

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," as last amended by the act, approved the tenth day of May, one thousand nine hundred forty-nine (Pamphlet Laws 1072), is hereby further amended to read as follows:

Section 722. Exemptions from Fees.—

(a) No fee shall be charged for a certificate of title or registration of motor vehicles, fire department equipment, trailers and semi-trailers owned by and used exclusively in the performance of the duties of—

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(k) duly chartered post, [or] organization *or combination of organizations* of the American Legion, Veterans of Foreign Wars, American Veterans of World War II (AMVETS), the Marine Corps League, Military Order of the Purple Heart, Jewish War Veterans, Catholic War Veterans, Inc., or United Spanish War Veterans, of this Commonwealth or La Societe Des Forty Hommes et Eight Chevaux, and organizations and units of the Pennsylvania National Guard.

APPROVED—The 17th day of August, A. D. 1951.

JOHN S. FINE

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No. 301

AN ACT

To amend sections 515 and 525 of the act, approved the first day of June, one thousand nine hundred forty-five (Pamphlet Laws 1242), entitled "An act relating to roads, streets, highways and bridges; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto," by changing the provisions governing openings in the surface of highways in boroughs, incorporated towns and cities.

"State Highway Law."

Section 515, act of June 1, 1945, P. L. 1242, amended.

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

Section 1. Section 515 of the act, approved the first day of June, one thousand nine hundred forty-five (Pamphlet Laws 1242), entitled "An act relating to roads, streets, highways and bridges; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto," is hereby amended to read as follows:

Section 515. Openings in Surface of Highways Maintained by State in Boroughs and Towns; Penalty.—No opening shall be made in the surface of any improved highway which is maintained by the department 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, [pursuant to an ordinance, authorizing the department to act for the municipality] *or from the municipal authorities when they are authorized in writing by the secretary to act for the department.* Where a permit is not obtained from the department 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 for the cost of the restoration of such surface in accordance with the adopted standards of the department for the particular type of construction. Any person opening the improved surface of any street or highway without having first obtained a permit, as hereinbefore provided, shall, upon summary conviction, be sentenced to pay a fine of not more than twenty-five dollars (\$25.00) 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 (5) days.

Section 525, said act, amended.

Section 2. Section 525 of said act is hereby amended to read as follows:

Section 525. Permits for Opening Surface; Penalty.—No opening shall be made in the surface of any improved street, which is maintained by the department as a State highway, until and unless a permit has been obtained for such opening [, either from the city authorities or] from the department, [pursuant to an ordinance authorizing the department to act for the city] *or from the city authorities when authorized in writing by the secretary to act for the department.* Where a permit is not obtained from the department as above provided, the city shall require a cash deposit or bond conditioned upon the proper restoration of the surface and shall be

responsible to the department for the cost of the restoration of such surface in accordance with the adopted standards of the department 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, be sentenced to pay a fine of not more than twenty-five dollars (\$25.00), and, in addition thereto, the costs of prosecution and surface restoration charges, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

APPROVED—The 17th day of August, A. D. 1951.

JOHN S. FINE

No. 302

AN ACT

To amend the title and the act, approved the third day of May, one thousand nine hundred and nine (Pamphlet Laws 408), entitled "An act authorizing the merger and consolidation of certain corporations," by permitting the merger or consolidation of certain domestic corporations or the merger or consolidation of certain foreign and domestic corporations; prescribing the procedure for and the effect of a merger or consolidation; providing for payment of certain fees, taxes and bonus; and defining the rights, powers and privileges of dissenting stockholders and of the surviving corporation in the case of a merger and of the new corporation in the case of a consolidation.

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

Section 1. The title and sections one and two of the act, approved the third day of May, one thousand nine hundred and nine (Pamphlet Laws 408), entitled "An act authorizing the merger and consolidation of certain corporations," are hereby amended to read as follows:

AN ACT

Authorizing the merger [and] *or* consolidation of certain corporations.

Section 1. Be it enacted, &c., That it shall be lawful for any [corporation] *two or more corporations*, now or hereafter organized under the provisions of any general or special act of Assembly [authorizing the formation of any corporation or corporations] *of this Commonwealth (hereinafter referred to as domestic corporations), or any one or more domestic corporations and any one or more corporations organized under or by*

**Corporations.**

The title and sections 1 and 2, act of May 3, 1909, P. L. 408, amended.

**Amended title.**

Merger or consolidation of certain domestic corporations, or domestic and foreign corporations, permitted.