

Moneys previously appropriated to be used.

of said moneys so appropriated as are necessary to be used are hereby appropriated.

APPROVED—The 24th day of April, A. D. 1931.

GIFFORD PINCHOT

No. 42

AN ACT

To amend sections one, two and five of the act, approved the fourteenth day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand seven hundred twenty-one), entitled "An act providing for the service of process in civil suits on nonresident operators, or nonresident owners, of motor vehicles operated within the Commonwealth of Pennsylvania; and making the operation of such a motor vehicle on the public highways of the Commonwealth of Pennsylvania the equivalent of the appointment of the Secretary of Revenue of the Commonwealth of Pennsylvania, as the agent of the said nonresident, upon whom civil process may be served; and providing for further notice to the defendant in any such suit," by extending the provisions of said act to a resident who becomes a nonresident or conceals his whereabouts, and providing that the sheriff of Dauphin County may be deputized to make service on the Secretary of Revenue, and validating prior service made in that manner.

Motor vehicles.

Service of process.

Section 1, act of May 14, 1929 (P. L. 1721), amended.

Section 1. Be it enacted, &c., That section one of the act, approved the fourteenth day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand seven hundred twenty-one), entitled "An act providing for the service of process in civil suits on nonresident operators, or nonresident owners, of motor vehicles operated within the Commonwealth of Pennsylvania; and making the operation of such a motor vehicle on the public highways of the Commonwealth of Pennsylvania; the equivalent of the appointment of the Secretary of Revenue of the Commonwealth of Pennsylvania, as the agent of the said nonresident, upon whom civil process may be served; and providing for further notice to the defendant in any such suit," is hereby amended to read as follows:

Service of process on nonresidents or residents in certain cases.

Section 1. Be it enacted, &c., That from and after the passage of this act, any nonresident of this Commonwealth, being the operator or owner of any motor vehicle, who shall accept the privilege extended by the laws of this Commonwealth to nonresident operators and owners of operating a motor vehicle, or of having the same operated, within the Commonwealth of Pennsylvania, or any resident of this Commonwealth, being the licensed operator or owner of any motor vehicle under the laws of this Commonwealth, who shall subsequently become a nonresident or shall conceal his whereabouts, shall, by such acceptance or licensure, as

*the case may be*, and by the operation of such motor vehicle within the Commonwealth of Pennsylvania, make and constitute the Secretary of Revenue of the Commonwealth of Pennsylvania his, her, or their agent for the service of process in any civil suit or proceeding instituted in the courts of the Commonwealth of Pennsylvania against such operator or owner of such motor vehicle, arising out of, or by reason of, any accident or collision occurring within the Commonwealth in which such motor vehicle is involved.

Section 2. That section two of said act is hereby amended to read as follows:

Secretary of Revenue constituted agent for service.

Section 2 amended.

Service of process.

Sheriff of Dauphin County may be deputized.

Return of service.

Section 5 amended.

Construction.

Validation.

When effective.

Section 2. Such process shall be served, by the officer to whom the same shall be directed *or by the sheriff of Dauphin County, who may be deputized for such purposes by the officer to whom the service is directed*, upon the Secretary of Revenue of the Commonwealth of Pennsylvania, by leaving at the office of said secretary, at least fifteen (15) days before the return day of such process, a true and attested copy thereof, and by sending to the defendant, by registered mail, postage prepaid, a like true and attested copy, with an endorsement thereon of the service upon said Secretary of Revenue, addressed to such defendant at his last known address. The registered mail return receipt of such defendant shall be attached to and made a part of the return of service of such process.

Section 3. That section five of said act is hereby amended to read as follows:

Section 5. This act shall be construed to extend the right of service of process upon nonresidents *and upon residents who subsequently become nonresidents or who conceal their whereabouts*, and shall not be construed as limiting any provisions for the service of process now or hereafter existing.

Section 4. Any service heretofore made under said act, approved the fourteenth day of May, one thousand nine hundred and twenty-nine, in the manner provided by this amendment, by having the officer to whom the process was directed to deputize the sheriff of Dauphin County to make service upon the Secretary of Revenue, is hereby ratified, confirmed, and made valid.

Section 5. This act shall become effective upon the date of its approval by the Governor.

APPROVED—The 24th day of April, A. D. 1931.

GIFFORD PINCHOT