

Section 823. Official Inspections.—

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(h) It shall be unlawful to operate any motor vehicle, trailer, or semi-trailer on a highway (1) during an inspection period, unless the motor vehicle, trailer, or semi-trailer has been inspected during the present or last preceding inspection period, and (2) after the close of any inspection period, unless it has been inspected during the last preceding inspection period, and (3) a certificate for the proper period furnished and displayed: *Provided, That this subsection shall not apply to any vehicle while it is being towed to an official inspection station if the towing vehicle displays a certificate of inspection for the proper period.*

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Section 2. This act shall become effective immediately upon final enactment. Act effective immediately.

APPROVED—The 6th day of June, A. D. 1957.

GEORGE M. LEADER

No. 132

AN ACT

Amending the act of May 1, 1929 (P. L. 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," authorizing issuance of corrected certificates of title when liens or encumbrances upon motor vehicles, trailers or semi-trailers have not been renewed within four years preceding issuance of the corrected certificates of title.

The Vehicle
Code.

Section 208, act
of May 1, 1929,
P. L. 905,
amended May
18, 1949, P. L.
1412, further
amended.

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

Section 1. Section 208, act of May 1, 1929 (P. L. 905), known as "The Vehicle Code," amended May 18, 1949 (P. L. 1412), is amended to read:

Section 208. Change of Ownership by Operation of Law and Judicial Sale.—In the case of the transfer of ownership or possession of a motor vehicle, trailer, or semi-trailer by operation of law, as upon inheritance, devise or bequest, order in bankruptcy, insolvency, replevin, or execution sale, or whenever a motor vehicle, trailer, or semi-trailer is sold at public sale to satisfy storage or repair charges, or repossession is had upon default in performance of the terms of a chattel mortgage, lease, contract of conditional sale, or other like agreement made upon, or in connection with, any encumbrance or lien recorded and continuing of record in the department, it shall thereupon become the duty of the person from whose possession such motor vehicle, trailer, or semi-trailer was taken, if there are no liens, encumbrances, or legal claims thereon, and without prejudice to his rights in the premises, immediately to surrender the certificate of title for such motor vehicle, trailer, or semi-trailer to the person to whom possession of such motor vehicle, trailer, or semi-trailer has so passed. The secretary, upon surrender of the outstanding certificate of title, or when that is not possible, or when the said certificate of title for such motor vehicle, trailer, or semi-trailer is held by a person holding a first lien, encumbrance, or legal claim thereon, upon presentation of satisfactory proof to the secretary of ownership and right of possession to such motor vehicle, trailer, or semi-trailer, and upon payment of the fee prescribed in this act, and presentation of an application for a certificate of title, may issue to the applicant to whom possession of such motor vehicle, trailer, or semi-trailer has so passed a certificate of title thereto; but where a first lien, encumbrance, or legal claim upon such motor vehicle, trailer, or semi-trailer is held by another, the secretary shall deliver the said certificate of title, containing thereon a statement of the liens, encumbrances, or legal claims upon such motor vehicle, trailer, or semi-trailer, to the person holding such first lien, encumbrance, or legal claim, which shall be retained by such person until the entire amount of such first lien, encumbrance, or legal claim is fully paid by the owner of said motor vehicle, trailer, or semi-trailer, when the said certificate of title shall be delivered to said owner by the person who held the first lien, encumbrance, or legal claim, with proper evidence of satisfaction of same. A corrected certificate of title, without statement of liens, encumbrances, or

legal claims, shall be issued by the secretary, upon request of the owner, when the outstanding certificate of title is returned with proper evidence that all liens, encumbrances, or legal claims have been satisfied, or when the outstanding certificate of title cannot be returned, and proper evidence is produced that all said liens, encumbrances, or legal claims have been satisfied, or when the lien or encumbrance upon the motor vehicle, trailer or semi-trailer has not been renewed within [three (3)] *four (4)* years immediately preceding the issuance of such corrected certificate of title. The certificate of title, when issued by the secretary, showing a lien or encumbrance shall be adequate notice to the Commonwealth, creditors, subsequent mortgagees, lienors, encumbrancers and purchasers that a lien against the motor vehicle, trailer, or semi-trailer exists, and failure to transfer possession of the vehicle, trailer, or semi-trailer shall not invalidate said lien or encumbrance: Provided, That the secretary shall not incur any personal liability in carrying out the provisions of this section or in furnishing any information from the records of the department with respect to the existence or nonexistence of any lien or encumbrance on any motor vehicle, trailer, or semi-trailer.

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 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.

Section 2. This act shall take effect immediately.

Act effective
immediately.

APPROVED—The 6th day of June, A. D. 1957.

GEORGE M. LEADER

No. 133

AN ACT

Amending the act of May 15, 1933 (P. L. 624), entitled, as amended, "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers and employes' mutual banking associations; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers and employes' mutual banking associations, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corpora-