

No. 209

AN ACT

Amending the act of May 16, 1945 (P. L. 594), entitled "An act providing for the disposition of fines, penalties, and forfeitures collected in summary proceedings; and imposing penalties," further regulating payments.

Magistrates, aldermen and justices of the peace.

Section 1, act of May 16, 1945, P. L. 594, amended June 28, 1957, P. L. 437, further amended.

Payment of fines, etc., quarterly to county treasury.

Payment of fines, etc., to Department of Revenue if law so provides.

Affidavit of magistrate, etc.

Penalty for failure to make return.

Further criminal penalty.

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

Section 1. Section 1, act of May 16, 1945 (P. L. 594), entitled "An act providing for the disposition of fines, penalties, and forfeitures collected in summary proceedings; and imposing penalties," amended June 28, 1957 (P. L. 437), is amended to read:

Section 1. All fines, penalties and forfeitures collected by magistrates, aldermen and justices of the peace in summary proceedings under the provisions of any general, local or special law, unless disposition thereof is therein otherwise specifically provided for, or unless disposition thereof is provided for by general law, shall be paid quarterly into the county treasury for the use of the county. *Such payments shall be forwarded to the county treasurer within fifteen days following the last day of March, June, September and December of each year, together with an accounting of all such funds received during the preceding calendar quarter.*

If under existing law the Commonwealth is entitled to any such fines, penalties or forfeitures, the same shall be paid monthly into the State Treasury through the Department of Revenue. If under existing law any political subdivision, other than a county, is entitled to any such fines, penalties or forfeitures, the same shall be paid monthly to the treasurer of such political subdivision.

All the aforesaid payments shall be accompanied by an affidavit of the magistrate, alderman or justice of the peace giving the names, addresses, offenses charged, amounts collected, and the dates of the offenses.

If the magistrates, aldermen or justices of the peace wilfully fail or neglect to comply with the above requirements and provisions, a penalty of ten per cent of the amount of money in the possession of said magistrates, aldermen or *justices of the peace is hereby imposed.

Any magistrate, alderman, justice of the peace, or burgess of a borough acting as a justice of the peace, who shall wilfully fail to pay over any money due a political subdivision within twenty days after the time fixed by this section for such payment, shall be guilty of a misdemeanor, and **of misbehavior in office, and,

* "justice" in original.
** "a" in original.

upon conviction thereof, shall be sentenced to pay a fine not exceeding five hundred dollars (\$500) or undergo imprisonment not exceeding six months, or both, and removal from office. The proper authorities, or any taxpayer of the political subdivision concerned, knowing of any such violation, shall give notice of the same to the district attorney of the county, who shall institute prosecution for such violation.

APPROVED—The 31st day of July, A. D. 1963.

WILLIAM W. SCRANTON

No. 210

AN ACT

Amending the act of January 18, 1952 (P. L. 2128), entitled "An act defining and providing for the licensing and regulation of private driver education or training schools; conferring powers and imposing duties on the Department of Public Instruction; and imposing penalties," making changes relating to instructional equipment requirements.

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

Section 1. Paragraph (d) of subsection (3) of section 4, act of January 18, 1952 (P. L. 2128), entitled "An act defining and providing for the licensing and regulation of private driver education or training schools; conferring powers and imposing duties on the Department of Public Instruction; and imposing penalties," is amended to read:

Section 4. The qualifications for licensure and the standards of licensure.

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(3) Instructional Equipment and Materials.

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(d) Every car used for practical driver training shall be a recent model, not more than five (5) years old, with special equipment as follows: operable extra brake *pedal*, and [extra clutch pedals] *in the case of vehicles equipped with standard transmission an operable extra clutch pedal*, defroster and heater in working order, rear-view mirror placed on the inside of the car in the vicinity of the cowl, two (2) outside rear-view mirrors, one on each side of the vehicle, and cushions for the proper seating of the students.

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APPROVED—The 31st day of July, A. D. 1963.

WILLIAM W. SCRANTON

Department of Public Instruction; private driver-training schools.

Paragraph (d), subsection (3), section 4, act of January 18, 1952, P. L. 2128, amended.

Qualifications for and standards of licensure.