

department of health of a county of the second class, however, become totally and permanently disabled after fifteen years of service, he or she shall be entitled to the pension. If any employe who has served less than fifteen years becomes totally and permanently disabled by reason of injury sustained in the actual performance of duty, such employe shall be entitled to the pension. Proof of total and permanent disability shall consist of the sworn statement of three practicing physicians, designated by the board, that the employe is in a permanent condition of health which would totally disable him or her from performing the duties of his or her position or office. Once a year the board of pensions may require a disability pensioner to undergo a medical examination by three physicians appointed by the board, and should such physicians thereupon report and certify to the board that such beneficiary is no longer incapacitated and should the pension board concur in such report the pension to such beneficiary shall be discontinued.

* * *

Section 2. This act shall take effect immediately.

APPROVED—The 10th day of August, A. D. 1965.

WILLIAM W. SCRANTON

No. 167

AN ACT

HB 69

Amending the act of April 29, 1959 (P. L. 58), entitled "An act consolidating and revising the Vehicle Code, the Tractor Code, the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership, possession and use of vehicles and tractors," authorizing the use of tires with ice grips or tire studs and providing penalties.

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

Section 1. Subsection (c), section 829, act of April 29, 1959 (P. L. 58), known as "The Vehicle Code," is amended to read:

Section 829. Chains and Tires.—

* * *

(c) No tire on a vehicle moved on a highway shall have on its periphery any block, stud, flange, cleat or spike, or any other protuberance which projects beyond the tread of the traction surface of the tire, of any material other than rubber, except that it shall be permissible to

use (1) tire chains consisting of not less than five (5) cross chains and which do not project more than one (1) inch upon the outside surface of the periphery of the wheel of any vehicle, [when required for safety because of snow, ice or other conditions tending to cause a vehicle to slide or skid.] and (2) tires in which have been inserted ice grips or tire studs of wear-resisting material, installed in such manner as to provide resiliency upon contact with the road, with projections not to exceed three thirty-seconds (3/32) of an inch beyond the tread of the traction surface of the tire, and constructed to prevent any appreciable damage to the road surface.

* * *

Penalty.—Any person violating any of the provisions of subsection (a), (b) or (c) of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

APPROVED—The 10th day of August, A. D. 1965.

WILLIAM W. SCRANTON

No. 168

AN ACT

HB 326

Amending the act of June 23, 1931 (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising and consolidating the law relating thereto." removing limitations upon taxation and appropriations for maintenance and operation of recreation places.

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

Section 1. Section 3709, act of June 23, 1931 (P. L. 932), known as "The Third Class City Code," reenacted and amended June 28, 1951 (P. L. 662) and amended September 29, 1955 (P. L. 654), is amended to read:

Section 3709. Maintenance and Tax Levy.—All expenses incurred in the operation of such recreation places, established as herein provided, shall be payable from the treasury of the city. Council may annually appropriate, and cause to be raised by taxation, such tax [not to exceed