

Sections 22, 23,
24, and 25,
amended.

Section 3. That sections twenty-two, twenty-three, twenty-four, twenty-five, and twenty-six* of the said act are hereby amended to read as follows:

Section 27. *The secretary shall have the authority to make regulations, not inconsistent with this act, for the efficient administration and enforcement of this act.*

Section [22] 28. Constitutionality.—If any provisions of this act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and, to this end, the provisions of this act are declared to be severable.

Section [23] 29. Uniformity of Interpretation.—This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it.

Section [24] 30. Short Title.—This act may be cited as the "Uniform Automobile Liability Security Act."

Section [25] 31. Repeal.—All acts or parts of acts which are inconsistent with the provisions of this act are hereby repealed.

When effective.

Section 4. The provisions of this act shall become effective immediately upon its final enactment.

APPROVED—The 25th day of June, A. D. 1937.

GEORGE H. EARLE

No. 423

AN ACT

To further amend sections six,† ten and twenty-nine of an act, approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws, four hundred sixty-eight), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State High-

* Section 26 eliminated during the passage of this act.

† Section 6 not amended.

way Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance, and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," by amending Route Fifty-two; by adding thereto borough bridges over mill races as the responsibility of the Department of Highways; by providing that no assessment shall be made against the Commonwealth to assist in the reconstruction of any structure eliminating grade crossings; and by further authorizing the Attorney General, under certain conditions, to enter into agreements with townships of the payment in installments of certain claims of the Department of Highways against such townships for construction, reconstruction or maintenance of State highways.

Section 1. Be it enacted, &c., That section ten of the act, approved the thirty-first day of May, one thousand nine hundred eleven (Pamphlet Laws, four hundred sixty-eight), entitled "An act providing for the establishment of a State highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or main-

Section 10, act of May 31, 1911 (P. L. 468), as last amended by section 2, act of July 12, 1935 (P. L. 946), further amended.

tain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turn-pikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways, providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with the Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as last amended by section two of the act, approved the twelfth day of July, one thousand nine hundred thirty-five (Pamphlet Laws, nine hundred forty-six), is hereby further amended to read as follows:

Section 10. Anything herein contained, or any apportionment of the State into highway districts, shall not be construed as including or in any manner interfering with the roads, streets, and highways in any of the cities, boroughs, or incorporated towns of the Commonwealth: Provided, That where any road, street, or highway shall form a part or section of any State highway, as now or hereafter established, within the limits of any borough or incorporated town, the Department of Highways shall improve or reconstruct any section or sections of such road, street, or highway which have heretofore been maintained or are hereafter established as State highways to be maintained by the Department of

Highways, to such width as it may deem advisable, at the expense of the Commonwealth.

The maintenance of any road, street, or highway which forms a part or section of any State highway, as now or hereafter established, within the limits of any borough or incorporated town, shall be done by the Department of Highways at the expense of the Commonwealth: Provided, That all improvements, reconstruction, and maintenance of any road, street, or highway in boroughs or incorporated towns shall be of such width and type as may be determined by the Secretary of Highways.

The Department of Highways shall also construct, reconstruct, and maintain any bridge over a stream or mill race which the borough or incorporated town is obligated to maintain, and which bridge is located on or forms a part of a State highway within the limits of any borough or incorporated town: Provided, That nothing herein contained shall authorize any assessment to be made against the Commonwealth by reason of, or to assist in the elimination of, any grade crossing, or in the reconstruction of any structure eliminating a grade crossing, on any highway within the limits of a borough or incorporated town, and no such assessment shall hereafter be made under any act of Assembly heretofore enacted: And provided further, That nothing in this act shall be construed as placing on the Commonwealth the payment of any costs of construction or reconstruction of any such bridges in boroughs or incorporated towns for the construction or reconstruction of which a contract has been let prior to the effective date of this act, and the Department of Highways shall not assume the obligation for the construction, reconstruction, or maintenance thereof until such contract has been performed.

No opening shall be made in the surface of any improved highway which is maintained by the Department of Highways under the authority of this act, within the limits of any borough or incorporated town, until and unless a permit has been obtained for such opening either from the municipal authorities or from the Department of Highways, pursuant to an ordinance, passed subsequent to the approval of this act, authorizing the Department of Highways to act for the municipality. Where a permit is not obtained from the Department of Highways as above provided, the borough or incorporated town shall require a cash deposit or bond conditioned upon the proper restoration of the surface, and shall be responsible to the Department of Highways for the cost of the restoration of such surface in accordance with the adopted standards of the Department of Highways for the particular type of construction. Any person, firm, or corporation opening the improved surface of any street or highway without having first obtained

a permit, as hereinbefore provided, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of not more than twenty-five (\$25) dollars and, in addition thereto, the cost of prosecution and surface restoration costs, and, in default of the payment thereof, shall undergo imprisonment for not more than five days.

Section 2. That section twenty-nine of the said act, as amended by the act approved the first day of June, one thousand nine hundred thirty-three (Pamphlet Laws, one thousand four hundred seven), is hereby further amended to read as follows:

Section 29,
act of May
31, 1911
(P. L. 468),
as amended
by act of
June 1, 1933
(P. L. 1407),
further
amended.

Section 29. The work of maintaining and repairing all State-aid highways, improved under the provisions of this act, or which shall have been previously reconstructed by State aid, shall be done by the Department of Highways; and fifty (50%) per centum of the cost thereof shall be paid by the several townships wherein such roads may lie; or by the county, when such roads have been improved upon the petition of such county without the co-operation of the township. Whenever the obligation of any township for the cost of *constructing, reconstructing, or maintaining and repairing any State-aid highways, constructed or reconstructed pursuant to an agreement between the township and the Department of Highways, or reconstructed by State aid* previous to the passage of the act to which this is an amendment, remains unpaid and has been [reduced to judgment by] *referred by the Department of Highways to the Department of Justice for collection, the Attorney General, on behalf of the Commonwealth, and with the approval of the Auditor General and State Treasurer, may enter into an agreement with the township against which the [judgment has been obtained] claim is outstanding for the payment of such [judgment] claim in installments. Such agreement may be made whenever it appears that the township is unable to pay the [judgment] claim at once by reason of its financial condition, and shall provide for the liquidation of such [judgment] claim in definite payments over a period not exceeding five years. If it shall appear that the township by reason of its financial condition would be unable to pay the full amount of such [judgment] claim in installments over a period of five years, the Attorney General, with the approval of the Auditor General and State Treasurer, may compound or settle such claim outstanding, before or after being reduced to judgment, for such portion thereof as such officers may find the township to be able to pay over a period of five years, and the agreement hereinbefore provided for shall be entered into on the basis of such settlement.*

Route Fifty-two. From Somerset to Ebensburg.—Commencing in Somerset, and running by way of Fried-

ens to an intersection with route eight hundred forty-nine in Stoyestown; thence, [by way of] from a point on Route one hundred nineteen [to] at Ferreltown, [thence] via Boswell, Jerome, Hollsopple, Hooversville, by spur, Davidsville, to a point on the dividing line between Somerset and Cambria Counties; thence by way of Johnstown and Vinco into Ebensburg, Cambria County.

Section 4.* This act shall become effective immediately upon its final enactment. When effective.

APPROVED—The 25th day of June, A. D. 1937.

GEORGE H. EARLE

No. 424

AN ACT

Authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey certain land located in the city of Allentown, Lehigh County, Pennsylvania.

Section 1. Be it enacted, &c., That the Department of Property and Supplies, with the approval of the Governor, is hereby authorized to sell and convey to the city of Allentown, for a consideration of two hundred eighty dollars (\$280.00), certain land now owned by the Commonwealth, the city of Allentown being desirous of using such land, together with other land, for the erection and construction of a reservoir for the use of the city of Allentown. It is agreed the above sum of two hundred eighty dollars (\$280.00) is a fair and equitable price for this land. A description of the land to be conveyed is as follows:

Lot number twenty-eight (28). Beginning at a point Description. eighty (80) feet from the southwest corner of Gordon and Halstead Streets; thence extending southwardly, along said Halstead Street, twenty (20) feet to number 212 Halstead Street; thence westwardly, along said lot, one hundred twenty (120) feet, to a ten (10) foot wide alley; thence northwardly, along said alley, twenty (20) feet to number 208 Halstead Street; thence eastwardly along said lot, one hundred twenty (120) feet to the place of beginning.

Lot number twenty-nine (29). Bounded on the north by number 210 Halstead Street, on the east by South Halstead Street, on the west by a ten (10) foot wide alley. Containing a frontage on South Halstead Street of twenty (20) feet, and extending in depth, of equal width, to said alley, one hundred twenty (120) feet, more or less.

* Should be section 3.