

five years and who is and was during his total service a citizen of this Commonwealth, shall, upon application made to the Adjutant General, be placed upon the retired list as of the grade of Brigadier General. The provisions of retirement with increased rank shall be applicable when qualified to officer retired prior to passage of this act: Provided further, That the provisions of this act shall apply to deceased officers on the retired list upon proper application to the Adjutant General by some duly recognized veteran organization.

All retired officers shall be entitled to wear the uniform of their grade as retired officers of the Pennsylvania National Guard on all proper military and semi-military occasions.

APPROVED—The 1st day of December, A. D. 1959.

DAVID L. LAWRENCE

No. 597

AN ACT

Amending the act of April 29, 1959 (P. L. 58), entitled "An act consolidating and revising the Vehicle Code, the Tractor Code, the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership, possession and use of vehicles and tractors," establishing a registration fee for motor vehicles operated by certain persons subject to the Public Utility Commission and certain municipality authorities.

The Vehicle Code.

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

Section 102, act of April 29, 1959, P. L. 58, amended by adding a new definition "Mass Transportation Systems."

Section 1. Section 102, act of April 29, 1959 (P. L. 58), known as "The Vehicle Code," is amended by adding, after the definition of "manufacturer," a new definition to read:

Section 102. Definitions.—The following words and phrases when used in this act shall, for the purpose of this act, have the following meanings, respectively, except in those instances where the context clearly indicates a different meaning:

* * * * *

"*Mass Transportation Systems.*"—Persons subject to the jurisdiction of the Pennsylvania Public Utility Commission and Municipality Authorities, that transport persons on schedule over fixed routes and derive over ninety (90) per cent of their intrastate scheduled revenue from scheduled operations within the county in which they have their principal place of business, or counties contiguous thereto.

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Section 2. Sections 709 and 710 of the act are amended to read: Sections 709 and 710 of the act, amended.

Section 709. Motor Buses and Motor Omnibuses with Pneumatic Tires.—[The] *Except as provided in section 710.1, the fee for annual registration of each motor bus and motor omnibus with pneumatic tires shall be according to seating capacity and the following classes:*

Class.	Seating Capacity.	Fee.
A	Five (5) passengers or less,	\$25.00
B	More than five (5) passengers and less than eight (8) passengers,	\$30.00
C	More than seven (7) passengers and not more than twenty-six (26) passengers, plus \$4.00 for each seat over seven (7) seats.	\$40.00
D	In excess of twenty-six (26) passengers (except as otherwise provided in Class E), Plus \$4.00 for each seat over seven (7) seats to and including twenty-six (26) seats, plus \$10.00 for each seat over twenty-six (26).	\$40.00
E	In excess of forty-four (44) passengers,	\$300.00

Section 710. Motor Buses and Motor Omnibuses with Solid Rubber Tires.—[The] *Except as provided in section 710.1, the fee for annual registration of each motor bus and motor omnibus with solid rubber or cushion rubber tires shall be according to seating capacity and the following classes:*

Class.	Seating Capacity.	Fee.
A	Five (5) passengers or less,	\$37.50
B	More than five (5) passengers and less than eight (8) passengers,	\$45.00
C	More than seven (7) passengers and not more than twenty-six (26) passengers, Plus \$5.00 for each seat over seven (7) seats.	\$50.00
D	In excess of twenty-six (26) passengers (except as otherwise provided in Class E), Plus \$5.00 for each seat over seven (7) seats to and including twenty-six (26) seats, plus \$12.50 for each seat over twenty-six (26).	\$50.00
E	In excess of fifty-three (53) passengers when operated exclusively in cities, ..	\$400.00

Act of April 29,
1959, P. L. 58,
amended by
adding a new
section 710.1.

Section 3. The act is amended by adding, after section 710, a new section to read:

Section 710.1. Motor Vehicles Operated by Mass Transportation Systems.—The fee for annual registration of each motor bus and motor omnibus operated by mass transportation systems shall be one-half the fee prescribed for annual registration of motor buses and motor omnibuses in section 709 and section 710.

Effective date.

Section 4. This act shall take effect June 1, 1960.

APPROVED—The 1st day of December, A. D. 1959.

DAVID L. LAWRENCE

No. 598

AN ACT

Amending the act of June 22, 1931 (P. L. 694), entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire," exempting from the tax the owners or operators of certain vehicles.

Excise tax on
gross receipts.

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

Section 1, act of
June 22, 1931,
P. L. 694,
amended.

Section 1. Section 1, act of June 22, 1931 (P. L. 694), entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire," is amended to read:

Transportation
companies using
public highways.

Section 1. Be it enacted, &c., That the word "company," as used in this act, shall be construed to mean any individual who, or copartnership, corporation, joint-stock association, or association of individuals whatsoever which, shall engage in the business of carrying passengers or property for hire over the highways of this Commonwealth in motor vehicles [or trackless trolleys]. For the purposes of this act, the term "motor vehicle" shall be construed to mean every vehicle which is self-propelled, except [such as] *vehicles having a designed seating capacity of twelve (12) or more persons used by a common carrier of passengers subject to the jurisdiction of the Pennsylvania Public Utility Commission, and vehicles that move upon or are guided by a track erected upon the highways.*

Definition.

Effective date
and date of
application.

Section 2. The provisions of this act shall become effective immediately upon final enactment, and shall apply to the excise tax imposed and payable hereunder for the calendar year 1960, and thereafter.

APPROVED—The 1st day of December, A. D. 1959.

DAVID L. LAWRENCE