

No. 96

AN ACT

Authorizing, in certain cases, the renewal of old motor vehicle operators' licenses for persons honorably discharged from the armed forces of the United States or from any women's organization officially connected therewith, without a learner's permit, examination or additional fee; and while in such service the operation of motor vehicles without renewal of operator's license; and the temporary suspension of existing laws requiring the same.

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

Men and women honorably discharged from United States armed forces, formerly licensed to operate motor vehicles in Pennsylvania, exempt from certain statutory renewal provisions.

License must have issued for license year preceding entrance into service.

Proviso.

Section 1. Any person serving in the armed forces of the United States or in any women's organization officially connected therewith, during any part of the war in which the United States is now engaged, and who shall have had a Pennsylvania motor vehicle operator's license issued to him or her for the license year immediately preceding his or her entrance into such military service, may have, upon his or her honorable discharge from such service and for a period of one year thereafter, a renewal of such operator's license in the same manner as annual renewals of operators' licenses are made without being required to secure a learner's permit, take an examination or pay any fee, other than such as may be required by law for the annual renewal of an operator's license, if he or she shall satisfy the following requirements:

(1) He or she shall have an honorable discharge from the service;

(2) Application for the operator's* license shall be made within sixty days after the date of such honorable discharge;

(3) He or she is not physically or mentally incapacitated at the time of the application for renewal;

(4) In the event that his or her certificate of honorable discharge reveals that injuries were sustained during service, the application must be accompanied by the certificate of a licensed physician that the applicant is physically and mentally able to operate a motor vehicle;

(5) Each application shall be sworn to before a magistrate, alderman or justice of the peace, who shall certify thereon that he has seen and examined the applicant's certificate of honorable discharge and that it is dated less than sixty days before the application was made;

(6) His or her previous operator's license has not been revoked or suspended, unless in case of suspensions the period of suspension has expired.

* "operators'" in original.

Section 2. Any person, while serving in the United States forces as hereinbefore described during any part of the war in which the United States is now engaged, who shall have had a Pennsylvania motor vehicle operator's license issued to him or her for the license year in which he or she entered such service, or for the license year immediately preceding his or her entrance into such service, which license has not been revoked or suspended, shall have the right to operate a motor vehicle on the highways of this Commonwealth while in this Commonwealth on leave or furlough, or for any other reason, without having a renewal of such operator's license for the current year, and without the payment of any fee, provided such person is not physically or mentally incapacitated.

Renewal not required while licensee is in service.

Section 3. The Secretary of Revenue is hereby authorized to suspend all provisions of the act, approved the first day of May, one thousand nine hundred twenty-nine (Pamphlet Laws, nine hundred five), entitled "An act 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," and all other acts and parts of acts in so far as they are inconsistent with the provisions of this act.

Secretary of Revenue authorized to suspend all provisions of inconsistent acts.

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

Act effective immediately.

APPROVED—The 6th day of May, A. D. 1943.

EDWARD MARTIN