

member, the said governing body shall appoint a member of the board for a *like* term [of five years,] to succeed the member whose term has expired or is about to expire.

(b) If the Authority is incorporated by two or more municipalities, the board shall consist of a number of members at least equal to the number of municipalities incorporating the Authority, but in no event less than five. When one or more additional municipalities join an existing Authority, each of such joining municipalities shall have such membership on the board as the municipalities then members of the Authority and the joining municipalities may determine by appropriate resolutions. Such member or members representing the joining municipality or municipalities shall be appointed, immediately upon the admission of such municipality or municipalities into the Authority, for the term of years provided in the application for membership required by section three point one of this act.

The members of the board, each of whom shall be a citizen of the municipality by which he is appointed or a citizen of a municipality into which one or more of the projects of the Authority extends or is to extend or to which one or more of said projects has been or is to [to] be leased, shall be appointed, their terms *fixed and staggered*, and vacancies filled, and where two or municipalities are members of the Authority, shall be apportioned in such manner as the articles of incorporation, the amendments thereof or the application for membership required by section three point one of this act shall provide. [No member shall be appointed for a term longer than five years.]

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

JOHN S. FINE

No. 157

AN ACT

To amend the act, approved the first day of June, one thousand nine hundred forty-five (Pamphlet Laws 1340), entitled "An act relating to the financial responsibility of operators and owners of motor vehicles; and to make uniform the law with reference thereto; requiring owners and operators in certain cases to furnish proof of financial responsibility; providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases; regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties upon the Secretary of Revenue, the State Treasurer and prothonotaries; and prescribing penalties," by further regulating the deposit and amount of security; providing for reciprocity; fixing penalties for certain unlawful acts.

Motor Vehicle
Safety Responsi-
bility Act.

Subsection (a)
of section 5, act
of June 1, 1945,
P. L. 1340, as
last amended by
act of January
14, 1952, P. L.
2042, further
amended.

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

Section 1. Subsection (a) of section 5 of the act, approved the first day of June, one thousand nine hundred forty-five (Pamphlet Laws 1340), entitled "An act relating to the financial responsibility of operators and owners of motor vehicles; and to make uniform the law with reference thereto; requiring owners and operators in certain cases to furnish proof of financial responsibility; providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases; regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties upon the Secretary of Revenue, the State Treasurer and prothonotaries; and prescribing penalties," as last amended by the act, approved the fourteenth day of January, one thousand nine hundred fifty-two (Pamphlet Laws 2042), is hereby further amended to read as follows:

Section 5. Security Required Unless Evidence of Insurance; When Security Determined; Suspension; Exceptions.—(a) If twenty (20) days after the receipt of a report of a motor vehicle accident within this State which has resulted in bodily injury or death or damage to the property of any one person in excess of one hundred dollars (\$100.00), the secretary does not have on file evidence satisfactory to him that the person who would otherwise be required to file security under subsection (b) of this section has (1) been released from liability or (2) has been finally adjudicated not to be liable or (3) has executed a warrant for confession of judgment payable in such installments as the parties have agreed to or (4) has executed a duly acknowledged written agreement providing for the payment of an agreed amount in installments with respect to all claims for injuries or damages resulting from the accident, the secretary shall determine the amount of security which in his judgment shall be sufficient to satisfy any judgment or judgments that may be recovered against each operator or owner for damages resulting from such accident *upon the basis of reports, information or other evidence submitted to or obtained by the secretary. In the event a person involved in an accident as described in this act fails to submit any information requested by the secretary indicating the extent of his injuries or the damage to his property, within fifty (50) days after the accident, and the secretary does not have sufficient evidence on which to base an evaluation of such injuries or damage, *then the secretary, after reasonable notice to such person if it is possible to give such notice, other-*

* "when" in original.

wise without such notice, shall not require any deposit of security for the benefit or protection of such person.

* * * * *

Section 2. Said act is hereby amended by adding, after section 5 thereof, a new section to read as follows:

Section 5.1. Reciprocity.—Upon receipt of certification that operating privileges of a resident of this State have been suspended or revoked in any other state or the District of Columbia, pursuant to a law providing for such suspension or revocation for failure to deposit security for the payment of judgments arising out of a motor vehicle accident under circumstances which would require the secretary to suspend a nonresident's operating privilege had the accident occurred in this State, and if the law of such state or the District of Columbia contains reciprocal provisions, the secretary shall suspend the license of such resident if he was the operator and all of his registrations if he was the owner of a motor vehicle involved in such accident. Such suspension shall continue until such resident furnishes evidence of his compliance with the law of such other state or the District of Columbia relating to the deposit of security.

Section 3. Section 9 of said act is hereby amended to read as follows:

Section 9. Form and Amount of Security.—The security required under this act shall be in such form and in such amount as the secretary may require but in no case in excess of the limits specified in section five in reference to the acceptable limits of a policy or bond. The person depositing security shall specify in writing the person or persons on whose behalf the deposit is made, and at any time while such deposit is in the custody of the secretary or State Treasurer the person depositing it may, in writing, amend the specification of the person or persons on whose behalf the deposit is made to include an additional person or persons: Provided, however, That a [single] deposit of security shall be applicable only on behalf of persons required to furnish security because of the same accident.

The secretary may [reduce] *change* the amount of security ordered in any case within six months after the date of the accident, upon the production of evidence as to the probable measure of damages, and if, in his judgment, the amount ordered is excessive or insufficient. In case the security originally ordered has been deposited, the excess deposited over the reduced amount ordered shall be returned to the depositor or his personal representative forthwith, notwithstanding the provisions of section ten. *In case the security originally deposited is found to be insufficient, the deficiency under the increased amount ordered shall be deposited forth-*

Said act amended by adding, after section 5 thereof, a new section numbered 5.1.

Section 9, said act, amended.

with or, in default thereof, the operator or owner or both shall be subject to the provisions of subsection (b) of section five of this act.

Section 32 said act, as last amended by act of January 14, 1952, P. L. 2042, further amended.

Section 4. Section 32 of said act, as last amended by the act, approved the fourteenth day of January, one thousand nine hundred fifty-two (Pamphlet Laws 2042), is hereby further amended to read as follows:

Section 32. Other Violations; Penalties.—(a) Any person whose license or registration or nonresident's operating privilege has been suspended or revoked under this act, and who during such suspension or revocation drives any motor vehicle upon any highway, or knowingly permits any motor vehicle owned by such person, to be operated by another upon any highway, except as permitted under this act shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than five hundred dollars (\$500), or imprisoned not exceeding six (6) months, or both, in the discretion of the court.

(b) Any person wilfully failing to return a license or registration as required in section thirty-one shall, upon summary conviction before a magistrate, be fined one hundred dollars (\$100) and costs of prosecution, and in default of the payment thereof shall undergo imprisonment for thirty (30) days.

(c) Any person who gives any information required by the secretary under section four of this act in a report of a motor vehicle accident, knowing or having reason to believe that such information is false or who makes a false affidavit in connection with any transaction under this act, or who forges or without authority signs any evidence of proof of financial responsibility, or who files or offers for filing any such notice or evidence of proof, knowing or having reason to believe that it is forged or signed without authority, shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than one thousand dollars (\$1000), or imprisoned not more than one (1) year, or both, in the discretion of the court.

(d) *Any person who wilfully transfers any registration or wilfully causes any motor vehicle to be registered in violation of the provisions of section thirty of this act shall be guilty of a misdemeanor, and, upon conviction, shall be fined not more than five hundred dollars (\$500) or imprisoned not more than six (6) months, or both, in the discretion of the court.*

[(d)] (e) Any person who shall violate any provision of this act for which no penalty is otherwise provided shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than five hundred dollars (\$500), or imprisoned not more than ninety (90) days, or both, in the discretion of the court.

[(e)] (f) All fines and penalties imposed pursuant to the provisions of this act shall be paid to the Commonwealth.

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

JOHN S. FINE

No. 158

AN ACT

Authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey 24.1 acres, more or less, of land situate in the City of Erie, Erie County, Pennsylvania.

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

Section 1. The Department of Property and Supplies acting on behalf of the Commonwealth of Pennsylvania, with the approval of the Governor, is hereby authorized to sell at public sale to the highest bidder and convey the following described tract of land, situate in the City of Erie, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows:

Beginning at a point at the northerly end of Wayne Street, said point being the northerly end of the easterly line of Wayne Street (before the widening of said street in an easterly direction by 5 feet as set forth in Ordinance No. 229 dated September 17, 1886), said northerly end of Wayne Street being 33.05 feet, more or less, northerly from the intersection of the easterly line (before widening of Wayne Street) with the northerly line of the right-of-way of the "Whallon Yard" spur of the Pennsylvania Railroad Company; thence north 26 degrees 52 minutes west, 1,654.04 feet to a point; thence north 53 degrees 15 minutes west, 1,690.59 feet to a point; thence south 17 degrees 15 minutes east, 427.30 feet to a point; thence south 53 degrees 15 minutes east, 1,287.92 feet to a point; thence south 26 degrees 52 minutes east, 1,478.52 feet to a point; thence south 22 degrees west, 524.51 feet to a point; thence southwesterly along an arc having a radius of 360 feet 245.60 feet measured on said arc to a point; thence south 61 degrees 3 minutes west to the northerly right-of-way line of the Pennsylvania Railroad; thence easterly along said right-of-way to a point being located on a line having a bearing north 66 degrees 19 minutes west and being 216.84 feet from a monument located at the intersection of said right-of-way line with the northerly line of the right-of-way of the said "Whallon Yard" spur; thence

Real property.

Department of Property and Supplies, with approval of Governor, authorized to sell certain land in City of Erie, Erie County.

Description.