

## No. 66.

## AN ACT

To repeal section two of an act, approved the seventeenth day of May, one thousand nine hundred and seventeen (Pamphlet Laws, two hundred and four), entitled "An act to regulate and restrain the hawking, vending, and peddling of fish, fruit, and vegetables, and other merchandise, in the cities of the first class in this Commonwealth."

Cities of the first class.

Section 2, act of May 17, 1917 (P. L. 204), repealed.

Section 1. Be it enacted, &c., That section two of the act, approved the seventeenth day of May, one thousand nine hundred and seventeen (Pamphlet Laws, two hundred and four), entitled "An act to regulate and restrain the hawking, vending, and peddling of fish, fruit, and vegetables, and other merchandise, in the cities of the first class in this Commonwealth," is hereby repealed.

APPROVED—The 7th day of April, A. D. 1921.

WM. C. SPROUL.

## No. 67.

## AN ACT

To amend section three hundred and five of an act, approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws, seven hundred thirty-six), entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder," by imposing penalties for failure of an employer to insure his liability to pay compensation, and providing the method by which an employer may be exempted from the necessity of such insurance.

Workmen's Compensation Act of 1915 (P. L. 736).

Section 1. Be it enacted, &c., That section three hundred and five of an act, approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws, seven hundred thirty-six), entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder," which reads as follows:—

Section 305, cited for amendment.

"Section 305. Every employer liable under this act to pay compensation shall insure the payment of compensation in the State Workmen's Insurance Fund, or in any insurance company, or mutual association or

company authorized to insure such liability in this Commonwealth, unless such employer shall be exempted by the bureau from such insurance. An employer desiring to be exempt from insuring the whole or any part of his liability for compensation shall make application to the bureau, showing his financial ability to pay such compensation, whereupon the bureau, if satisfied of the applicant's financial ability, shall by written order make such exemption. The bureau may, from time to time, require further statements of the financial ability of such employer, and, if at any time such employer appear no longer able to pay compensation, shall revoke its order granting exemption; in which case the employer shall immediately subscribe to the State Fund, or insure his liability in a mutual association or company, as aforesaid.

"If an employer shall fail to comply with the provisions of this section the bureau shall, by registered mail, or in such other manner as the rules and regulations of the bureau shall provide, serve upon such employer a notice to forthwith comply with such provisions; and if such employer does not, within thirty days thereafter, insure his liability as aforesaid, or satisfy the bureau of his financial ability to pay compensation as aforesaid, or does not terminate his acceptance of article three of this act in the manner provided in section three hundred and four of the said article, such employer shall be liable for compensation under article three of this act to any employe injured thereafter, or to his personal representative, or for damages under article two of this act, at the option of such employe or his personal representatives: Provided, That such option be exercised by the employe and written notice given to the employer within thirty days after the accident: And provided further, That, until the expiration of the said thirty days from the giving of the notice by the bureau, the employer shall be liable only for compensation under article three of this act, and that, if he shall terminate his acceptance under section three hundred and four of article three of this act, he shall be liable only for compensation under article three of this act until such termination of acceptance shall become effective," is hereby amended to read as follows:—

Section 305. Every employer liable under this act to pay compensation shall insure the payment of compensation in the State Workmen's Insurance Fund, or in any insurance company, or mutual association or company, authorized to insure such liability in this Commonwealth, unless such employer shall be exempted by the bureau from such insurance. An employer desiring to be exempt from insuring the whole or any part of his liability for compensation shall

Compensation  
insurance.

Exemption.

make application to the bureau, showing his financial ability to pay such compensation, whereupon the bureau, if satisfied of the applicant's financial ability, shall by written order make such exemption. The bureau may, from time to time, require further statements of the financial ability of such employer, and, if at any time such employer appear no longer able to pay compensation, shall revoke its order granting exemption, in which case the employer shall immediately subscribe to the State Fund, or insure his liability in a mutual association or company, as aforesaid.

Failure to insure.

If any employer fails to comply with the provisions of this section, the bureau shall serve, by registered mail or in such other manner as the rules and regulations of the bureau shall provide, upon such employer a notice to comply forthwith with such provisions; and if such employer does not, within thirty days thereafter, insure his liability as aforesaid or *obtain exemption from such insurance, such employer shall pay as a penalty the sum of one dollar (\$1.00) per diem for each employe during the continuance of such failure to insure or obtain exemption, which sum shall be collectible by the Bureau of Workmen's Compensation in the same manner as debts of like amounts are now by law recovered. All moneys so recovered by the bureau shall be immediately covered into the State Treasury: Provided, however, That a second notice, with bill for fines incurred, sent by registered mail, shall be served on employers within thirty days after their fines begin to run.*

Penalty.

Proviso.

APPROVED—The 7th day of April, A. D. 1921.

WM. C. SPROUL.