

makes, or causes to be made, a copy of such article, or exhibits such article to another, is guilty of a misdemeanor, and on conviction thereof shall be sentenced to pay a fine not exceeding two thousand dollars (\$2,000), or undergo imprisonment not exceeding two (2) years, or both.

(c) Whoever—

(1) By force or violence or by putting him in fear takes from the person of another any article representing a trade secret; or

(2) Wilfully and maliciously enters any building or other structure with intent to obtain unlawful possession of, or access to, an article representing a trade secret, is guilty of a felony and upon conviction thereof, shall be sentenced to pay a fine of five thousand dollars (\$5,000), or undergo imprisonment not exceeding five (5) years, or both.

(d) The crime or crimes defined in subsections (b) and (c) hereof shall be deemed complete without regard to the further disposition, return, or intent to return, of the article representing a trade secret.

(e) It shall be a complete defense to any prosecution under subsection (b) hereof for the defendant to show that information comprising the trade secret was rightfully known or available to him from a source other than the owner of the trade secret.

Section 2. This act shall take effect immediately.

APPROVED—The 12th day of October, A. D. 1965.

WILLIAM W. SCRANTON

No. 298

AN ACT

HB 465

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," prohibiting the abandonment of vehicles on or along highways, and on certain property, providing penalties and suspension of operating privileges and making provisions for distribution of certain fines collected.

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

Section 1. Subsection (b) of section 618, act of April 29, 1959 (P. L. 58), known as "The Vehicle Code," is amended by adding after clause (7), a new clause to read:

Section 618. Suspension of Licenses or Operating Privileges.—

* * *

(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, whenever the secretary finds upon sufficient evidence:

* * *

(8) That such person violated the provisions of section 1042 of this act.

* * *

Section 2. Subsection (g) of section 618 of the act is amended to read:

Section 618. Suspension of Licenses or Operating Privileges.—

* * *

(g) The secretary, upon suspending any operator's license or learner's permit, shall require that such license of any operator, whose license or permit is so suspended, shall be surrendered immediately to and retained by the department. Any license or permit suspended by reason of a violation of section 1042 shall be returned upon satisfactory proof of the payment of any fine and costs imposed under that section.

* * *

Section 3. The act is amended by adding after section 1041, a new section to read:

Section 1042. Abandonment of Vehicles Prohibited.—It shall be unlawful for any person to abandon a vehicle on or along any highway or on property other than his own except where the property is a junk or scrap yard. A vehicle which has remained on such property without the consent of the owner or on or along any highway for a period exceeding thirty (30) days shall be prima facie evidence of such abandonment: Provided, That vehicles and equipment used or to be used in the construction, operation or maintenance of public utility facilities and which are left in a manner which does not interfere with the normal movement of traffic shall not be considered abandoned vehicles for the purposes of this section.

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 one hundred dollars (\$100.00) and costs of prosecution, and, in default of payment thereof, shall undergo imprisonment for not more than twenty (20) days.

Section 4. Subsection (a) of section 1301 of the act is amended to read:

Section 1301. Disposition of Fines and Forfeitures.—

(a) All fines and penalties collected under the provisions of this act for violations of the same, and all bail forfeited under said provisions, shall be paid to the department, and transmitted to the State Treasury, and credited to the "General Fund," except those collected for violations of the provisions of sections 903, 905, 1002, 1011, 1015, 1016, 1019, 1021, ¹ 1028, [and] 1030, and 1042 of this act, committed within cities, boroughs, incorporated towns and townships, 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, and except those collected for violations of the provisions as to weight, which fines, penalties and forfeited bail shall be paid to the treasurer of the city, borough, incorporated town or township wherein the violation occurred. All moneys paid to any such city, borough, incorporated town or township, under the provisions of this section except those collected under the provisions of section 1042, shall be used 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 1037, shall be paid to the treasurer of the county wherein the violation occurred, to be used by such county for the payment of physicians' fees for the examination of persons accused of violating the provisions of the said section. Any balance remaining in the treasury of the county at the expiration of the calendar year and not payable for physicians' services rendered, shall be used for county highway purposes.

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APPROVED—The 13th day of October, A. D. 1965.

WILLIAM W. SCRANTON

¹ "1928" in original.