

(e) Upon the request of the person tested, the results of any chemical test shall be made available to him or to his attorney.

(f) The person tested shall be permitted to have a physician of his own choosing then and there administer a breath chemical test in addition, and the results of such tests shall also be admissible in evidence.

APPROVED—The 28th day of July, A. D. 1961.

DAVID L. LAWRENCE

No. 400

AN ACT

Amending the act of September 26, 1951 (P. L. 1539), entitled "An act defining analytical-biochemical-biological laboratory; regulating the operation of the same; requiring such laboratories to obtain permits, and to be operated under the direct supervision of qualified persons; imposing certain duties upon the Department of Health; and providing penalties," removing certain exemptions and providing for rules and regulations.

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

Section 1. Section 11 of the act of September 26, 1951 (P. L. 1539), known as "The Analytical-Biochemical-Biological Laboratory Act," is amended to read:

Section 11. Inspection.—The department may at any time visit, enter, examine and inspect the premises occupied, maintained and conducted by any laboratory, and may examine all matters in relation thereto. *Periodically the department shall verify the accuracy of the work of each laboratory using such means and standards as the department shall specify by rule or regulation.*

Section 2. The act is amended by adding, after section 11, a new section to read:

Section 11.1. Rules and Regulations.—The Department of Health shall have the power, and its duty shall be, to adopt rules and regulations for the proper enforcement of this act with regard to the following:

- (1) *Contents of application;*
- (2) *Adequacy of laboratory quarters and equipment;*
- (3) *Means and standards of accuracy of laboratory procedures;*
- (4) *Definition of unethical practice and unethical advertising;*

The Analytical-Biochemical-Biological Laboratory Act.

Section 11, act of September 26, 1951, P. L. 1539, amended.

Act amended by adding a new section 11.1.

(5) Any other matters it may deem advisable for the protection of the public and for carrying out the provisions and purposes of this act.

Section 3. Section 13 *is amended to read:

Section 13 of the act amended.

Section 13. Exemptions.—This act shall not include nor apply to any laboratory or laboratories maintained and operated by the Federal, State, county or municipal government; nor to any laboratory or laboratories maintained and operated purely for research or teaching purposes; nor shall it apply to a laboratory operated by a physician licensed to practice in this Commonwealth, *provided such laboratory is operated solely in connection with the diagnosis and treatment of his own patients*, or to laboratories maintained and operated in hospitals; nor shall it apply to a laboratory maintained and operated by any industrial organization, provided such laboratory be in charge of a duly licensed physician.

APPROVED—The 4th day of August, A. D. 1961.

DAVID L. LAWRENCE

No. 401

AN ACT

Amending the act of June 24, 1939 (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," requiring a copy of the application for purchase of firearms to be sent to the police or the sheriff where the seller's place of business is located and where the buyer resides.

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

Section 1. Subsection (h), section 628, act of June 24, 1939 (P. L. 872), known as "The Penal Code," amended May 21, 1943 (P. L. 485), is amended to read: Subsection (h), section 628, act of June 24, 1939, P. L. 872, amended May 21, 1943, P. L. 485, further amended.

Section 628. Uniform Firearms Act.—

* * * * *

(h) Time and Manner of Delivery; Statement To Be Signed by Purchaser; Sales at Wholesale.—No seller shall deliver a firearm to the purchaser thereof until forty-eight (48) hours shall have elapsed from the time of the application for the purchase thereof, and when delivered, said firearm shall be securely wrapped and shall be unloaded. At the time of applying for the purchase of a firearm, the purchaser shall sign in [triplicate] *quadruplicate* and deliver to the seller a statement containing his full name, address, occupation,

*"as" in original