

such unconstitutional sentence, section, clause or part thereof not been included herein.

Act effective immediately.

Section 17. This act shall take effect immediately.

APPROVED—The 8th day of August, A. D. 1963.

WILLIAM W. SCRANTON

No. 300

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," providing for appeals to the court of common pleas, the County Court of Philadelphia, the County Court of Allegheny County and the Superior Court, and increasing the time for the taking of the appeal in certain cases.

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

The Vehicle Code.

Section 1. Subsection (b) of section 819 and subsection (b) of section 1401, act of April 29, 1959 (P. L. 58), known as "The Vehicle Code," are amended to read:

Subsection (b), section 819 and subsection (b), section 1401, act of April 29, 1959, P. L. 58, amended.

Section 819. Official Inspection Stations.—* * *

(b) If the secretary finds that the provisions of this act are not being complied with, or that the business of an official inspection station in connection with the corrections, adjustments, repairs or inspection of motor vehicles, trailers or semi-trailers is being improperly conducted, he shall suspend the certificate of appointment of any such station and require the immediate surrender and return of the certificate of appointment, together with all department forms: Provided, however, That if the servant or employe of any such inspection station shall without the authorization, knowledge or consent of his employer, violate any of the provisions of this act in reference to the inspection of vehicles, such violation or violations shall not be the cause of the suspension of the certificate of appointment, as herein provided, but such employe shall be subject to prosecution as hereinafter provided. Any person whose certificate of appointment is suspended under the provisions of this subsection may, within [thirty (30)] *forty-five (45)* days from the date thereof, appeal to the court of common pleas of the county wherein such official inspection station is located, and such court is hereby vested with jurisdiction, and it shall be its duty to set the matter down for hearing upon [thirty (30)] *forty-five (45)* days' written notice to the secretary, and thereupon to take testimony and examine into the facts of

the case and to determine whether the petitioner is subject to suspension of his certificate of appointment under the provisions of this act. *Any party aggrieved by a decision of a court of common pleas shall have the right of appeal to the Superior Court.*

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Section 1401. Secretary to Administer This Article, Appeal to Court.—

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(b) Any person aggrieved by an order or act of the secretary under the provisions of sections 1403 to 1411 of this act may, within [ten (10)] *forty-five (45)* days after notice thereof, file a petition in the [Court of Common Pleas of Dauphin County] *court of common pleas of the county in which the person resides other than Philadelphia County and Allegheny County and in Allegheny County in the County Court of Allegheny County and in Philadelphia County in the County Court of Philadelphia* for a trial de novo to determine whether such order or act is lawful and reasonable. The filing of such a petition shall not suspend the order or act of the secretary, unless a stay thereof shall be allowed by a judge of said court pending final determination of the matter. The court shall summarily hear the petition, and may make any appropriate order or decree. *Any person aggrieved by the decision of the court of common pleas or of the County Court of Philadelphia County or the County Court of Allegheny County shall have the right of appeal to the Superior Court.*

APPROVED—The 8th day of August, A. D. 1963.

WILLIAM W. SCRANTON

No. 301

AN ACT

Exempting certain physicians and practitioners of the healing arts from civil liability when acting in an emergency except in certain instances.

Physicians.

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

Licensed practitioners not liable for civil damages in emergency care except for gross negligence.

Section 1. Any physician or any other practitioner of the healing arts, licensed by any one of the United States, who happens by chance upon the scene of an emergency or who arrives on the scene of an emergency by reason of serving on an emergency call panel or similar committee of a county medical society or who is called to the scene of an emergency by the police or