

Compensation,
etc., of agents.

payments of principal and interest thereon. The Governor, Auditor General and State Treasurer shall fix the compensation and the terms and conditions under which each loan and transfer agent shall perform its agency.

Inconsistent acts
repealed.

Section 3. All acts and parts of acts insofar as they are inconsistent with the *provisions of this act are hereby repealed.

Act effective
immediately.

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

APPROVED—The 20th day of July, A. D. 1953.

JOHN S. FINE

No. 148

AN ACT

To further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (Pamphlet Laws 905), 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," by further regulating size and weight of buses.

"The Vehicle
Code."

Section 902, act of May 1, 1929, P. L. 905, as amended in part by acts of June 29, 1937, P. L. 2329, May 22, 1945, P. L. 840, May 11, 1949, P. L. 1094, and August 24, 1951, P. L. 1368, further amended.

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

Section 1. Section nine hundred two of the act, approved the first day of May, one thousand nine hundred twenty-nine (Pamphlet Laws 905), 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

* "provisions" in original.

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 amended in part by the acts, approved the twenty-ninth day of June, one thousand nine hundred thirty-seven (Pamphlet Laws 2329), the twenty-second day of May, one thousand nine hundred forty-five (Pamphlet Laws 840), the eleventh day of May, one thousand nine hundred forty-nine (Pamphlet Laws 1094), and the twenty-fourth day of August, one thousand nine hundred fifty-one (Pamphlet Laws 1368), is hereby further amended to read as follows:

Section 902. Size of Vehicles and Loads.—

(a) No vehicle, except *motor buses, motor omnibuses* and fire department equipment, street sweepers, and snow plows, shall exceed a total maximum width, including any load thereon, of ninety-six (96) inches, except that the limitations as to size of vehicle stated in this act shall not apply to vehicles loaded with hay or straw in bulk.

(b) No vehicle, except *motor buses, motor omnibuses* and vehicles used exclusively to repair overhead lights and wires, and fire department equipment, shall exceed a total maximum height, including any load thereon, of one hundred fifty (150) inches, but nothing herein contained shall be construed to require the public authorities to provide sufficient vertical clearance to permit the operation of such vehicles, excepting that until, but not after, January first, one thousand nine hundred forty-one, any vehicle, properly registered in Pennsylvania on the effective date of this act, may be of a total height, including any load thereon, of one hundred seventy-four (174) inches: Provided, however, That [any motor bus operated within a municipality or in a business or residence district, may be of a total height, including any load thereon, of one hundred seventy-four (174) inches and] any vehicle carrying motor vehicles may be of a total height, including any load thereon, of one hundred sixty-two (162) inches.

(c) No vehicle, *except motor buses, motor omnibuses and fire department equipment*, shall exceed a total maximum length, including any load thereon, of four hundred twenty (420) inches, [except fire department equipment, and except buses with toilet facilities, which shall not exceed a length of four hundred eighty (480) inches and which, when in excess of thirty-five (35) feet in over-all length, shall not have less than three (3) axles,] and no combination of two (2) vehicles, inclusive of load and bumpers, coupled together, shall exceed a total maximum length of six hundred (600) inches, excepting that nothing in this subsection shall prohibit the transportation by a combination of vehicles of articles impossible of dismemberment, which do not exceed seventy (70) feet.

1. No motor vehicles shall be operated upon a highway drawing, or having attached thereto, more than one other vehicle: Provided, That a trailer not exceeding ten (10) feet in length may be attached to one motor vehicle for the purpose of towing another vehicle requiring service, to which such trailer is also attached.

2. The distance between any two vehicles, one of which is towing or drawing the other, shall not exceed fifteen (15) feet from one vehicle to the other, except when the load on the towed vehicle is coupled directly to and is not more than five (5) feet from the towing vehicle. Whenever the connection consists of a chain, rope, bar, or cable, there shall be displayed, upon such connection, a flag not less than twelve (12) inches in length and width. Every trailer, while being drawn upon the highway, shall be so attached to the vehicle drawing the same as to prevent the wheels of such trailer from deflecting more than six (6) inches from the path of the drawing vehicle's wheels.

(d) No vehicle, except a trailer or semi-trailer, shall carry any load, or part thereof, extending more than five (5) feet beyond the front extremity.

(e) No vehicle, except as herein provided, shall carry any load extending beyond the line of the fenders on the left side of such vehicle, nor extending more than six (6) inches beyond the line of the fender on the right side thereof.

[(f) It shall be unlawful for any person to transport on a motor vehicle, trailer, or semi-trailer, operated for the carriage of passengers for hire, a load of twenty-five (25) per centum in excess of the registered seating capacity, or for any person to cause or permit any such operation: Provided, however, That a child under the age of six years shall not be counted as a person when computing load on any such vehicle: And provided further, That nothing contained in this subsection shall

make unlawful the transportation of a load of more than twenty-five (25%) per centum in excess of the registered seating capacity when such load is carried by a vehicle for not more than thirty-five consecutive miles.]

(g) No truck, tractor, and semi-trailer, coupled together, except fire department equipment, shall exceed a total maximum length, inclusive of load and bumpers, of five hundred forty (540) inches, excepting that until, but not after, January first, one thousand nine hundred forty-one, any truck, tractor, and semi-trailer, properly registered in this Commonwealth on the effective date of this act, may, when coupled together, be of a total maximum length not exceeding seventy (70) feet, excepting further that nothing in this subsection shall prohibit the transportation of articles impossible of dismemberment, which do not exceed seventy (70) feet.

Penalty.—Any person violating any of the provisions of *subsections (a), (b), (c), (d), (e) or (g) of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days. [Any person violating any of the provisions of subsection (f) of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of not less than ten (\$10) dollars or more than twenty-five (\$25) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.] Such fine shall be in addition to any penalty imposed by any other section or subsection of this act.

Section 2. Clause (e) of section nine hundred three of said act, as last amended by the act, approved the twenty-seventh day of April, one thousand nine hundred forty-five (Pamphlet Laws 328), clause (f) of said section, as last amended by the act, approved the twenty-seventh day of April, one thousand nine hundred forty-five (Pamphlet Laws 328), and the penalty clause of said section, as last amended by the act, approved the twenty-fourth day of August, one thousand nine hundred fifty-one (Pamphlet Laws 1368), are hereby further amended to read as follows:

Clause (e) of section 903, said act, as last amended by act of April 27, 1945, P. L. 328, clause (f) of said section, as last amended by act of April 27, 1945, P. L. 328, and the penalty clause of said section, as last amended by act of August 24, 1951, P. L. 1368, further amended.

Section 903. Weight of Vehicles and Loads.—

* * * * *

(e) No four wheeled vehicle, except *motor buses, motor omnibuses and fire department equipment* [and any motor bus operated within a municipality or in a business or residence district], shall be operated upon any highway with a gross weight in excess of thirty thousand (30,000) pounds, or in excess of twenty thousand (20,-

* "subsection" in original.

000) pounds on any axle, or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel.

(f) No six or more wheeled vehicle, except fire department equipment *and motor buses and motor omnibuses*, shall be operated upon any highway with gross weight in excess of forty thousand (40,000) pounds, or in excess of eight thousand (8,000) pounds on the front axle, or in excess of eighteen thousand (18,000) pounds, on any one of the rear axles, or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel; and the two rear axles shall be parallel and shall not be less than thirty-six (36) inches apart.

* * * * *

Penalty.—Any person operating any vehicle or combination of vehicles, *except motor buses and motor omnibuses*, upon any highway with a gross weight or with weight on any one axle or wheel exceeding by more than five (5) per centum the maximum weight allowed in that particular case and not exceeding by more than ten (10) per centum the maximum weight allowed, shall in each case, upon summary conviction before a magistrate, be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution, and in default of the payment thereof, shall undergo imprisonment for not more than five (5) days, and any person operating any vehicle or combination of vehicles, *except motor buses and motor omnibuses*, on any highway with a gross weight or with weight on any one axle or wheel exceeding by more than ten (10) per centum the maximum weight allowed in that particular case, shall in each case, upon summary conviction before a magistrate, be sentenced to pay a fine of fifty (\$50) dollars and costs of prosecution, and in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Said act amended by adding, immediately following section 907 thereof, a new section numbered 908.

Section 3. Said act is hereby amended by adding, immediately following section nine hundred seven thereof, a new section to read as follows:

Section 908. Motor Buses and Motor Omnibuses; Size and Loads.—(a) Two axle motor buses and motor omnibuses shall not exceed a total maximum length of four hundred twenty (420) inches and three axle motor buses and motor omnibuses shall not exceed a total maximum length of four hundred eighty (480) inches and shall not exceed a total maximum height of one hundred fifty (150) inches: Provided, however, That any motor bus or motor omnibus operated within a municipality or in a business or residence district may be of a total height, including any load thereon, of one hundred seventy-four (174) inches: Provided further, That any motor bus or

motor omnibus operated on a route wholly within a municipality may, with the consent of the municipality, be of a total length not exceeding four hundred eighty (480) inches and any motor bus or motor omnibus operated on a regular route which traverses more than one political subdivision may, with the approval of the Public Utility Commission, be of a total length not exceeding four hundred eighty (480) inches. Motor buses and motor omnibuses shall not exceed a total maximum width of ninety-six (96) inches.

(b) No motor bus or motor omnibus having two axles, except motor buses and motor omnibuses operated within a municipality or in a business or residence district, shall be operated upon any highway with a gross weight in excess of thirty thousand (30,000) pounds, or in excess of twenty thousand (20,000) pounds on any axle, or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel.

(c) No motor bus or motor omnibus having three axles shall be operated upon any highway with a gross weight in excess of forty thousand (40,000) pounds, or in excess of twenty thousand (20,000) pounds on any axle, or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel, and the two rear axles shall be parallel and shall not be less than thirty-six (36) inches apart.

(d) It shall be unlawful for any person to transport in a motor bus or motor omnibus a load exceeding by more than twenty-five (25) per centum the registered seating capacity of such vehicle, or for any person to cause or permit any such operation: Provided, however, That a child under the age of six years shall not be counted as a person when computing the load on any such vehicle: And provided further, That nothing contained in this subsection shall make unlawful the transportation of a load of more than twenty-five (25) per centum in excess of the registered seating capacity when such load is carried by a vehicle for not more than thirty-five (35) consecutive miles.

Penalty.—Any person violating any of the provisions of subsection (a) of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days. Any person operating any motor bus or motor omnibus upon any highway with a gross weight or with weight on any one axle or wheel exceeding by more than five (5) per centum the maximum weight allowed in subsections (b) or (c) and not exceeding by more than ten (10) per centum the maximum weight allowed shall, in each case, upon

summary conviction before a magistrate, be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days; and any person operating any motor bus or motor omnibus on any highway with a gross weight or with weight on any one axle or wheel exceeding by more than ten (10) per centum the maximum weight allowed in subsections (b) or (c) shall, in each case, upon summary conviction before a magistrate, be sentenced to pay a fine of fifty (\$50) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days. Any person violating any of the provisions of subsection (d) of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of not less than ten (\$10) dollars or more than twenty-five (\$25) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days. Such fine shall be in addition to any penalty imposed by any other section or subsection of this act.

APPROVED—The 25th day of July, A. D. 1953.

JOHN S. FINE

No. 149

AN ACT

To provide revenue for State purposes by imposing an excise tax upon any increase in capital, as defined, actually employed in Pennsylvania, by any foreign corporation, limited partnership or joint-stock association; requiring the filing of reports; providing for rights, powers and duties of the Department of Revenue, the taxpayers and officers thereof; imposing interest and penalties; and repealing a certain act relating to foreign corporations, limited partnerships and joint-stock associations.

Excise tax imposed upon increases in capital actually employed in Pennsylvania by foreign corporations, limited partnerships and joint-stock associations.

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

Section 1. Definitions.—The following terms when used in this act shall have the meanings ascribed to them in this section:

“Department” means the Department of Revenue.

“Foreign Corporation” means any corporation, limited partnership or joint-stock association chartered or created by or under the laws of any other state or of the United States or of any foreign country, which has been issued a certificate of authority by the Department of State to do business within this Commonwealth and which either (a) has its principal office or chief place of business located within this Commonwealth, or (b)