traffic signals shall be so located as to be plainly visible to all traffic to be regulated.

(e) Traffic signals, electrically operated, erected after January first, one thousand nine hundred and thirty-two, shall be of the three-color system. The red lens shall be at the top or left side, the yellow lens in the center, the green lens at the bottom or right side. Where a special green arrow is used for right or left turns, it shall be located below or to the right of the green lens.

Penalty.—Any official of any city, borough, incorporated town, or township of the first class, who shall erect or cause to be erected and operated a traffic signal in violation of the provisions of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of one hundred (\$100) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Section 1112. Establishment of Thru Highways and Stop Intersections.—

(a) The Secretary of Highways of this Commonwealth, with reference to State highways, and local authorities in counties, cities, boroughs, incorporated towns, and townships of the first class, with reference to highways under their jurisdictions, are hereby authorized to designate through highways, by erecting at the entrance thereto from intersecting highways signs bearing the words "THRU TRAFFIC STOP," the word "STOP" to be in letters at least six (6) inches in

height, and the letters of the words "THRU" and "TRAFFIC" shall be of the form and size approved by the Secretary of Highways of this Commonwealth: *Provided, That no stop sign shall be erected at an intersection where, at all times, there is control by either a traffic signal or by a flashing signal.* [notifying operators of vehicles and street cars to come to full stop before entering or crossing such designated highway: *Provided, however, That vehicles, street cars, and trackless trolley omnibuses shall not be subject to the provisions of this section, at an intersection during the hours when a traffic signal is actually in operation or where a peace officer is actually on duty directing traffic.*]

(b) *The Secretary of Highways of this Commonwealth, with reference to State highways, and local authorities in counties, cities, boroughs, incorporated towns, and townships of the first class, with reference to highways under their jurisdictions, are hereby authorized to designate stop intersections, by erecting at the entrance thereto from intersecting highways signs bearing the word "STOP" in letters of at least six (6) inches in height.*

[(b)] (c) Before local authorities in *counties, cities, boroughs, incorporated towns, and townships of the first class, shall designate any highway as a through highway or stop intersection, which will intersect or affect a State highway, approval of such designation must first be obtained from the Secretary of Highways of this Commonwealth.*

[(c)] (d) All signs shall be of the size, form, design, and coloring as the Secretary of Highways of this Commonwealth shall direct, and shall be illuminated at night, or so placed as to be illuminated by the head lamps of an approaching vehicle, or by street lights, or the word "STOP" may be illuminated at night or may be luminous.

Section 1201. [Information and Prosecution] *Limitations of Actions.*—

(a) Informations, charging violations of any of the *summary* provisions of this act, [except in cases where the offense is designated a felony or a misdemeanor,] shall be brought before [the nearest available] *the magistrate nearest to the point where the alleged violation occurred, or a magistrate within the city, borough, incorporated town, or township where the alleged violation occurred,* within fifteen (15) days after the commission of the alleged offense and not thereafter, except that where an information is filed against a person *prima facie* guilty of [an] *summary* offense, and it subsequently appears that a person other than the person named in the information was the offender, an information may be filed against such other person within fif-

teen (15) days after his or her identity shall have been discovered.

(b) [Prosecutions for offenses defined in this act, except as otherwise herein provided, shall be brought under this act, and not under any local ordinance, rule or regulation.]

Where the offense committed is designated a felony or misdemeanor, information may be filed as now provided by law.

[(c) Prosecutions brought under any local ordinance, rule or regulation, which are based on a violation for which there is a specific penalty provided in this act, shall be deemed and considered as having been brought under this act.]

Section 1202. Proceedings by Information and Warrant.—

(a) Summary proceedings under this act [for any violation of a local ordinance, rule or regulation, enacted under the authority thereof, except as hereinafter provided shall] may be commenced by the filing of information, which information must be filed in the name of the Commonwealth: and, within the period of seven (7) days after information has been lodged, the magistrate shall send by registered mail, to the person charged, at the address shown by the records of the department, a notice in writing of the filing of the information, together with a copy thereof and a notice to appear within ten (10) days of the date of the written notice.

1. If the person named in the information shall not voluntarily appear within ten (10) days of the date of the written notice, a warrant shall then issue and may be served by a peace officer having authority to serve warrants in the county in which the alleged violation has been committed.

If the person charged cannot be served within such county, then the magistrate shall deputize a peace officer, having authority to serve warrants in the county wherein the person charged resides, or may be found, to serve such warrant.

2. The peace officer serving such warrant shall take the defendant before [the nearest available] a magistrate, *within the city, borough, incorporated town, or township* [of the county] in which the defendant is found, who shall take bail, either for the defendant's appearance before the magistrate who issued the warrant, or for his appearance for trial in the proper court, if a summary hearing is waived.

(b) Where the offense committed is designated a felony or misdemeanor, information may be filed and warrant served as now provided by law.

Section 1203. Arrests on View or With Warrant.—

(a) Peace officers, when in uniform and displaying

a badge or other sign of authority, may arrest, upon view, any person violating any of the provisions of this act, where the offense is designated a felony or a misdemeanor, or in cases causing or contributing to an accident resulting in injury or death to any person, and such peace officers shall forthwith make and file with the magistrate, before whom the arrested person is taken, an information setting forth in detail the offense, and at once furnish a copy thereof to the person arrested. [When a peace officer is unable to arrest, upon view, any person violating any of the provisions of this act, where the offense is designated a felony or misdemeanor, or in cases causing or contributing to an accident resulting in injury or death to any person, information may be filed and warrant served as now provided by law.]

(b) If the defendant is unable to give bail, as provided in this act, for a hearing, or for his appearance at court, the magistrate shall accept as bail any article of sufficient value, or, if the defendant is the owner thereof, shall hold in custody the vehicle found in his possession, and the court or magistrate, after the trial of the defendant, or when bail according to law has been given, shall make such order as to the disposition of such vehicle or other articles accepted as bail as shall seem just and proper.

Section 1204. Appeals; Waiving Hearings.—

(a) Any person convicted in any summary proceeding under this act shall have the right of appeal as in other cases of summary conviction.

(b) Any person charged with violating any of the *summary* provisions of this act [other than felonies and misdemeanors,] may waive summary hearing, and give bond in a sum equal to double the amount of the fine and costs that might be imposed, for appearance for trial before a judge of the court of quarter sessions, or in the county court, or in the municipal court, in counties wherein such court exists, and thereupon the magistrate shall, within fifteen (15) days, return the information to the said court.

(c) If any person, so accused, having waived a hearing, shall be convicted in such court of the offense charged, he shall be sentenced to pay the fine and costs of prosecution, or suffer imprisonment provided in this act for the offense committed. If on a waived hearing, or the hearing of an appeal from a summary conviction under this act before a judge of such court, the defendant is found not guilty, and the defendant has paid a fine, or fine and costs, following the sentence on which he appealed, such court, upon acquitting the defendant, shall decree a restitution of the said fine, or fine and costs, to the defendant, and, upon presentation of a certified copy of said decree, it shall be the duty of the

magistrate, or other officer to whom such fine or fine and costs has been paid, to refund same to the defendant: Provided, however, If the fine shall have been returned by such magistrate according to this act to the treasurer of any city or borough or incorporated town or township, such treasurer shall refund to the defendant such fine, upon presentation of claim: And further provided, That if the fine shall have been returned by such magistrate, according to this act, to the department, refund shall be made as provided in [article XIII of] this act. In no case where the defendant is found not guilty shall any costs of prosecution be imposed upon him in a summary proceeding under this act, whether heard by a magistrate or court of record.

Section 1206. Report of Conviction.—

(a) Every magistrate in this Commonwealth shall keep, for a period of at least two (2) years, a full report of every case in which a person is charged with a violation of any provision of this act, and *such records shall be open for inspection by any peace officer or department employe.* [in] In the event that [such] a person is convicted, or that his bail is forfeited, an abstract of such report shall be sent, upon request of the secretary, to the department, but this requirement shall not be deemed to make such court a court of record. Abstracts required by this section shall be made upon forms prepared by the department, and shall include all necessary information as to the parties to the case, the nature of the offense, the date of hearing, the plea, the judgment, the amount of the fine or forfeiture, and other information deemed necessary; and every such abstract shall be certified by the magistrate as a true abstract of the record of the court.

(b) The clerk of any court of record of this Commonwealth shall, within ten (10) days after final judgment of conviction of any of the provisions of this act, send to the department a certified copy of such judgment of conviction. Certified copies of the judgment shall also be forwarded to the department, upon conviction of any person of manslaughter or other felony or misdemeanor in the commission of which a motor vehicle was used.

(c) The department may keep such records in its offices for at least five (5) years, and they shall be open to the inspection of any person during reasonable business hours.

Penalty.—Failure, refusal, or neglect to comply with any of the provisions of this section shall constitute misconduct in office, and shall be ground for removal therefrom.

Section 1207. Disposition of Fines and Forfeitures.—

(a) All fines and penalties collected under the pro-

visions of this act for violations of the same, and all bail forfeited, shall be paid to the department, and transmitted to the State Treasury, and credited to the "Motor License Fund," except those collected for violations of the provisions of sections nine hundred and three (903), nine hundred and five (905), one thousand and two (1002), one thousand and eleven (1011), one thousand and fifteen (1015), one thousand and eighteen (1018), one thousand and twenty (1020), one thousand and twenty-six (1026), one thousand and twenty-eight (1028) of this act, committed within cities, boroughs, incorporated towns, and townships, [of the first class] which fines and penalties and all bail forfeited shall be paid to the treasurer of the city, borough, incorporated town, or township wherein the violation occurred, to be used by such city, borough, incorporated town, or township, for the construction, repair, and maintenance of the highways thereof: *Provided, That all fines and penalties collected and all bail forfeited for violations of the provisions of section one thousand and sixteen (1016), committed within cities, boroughs, and incorporated towns, shall be paid to the treasury of the city, borough, or incorporated town wherein the violation occurred, to be used by such city, borough, incorporated town for the construction, repair, and maintenance of the highways thereof.*

(b) Sworn statements of all fines and penalties, so collected, and all bail forfeited, shall also be made, by the magistrate or other officer imposing or receiving the same, to the secretary, upon forms furnished by the department; such reports shall be made monthly, not later than the tenth (10th) day of the following month.

Penalty.—Any magistrate or other officer who shall fail to make such monthly reports and returns, or either of them, shall be guilty of a misdemeanor in office, and, upon conviction thereof in a court of quarter sessions, shall be sentenced to pay a fine of five hundred (\$500.00) dollars and costs of prosecution, or undergo imprisonment for not more than sixty (60) days, or suffer both such fine and imprisonment.

Section 1208. Civil Actions for Damages.—All civil actions for damages, arising from the use and operation of any vehicle, may, at the discretion of the plaintiff, be brought before any magistrate, alderman or justice of the peace, in the county wherein the alleged damages were sustained, if the plaintiff has had said damage repaired, and shall produce a receipted bill for the same, properly sworn to by the *said* party making such repairs or his agent; or [said] action may be brought in the court of common pleas of said county, and service of process, in either case, may be made by the sheriff of the county where the suit is brought deputizing the

sheriff of the county wherein the defendant or his registered agent resides, or where service may be had upon him under the existing laws of this Commonwealth, in like manner as process may now be served in the proper county. No action involving more than one hundred (\$100.00) dollars shall be brought before any magistrate, alderman or justice of the peace.

Section 1209. Registration Number Prima Facie Evidence.—In any proceeding for a violation of the provisions of this act *or any local ordinance, rule or regulation*, the registration plate displayed on such motor vehicle shall be prima facie evidence that the owner of such motor vehicle was then operating the same. If at any hearing or proceeding, the owner shall testify, under oath or affirmation, that he was not operating the said motor vehicle at the time of the alleged violation of this act *or any local ordinance, rule or regulation*, and shall submit himself to an examination as to who at that time was operating such motor vehicle, and reveal the name of the person, if known to him, or, if the information is made in a county other than that of his own residence, shall forward to the magistrate an affidavit setting forth these facts, then the prima facie evidence arising from the registration plate shall be overcome and removed and the burden of proof shifted.

Section 1212. Enforcement of Local Ordinances.—

(a) *Prosecutions for offenses defined in this act, except as otherwise herein provided, shall be brought under this act and not under any local ordinance, rule or regulation.*

(b) *Prosecutions brought under any local ordinance, rule or regulation, which are based on a violation for which there is a specific penalty provided in this act, shall be deemed and considered as having been brought under this act.*

(c) Any city, borough, incorporated town, township, or county, which enforces an ordinance, rule or regulation on a matter concerning which authority is expressly delegated to said authorities by this act, or for traffic matters not covered by this act, may impose a fine of not more than fifty (\$50) dollars, to be collected by summary conviction, before any magistrate, as fines and penalties are now by law collected. In the event of non-payment of fines and costs of prosecution, the magistrate may sentence any person, convicted of violating an ordinance, rule or regulation, to undergo imprisonment for a period of not exceeding ten (10) days: Provided, That any person so convicted shall have the right of appeal as in other cases of summary conviction: And further provided, That any person accused of violating a local ordinance, rule or regulation, enforced under the authority of this act, may waive summary hearing and

give bond, in a sum equal to double the amount of the maximum fine and costs that might be imposed, for appearance for trial before a judge of the court of quarter sessions, or in the county court, or in the municipal court in counties wherein such courts exist, and thereupon the magistrate shall, within fifteen (15) days, return the information to the said court, and, if any person, so accused, shall be convicted in such court of the offense charged, he shall be fined as prescribed by said ordinance, rule or regulation, or in event of non-payment of such fine and costs of prosecution, to suffer imprisonment for a period not to exceed ten (10) days. All fines and bail forfeited, as provided for in this section, shall be paid to the treasurer of such city, borough, incorporated town, or township for the construction, repair, and maintenance of the highways thereof.

Section 1221. Admissibility of Certified Copies of Records as Evidence.—Any certified copies, or certified photostatic copies, of any records, books, papers, documents, and rulings of the secretary, when certified [by the secretary] 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 1031
added.

Section 3. That following section 1030 of said act, the following new section is hereby added:

Section 1031. Pedestrians Soliciting Rides.—It shall be unlawful for any person to stand on the main traveled portion of any street or highway for the purpose of soliciting a ride from the driver of any vehicle.

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 two (\$2) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than one (1) day.

Section 4. Schedule of Effective Dates.—

When
effective

(a) The amendments to sections one hundred two, two hundred two, two hundred three, four hundred ten, seven hundred sixteen, eight hundred ten, eight hundred thirteen, nine hundred three, and one thousand two of the act amended by this act shall become effective on January first, one thousand nine hundred and thirty-two, except that the provisions of sections four hundred two, four hundred eleven, seven hundred three, seven hundred four, seven hundred five, seven hundred six, and nine hundred three shall become effective on August first, one thousand nine hundred and thirty-one; and sections four hundred two, four hundred ten, and four hundred eleven, requiring certification of inspection and

approval by a duly authorized official inspection station, shall become effective with application for registration for the year one thousand nine hundred and thirty-three, and thereafter.

(b) All other provisions of this act shall be effective immediately upon the approval of this act by the Governor.

APPROVED—The 22d day of June, A. D. 1931.

GIFFORD PINCHOT

No. 264

AN ACT

To amend the act, approved the first day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand five), entitled "An act relating to and regulating tractors and trailers and their operation; providing for their registration, and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of tractors and trailers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, and townships, within the Commonwealth, liability for damages caused by the negligent operation of tractors and trailers; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation; and providing for refunds," by further regulating the registration of tractors and trailers, their operation on the highway, and the licensing of operators; making certain changes in fees; modifying penalties, and procedure for enforcement; and affecting the powers, duties and rights of political subdivisions of the Commonwealth, and their officers, the Department of Highways, the Department of Revenue, and the courts.

Section 1. Be it enacted, &c., That the following definition appearing in section 102 of the act, approved the first day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand five), entitled "An act relating to and regulating tractors and trailers and their operation; providing for their registration, and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof,

The Tractor Code.

Amended.

Section 102, act of May 1, 1929 (P. L. 1005), definitions amended.