

No. 318
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 authorizing the secretary to suspend registrations of manufacturer's, jobber's and dealer's in the dealer's class; further regulating use of dealer's registration plates in certain cases.

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

Section 1. Section 412 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 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," is hereby amended by adding, after subsection (a) thereof, a new subsection to read as follows:

"The Vehicle Code."

Section 412, act of May 1, 1929, P. L. 905, amended by adding, after subsection (a) thereof, a new subsection (a.1).

Section 412. Registration Suspended.—

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(a.1) *The secretary may suspend registrations, in the dealer's class, of any manufacturer, jobber or dealer, after a hearing before the secretary or his representative, whenever the secretary finds upon sufficient evidence:*

1. *The registrant is not lawfully entitled to registration in the dealer's class.*

2. *The registrant has committed a fraud in the registration of motor vehicles, trailers or semi-trailers.*

3. *The registrant has failed to give notice of transfer of ownership when and as required by this act.*

4. *The registrant has failed to deliver to a transferee lawfully entitled thereto a properly assigned certificate of title.*

5. *The registrant has habitually violated any of the provisions of this act.*

Section 502, said act, as last amended by act of May 18, 1949, P. L. 1412, further amended.

Section 2. Section 502 of said act, as last amended by the act, approved the eighteenth day of May, one thousand nine hundred forty-nine (Pamphlet Laws 1412), is hereby further amended to read as follows:

Section 502. Use of Manufacturer's, Jobber's and Dealer's Registration Plates Limited.—Registration plate or plates issued in the "Dealer's Class" may be used on any motor vehicle, trailer, or semi-trailer, owned or in the possession of a manufacturer, jobber, or dealer, and operated by such manufacturer, jobber, or dealer, or the employe of such manufacturer, jobber, or dealer, when such motor vehicle, trailer, or semi-trailer is used (a) in the motor vehicle business of such manufacturer, jobber, or dealer, (b) for the personal pleasure of such manufacturer, jobber, or dealer, or the members of his family, when operated by such manufacturer, jobber, or dealer, or an immediate member of his family, or, when such manufacturer, jobber, or dealer is a corporation, for the personal pleasure of not more than three officers thereof, who are actively engaged in its business, or the members of their families, or for the personal pleasure of the regular employes of such manufacturer, jobber, dealer, or corporation when operated by such employe, (c) for teaching a new operator how to operate a motor vehicle, if such new operator has procured a learner's permit, and for such new operator to take an examination for an operator's license, (d) for testing motor vehicles, trailers, or semi-trailers in the possession of such manufacturer, jobber, or dealer, or (e) for demonstrating motor vehicles, trailers, or semi-trailers in the possession of such manufacturer, jobber, or dealer, and such vehicles may be operated by a prospective purchaser, when licensed as an operator or permittee, and when accompanied by the manufacturer, jobber or dealer, or an employe of such manufacturer, jobber, or dealer: Pro-

vided, That a person entitled to dealer registration under clause (3) of the definition of "dealer" in section one hundred two of this act may only use dealer's registration plates for the purpose of transporting new motor vehicles, trailers or semi-trailers on their own wheels, and a person entitled to dealer registration under clause (4) of said definition may only use dealer's registration plates for the purpose of moving or operating a motor vehicle, trailer or semi-trailer which he is repossessing or which after repossession he is moving for the purpose of repairing or having repaired, demonstrating for sale, or which he is moving for delivery to a bona fide purchaser in the regular course of his business, [and a person entitled to dealer registration under clause (5) or (6) of said definition may only use dealer's registration plates in direct connection with his repair business for demonstration service or towing purposes,] and a person entitled to dealer registration under clause (7) of said definition may only use dealer's registration plates in direct connection with his own repair business for repairing, servicing, or delivering his own vehicles: Provided further, That in no event shall manufacturer's, jobber's, or dealer's registration plates be used for any purpose other than as limited in this section.

Penalty.—Any person violating any of the provisions 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.

APPROVED—The 19th day of August, A. D. 1953.

JOHN S. FINE

No. 319

AN ACT

To further amend the act, approved the fourth day of May, one thousand nine hundred twenty-seven (Pamphlet Laws 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by requiring corporate surety in certain bonds.

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

Section 1. Sections 1055, 1103, 1105 and 1121 of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (Pamphlet Laws 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," as reenacted and amended by the act, approved the tenth day of July, one thousand nine hundred forty-seven

"The Borough Code."

Sections 1055, 1103, 1105 and 1121, act of May 4, 1927, P. L. 519, as reenacted and amended by act of July 10, 1947, P. L. 1621, further amended.