

## No. 447

## AN ACT

To amend the act, approved the first day of May, one thousand nine hundred twenty-nine (Pamphlet Laws, nine hundred five), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," as amended, by adding new sections further regulating the use of highways and the operation of and the equipment used in connection with vehicles, including trailers and semi-trailers, street cars, trackless trolley omnibuses, school buses, and commercial motorcycles, upon the highways of this Commonwealth; providing exemptions; extending certain provisions of the act to trailers and semi-trailers; providing for the renewal and automatic satisfaction of encumbrances and liens, and further amending the procedure relating thereto; providing for the further registration of certain vehicles and the licensing of the operators thereof, including additional requirements, reciprocity agreements, and additional reasons for suspension and revocation; conferring additional powers and imposing additional duties upon the Department of Revenue and the Department of Highways; further imposing upon municipalities within the Commonwealth liability for damages caused by the negligent operation of fire department equipment; changing the procedure, disposition of fines, and penalties for certain violations of the act, and making the fines thereunder mandatory; and extending existing penalties, and providing additional penalties.

Section 1. Be it enacted, &c., That sections 102, 201, 202, 203, 204, 207, 208, 209, 210, 211, 301, 302, 305, 306, 401, 405, 409, 411, 502, 510, 603, 604, 606, 608, 611, 614, 615, 619, 620, 712, 713, 716, 722, 801, 802, 802.2, 806, 807, 808, 811, 816, 816.1, 823, 824, and 902 of the act, approved the first day of May, one thousand nine hundred twenty-nine (Pamphlet Laws, nine hundred five), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and

Sections 102,  
201, 202, 203,  
204, 207, 208,  
209, 210, 211,  
301, 302, 305,  
306, 401, 405,  
409, 411, 502,  
510, 603, 604,  
606, 608, 611,  
614, 615, 619,  
620, 712, 713,  
716, 722, 801,  
802, 802.2, 806,  
807, 808, 811,  
816, 816.1, 823,  
824, and 902,  
act of May  
1, 1929 (P. L.  
905), amended  
or further  
amended, as the  
case may be.

licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," are hereby amended, or further amended, as the case may be, to read as follows:

Section 102. Definitions.—The following words and phrases when used in this act, shall, for the purpose of this act, have the meanings respectively ascribed to them in this section, except in those instances where the context clearly indicates a different meaning:

"Approved."—Having been favorably passed upon by the secretary as suitable for the purpose designed.

"Auxiliary Driving Lamp."—A complete road illuminating device, in addition to or supplementing the head lamps located upon the front of a motor vehicle.

"Bicycle with Motor Attached."—Every vehicle, except a motorcycle as herein defined, which is self-propelled by an engine not exceeding four (4) horsepower.

"Business District."—The territory contiguous to a highway, when fifty (50) per cent or more of the frontage thereon for a distance of three hundred (300) feet or more is occupied by buildings in use for business.

"Chassis."—The chassis of a motor vehicle to be propelled by an internal combustion, or steam engine, shall consist of an assembly of all essential parts, with protective housings, ready for operation on the highway, including as minimum equipment a set of tires attached to wheels, driver's seat including cab, front wheel fenders, running board or mounting step, tool compartment, priming coat on all parts to be painted, pair of front lamps and one rear lamp, license brackets, jack, and a set of tools commonly used for making adjustments and minor repairs on the highway, water, oil, and fuel.

"Clearance Lamp."—A lamp or lamps so arranged to show white, [or] green or amber to the front, and red to the rear.

"Commercial Motorcycle."—Every motorcycle, designed to travel on three wheels, in contact with the

*ground, and designed for carrying freight, merchandise, implements or articles of any kind, or service, in connection with calling for and delivering automobiles to patrons.*

“Commercial Motor Vehicle.”—Any motor vehicle designed for carrying freight or merchandise: Provided, however, That a motor vehicle, originally designed for passenger transportation, to which has been added a removable box body without materially altering said motor vehicle, when owned and used by a farmer, shall not be deemed a “commercial motor vehicle” for the purpose of this act: And further provided, That any motor vehicle of the bus type, operated under contract with or owned by any school district of this Commonwealth for the transportation of school children, shall be deemed a “commercial motor vehicle.”

“Crosswalk.”—That portion of a highway ordinarily included within the prolongation of curb and property lines at intersections, or any portion of a highway clearly indicated for pedestrian crossing by lines or other markings on the surface.

“Cushion Rubber Tire.”—A tire molded on a steel base, having a longitudinal cavity, running circumferentially at the center line of the tire, extending from its base, with a height of no less than one half the overall standing height of the tire; such tires, when new being no less than four and one-half ( $4\frac{1}{2}$ ) inches high overall including steel base.

“Dealer.”—Any person, firm, corporation, or association, engaged in the purchase and sale of motor vehicles, trailers, and semi-trailers, and who has an established place of business, *or any person regularly engaged in the business of transporting new vehicles on their own wheels, and who has an established place of business.*

“Department.”—The Department of Revenue of this Commonwealth.

“Emergency Brake.”—The means of applying braking effort to at least two (2) wheels on a motor vehicle normally operated by the operator’s hand: Provided, however, That where there are two (2) brakes, both designed to be operated by the foot, the one (1) equipped with a ratchet or other device for holding the brake in the applied position shall be considered the “Emergency Brake,” and the requirements shall be the same as herein set forth.

“Essential Parts.”—All integral parts and body parts, the removal, alteration, or substitution of which will tend to conceal the identity, or substantially alter the appearance, of the vehicle.

“Explosives.”—Any chemical compound or mechanical mixture, that is commonly used or intended for the

purpose of producing an explosion, that contains any oxidizing and combustible units, or other ingredients, in such proportions, quantities or packing that any ignition by fire, by friction, by concussion, by percussion, or by detonator, of any part of the compound or mixture, may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effects on contiguous objects or of destroying life or limb.

“Flammable Liquid.”—Any liquid which has a flash point of seventy degrees Fahrenheit, or less, as determined by a tabliabue or equivalent closed cup test device.

“Foreign Vehicle.”—Every motor vehicle, trailer, or semi-trailer, which shall be brought into this Commonwealth, otherwise than in the ordinary course of business, by or through a manufacturer or dealer, and which has not been registered in this Commonwealth.

“Gross Weight.”—The combined weight of the vehicle or combination of vehicles and its or their load or loads, *exclusive of the operator*.

“Headlamp.”—A complete road illuminating device located upon the front of a motor vehicle, the rays from which are projected forward, other than a sidelight, auxiliary driving lamp, searchlight or spot lamp.

“Highway.”—Every way or place, of whatever nature, open to the use of the public as a matter of right, for purposes of vehicular travel. The term “highway” shall not be deemed to include a roadway or driveway upon grounds owned by private persons, colleges, universities, or other institutions.

“Intersection.”—The area embraced within the prolongation of the lateral curb lines or, if none, then the lateral boundary lines of two or more highways which join one another at an angle whether or not one such highway crosses the other.

“Jobber.”—Any person, firm, corporation, or association engaged in the purchase and sale of new motor vehicles, trailers, or semi-trailers, and their resale directly to dealers.

“Learner’s Permit.”—A permit issued to any person to learn to operate a motor vehicle or tractor.

“Local Authorities.”—Every county, municipal, and other local board or body, having authority to adopt local police regulations under the Constitution and laws of this Commonwealth.

“Magistrate.”—A mayor, burgess, magistrate, alderman, justice of the peace, or other officer, having the powers of a committing magistrate.

“Manufacturer.”—Every person engaged in the business of manufacturing motor vehicles, trailers, semi-trailers, motors or bodies of such vehicles.

“Mechanical Signal.”—A movable device, operated mechanically, or by the driver, and so constructed and arranged as to give a cautionary or direction signal to the *front and rear*.

“Metal Tires.”—All tires the surface of which in contact with the highway is wholly or partly of metal or other hard non-resilient material.

“Motor Bus.”—Shall include all motor vehicles operated for the carriage of passengers for hire by individuals, associations, copartnerships, or corporations, required under the laws of this Commonwealth to obtain certificate of public convenience from the Public *Utility* [Service] Commission of the Commonwealth of Pennsylvania before engaging in the carriage of passengers for hire, or by individuals, associations, copartnerships, or corporations who or which were engaged in the business of carrying passengers for hire as common carriers prior to the first day of January, one thousand nine hundred and fourteen.

“Motorcycle.”—Every motor vehicle having a saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, except any such vehicle as may be included within the term “tractor.”

“Motor Omnibus.”—Shall include all motor vehicles operated for the carriage of passengers for hire by individuals, associations, copartnerships, or corporations, who or which were not engaged in the carriage of passengers for hire as common carriers prior to the first day of January, one thousand nine hundred and fourteen, and who or which are not required under the laws of this Commonwealth to obtain from the Public *Utility* [Service] Commission of the Commonwealth of Pennsylvania certificate of public convenience for the carriage of passengers for hire or motor vehicle of the bus type not operated for the carriage of passengers for hire except as herein provided. This definition shall not include or apply to any motor vehicle operated under contract with any school district of this Commonwealth for the transportation of school children; such motor vehicles to come within the definitions of commercial motor vehicles or motor vehicles.

“Motor Vehicles.”—Every vehicle, as herein defined, which is self-propelled, except tractors, power shovels, road rollers, agricultural machinery, and vehicles which move upon or are guided by a track, or travel through the air.

“New Motor Vehicle.”—Every motor vehicle which is not defined as a reconstructed, rebuilt, or used motor vehicle.

“Nonresident.”—Any resident of any State or country who has no regular place of abode or business in

this Commonwealth for a period of more than thirty (30) consecutive days in the year, except as otherwise provided in section 409 and section 603 of this act.

“Obscured Registration Plate.”—Every registration plate the characters on which are not legible in daylight at a distance of fifty (50) feet from the front or rear of the motor vehicle on the line of the axis of the vehicle on an approximately level stretch of highway.

“Operator.”—Every person who is in actual physical control of a motor vehicle or tractor upon a highway.

“Operator’s License.”—The license issued to any person to operate a motor vehicle or tractor.

“Overtake.”—*A vehicle, or combination of vehicles, shall be deemed to overtake another vehicle, or combination of vehicles, when all of the vehicle and its load, or all of the combination of vehicles and their loads, move so that any part of the vehicle or its load, or any part of the combination of vehicles or their loads, is opposite to or along side of any other moving vehicle or its load, or combination of vehicles or their loads, being operated in the same direction as the overtaking vehicle or combination of vehicles.*

“Owner.”—A person or persons holding the legal title of a vehicle; or, in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof, or other like agreement, with the right of purchase upon performance of the conditions stated in the agreement, and with an immediate right of possession vested in the conditional vendee or lessee, then such conditional vendee or lessee shall be deemed the owner for the purpose of this act.

“Parking.”—The standing of a vehicle, except police or fire department vehicle or ambulance, whether occupied or not, upon a highway otherwise than temporarily for the purpose and while actually engaged in loading or unloading, or in obedience to traffic regulations or traffic signs or signals.

“Parking Lamp or Clearance Lamp.”—A lamp or lamps so arranged to show white, [or] green or amber to the front and red to the rear.

“Pass.”—*A vehicle or combination of vehicles shall be deemed to pass another vehicle or combination of vehicles when all of the vehicle and its load, or all of the combination of vehicles and their loads, moves by or in advance of any moving vehicle and its load, or combination of vehicles and their loads, being operated in the same direction as the passing vehicle or combination of vehicles.*

“Passenger Seat.”—Each sixteen (16) inches of seating capacity in any motor omnibus or motor bus.

“Peace Officer.”—A sheriff, deputy sheriff, constable, member of the Pennsylvania [State] Motor Police,

[State Highway Patrolman] or other police officer, vested with authority of arrest.

“Pedestrian.”—Any person afoot.

“Person.”—Every natural person, firm, copartnership, association, or corporation.

“Pneumatic Tires.”—All tires inflated with compressed air.

“Private Road or Driveway.”—Every road or drive not open to the use of the public for purposes of vehicular travel.

“Railway Grade Crossing.”—Any set of tracks or rails of any steam, gasoline, or electric railway line, which intersects or crosses any highway at the same level or grade of such highway, except electric railway lines within cities, boroughs, or incorporated towns.

“Rear Lamp.”—A lamp located upon the rear of a motor vehicle, trailer, or semi-trailer, so arranged as to show red to the rear and illuminate the rear registration plate.

“Rebuilt Motor Vehicle.”—Every motor vehicle which shall have been assembled by using new parts and used parts, derived from other motor vehicles of the same make, and rebuilt by the manufacturer thereof.

“Reconstructed Motor Vehicle.”—Any motor vehicle which shall have been assembled or constructed largely by means of essential parts, new or used, derived from other motor vehicles or makes of motor vehicles of various names, models, and types, or which, if originally otherwise constructed, shall have been materially altered by the removal of essential parts, or by the addition or substitution of essential parts, new or used, derived from other motor vehicles or makes of motor vehicles.

“Residence District.”—The territory contiguous to a highway, not comprising a business district, when the frontage on such highway for a distance of three hundred (300) feet or more is closely built up with dwellings, or by dwellings and buildings in use for business.

“Right of Way.”—The privilege of the immediate use of the highway.

“Safety Zone.”—The area of space officially set aside within a highway for the exclusive use of pedestrians, and which is so plainly marked or indicated by proper signs as to be plainly visible at all times while set apart as a safety zone.

“Secretary.”—The Secretary of Revenue of this Commonwealth.

“Semi-trailer.”—Every vehicle of the trailer type so designed and used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests upon or is carried by another vehicle.

“Service Brake.”—The means of applying braking effort to at least two (2) wheels on a motor vehicle, normally operated by the operator’s foot.

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“Sidelights.”—Any lights upon a motor vehicle, other than headlamp or auxiliary driving lamp, or searchlight, or spot lamp, the rays of which project forward.

“Sign.”—Any device, mark, marker, board, plate, or other contrivance, designed for the purpose of guiding traffic or informing of a traffic regulation.

“Signal Lamp.”—A lamp located upon the side or rear of a motor vehicle, so arranged to show red, green or yellow to the rear as a cautionary signal.

“Solid Rubber Tire.”—Every tire made of rubber, other than a pneumatic tire, or a cushion rubber tire.

“Specially Constructed Vehicle.”—Any vehicle which shall not have been originally constructed under a distinctive name, make, model, or type, by a generally recognized manufacturer of vehicles.

“Spot Lamp.”—An auxiliary illuminating device, either fixed or moveable, intended to project a powerful concentrated beam of light.

“State.”—A State, territory, organized or unorganized, or district of the United States of America.

“Street Car.”—Every device traveling exclusively upon rails when upon or crossing a highway, other than *railroad* cars or trains [propelled or moved by steam].

“Tractor.”—Every vehicle of the tractor type, as defined in the Tractor Code.

“Traffic.”—Pedestrians, vehicles, and street cars, either singly or together, while using any highway for purposes of travel.

“Traffic Signal.”—Any device using words or colored lights or a combination thereof, either manually or electrically controlled, by which traffic is alternately directed to stop and go.

“Trailer.”—Every vehicle without motive power, designed to carry property or passengers wholly on its own structure, and to be drawn by a motor vehicle.

“Truck Tractor.”—Every motor vehicle designed and used primarily for drawing other vehicles, and not so constructed as to carry a load, other than a part of the weight of the vehicle and load so drawn.

“Used Motor Vehicles.”—Every motor vehicle which has been sold, bargained, exchanged, given away, or title transferred, from the person who first acquired it from the manufacturer or jobber or dealer, and so used as to have become what is commonly known as “second-hand” within the ordinary meaning thereof.

“Vehicle.”—Every device in, upon, or by which any person or property is or may be transported or drawn upon a public highway, excepting tractors, agricultural machinery, devices moved by human power or used exclusively upon stationary rails or tracks: Provided, That, for the purpose of Article X of this act, a bi-



cycle or a ridden animal or a tractor or any other device moving upon wheels on a public highway, except a device moving upon wheels upon stationary rails or tracks on a public highway, shall be deemed a vehicle.

Section 201. Certificate of Title Required.—

(a) No person who is a resident of this Commonwealth shall own a motor vehicle, trailer, or semi-trailer, in this Commonwealth unless a certificate of title therefor shall have been obtained as provided in this act:

(b) Provided, That manufacturers and jobbers shall not be required to obtain certificate of title for new motor vehicles, trailers, or semi-trailers, when consigned by such manufacturers or jobbers to dealers: And further provided, That dealers need not obtain certificate of title for motor vehicles, trailers, or semi-trailers, until and before sale thereof.

Penalty.—Any person violating the provisions of subsection (a) of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Section 202. Application for Certificate of Title.—Application for a certificate of title shall be made upon a form prescribed and furnished by the department; and shall be accompanied by the fee prescribed in this act; and shall contain a full description of the motor vehicle, trailer, or semi-trailer, the actual or bona fide address and name of the owner, together with a statement of the applicant's title, and of any liens or encumbrances upon said motor vehicle, trailer, or semi-trailer, and whether possession is held under a lease, contract of conditional sale, or other like agreement. The application shall be signed and verified by oath or affirmation by the applicant, if a natural person; in the case of an association, by a member or partner thereof; and in the case of a corporation, by an executive officer thereof, or some person specifically authorized by said corporation to sign the application, to which shall be attached written evidence of his authority. The secretary shall use reasonable diligence in ascertaining whether or not the facts stated in said application are true, and, if satisfied that the applicant is the lawful owner of such motor vehicle, trailer, or semi-trailer, or is otherwise entitled to have the same titled in his name, the department shall issue a certificate of title, bearing the signature or facsimile signature of the secretary, or such officer of the department as he shall designate, and sealed with the seal of the department.

Section 203. Contents, Delivery and Life of Certificate of Title.—

(a) A certificate of title shall contain such descrip-

tion and other evidence of identification of the motor vehicle, *trailer, or semi-trailer* for which it is issued as the secretary may deem necessary, together with a statement of any liens or encumbrances which the applicant may show to be thereon, together with the name and address of the holder or holders of any such liens or encumbrances.

(b) Where there are no liens or encumbrances upon the motor vehicle, *trailer, or semi-trailer*, the certificate of title shall be delivered to the owner, but otherwise the certificate of title shall be delivered to the person holding the first lien or encumbrance upon said motor vehicle, *trailer, or semi-trailer*, and be retained by such person until the entire amount of such first lien or encumbrance is fully paid by the owner of said motor vehicle, *trailer, or semi-trailer*. Upon the final payment being made of any lien or encumbrance, the certificate of title shall be delivered immediately to the owner of said motor vehicle, *trailer, or semi-trailer* with proper evidence of satisfaction of same, *providing there are no subsequent liens or encumbrances. If there are any subsequent liens or encumbrances upon the motor vehicle, trailer or semi-trailer, the certificate of title, upon final payment being made of any lien or encumbrance, shall be returned to the department by the person whose lien or encumbrance has been discharged by such payment within forty-eight (48) hours of such payment. A corrected certificate of title, together with a statement of the remaining liens or encumbrances on record, shall be delivered to the person holding the next lien or encumbrance upon said motor vehicle, trailer, or semi-trailer, and be retained by such person until the entire amount of such lien or encumbrance is fully paid by the owner of said motor vehicle, trailer, or semi-trailer. A corrected certificate of title without statement of liens or encumbrances shall be issued by the department, upon request of the owner, when original certificate of title is returned with proper evidence that all said liens or encumbrances have been satisfied, or when the original certificate of title cannot be returned and proper evidence is produced that all said liens or encumbrances have been satisfied, or when the lien or encumbrance upon the motor vehicle, trailer or semi-trailer has not been renewed within the three years immediately preceding the issuance of such corrected certificate of title, providing that the computation of three years shall not include time before June first, one thousand nine hundred thirty-seven.*

(c) *An encumbrance or lien may be renewed within the six months immediately preceding its expiration for as many one-year periods as may be necessary by the holder of such encumbrance or lien, upon a form fur-*

nished by the department, which shall be signed by, and verified by oath or affirmation of, the holder of the encumbrance or lien.

[(c)] (d) A certificate of title may be renewed when record of certificate of title has been cancelled by the department.

Penalty.—Any person failing to deliver upon demand a satisfied certificate of title, as required by the provisions of subsection (b) of this section, shall, upon summary conviction before a magistrate, for a first offense, be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days, and, for\* every subsequent failure to deliver upon demand such satisfied certificate of title, [a second offense] be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Any person failing to return to the department a certificate of title, where there are subsequent liens or encumbrances, for correction and delivery, as required by the provisions of subsection (b) of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days, and for every subsequent failure to return such certificate of title shall be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days: Provided, That no person shall be deemed guilty of a violation of this section if he shall deliver the certificate of title to the department within forty-eight (48) hours of the satisfaction of any lien or encumbrance.

Section 204. Issuance of Certificate of Title.—It shall be lawful for the secretary to issue, in the name of the first owner of a new or rebuilt motor vehicle, trailer, or semi-trailer, a certificate of title, if such owner presents to the secretary an application for certificate of title duly made and acknowledged by the manufacturer, jobber, or dealer, and assigned to such owner, accompanied by the fees prescribed in this act.

Section 207. Assignment of Certificate of Title.—(a) In the event of the sale or transfer of the ownership of a motor vehicle, trailer, or semi-trailer for which certificate of title has been issued, the owner of such motor vehicle, trailer, or semi-trailer shall execute an assignment of the certificate of title to the purchaser or transferee, with warranty of title, with a statement of

\* "and for" duplicated in the original.

all liens, encumbrances, or legal claims on said motor vehicle, *trailer, or semi-trailer*, the name and address of the holder of said liens, encumbrances or legal claims, sworn to before a notary public or other officer empowered to administer oaths, and deliver the same to the purchaser or transferee at the time of the delivery to him of such motor vehicle, *trailer, or semi-trailer*.

(b) The purchaser or transferee, except as herein provided, shall, within [thirty (30)] *fifteen (15)* days of such assignment or reassignment of certificate of title, on a reassignment form furnished by the department, present to the secretary such assigned certificate of title or reassignment form, sworn to before a notary public or other officer empowered to administer oaths, with the assigned certificate of title attached thereto, together with a statement of all liens, encumbrances, or legal claims on said motor vehicle, *trailer, or semi-trailer*, with application for certificate of title and accompanied by the fee prescribed in this act, whereupon a new certificate of title may be issued in the name of the owner.

(c) When the purchaser or transferee of a motor vehicle, *trailer, or semi-trailer* is a manufacturer, jobber, or dealer, who holds the same for resale, such manufacturer, jobber, or dealer shall not be required to apply for a certificate of title as provided for in subsection (b) of this section, but such manufacturer, jobber or dealer shall, within ten (10) days from the date of assignment of the certificate of title to such manufacturer, jobber, or dealer, notify the department, upon a form prescribed and furnished by it, of the acquisition of such motor vehicle, *trailer, or semi-trailer*. The manufacturer, jobber, or dealer's notification as to any motor vehicle, *trailer, or semi-trailer* so acquired must be executed in duplicate, the original of which must be forwarded to the department as herein required, and the duplicate shall be retained by such manufacturer, jobber, or dealer and shall be exhibited, with the assigned certificate of title, upon request of any peace officer or department employe.

The manufacturer, jobber, or dealer, upon transferring his interest in said motor vehicle, *trailer, or semi-trailer*, shall execute and deliver to the purchaser thereof an assignment upon a form prescribed and furnished by the department, to which shall be attached the assigned and executed application for certificate of title by such manufacturer, jobber, or dealer. Thereupon the purchaser of said motor vehicle, *trailer, or semi-trailer* shall apply for a certificate of *said* title within *fifteen (15)* [thirty (30)] days of the assignment by the manufacturer, jobber, or dealer: Provided, however, The provisions of this subsection shall not apply to a motor vehicle, *trailer, or semi-trailer* repossessed upon default

of the performance of the terms of a lease, contract of conditional sale, or other like agreement, or when ownership of a motor vehicle, *trailer*, or *semi-trailer* is transferred from one manufacturer, jobber, or dealer to another manufacturer, jobber, or dealer.

Penalty.—Any person violating any of the provisions of subsection (a) or (b) of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days. Any person violating any of the provisions of subsection (c) of this section shall, upon summary conviction before a magistrate, for a first offense, be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days, for a second offense, the fine shall be fifty (\$50) dollars and costs of prosecution, and, in default of the payment thereof, *such person* shall undergo imprisonment for not more than twenty (20) days.

Section 208. Change of Ownership by Operation of Law and Judicial Sale.—In *the* case of the transfer of ownership or possession of a motor vehicle, *trailer*, or *semi-trailer* by operation of law, as upon inheritance, devise or bequest, order in bankruptcy, insolvency, replevin, or execution sale, or whenever a motor vehicle, *trailer*, or *semi-trailer* is sold at public sale to satisfy storage or repair charges, or repossession is had upon default in performance of the terms of a lease, contract of conditional sale, or other like agreement *made upon, or in connection with, any encumbrance or lien recorded and continuing of record in the department*, it shall thereupon become the duty of the person from whose possession such motor vehicle, *trailer*, or *semi-trailer* was taken, if there are no liens, encumbrances, or legal claims thereon, and without prejudice to his rights in the premises, immediately to surrender the certificate of title for such motor vehicle, *trailer*, or *semi-trailer* to the person to whom possession of such motor vehicle, *trailer*, or *semi-trailer* has so passed. The secretary, upon surrender of prior certificate of title, or, when that is not possible, or when the certificate of title for such motor vehicle, *trailer*, or *semi-trailer* is held by a person holding a first lien, encumbrance, or legal claim thereon, upon presentation of satisfactory proof to the secretary of ownership and right of possession to such motor vehicle, *trailer*, or *semi-trailer*, and upon payment of the fee prescribed in this act, and presentation of application for certificate of title, may issue to the applicant to whom possession of such motor vehicle, *trailer*, or *semi-trailer* has so passed a certificate of title thereto;

but where a first lien, encumbrance, or legal claim upon such motor vehicle, *trailer*, or *semi-trailer* is held by another, the secretary shall deliver the said certificate of title, containing thereon a statement of the liens, encumbrances, or legal claims upon such motor vehicle, *trailer*, or *semi-trailer*, to the person holding such first lien, encumbrance, or legal claim, which shall be retained by such person until the entire amount of such first lien, encumbrance, or legal claim is fully paid by the owner of said motor vehicle, *trailer*, or *semi-trailer*, when the said certificate of title shall be delivered to said owner by the person who held the first lien, encumbrance, or legal claim, with proper evidence of satisfaction of same. A corrected certificate of title, without statement of liens, encumbrances, or legal claims, shall be issued by the secretary, upon request of the owner, when the original certificate of title is returned with proper evidence that all said liens, encumbrances, or legal claims have been satisfied, or when the original certificate of title cannot be returned, and proper evidence is produced that all said liens, encumbrances, or legal claims have been satisfied, or when the lien or encumbrance upon the motor vehicle, *trailer* or *semi-trailer* has not been renewed within three (3) years immediately preceding the issuance of such corrected certificate of title. The certificate of title, when issued by the secretary, showing a lien or encumbrance shall be adequate notice to the Commonwealth, creditors, and purchasers that a lien against the motor vehicle, *trailer*, or *semi-trailer* exists, and failure to transfer possession of the vehicle, *trailer*, or *semi-trailer* shall not invalidate said lien or encumbrance: Provided, That the secretary shall not incur any personal liability in carrying out the provisions of this section or in furnishing any information from the records of the department with respect to the existence or nonexistence of any lien or encumbrance on any motor vehicle, *trailer*, or *semi-trailer*.

Penalty.—Any person violating any of the provisions of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Section 209. Records of Stolen Motor Vehicles.—  
(a) It shall be the duty of the secretary, whenever he receives report of the theft of a motor vehicle, *trailer*, or *semi-trailer*, whether the same has been registered or not, and whether owned in this or any other State, together with the name and manufacturer's serial number thereof, to make a distinctive record thereof and file the same in numerical order of the manufacturer's serial number with the records of the vehicles, *trailers*,

or *semi-trailers* of such name already titled. Such records may at the discretion of the secretary be destroyed after three (3) years.

(b) In the event of the receipt of an application for a certificate of title of such motor vehicle, *trailer*, or *semi-trailer*, the secretary shall immediately notify the rightful owner thereof, and shall withhold the issuing of such certificate of title until the proper investigation shall have been made.

(c) In the event of the recovery of a stolen motor vehicle, *trailer*, or *semi-trailer*, of which the secretary has been notified, it shall be the duty of the owner to notify the secretary immediately.

(d) It shall be the duty of every peace officer, having knowledge of a stolen motor vehicle, *trailer*, or *semi-trailer*, immediately to furnish the secretary with full information in connection therewith.

(e) The secretary shall prepare a report listing motor vehicles, *trailers*, or *semi-trailers* stolen and recovered, as disclosed by the reports submitted to him, to be distributed as he may deem advisable.

Penalty.—Any person violating any of the provisions of subsection (c) of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 210. Destruction and Cancellation of Records of Certificates of Title; Notice of Junking Motor Vehicles.—

(a) The secretary shall maintain a record of certificates of title issued and may, after three (3) years from year of issue, at his discretion, destroy such records.

(b) The owner of a motor vehicle, *trailer*, or *semi-trailer* shall notify the secretary, within ten (10) days, of the destruction or junking of any motor vehicle, *trailer*, or *semi-trailer*, and return certificate of title to the department for cancellation of record.

(c) Any owner, who sells a motor vehicle, *trailer*, or *semi-trailer* as scrap, or to be destroyed or junked, shall assign the certificate of title thereto to the person to whom the motor vehicle, *trailer*, or *semi-trailer* is sold, but shall return such assigned certificate of title to the department immediately, with an application for a certificate of junk, whereupon the department shall issue to the person shown as the assignee a certificate of junk which shall authorize the holder thereof to possess, transport, or, by endorsement, transfer ownership in such junked motor vehicle, *trailer*, or *semi-trailer*, and a certificate of title shall not again be issued for such motor vehicle, *trailer*, or *semi-trailer*.

(d) The secretary, upon receipt of notification from

another state or foreign country that a certificate of title issued by the department has been surrendered by the owner in conformity with the laws of such other state or foreign country, may cancel such record of certificate of title.

(e) The secretary, upon receipt of certification from the clerk of the courts showing conviction for a misstatement of facts on an application for certificate of title or duplicate thereof or any assignment of certificate of title, shall forthwith cancel the record of such certificate of title, assignment, or duplicate certificate, and require that the certificate of title be returned immediately to the department for cancellation of record.

(f) The secretary may cancel any record of certificate of title when check received in payment of fee therefor is not paid on demand.

(g) The secretary may cancel the certificate of title issued for a new motor vehicle, *trailer*, or *semi-trailer* in the possession of a dealer when it is shown by satisfactory evidence that the motor vehicle, *trailer*, or *semi-trailer* has been returned to the manufacturer, jobber, or dealer from whom obtained.

(h) It shall be unlawful to purchase or sell a certificate of title or certificate of junk. Peace officers or department representatives may confiscate such certificates when unlawfully possessed or used.

(i) The secretary may cancel the record of certificate of title of any motor vehicle, *trailer*, or *semi-trailer* when registration has not been applied for within any of the three (3) immediate preceding years.

Penalty.—Any person violating any of the provisions [of] *under* subsections (b), (c) or (h) of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Section 211. Other Penalties.—Any person who shall be convicted of any of the following offenses, shall be guilty of a felony, and shall, upon conviction thereof in a court of quarter sessions, be sentenced to pay the following fines and costs of prosecution, or to undergo imprisonment for the terms indicated, or both, for each offense.

(a) Altering or forging any certificate of title to a motor vehicle, *trailer*, or *semi-trailer*, or any assignment thereof, or possessing or using any such certificate or assignment knowing the same to have been altered or forged, not more than one thousand (\$1,000) dollars, or not more than two (2) years, or both such fine and imprisonment.

(b) Procuring or attempting to procure certificate of



title to a motor vehicle, *trailer, or semi-trailer*, or passing or attempting to pass certificate of title or any assignment thereof to a motor vehicle, *trailer, or semi-trailer*, knowing or having reason to believe that such motor vehicle, *trailer, or semi-trailer* has been stolen, not more than one thousand (\$1,000) dollars, or not more than two (2) years, or both such fine and imprisonment.

Section 301. Possession or Operation of a Motor Vehicle, *Trailer, or Semi-Trailer* with Defaced Numbers.—It shall be unlawful to have possession of or to operate a motor vehicle, *trailer, or semi-trailer* on which the manufacturer's serial number or engine number has been omitted, obliterated, or defaced: Provided, however, That this shall not affect those persons authorized by law to have in their possession motor vehicles, *trailers, or semi-trailers* on which the manufacturer's serial number or engine number has been omitted, obliterated, or defaced.

Penalty.—Any person violating any of the provisions of this section, shall be guilty of a misdemeanor, and shall, upon conviction thereof in a court of quarter sessions, be sentenced to pay a fine of two hundred (\$200) dollars and costs of prosecution, or undergo imprisonment for not more than three (3) years, or suffer both such fine and imprisonment.

Section 302. Special Number Plate.—

(a) No motor vehicle, *trailer, or semi-trailer* on which the manufacturer's serial number or engine number has been omitted, obliterated, or defaced, shall be titled without special permit from the secretary.

(b) Before a certificate of title for any such motor vehicle, *trailer, or semi-trailer* can be obtained, the owner shall apply to the secretary for a special number plate, on a form furnished by the department, which shall contain the full name and actual or bona fide address of the owner, the date of purchase of such motor vehicle, *trailer, or semi-trailer*, the name and address of the person from whom it was purchased, together with satisfactory evidence that the engine or manufacturer's serial number was not removed for the purpose of concealing the identity of such vehicle, *trailer, or semi-trailer*, and shall be sworn to before a notary public or other officer empowered to administer oaths. The secretary shall furnish a special number plate, which shall be immediately placed on the component part from which the original number was destroyed, removed, covered, altered, or defaced, and the certificate of title will not be valid until this special number requirement has been complied with. Such special number shall be preceded by the letter "S," and followed by "Pa."

Section 305. Officer to Seize Motor Vehicle, *Trailer,*

or *Semi-Trailer* Having Defaced Numbers; Authority to Dispose of Same.—

(a) It shall be the duty of every peace officer having knowledge of a motor vehicle, *trailer*, or *semi-trailer* on which the engine number or manufacturer's number has been destroyed, removed, covered, altered, or defaced, to immediately seize and take possession of such motor vehicle, *trailer*, or *semi-trailer*, and arrest or file information for the arrest of the supposed owner or custodian thereof. It shall be the duty of the court to retain in custody the seized motor vehicle, *trailer*, or *semi-trailer*, pending prosecution of the person arrested, and in case such person shall be guilty, said motor vehicle, *trailer*, or *semi-trailer* shall remain in the custody of the court until the fine and costs of prosecution shall be paid: Provided, however, if ninety (90) days have elapsed after judgment has been rendered, and such fine and costs have not been paid, the court shall proceed to advertise and sell said motor vehicle, *trailer*, or *semi-trailer* in the manner provided by law for the sale of personal property under execution.

The proceeds from such sale shall be used to pay the fine and costs of prosecution, and the balance, if any, shall be forwarded to the department, and same shall be transmitted to the State Treasury and credited to the "Motor License Fund."

(b) If ownership to such motor vehicle, *trailer*, or *semi-trailer* is not established to the satisfaction of the court, said motor vehicle, *trailer*, or *semi-trailer* shall be confiscated by the court, and sold immediately, and the proceeds thereof shall be used to pay the cost of proceedings, and the balance, if any, shall be forwarded to the department and same to be transmitted to the State Treasury and credited to the "Motor License Fund."

Section 306. Sale of Motor Vehicle, *Trailer*, or *Semi-Trailer* with Defaced Number.—

Any person selling or offering for sale in this Commonwealth a motor vehicle, *trailer*, or *semi-trailer* on which the engine number or manufacturer's serial number has been destroyed, removed, covered, altered, or defaced, with knowledge of said destruction, removal, covering, alteration, or defacement of said engine number or manufacturer's serial number, shall be guilty of a felony, and shall, upon conviction thereof in a court of quarter sessions, be sentenced to pay a fine of five thousand (\$5,000) dollars and costs of prosecution, or undergo imprisonment for not more than ten (10) years, or suffer both such fine and imprisonment.

Section 401. Registration of Motor Vehicles, Trailers and Semi-Trailers Required.—

(a) Except as is hereinafter provided, no motor ve-

hicle, trailer, or semi-trailer shall be operated upon any highway in this Commonwealth until such motor vehicle, trailer, or semi-trailer shall have been properly registered with the department, as hereinafter provided, and the registration plate or plates that have been issued for the vehicle for the current year are received and displayed as required by this act, and no motor vehicle shall be registered until a certificate of title has been obtained therefor.

(b) *The owner of a foreign vehicle operated within this Commonwealth for the transportation of persons for compensation, either regularly according to schedule, or for a period exceeding thirty (30) days in the calendar year, unless exempted from registration under the terms of a reciprocity agreement, shall register such vehicle and pay the same fees therefor as are required for like vehicles owned by residents of this Commonwealth.*

(c) *Every nonresident, including any foreign corporation carrying on business within this Commonwealth and owning and regularly operating in such business any motor vehicle, trailer, or semi-trailer, exclusively within this Commonwealth, unless exempted from registration under the terms of a reciprocity agreement, shall be required to register each such vehicle and pay the same fee therefor as is required with reference to like vehicles owned by residents of this Commonwealth.*

(d) *Motor vehicles, trailers, and semi-trailers determined by the department to be used exclusively by any person, or his agents and employes, upon the farm or farms he owns or operates, or upon highways connecting by the most direct route any farms or portions of farms under the single ownership or operation of such person, shall be exempt from registration.*

Penalty.—Any person violating any of the provisions of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

#### Section 405. Registration Cards.—

(a) The department, upon registering a vehicle, shall issue to the owner a registration card, which shall contain the registration number assigned to the owner and to the vehicle, the name and address of the owner, also a description of the vehicle, including the engine and manufacturer's serial numbers thereof, and such other statement of facts as may be determined by the department.

(b) The owner, upon receiving the registration card, shall sign the usual signature or name of such owner with pen and ink in the space provided.

(c) In the event of a lost, destroyed, or illegible registration card, it shall be the duty of the owner to apply to the department for a duplicate, within forty-eight (48) hours of his discovery of the loss or defacement of such registration card, upon a form furnished by the department, and accompanied by the fee provided in this act.

(d) No owner or operator of a vehicle shall be subject to a fine for failure to have registration card, if he makes affidavit that the same was lost or stolen within the period of the twenty (20) days preceding, and that application for new registration card was made within forty-eight (48) hours as required herein.

*(e) In the event of a change of name or address of the owner as appearing on the registration card, it shall be the duty of such owner to notify the department, within forty-eight (48) hours, of such change of name or address.*

Penalty.—Any person violating the provisions of subsections (b) or (c) of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of five (\$5) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than three (3) days.

Section 409. Registration by Nonresidents; *Exemption of residents from provisions of articles eight and nine.*—

[(a) Nonresidents of this Commonwealth, except as otherwise provided in this act, will be exempt from the provisions of this act as to the registration of motor vehicles, trailers, and semi-trailers, for the same time, and to the same extent, as like exemptions are granted residents of this Commonwealth under the laws of the foreign country or state of their residence: Provided, That they shall have complied with the provisions of the law of the foreign country or state of their residence relative to the registration and equipment of their motor vehicles, trailers, and semi-trailers, and shall conspicuously display the registration plates as required thereby, and have in their possession the registration certificate issued for such vehicle.

(b) The owner of a foreign vehicle, operated within this Commonwealth for the transportation of persons for compensation, either regularly according to schedule, or for a period exceeding thirty (30) days in the calendar year, shall register such vehicle and pay the same fees therefor as are required for like vehicles owned by residents of this Commonwealth.

(c) Every nonresident, including any foreign corporation carrying on business within this Commonwealth and owning and regularly operating in such business any motor vehicle, trailer, or semi-trailer, exclusively

within this Commonwealth, shall be required to register each such vehicle, and pay the same fee therefor as is required with reference to like vehicles owned by residents of this Commonwealth.

Penalty.—Any person violating any of the provisions of subsection (a) of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days. Any person violating any of the provisions of subsection (b) or (c) of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of fifty (\$50) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.]

(a) *The secretary shall have the authority to make agreements with the duly authorized representatives of other states, exempting the residents of such other states using the highways of this Commonwealth from the payment of all or any taxes, fees, or other charges imposed under this act, with such restrictions, conditions, and privileges, or lack of them, as he may deem advisable, providing that all vehicles owned by nonresidents shall be properly registered in the state of the residence of their owner, and shall conspicuously display a registration plate, and that residents of this Commonwealth, when using the highways of such other state, shall receive exemptions of a similar kind to a like degree.*

(b) *The secretary shall also have the authority to make agreements with the duly authorized representatives of other states, exempting the residents of such other states using the highways of this Commonwealth from compliance with any or all of the provisions of article eight and article nine of this act, with such restrictions, conditions, and privileges, or lack of them, as he may deem advisable, providing that all vehicles owned by nonresidents shall conspicuously display a registration plate, and comply with all the provisions of the laws of the state of residence of their owner relating to equipment of vehicles, and that residents of this Commonwealth, when using the highways of such other state, shall receive exemptions of a similar kind to a like degree.*

(c) *If, by the laws of any other state, any taxes, fees, charges, fines, penalties or other obligations, or prohibitions relating to equipment, size, weight, and construction of vehicles, or restrictions or limitations of any kind whatsoever, are imposed upon the vehicles of residents of this Commonwealth additional to, or in excess of, those imposed by this Commonwealth upon the vehicles of residents of any other state, the secretary shall*

have the authority to impose and collect taxes, fees or charges in a like amount, and provide for similar fines, penalties, obligations, and prohibitions, upon the owner or operator of a vehicle registered in such other state so long as the laws of such other state remain in force and effect.

(d) Where provisions relating to the equipment, size, weight or construction of vehicles engaging in interstate commerce are included within, or prohibited by any Federal law or regulation now existing or hereafter to be enacted or adopted, the secretary shall have the authority to exempt from the operation of any or all of the provisions of articles eight and nine of this act any or all classifications of vehicles registered in this Commonwealth, with such restrictions, conditions, and privileges, or lack of them, as he may deem advisable. Vehicles, so exempted, shall be subject to the laws or regulations enacted or adopted by the Federal Government relating to the equipment, size, weight or construction of such vehicles, to the same extent and with the same force and effect as if such laws or regulations were expressly set forth in this act. Prosecutions and arrests for violations of such laws or regulations shall be brought or made subject to the conditions herein described with the same limitations as is now or may hereafter be provided for other prosecutions and arrests made under this act.

*Penalty.*—Any person owning or operating a vehicle not registered in this Commonwealth in violation of the terms of any agreement made under this section or in the absence of any agreement, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days or suffer such other penalty as the secretary may prescribe under subsection (c) of this section.

Section 411. Transfer of Registration.—

(a) Upon transfer of ownership, or the destruction of any motor vehicle, trailer, or semi-trailer, the registration shall expire. [except in the case of the transfer of ownership from husband and wife jointly to either spouse, and, in such case, transfer of registration shall be made upon the joint application of husband and wife and upon the payment of the fee prescribed in section seven hundred and fifteen.]

(b) When transfer is made from one registration classification to another registration classification, application shall be made immediately to the department, upon a form furnished by the department, upon payment of the transfer fee provided in this act, when the motor vehicle, trailer, or semi-trailer is of equal or less

horsepower or classification than that originally registered, or upon payment of the transfer fee provided in this act, and the difference between the fee originally paid and that due, if the motor vehicle, trailer, or semi-trailer be properly registered in a higher class.

(c) The application shall contain the full name and the actual or bona fide address of the owner, together with the name, manufacturer's serial number, engine number, the character of the motive power, and the horsepower or seating capacity, and, in the case of a commercial motor vehicle, the gross weight of the chassis as given and certified to by the manufacturer, and, in the case of electric commercial motor vehicles, the gross maximum weight of chassis, battery, body, and load, as given and certified to by the manufacturer, and, in the case of trailers and semi-trailers, the combined weight of the chassis and body, and also such description of the motor vehicle, trailer, or semi-trailer, including lamps and other equipment, as the secretary shall require. The application shall be signed by the owner, if a natural person, and in the cases where the owner is a corporation, copartnership, or association, by an executive officer thereof or some person specifically authorized by the said corporation, copartnership, or association to sign the same.

(d) When a transfer of registration is made, the owner shall be given a transfer registration card, and new registration number, if transfer is made to another classification.

(e) When a transfer of registration is made after a vehicle has been registered for the succeeding year, and the transfer application has been received and completed by the department prior to January first of such succeeding year, the transfer fee provided in this act shall not be required.

Penalty.—Any person violating any of the provisions of subsection (b) of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 502. Use of Manufacturer's, Jobber's and Dealer's Registration Plates Limited. — Registration plate or plates issued in the "Dealer's Class" may be used on any motor vehicle, trailer, or semi-trailer, owned or in the possession of a manufacturer, jobber, or dealer, and operated by such manufacturer, jobber, or dealer, or the employe of such manufacturer, jobber, or dealer, when such motor vehicle, trailer, or semi-trailer is used (a) in the motor vehicle business of such manufacturer, jobber, or dealer, (b) for the personal pleasure of such manufacturer, jobber, or dealer, or the members of his

family, when operated by such manufacturer, jobber, or dealer, or an immediate member of his family, (c) for teaching a new operator how to operate a motor vehicle, if such new operator has procured a learner's permit, and for such new operator to take an examination for an operator's license, or (d) for testing motor vehicles, trailers, or semi-trailers in the possession of such manufacturer, jobber, or dealer, or (e) for demonstrating motor vehicles, trailers, or semi-trailers in the possession of such manufacturer, jobber, or dealer, and such vehicles may be operated by a prospective purchaser, when licensed as an operator or permittee, and when accompanied by the manufacturer, jobber, or dealer, or an employe of such manufacturer, jobber, or dealer: *Provided, That in no event shall manufacturers, jobbers, or dealers registration plates be used for any purpose other than as limited in this section.*

Penalty.—Any person violating any of the provisions of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 510. The expiration of Registration Plates.—(a) All registration plates shall expire December thirty-first of the year for which they are issued, unless sooner suspended for cause by the secretary, but the registration plate or plates for the succeeding year may, at the option of the owner, be used on and after December fifteenth of the current year.

(b) No motor vehicle, trailer, or semi-trailer shall be operated after December thirty-first, with registration plates for the previous year, nor without registration plates on claim by the owner or operator that registration plates for the current year have been applied for but not received, *except that where the secretary has extended the expiration date, registration plates for the previous year may be used until such expiration date.*

(c) *The secretary may, in his discretion, extend the expiration date of all registration plates until a date not later than January fifteenth.*

Penalty.—Any person violating any of the provisions of subsection (b) of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution, and, in default of payment thereof, shall undergo imprisonment for not more than five days.

Section 603. Nonresidents, When Exempt from License.—(a) A nonresident who has been duly licensed as an operator under a law requiring the licensing of operators in his home state or country, and who has in



his immediate possession a valid operator's license issued to him in his home state or country, shall be permitted, without examination or operator's license under this act, to operate a motor vehicle upon the highways of this Commonwealth, for the same time and to the same extent as like exemptions are granted residents of this Commonwealth under *the* laws of the foreign state or country.

(b) It shall be unlawful for any nonresident, except as herein provided, whose home state or country does not require the licensing of operators, to operate any motor vehicle upon any highway in this Commonwealth, without first making application for and obtaining a license as an operator, as required under this act, except that any said unlicensed nonresident, who is the owner of a motor vehicle which has been duly registered for the current calendar year in the state or country of which the owner is a resident, may operate motor vehicles upon the highways of this Commonwealth for the same time and to the same extent as like exemptions are granted residents of this Commonwealth under the laws of the state or [county] *country* of the nonresident, without making application for or obtaining an operator's license under this act, upon condition that the nonresident owner has in his immediate possession a registration card evidencing such ownership and registration in his home state or country: Provided, That unlicensed nonresident operators not the owners of motor vehicles registered in states or countries not requiring an operator's license may operate any motor vehicle properly registered in their home state or country on any highway within this Commonwealth, without making application for or obtaining an operator's license under this act, upon condition that they may be required at any time or place to prove lawful possession of such motor vehicle and proper identity.

(c) Provided, That nonresident operators, operating motor vehicles within this Commonwealth [for the transportation of persons] for compensation, [either regularly according to a schedule or] for a period exceeding thirty (30) days in the calendar year, shall be required to obtain a Pennsylvania operator's license.

Penalty.—Any person violating any of the provisions of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 604. Persons Not to Be Licensed.—(a) An operator's license or learner's permit shall not be issued to any person under the following conditions:

1. When less than [sixteen (16)] *eighteen (18)*

years of age. *Unless such person is sixteen (16) years of age or more and includes with his application for an operator's license or learner's permit a statement of his parent or a person in loco parentis, made under oath or affirmation, that such applicant has the consent of such parent or person in loco parentis to obtain a learner's permit or operator's license, or unless such person is in possession of a valid learner's permit or operator's license before the effective date of this act.*

2. When operating privilege is suspended.

3. When operating privilege is revoked.

4. When applicant's name appears upon department's prohibitory list, *or when the privilege to apply for an operator's license or learner's permit has been suspended, and before such privilege has been reinstated.*

5. To an habitual drunkard or addict to the use of narcotic drugs.

6. When adjudged insane or an idiot, imbecile, epileptic, or feeble-minded, until restored to competency by judicial decree, or released from a hospital for the insane, or feeble-minded, upon certification by the superintendent or medical director that such person is competent, nor then, unless the secretary is satisfied such person is competent to operate a motor vehicle with safety to persons and property.

7. When afflicted with, or suffering from, a physical or mental disability or disease, *or from a weakness or disability in vision or hearing* which, in the opinion of the secretary, will prevent such person from exercising reasonable and ordinary control over a motor vehicle.

8. When unable to understand warning or direction signs in the English language.

(b) Physical disability includes the [following:

1. Loss of the use of both hands] *loss of the use of both hands.*

[2. Less than fifty (50) per centum of normal vision with the aid of glasses. (To possess fifty (50) per centum of normal vision one must be able with one eye to read all the letters on the seventy(70) line of the Standard Snellen Type Chart at a distance of twenty (20) feet.)

3. Less than two (2) per centum of normal hearing. (To possess two (2) per centum of normal hearing one must respond when addressed in a natural tone of voice by another standing one (1) foot behind).]

(c) The secretary may issue an operator's license, or learner's permit, to a person [having less than (2) per centum of normal hearing] *afflicted with, or suffering from, a weakness or disability in vision or hearing*, upon the receipt of such evidence or demonstration as shall satisfy him that such person has had sufficient experience in the operation of a motor vehicle to enable him

to do so without endangering the safety of the public, and provided that such person shall not operate a motor vehicle unless same is equipped with a mirror so located as to reflect to the operator a view of the highway for a distance of at least two hundred (200) feet to the rear.

Section 606. Learner's Permits.—

(a) The department, upon receiving from any person [sixteen (16)] *eighteen (18)* years of age or over, *or upon receiving from any person less than eighteen (18) years of age and more than sixteen (16) years of age, when accompanied by an affidavit of consent of a parent or person in loco parentis*, an application for a learner's permit, may, in its discretion, issue such a permit, entitling the applicant while having such permit in his immediate possession to operate a motor vehicle upon the highways for a period of [sixty (60)] *ninety (90)* days from date of issue, *or until such learner has failed three (3) times, at any time within the ninety (90) day period, the examination prescribed by the secretary, and when accompanied by a licensed operator who is actually occupying a seat beside the holder of the learner's permit, except that permittees operating motorcycles or bicycles with motor attached need not be so accompanied.*

(b) Every application for learner's permit shall be sworn to before a notary public or other officer empowered to administer oaths, on a form provided by the department, and accompanied by the fee provided in this act, and shall state the name, age, sex, and actual or bona fide address of the applicant, together with any other information the secretary may desire, and whether or not the applicant has heretofore been licensed as an operator, and, if so, when and by what state, and whether or not such license has ever been revoked or suspended, and, if so, the date of and reason for such suspension or revocation. *When the application for a learner's permit is made by a person more than sixteen (16) years of age and less than eighteen (18) years of age, it shall be accompanied by the written consent of a parent or a person in loco parentis, under oath or affirmation of such parent or person in loco parentis.*

Penalty.—Any person violating any of the provisions of subsection (a) *or (b)* of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

\*Section 608. Examination of Applicants and Operators.—(a) Before issuing an operator's license to any permittee, except as otherwise provided, the secretary

\* All proposed amendatory matter to this section was eliminated in the passage of the bill.

shall require the applicant to demonstrate personally to him, or his representative, in such a manner as the secretary may direct, that such applicant is a proper person to operate a motor vehicle, has sufficient knowledge of the mechanism of motor vehicles to insure their safe operation, and a satisfactory knowledge of the laws and regulations concerning motor vehicles and their operation.

(b) The secretary may issue an operator's license, either unlimited or containing certain restrictions or limitations, as the secretary may deem advisable.

(c) The secretary may, in his discretion, waive the examination of any person applying for the renewal of an operator's license issued under this act.

(d) The secretary may, in his discretion, issue an operator's license under this act, without examination, to any person applying therefor, who is of sufficient age as required by this act to receive the license applied for, when the secretary is satisfied that the applicant is fully qualified as an operator of motor vehicles, and to any person who at the time of such application has a valid unrevoked license of like nature issued to such person in another state under a law requiring the licensing and examination of operators.

(e) Following any examination, and pending the issue of the operator's license, the secretary's representative may authorize any applicant, who has qualified as an operator, to operate a motor vehicle with his learner's permit card, and without being accompanied by a licensed operator, provided such learner's permit card is properly approved for such purpose.

(f) The secretary may, in his discretion, require the special examination, by such agencies as the secretary may direct, of any applicant for learner's permit or operator's license, or of any operator, to determine incompetency, physical or mental disability or disease, or any other condition which might prevent such applicant from exercising reasonable and ordinary control over a motor vehicle.

#### Section 611. Duplicate License Cards.—

(a) In the event that an operator's license or learner's permit shall be lost or destroyed, or become illegible, the person to whom the same was issued shall make application to the department, upon a form furnished by the department, accompanied by the fee provided in this act, for a duplicate thereof.

(b) No owner or operator of a motor vehicle shall be subject to a fine for the reason that an operator's license or learner's permit is lost, if he makes affidavit that the same was lost or stolen within the period of twenty (20) days preceding, and that application for duplicate operator's license or learner's permit was made within forty-eight (48) hours of discovery of loss of same.

(c) *In the event of a change of name or address of the operator, as appearing on the operator's card, it shall be the duty of such operator to notify the department within forty-eight (48) hours of such change of name or address.*

Penalty.—Any person violating any of the provisions of subsection (a) of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of five (\$5) dollars and costs of prosecution, and in default of the payment thereof, shall undergo imprisonment for not more than three (3) days.

Section 614. Revocation of Operating Privilege.—

(a) Upon receiving a certified record, from the clerk of the court, of proceedings in which a person pleaded guilty, entered a plea of nolo contendere, or was found guilty by a *judge or jury*, of any of the crimes enumerated in this section, the secretary shall forthwith revoke, for a period of one (1) year from the date of revocation, the operating privilege of any such person, and where such person was convicted, or entered a plea of guilty or nolo contendere, of any one of the crimes enumerated in clauses (1), (2), [and] (3), and (4) of this section, such operating privilege shall not be restored, unless, and until, the fine and costs, imposed in such cases, have been fully paid. The clerk of the courts shall, when such fine and costs have been so paid in any such case, certify such fact to the Department of Revenue.

1. Operating a motor vehicle while under the influence of intoxicating liquor, or any narcotic or habit producing drug, or permitting any person, who may be under the influence of intoxicating liquor or narcotic or habit producing drug, to operate any motor vehicle owned by him or in his custody or control.

2. Using a false or fictitious name, or giving a false or fictitious address, in any application or form required under the provisions of this act, or knowingly making a false statement, or knowingly concealing a material fact, or otherwise committing a fraud in any application.

3. Any crime punishable as a felony under the motor vehicle laws of this Commonwealth, or any other felony in the commission of which a motor vehicle is used.

4. Conviction of an operator of a motor vehicle involved in an accident, resulting in injury or death to any person or damage to property, upon the charge of failing to stop and render assistance or disclose his identity at the scene of the accident.

(b) The secretary, upon receiving a certified record from the clerk of the court of the conviction of any person upon a charge of operating a motor vehicle while the operator's license or learner's permit of such person

is revoked, shall immediately extend the period of such first revocation for an additional like period.

(c) The secretary, upon revoking any operator's license or learner's permit, shall require that such license of any operator, whose license or permit is so revoked, shall immediately be surrendered to and retained by the department.

Section 615. Suspension of Licenses or Operating Privileges.—

(a) The secretary may suspend the operating privilege of any person, with or without a hearing before the secretary or his representative, upon receiving a record of proceedings, if any, in which such person pleaded guilty, entered a plea of *nolo contendere*, or was found guilty by a *judge or jury*, whenever the secretary finds upon sufficient evidence:

1. That such person is incompetent to operate a motor vehicle, or is afflicted with mental or physical infirmities or disabilities rendering it unsafe for such person to operate a motor vehicle upon the highways.

2. That such person has been convicted of a misdemeanor, or has forfeited bail upon such a charge, in the commission of which a motor vehicle was used.

3. That such person has been convicted of manslaughter resulting from the operation of a motor vehicle.

4. That such person has attempted by offering a bribe, or by other fraud, or by substitution of another person in his place, to take or pass an examination for an operator's license.

(b) The secretary may suspend the operator's license or learner's permit of any person, after a hearing before the secretary or his representative, or upon failure of the said person to appear at such hearing, whenever the secretary finds upon sufficient evidence:

1. That such person has committed any offense for the conviction of which mandatory revocation of license is provided in this act.

2. That such person has committed any violation of the motor vehicle laws of this Commonwealth.

3. That such person has failed to file a report with the department of a motor vehicle accident as required by this act.

4. That such person was operating any motor vehicle involved in an accident resulting fatally to any person.

5. *That such person is incompetent or unable to exercise reasonable and ordinary control over a vehicle.*

6. *That such person has failed to pay a fine, properly imposed by any court of this Commonwealth or of any state, or has failed to appear for a hearing before a court of competent jurisdiction of this Commonwealth or of any state, upon being notified as provided by law.*

(c) The secretary may suspend any operator's license

or learner's permit, when check submitted in payment is returned to the department because of insufficient funds, or is not paid on demand, and may delegate authority to any department employe or peace officer to lift operator's license or learner's permit card so cancelled.

(d) The secretary is hereby authorized to suspend the privilege of any nonresident to operate a motor vehicle in this Commonwealth for any cause for which the license of a resident operator may be suspended or revoked. The secretary is further authorized, upon receiving a record of the conviction in this Commonwealth of a nonresident operator of a motor vehicle of any offense under the motor vehicle laws of this Commonwealth, to forward a report of such conviction to the motor vehicle administrator in the state wherein the person so convicted is a resident.

(e) The secretary is hereby authorized after a hearing before the secretary or his representative, *or upon failure of the said person to appear at such hearing*, to suspend the operator's license or learner's permit of any person licensed in this Commonwealth, upon receiving notice of the conviction of such person in another state of an offense therein which, if committed in this Commonwealth, would be grounds for the suspension or revocation of the license of an operator.

(f) The secretary may suspend any operator's license or learner's permit, upon certification, or request, or order of any court or commission duly authorized under the laws of this Commonwealth and empowered by such laws to make such certifications, requests, or orders.

(g) The secretary, upon suspending any operator's license or learner's permit, shall require that such licenses of any operator, whose license or permit is so suspended, shall be surrendered immediately to and retained by the department.

(h) Whenever the secretary suspends the operator's license or learner's permit of any person, the secretary shall immediately notify such person, and afford him an opportunity of a hearing before said secretary or his representative, provided such hearing has not already been held, and, after such hearing, the secretary shall either rescind his order of suspension, or, good cause appearing therefor, may suspend the operator's license or learner's permit of such person for a further period.

Section 619. Counties and Municipalities Liable for Negligence of Their Employes.—Every county, city, borough, incorporated town, or township within this Commonwealth, employing any person, shall be jointly and severally liable with such person for any damages caused by the negligence of such person while operating a motor vehicle *or fire department equipment* upon a highway in the course of their employment; and every

city, borough, incorporated town, and township shall also be jointly and severally liable with any member of a volunteer fire company, of any such city, borough, incorporated town, or township, for any damage caused by the negligence of such member while operating a motor vehicle or fire department equipment used by or belonging to such volunteer fire company while going to, attending, or returning from a fire, or while engaged in any other proper use of such motor vehicle or fire department equipment for such volunteer fire company. [within such city, borough, incorporated town, or township.]

Section 620. Violation of License Provisions.—It shall be unlawful for any person to commit any of the following acts:

(a) To display, or cause or permit to be displayed, or to have in possession, any operator's license or learner's permit, knowing the same to be fictitious or to have been cancelled, revoked, suspended or altered.

(b) To lend to, or knowingly permit the use of by, one not entitled thereto any operator's license or learner's permit issued to the person so lending or permitting the use thereof.

(c) To display, or to represent as one's own, any operator's license or learner's permit not issued to the person so displaying the same.

(d) To fail or refuse to surrender to the department, upon demand, any operator's license, learner's permit, registration card, registration plates, certificate of title, or duplicates thereof, which have been suspended, cancelled or revoked as provided in this act.

(e) To make use of or operate any motor vehicle without the knowledge or consent of the owner or custodian thereof.

(f) To operate a motor vehicle, *street car, or trackless trolley omnibus* while under the influence of intoxicating liquor, or any narcotic drug or habit producing drug, or permit any person who may be under the influence of intoxicating liquor, or narcotic or habit producing drug, to operate any motor vehicle owned by him or in his custody or control.

(g) To turn off any or all the lights on a motor vehicle for the purpose of avoiding identification or arrest.

(h) To operate any motor vehicle upon the highways of this Commonwealth, after the operating privilege is suspended or revoked, and before such operating privilege has been reinstated.

(i) To operate any motor vehicle upon the highways of this Commonwealth, after its registration has been suspended by the secretary.

(j) To use a false or fictitious name, or give a false or fictitious address, in any application or form required



under the provisions of this act, or [knowingly] make a false statement, or [knowingly] conceal a material fact, or otherwise commit a fraud in any application.

Penalty.—Any person violating any of the provisions of subsections (a), (b), (c) or (d) of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of fifty (\$50) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Any person violating any of the provisions of subsections (e), (f), (g), (h), (i) or (j) of this section shall be guilty of a misdemeanor, and shall, upon conviction thereof in a court of quarter sessions, be sentenced to pay a fine of [two hundred (\$200)] *not less than one hundred (\$100) dollars and not more than five hundred (\$500) dollars* and costs of prosecution, or undergo imprisonment for not more than three (3) years, or suffer both such fine and imprisonment.

Section 712. Lighting Equipment.—

(a) The fee for approval and registration of head lamps and auxiliary driving lamps shall be one hundred and fifty (\$150) dollars for each type approved.

(b) The fee for approval and registration of rear lamps, signal lamps, reflectors, *flares* and mechanical signal devices shall be fifty (\$50) dollars for each type approved.

(c) The fee for approval and registration, incident to the renewal of a certificate of approval for head lamps, shall be fifty (\$50) dollars.

(d) The fee for approval and registration, incident to the renewal of a certificate of approval for auxiliary driving lamps, rear lamps, signal lamps, reflectors, and mechanical signal devices, shall be twenty-five (\$25) dollars.

(e) *The fee for approval and registration of vacuum or pressure hose for brake systems shall be twenty-five (\$25) dollars for each type approved.*

(f) *The fee for approval and registration, incidental to the renewal of a certificate of approval for vacuum or pressure hose for brake systems, shall be ten (\$10) dollars.*

(g) *The fee for approval and registration of a hitch or coupling device shall be twenty-five (\$25) dollars for each type approved.*

(h) *Certificates approving each type of hitch or coupling device, hereafter issued by the secretary, will not expire until revoked by the secretary.*

Section 713. Operators' Licenses; Duplicate Registration or Operator's License Card.—

(a) The fee for issuing an operator's license to a person unable to produce satisfactory proof of having held a Pennsylvania operator's license, during any one

of the three (3) years preceding application, shall be [three (\$3)] *two* (\$2) dollars, which fee shall entitle the applicant for such license to receive a learner's permit, valid for [sixty (60)] *ninety* (90) days from date of issue, and, if the examination shall have been passed during the [sixty (60)] *ninety* (90) day period, an operator's license for the current year.

(b) The fee for renewal of an operator's license shall be [two (\$2) dollars] *one* (\$1) dollar.

(c) The fee for a duplicate operator's license card or duplicate registration card shall be fifty (\$.50) cents.

Section 716. Certificates of Title; Duplicate Certificates of Title.—The fee for each certificate of title shall be two (\$2) dollars, except in the case where [a] *the certificate of title is issued in the name of the manufacturer, jobber or dealer, [then] and the dealer, manufacturer, or jobber is possessed of current manufacturers', dealers', or jobbers' registration plates, in which case the fee shall be fifty (\$.50) cents.* The fee for a duplicate certificate of title shall be one (\$1) dollar.

Section 722. Exemptions from Fees.—

(a) No fee shall be charged for a certificate of title or registration of motor vehicles, *fire department equipment*, trailers and semi-trailers owned by and used [by] *exclusively in the performance of the duties of—*(a) the Federal Government, (b) any state, other than Pennsylvania, which issues titles or registrations to this Commonwealth without charge, (c) the Commonwealth of Pennsylvania, (d) any city, borough, incorporated town, township, county, poor or school district of this Commonwealth, (e) any duly authorized volunteer fire force, *in the extinguishment and prevention of fires or in rescue work*, hospital, humane society, or anti-cruelty society in this Commonwealth, (f) the American Red Cross, (g) churches, (h) Girl Scouts of America, (i) Boy Scouts of America, (j) Salvation Army, (k) duly chartered post or organization of the American Legion, Veterans of Foreign Wars, or United Spanish War Veterans, of this Commonwealth, or La Societe Des Forty Hommes et Eight Chevaux, and organizations and units of the Pennsylvania National Guard, (l) mine or industrial ambulances, (m) ambassadors, ministers, [consular-representatives and other diplomatic representatives who are entitled to exemption under the terms of a treaty] *foreign consuls, general consuls and vice consuls who are nationals of the country appointing them, and who are assigned to foreign consulates in this Commonwealth: Provided, That American consular officers of equal rank, who are citizens of the United States, and who exercise their official functions at American consulates in such foreign country, are granted reciprocal exemptions*, but all such vehicles, except those owned and

used by the Federal Government, shall be titled and registered, and shall display registration plates as is now provided for privately owned motor vehicles, trailers and semi-trailers.

(b) No fee shall be required when a certificate of title or assigned certificate of title is returned to the department for cancellation.

(c) No fee shall be charged for replacement or substitution of registration card, registration plates, operator's license card, learner's permit card, or certificate of title, when satisfactory proof is furnished the secretary of loss of same in the mails.

(d) No fee shall be charged for certified copies, or certified photostatic copies, of any department record furnished to Federal, State, county, or municipal authorities.

(e) No fee shall be charged for special hauling permits issued to the Commonwealth of Pennsylvania, any city, borough, incorporated town, township, county, poor or school district of this Commonwealth, or anyone entitled to exemption from fees under section seven hundred twenty-two (a) of this act, or to anyone hauling equipment or materials for use on a Federal or State Emergency Relief Project.

(f) No fee shall be charged for transfer of registration for the succeeding year, when such transfer has been received and completed by the department prior to January first of such succeeding year.

(g) No fee shall be charged for a certificate of junk issued to any person.

(h) No fee shall be charged a manufacturer, jobber or dealer for a certificate of title to a motor vehicle, when assignment of certificate of title accompanies the application for certificate of title, *and when the dealer, manufacturer or jobber is possessed of current manufacturers', dealers' or jobbers' registration plates.*

*(i) No fee shall be charged for inspection certificates issued to any official inspection stations of, and when used on vehicles owned by and engaged exclusively in the performance of the official duties of, (a) the Federal Government, (b) the Commonwealth of Pennsylvania, (c) any city, borough, incorporated town, township, county, poor or school district of this Commonwealth, (e) any duly authorized volunteer fire force.*

Section 801. Required Lighting Equipment.—

(a) When Lights Must Be Displayed.—Every vehicle upon a highway within this Commonwealth, during the period from one (1) hour after sunset to one (1) hour before sunrise, and at any other time when there is not sufficient light to render clearly discernible persons and vehicles on the highway at a distance of five hundred (500) feet ahead, shall be equipped with lighted lamps

and illuminating devices, as in this section, respectively, required for different classes of vehicles.

(b) **Head Lamps on Motor Vehicles.**—Every motor vehicle, other than a motorcycle or bicycle with motor attached, shall be equipped with two (2) head lamps, and no less, at the front of and on opposite sides of the motor vehicle, which head lamps shall comply with the requirements and limitations set forth in this act, and shall be of a type which at the time of their use are approved by the secretary.

(c) **Head Lamps on Motorcycles.**—Every motorcycle shall be equipped with at least one (1) head lamp, and not more than two (2), which shall comply with the requirements and limitations set forth in this act, and shall be of a type which at the time of its use is approved by the secretary.

(d) **Rear Lamps and Illumination of Rear Registration Plate.**—Every motor vehicle, and every trailer or semi-trailer attached to a motor vehicle, and every vehicle which is being drawn at the end of a combination of vehicles, shall carry at the rear a lamp of a type which at the time of its use is approved by the secretary, and which exhibits a red light, plainly visible under normal atmospheric conditions from a distance of five hundred (500) feet to the rear of such vehicle. Either such rear lamp or a separate lamp shall be so constructed and placed that the number plate carried on the rear of such vehicle shall, under like conditions, be so illuminated by a white light as to be read from a distance of fifty (50) feet to the rear of such vehicle. When the rear number plate is illuminated by an electric lamp, other than the required rear lamp, said two (2) lamps shall be turned on or off only by the same control switch at all times whenever head lamps are lighted.

(e) **Reflectors.**—Every motor bus, motor omnibus, commercial motor vehicle, trailer, or semi-trailer, when operated on a highway, shall display at the rear a red reflector meeting the following requirements:

Whenever a red reflector is so used, or whenever [red or green] reflectors are used, as hereinafter provided, it or they shall be mounted upon the vehicle at a height not to exceed forty-two (42) inches and not less than twenty-four (24) inches above the ground upon which the vehicle stands, and every such reflector shall be of a type which, at the time of its use, is approved by the secretary and shall be so designed and maintained as to be visible at night from all distances within five hundred (500) feet to fifty (50) feet from such vehicle, when directly in front of or opposed to a motor vehicle displaying lawfully lighted head lamps as provided in this act.

(f) Every commercial motor vehicle, trailer, or semi-trailer, or every motor omnibus or motor bus, **except**

motor buses or motor omnibuses operated entirely within municipalities when their interiors are illuminated, shall display lighted lamps at the times mentioned in subsection (a) when and as required in this section, except that such lamps may be, but are not required to be, lighted when any such vehicle is upon a highway which is sufficiently illuminated by street lamps to render any person or vehicle visible at a distance of five hundred (500) feet.

1. *Electric Clearance Lamps.*—Every such vehicle, having a width at any part in excess of eighty (80) inches, shall be equipped with two (2) *electric* clearance lamps located on the extreme left side of such vehicle: One located at the front and displaying [a green] *an amber* light visible from a distance of five hundred (500) feet to the front of the vehicle, and the other located at the rear of the vehicle and displaying a red light visible from a distance of five hundred (500) feet to the rear of the vehicle, and said rear *electric* clearance lamp shall be in addition to the red rear lamp hereinbefore required: Provided, however, That vehicles equipped with acetylene headlamps may, in lieu of such *electric* clearance lights, be equipped with [a green] *an amber* reflector in front and a red reflector in the rear, which shall be so designed and maintained to meet the requirements as to reflectors provided in this section.

2. *Electric Identification Lamps, Front and Rear.*—Every motor vehicle, trailer, or semi-trailer, or combination of such vehicles, having a length in excess of thirty (30) feet or a width in excess of eighty (80) inches, shall be equipped with *electric* lamps on the front displaying three (3) [green] *amber* lights and *electric* lamps on the rear displaying three (3) red lights; and the lights in each such group shall be evenly spaced, not less than six nor more than twelve (12) inches apart, along a horizontal line near the top of the vehicle, and said lights shall be visible from distances of five hundred (500) feet to the front and rear, respectively, of the vehicle: Provided, however, That vehicles equipped with acetylene headlamps may, in lieu of such *electric* identification lamps, be equipped with red and [green] *amber* reflectors.

3. *Electric Side Marker Lamps.*—Every such vehicle or combination of such vehicles, which exceeds twenty (20) feet in overall length, shall be equipped with at least four (4) *electric* side marker lamps: One (1) on each side near the front, and one (1) on each side near the rear. Said *electric* lamps near the front shall display [green] *amber* lights and said *electric* lamps near the rear shall display red lights, each visible from a distance of five hundred (500) feet to the side of the vehicle on which it is located. If the *electric* clearance

lamps on the left side of a vehicle, as hereinbefore required, display lights visible from a distance of five hundred (500) feet at right angles to the left of the vehicle, they shall be deemed to meet the requirements as to left marker lamps in this paragraph. In lieu of such *electric* side marker lamps, any such vehicle may be equipped with four (4) reflectors, two (2) on each side, and otherwise meeting the requirements of this act.

(g) Lamps on Bicycles.—Every bicycle, and every bicycle with motor attached, shall be equipped with a lighted lamp, on the front thereof, visible, under normal atmospheric conditions, from a distance of at least five hundred (500) feet in front of such bicycle or bicycle with motor attached, and shall also be equipped with a red reflector or lamp on the rear, exhibiting or reflecting a red light visible, under like conditions, from a distance of at least five hundred (500) feet to the rear of such bicycle or bicycle with motor attached.

(h) Lights on Other Vehicles.—All vehicles, not required in this act to be equipped with specific lighted lamps, shall carry one (1) or more lighted lamps or lanterns, displaying a white light visible, under normal atmospheric conditions, from a distance of not less than five hundred (500) feet to the front, and with a lamp or lantern displaying a red light, visible from a distance of five hundred (500) feet to the rear of such vehicles, except for vehicles, other than motor vehicles, loaded with hay or straw in bulk.

(i) Lights on Parked Motor Vehicles.—Whenever a motor vehicle is parked or stopped upon a highway, or shoulder adjacent thereto, whether attended or unattended, during the time when lights are required by this section, may, in lieu of the lighting equipment specified, show one (1) white or green light, carried on the left side of the motor vehicle, visible, under normal atmospheric conditions, from a distance of five hundred (500) feet to the front of such vehicle, and projecting a red light visible, under like conditions, from a distance of five hundred (500) feet to the rear: Provided, That local authorities may, by ordinance, establish zones within which motor vehicles may remain standing without lights. Any lighted headlamps upon a parked vehicle shall be depressed or dimmed.

*Provided, That nothing contained in this section shall make unlawful the use of lamps displaying a green light, where this section provides for lamps displaying an amber light, before the first day of January, one thousand nine hundred thirty-eight.*

Penalty.—Any person violating any of the provisions of subsections (a), (b), (c), (d) or (e) of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten (\$10) dollars and costs

of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days. Any person violating any of the provisions of subsections (f), (g), (h) or (i) of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of two (\$2) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than one (1) day.

Section 802. Additional Permissible Lights and Devices.—

(a) Spot Lamps.—Any motor vehicle or motorcycle may be equipped with not to exceed one (1) spot lamp, and every lighted spot lamp shall be so aimed and used, upon approaching another vehicle, that no part of the high intensity portion of the beam will be directed to the left of the prolongation of the extreme left side of the vehicle nor more than one hundred (100) feet ahead of the vehicle.

(b) Auxiliary Driving Lamps.—Any motor vehicle may be equipped with not more than [to exceed] three (3) *nor less than two (2) auxiliary driving lamps, mounted on the front, spaced at a distance of not less than twenty (20) inches apart, and of a height not less than twelve (12) inches nor more than forty-two (42) inches above the level surface upon which the vehicle stands, which lamps shall comply with requirements and limitations set forth in this act, and shall be of types which at the time of their use are approved by the secretary.*

(c) Signal Lamps and Mechanical Signal Devices.—

1. Whenever a motor vehicle is equipped with a signal lamp, or a signal device, so constructed and located on the vehicle as to give a signal of intention to stop or to turn right or left, the signal shall be yellow or red in color and shall be plainly visible in normal sunlight, and at night, from a distance of one hundred (100) feet to the front [or] *and from a distance of one hundred (100) feet to the rear of the vehicle, but shall not project a glaring or dazzling light, and all such signals shall be of [a type] types which at the time of their use are approved by the secretary, except that a signal giving the intention to stop shall only be visible from a distance of one hundred (100) feet to the rear.*

2. When a vehicle is equipped with a mechanical signal, the mechanical signal shall be self illuminated when in use, at the times mentioned in section eight hundred one (801), and shall be of a type which at the time of its use is approved by the secretary.

Penalty.—Any person violating any of the provisions of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten (\$10) dol-

lars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 802.2. [Use of Multiple Beam Road Lighting Equipment.—

(a) Whenever a motor vehicle is being operated on a roadway or shoulder adjacent thereto, during the times specified in section eight hundred one (801), the driver shall use a distribution of light or composite beam directed high enough and of sufficient intensity to reveal persons and vehicles at a safe distance in advance of the vehicle, subject to the following requirements and limitations:

(b) Whenever the driver of a vehicle approaches an oncoming vehicle within five hundred (500) feet, such driver shall use a distribution of light or composite beam so aimed that the glaring rays are not projected into the eyes of the oncoming driver, and in no case shall the high intensity portion, which is projected to the left of the prolongation of the extreme left side of the vehicle, be aimed higher than the center of the lamp from which it comes at a distance of twenty-five (25) feet ahead, and, in no case, higher than a level of forty-two (42) inches above the level upon which the vehicle stands, at a distance of seventy-five (75) feet ahead.

Penalty.—Any person violating any of the provisions of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.]

*Illuminated Signs Prohibited.*—No vehicle shall bear or display any illuminated signs, letters, numerals or figures of any kind whatsoever, except that a vehicle carrying passengers for hire, or a school bus, may bear such sign, stating its use and destination.

Penalty.—Any person violating any of the provisions of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 806. *Illegal Sale of Lighting Devices.* — It shall be unlawful for any person to sell or to lease, or to offer for sale or lease, either separately or as a part of the equipment of a motor vehicle, any head lamp, auxiliary driving lamp, rear lamp, or signal lamp, unless such device is approved by the secretary, and bears the trade mark or name under which it is approved, so as to be legible when installed, and is accompanied by printed instructions as to the candlepower of bulbs to be used therewith as approved by the secretary, and any par-



ticular methods of mounting or adjustment so as to focus or aim necessary for compliance with the requirements of this act.

Penalty.—Any person violating any of the provisions of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of fifty (\$50) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Section 807. Revocation of Certificates of Approval of Lighting Devices, and of Vacuum or Pressure Hose for Brake Systems.—

(a) Any certificate of approval, however, heretofore or hereafter issued, may be revoked by the secretary, after a hearing before the secretary or his representative, of which the person named therein or his successor in interest shall be given reasonable notice or opportunity to hear or to be heard, upon the grounds that the lighting device, reflector, [or] mechanical signal device, or vacuum or pressure hose for brake systems does not comply with the provisions of this act, regulations adopted, or is not being supplied in production in accordance with specifications, original blue-print assemblies, or sample devices originally submitted. However, revocation of certificates of approval of devices, heretofore or hereafter approved, shall not take effect until three (3) months after the decision of the secretary revoking same.

(b) The secretary may adopt uniform standard specifications for head lamps, auxiliary driving lamps, rear lamps, signal lamps, reflectors, or vacuum or pressure hose for brake systems, and may promulgate certain rules and regulations, not inconsistent with this act, to govern his decision in approving any lighting device, reflector, [or] mechanical signal device, or vacuum or pressure hose for brake systems, or in revoking any certificate of approval issued for such devices.

(c) Certificates approving each type of head lamp device hereafter issued by the secretary will expire and be void after four (4) years from date of issue, unless the manufacturer has, prior to the expiration date, made application for renewal of such certificate, furnishing two (2) pair of samples for test purposes in accordance with this act, together with the fee provided in this act, and new certificate of approval has been issued.

(d) Certificates approving each type of auxiliary driving lamp, rear lamp, flares, mechanical signal device, reflector, and signal lamp, hereafter issued by the secretary, will not expire until revoked for cause by the secretary.

(e) When no renewal application is made, [and] or when an application for renewal of certificate of approval is refused, the head lamp, auxiliary driving lamp,

rear lamp, mechanical signal device, reflector, or signal lamp, will become illegal for use on motor vehicles after six (6) years from date of expiration of certificate: Provided, however, New motor vehicles will not be titled unless the lighting devices are of an approved type for which certificates of approval are in effect at the time of application for title.

(f) *Certificates approving each type of vacuum or pressure hose for brake systems, issued by the secretary, shall expire and be void after two (2) years from the date of issue, unless the manufacturer has, prior to the expiration date, made application for renewal of such a certificate, furnishing two (2) pair of samples for test purposes in accordance with this act, together with the fee provided in this act, or a new certificate of approval has been issued.*

(g) *When no renewal application is made, or when an application for renewal of certificate of approval is refused, the vacuum or pressure hose for brake systems will become illegal for use on motor vehicles after two (2) years from the date of expiration of the certificate: Provided, however, That new motor vehicles, trailers, or semi-trailers will not be titled unless the vacuum or pressure hose for brake system is of an approved type for which a certificate of approval is in effect at the time of application for title.*

Section 808. Enforcement and Authority to Refuse Title or Registration.—

(a) A head lamp or auxiliary driving lamp arranged to provide a single distribution of light will be presumed to project a glaring or dazzling light, if the top of any main beam of light projected by it is, at a distance of twenty-five (25) feet ahead of the motor vehicle, on an approximately level stretch of highway, projected on the body of a person, or on a motor vehicle, or on any object, at a height greater than the distance of the centers of the lamps from the highway. A head lamp or auxiliary driving lamp arranged to provide a single distribution of light, and mounted on a motor vehicle at a height higher than forty-two (42) inches above [the] a highway, will be presumed to project a glaring or dazzling light, if the top of the beam of light projected by it, on an approximately level stretch of highway, be higher than forty-two (42) inches above the highway seventy-five (75) feet ahead of the vehicle.

(b) The owner or operator of any motor vehicle, equipped with approved head lamps, auxiliary driving lamps, rear lamps, or signal lamp, who is notified by a peace officer that such lamps are improperly adjusted, or are equipped with bulbs of a candle-power not approved for use therewith, shall be allowed forty-eight (48) hours within which to adjust and equip such lamps

to conform with the requirements of this act. To submit a certificate, to the peace officer giving the notification, issued or executed by an official headlight adjusting station, showing that within forty-eight (48) hours after such notification the lamps have been adjusted or equipped to conform with the requirements of this act, shall relieve the owner or operator from arrest. Unless such certificate is received by the peace officer within five (5) days from the date of notification, showing that the lamps have been adjusted or equipped as required in this act, information for arrest shall be made.

[(c) Any nonresident not required to register a motor vehicle, trailer, or semi-trailer, shall be exempt from the provisions of this act with regard to lighting equipment, for the same period during which such person is exempt from registration under this act, if the lighting equipment of such vehicles conforms to the requirements of the laws of the foreign country or state in which the motor vehicle, trailer, or semi-trailer is registered.]

[(d)] (c) The secretary may refuse to title or issue registration for any motor vehicle, the lighting equipment of which is not approved for use in this Commonwealth.

Penalty.—Any person violating any of the provisions of subsections (a) or (b) of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten (\$10.00) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 811. Brakes.—

(a) Every motor vehicle [titled or registered in] *using the highways* of this Commonwealth [and, when operated upon a highway,] shall be equipped with brakes adequate to control the movement of and to stop and to hold such vehicle, including two (2) separate means of applying the brakes, each of which means shall be effective to apply the brakes to at least two (2) wheels. If these two (2) separate means of applying the brakes are connected in any way, they shall be so constructed that failure of any one (1) part of the operating mechanism shall not leave the motor vehicle without brakes on at least two (2) wheels.

(b) Every motorcycle, and bicycle with motor attached, [titled or registered in] *using the highways* of this Commonwealth, [and when operated upon a highway] shall be provided with at least one (1) brake, which may be operated by hand or foot.

(c) Every trailer or semi-trailer *having a chassis and body* [of a gross] weight of [three thousand (3,000)] *one thousand (1,000)* pounds or more, when operated upon a highway, shall be equipped with brakes adequate to control the movement of, and to stop and to hold,

such vehicle for at least fifteen (15) minutes, and so designed as to be applied by the driver of the towing motor vehicle from its cab, and said brakes shall be so designed and connected that, in case of an accidental break-away of the towed vehicle, the brakes shall be automatically applied.

(d) Every new motor vehicle, trailer or semi-trailer sold in this Commonwealth on and after January first, one thousand nine hundred thirty-six, and operated upon the highways, shall be equipped with service brakes upon all wheels of every such vehicle, except any motorcycle, and except that any semi-trailer *having a chassis and body weight* of less than one thousand [five hundred (1,500)] (1,000) pounds [gross weight] need not be equipped with brakes.

(e) On a dry, hard, approximately level stretch of highway, free from loose material, where the grade does not exceed one (1) per centum, the service brakes upon any motor vehicle or combination of vehicles, except as herein provided, shall be adequate to stop such vehicle or vehicles, when traveling at a speed of twenty (20) miles per hour, within a distance of thirty (30) feet or at a rate corresponding to such performance.

(f) Under the above conditions, the emergency brake shall be adequate to stop such vehicle or vehicles within a distance of fifty-five (55) feet, and said emergency brake shall be adequate to hold such vehicle or vehicles stationary upon any grade upon which operated.

(g) Under the above conditions, the service brakes upon a motor vehicle equipped with two wheel brakes only, and when permitted hereunder, shall be adequate to stop the vehicle within a distance of forty (40) feet, and the emergency brake shall be adequate to stop the vehicle within a distance of fifty-five (55) feet.

(h) All braking distances specified in this section shall apply to all vehicles mentioned, whether such vehicles are not loaded or are loaded to the maximum capacity permitted under this act.

(i) All brakes shall be maintained in good working order and shall be so adjusted as to operate as equally as practicable with respect to the wheels on opposite sides of the vehicle.

Penalty.—Any person violating any of the provisions of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of [ten (\$10)] *twenty-five* (\$25) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 812. Brake Enforcement.—

(a) It shall be unlawful for any person to operate a motor vehicle or a combination of vehicles upon the highways of this Commonwealth with brakes not conforming with the requirements of this act.

(b) It shall be unlawful for any person to operate a motor vehicle without required number of brakes in good working condition. The owner or operator of any motor vehicle, who is notified by a peace officer that such brake or brakes are improperly adjusted, or are unsafe or unfit or in need of correction, adjustment or repairs, shall be allowed forty-eight (48) hours within which to correct, adjust, or repair such brakes to conform with the requirements of this act. To submit a certificate to the peace officer, giving the notification issued or executed by an official brake adjusting station, showing that within forty-eight (48) hours after such notification, the brakes have been corrected, adjusted, or repaired, to conform with the requirements of this act, shall relieve the owner or operator from arrest. Unless such certificate is received by the peace officer within five (5) days from the date of notification, showing that the brakes have been corrected, adjusted, or repaired, as required in this act, information for arrest will be made: Provided, That when service and emergency brakes applied together will not stop a motor vehicle or combination of vehicles within distances defined in this act, or hold a motor vehicle or combination of vehicles stationary on any grade upon which operated, the owner or operator may be required to make temporary correction, adjustment, or repairs before being permitted to proceed with the motor vehicle or combination of vehicles.

Penalty.—Any person violating any of the provisions of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 816. Windshields Must Be Unobstructed and Equipped with Wipers.—

(a) It shall be unlawful for any person to operate any motor vehicle upon a highway with any sign, poster, or other [non-transparent] material upon the front windshield, side wings, side or rear windows of such motor vehicle, other than a *device*, certificate, or other paper [required by law or so] *expressly allowed*, or directed by the secretary to be displayed: Provided, however, that signal lamps of a type approved by the secretary shall not be considered a violation of this section.

(b) Every permanent windshield on a motor vehicle shall be equipped with a device for cleaning rain, snow, or other moisture, from the windshield, which device shall be so constructed as to be controlled or operated by the operator of the vehicle.

Penalty.—Any person violating any of the provisions of this section, shall, upon summary conviction before a

magistrate, be sentenced to pay a fine of five (\$5) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than three (3) days.

Section 816.1. Safety Glass.—

(a) The term "safety glass," as used in this section, shall be construed to mean any glass or transparent product, approved by the Department of Revenue, manufactured or fabricated in such manner as substantially to prevent shattering and flying of the glass or transparent product when struck or broken.

(b) It shall be unlawful, on and after the first day of January, one thousand nine hundred and thirty-four, to operate, on any public highway or street in this Commonwealth, a motor vehicle, manufactured or assembled after said date, designed or used for the purpose of carrying passengers for hire or as a public conveyance, to transport school children, or others, unless such vehicle be equipped with safety glass, whenever glass is used in doors, windows or windshields.

(c) It shall be unlawful, on and after the first day of January, one thousand nine hundred and thirty-five, to operate, on any public highway or street in this Commonwealth, any motor vehicle, manufactured or assembled after said date, unless such vehicle be equipped with safety glass, whenever glass is used in doors, windows or windshields.

*(d) It shall be unlawful, on and after January first, one thousand nine hundred thirty-eight, to operate, on any public highway or street in this Commonwealth, any trailer or semi-trailer, manufactured or assembled after said date, unless such trailer or semi-trailer is equipped with safety glass, whenever glass is used in doors, windows or windshields.*

[(d)] (e) The secretary shall maintain a list of types of safety glass approved by him as conforming to the specifications and requirements for safety glass as set forth in this section, and shall not issue a license for or relicense any motor vehicle, subject to the provisions of subsections (b) or (c) of this section, after the effective date of each subsection, unless said motor vehicle is equipped as therein provided with such approved type of safety glass.

*(f) It shall be unlawful to operate any vehicle on any public highway or street in this Commonwealth, unless such vehicle be equipped with safety glass, whenever the glass used in the doors, windows or windshields is replaced after the effective date of this act.*

Penalty.—The owner [and] or operator of any motor vehicle operated in violation of the provisions of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of twenty-five (\$25) dol-

lars and costs of prosecution, and, in default thereof, shall undergo imprisonment for not more than ten (10) days.

In case of the violation of this act by any common carrier or person operating under a certificate of public convenience issued by the Public *Utility* [Service] Commission, such certificate shall be revoked or, in the discretion of the commission, suspended until the provisions of this section are satisfactorily complied with.

Section 823. Official Inspections.—

(a) [It shall be the duty of the secretary, upon proclamation by the Governor, to compel] *On and after the first day of every May, and until and including the thirty-first (31) day of July, and on and after the first day of every November, and until and including the thirty-first (31) day of January, every* [resident] owner of a motor vehicle, *trailer, or semi-trailer* being operated in this Commonwealth, *except trailers or semi-trailers having a chassis and body weight of less than one thousand (1000) pounds, motorcycles and bicycles with motor attached,* [to] *shall* submit [the] *such* motor vehicle *trailer, or semi-trailer* to such inspection of its mechanism and equipment as may be designated by the secretary.

(b) If such inspections disclose the necessity for adjustments, corrections, or repairs, in order to bring the motor vehicle, *trailer, or semi-trailer* in conformance with the provisions of this act, it shall be compulsory upon the owner to have such adjustments, corrections, or repairs made within the periods required in this act.

(c) The secretary is hereby authorized to designate, furnish instructions to, [and] supervise, *and issue inspection certificates to, and collect the fees therefor from,* the official inspection stations, as provided in this act, for the purpose of such inspections.

(d) Such official inspection stations, when duly authorized, shall issue official certificates of inspection for every motor vehicle, *trailer, or semi-trailer* so inspected, on a form furnished by the department, but no such certificates of inspection shall be issued or displayed on any motor vehicle, *trailer, or semi-trailer*, or by the owner or operator of any motor vehicle, *trailer, or semi-trailer*, until and unless the motor vehicle, *trailer, or semi-trailer* for which it is issued has been brought into conformance with the requirements of [the hereinbefore mentioned proclamation and] this act.

(e) It shall be the duty of such designated official inspection stations to report all such inspections to the secretary, on forms furnished by the department, and, in the event of refusal on the part of any owner or operator to have the necessary adjustments, corrections, and repairs made, the secretary, after investigation, may in-

voke the provisions of this act relative to vehicles unsafe or unfit for operation.

(f) If the secretary finds that the provisions of *this act*, [the hereinbefore mentioned proclamation] or the directions of the secretary, are not being complied with, or that the business of such stations in connection with such inspections is being improperly conducted, he may suspend the designation of any such stations.

(g) [During the period designated in the hereinbefore mentioned proclamation] Any peace officer who shall be in uniform, and shall exhibit his badge or other sign of authority, may stop any motor vehicle, *trailer*, or *semi-trailer*, and require the owner or operator to display an official certificate or other satisfactory proof of inspection for the motor vehicle, *trailer*, or *semi-trailer* being operated. It shall be unlawful for any such certificate to be displayed on a motor vehicle, *trailer*, or *semi-trailer*, or by the owner or operator, unless an official inspection of its mechanism or equipment shall have been made and the motor vehicle, *trailer*, or *semi-trailer* conforms to the provisions of this act.

(h) [For a further period of three (3) months after the expiration of the inspection period it] *It* shall be unlawful to operate any motor vehicle, *trailer*, or *semi-trailer* on a highway unless the motor vehicle, *trailer*, or *semi-trailer* has been inspected *during the present or previous inspection period*, and a certificate furnished and displayed, or other satisfactory proof of inspection furnished.

(i) *The secretary is hereby authorized and required to issue a certificate of school bus inspection for every vehicle owned by, or used under contract with, any school or school district which conforms with the provisions of this act.*

(j) *The owner of every vehicle which is to be used for the transportation of school children shall, in addition to any other inspection required by this act, submit such vehicle to the Highway Patrol sometime during every August, or prior to operating such vehicle for the transportation of school children during the school year, to determine whether such vehicle conforms with the provisions of this act.*

(k) *No vehicle required to obtain a certificate of inspection under the provisions of subsection (j) of this\* shall be operated without prominently displaying such certificate, as may be directed by the secretary, in addition to any other certificate now or hereafter required by law, on any of the highways of this Commonwealth.*

Penalty.—Any person violating any of the provisions of subsections (d), (e), (g), [or] (h), (i), (j) or (k) of this section shall, upon summary conviction before a

\* "section" omitted in the original.



magistrate, be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 824. Danger and Caution Signals.—

(a) Every motor bus and every motor omnibus for the carriage of passengers for hire, except taxicabs, and every commercial [motor] vehicle, [having a carrying capacity of two tons or over] *or combination of vehicles, having a gross weight of eleven thousand (11,000) pounds, or more, and every trailer, or semi-trailer designed for the living quarters or carriage of persons,* [when operated upon a highway outside of a business or residence district at any time from one (1) hour after sunset to one (1) hour before sunrise] shall be equipped with *at least three (3) red flags, of dimensions not less than twelve by twelve (12 x 12) inches, and a sufficient number of flares, not less than three (3), or electric lanterns, electric flashing signals, or other signals capable of continuously producing three warning lights, each visible from a distance of at least five hundred (500) feet for a period of at least eight (8) hours.*

Every such flare, lantern, electric flashing signal, or other signal shall be of a type approved by the secretary, and he shall publish lists of those devices which he has approved as adequate for the purposes of this section.

(b) Whenever any such vehicle and its lighting equipment are disabled, during the period when lighted lamps must be displayed on vehicles, and such vehicle cannot immediately be removed from the main traveled portion of a highway outside of a business or residence district, or if the lighting equipment on any such vehicle is not disabled but, due to its position upon the highway or by reason of contours or curves in such highway, it may constitute a menace to other vehicular traffic, the operator or other person in charge of such vehicle shall cause such flares, lanterns, flashing signals, or other signals to be lighted and placed upon the highway: One (1) at a distance of approximately one hundred (100) feet in advance of such vehicle, one (1) at a distance of approximately one hundred (100) feet to the rear of the vehicle, and the third upon the highway side of the vehicle, except that, if the vehicle is transporting flammables, [no open burning flare shall be placed adjacent to any such last mentioned vehicle] *such vehicle shall be equipped with a sufficient number of electric flares or electric flashing signals, not less than three (3). Whenever any such vehicle is disabled during the period when lighted lamps are not required to be displayed on vehicles, and such vehicle cannot immediately be removed from the main traveled portion of a highway outside of a business or residence district, or whenever a vehicle is*

*disabled upon the highway, and by reason of contours or curves in such highway it may constitute a menace to other vehicular traffic, the operator or other person in charge of such vehicle shall cause the red flags to be placed upon the highway: One (1) at a distance of approximately one hundred (100) feet in advance of such vehicle, and one (1) at a distance of approximately one hundred (100) feet to the rear of the vehicle, and the third upon the highway side of the vehicle.*

(c) No person shall at any time operate a vehicle transporting explosives as a cargo or part of a cargo upon a highway, unless it carries electric lanterns or electric flashing signals as herein required, but such electric lanterns or electric flashing signals must be capable of producing a red light and shall be displayed upon the highway when and as required in this section.

Penalty.—Any owner or operator who shall fail to comply with any of the provisions of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Section 902. Size of Vehicles and Loads.—(a) No vehicle, except fire department equipment, street sweepers, and snow plows, shall exceed a total maximum width, including any load thereon, of ninety-six (96) inches, except that the limitations as to size of vehicles stated in this act shall not apply to vehicles loaded with hay or straw in bulk.

(b) No vehicle, except *vehicles used exclusively to repair overhead lights and wires, and fire department equipment*, shall exceed a total maximum height, including any load thereon, of [one hundred seventy-four (174)] *one hundred fifty (150) inches*, but nothing herein contained shall be construed to require the public authorities to provide sufficient vertical clearance to permit the operation of such vehicles, *excepting that until, but not after, January first, one thousand nine hundred forty-one, any vehicle, properly registered in Pennsylvania on the effective date of this act, may be of a total height, including any load thereon, of one hundred seventy-four (174) inches.*

(c) No vehicle, except fire department equipment, shall exceed a total maximum length, including any load thereon, of three hundred ninety-six (396) inches, and no combination of two (2) vehicles, *inclusive of load and bumpers*, coupled together, shall exceed a total maximum length of [seventy (70) feet] *six hundred (600) inches, excepting that until, but not after, January first, one thousand nine hundred forty-one, any combination of two vehicles, properly registered in this Common-*

*wealth on the effective date of this act, may be of a total maximum length, not exceeding seventy (70) feet, excepting further that nothing in this subsection shall prohibit the transportation of articles impossible of dismemberment, which do not exceed seventy (70) feet.*

1. No motor vehicle shall be operated upon a highway drawing, or having attached thereto, more than one other vehicle. [except that a truck, with semi-trailer attached, may draw, in addition thereto, one (1) other vehicle.]

2. The distance between any two vehicles, one of which is towing or drawing the other, shall not exceed fifteen (15) feet from one vehicle to the other, except when the load on the towed vehicle is coupled directly to and is not more than five (5) feet from the towing vehicle. Whenever the connection consists of a chain, rope, bar, or cable, there shall be displayed, upon such connection, a flag not less than twelve (12) inches in length and width. Every trailer, while being drawn upon the highway, shall be so attached to the vehicle drawing the same as to prevent the wheels of such trailer from deflecting more than six (6) inches from the path of the drawing vehicle's wheels.

(d) No vehicle, except a trailer or semi-trailer, shall carry any load, or part thereof, extending more than five (5) feet beyond the front extremity.

(e) No vehicle, except as herein provided, shall carry any load extending beyond the line of the fenders on the left side of such vehicle, nor extending more than six (6) inches beyond the line of the fender on the right side thereof.

(f) It shall be unlawful for any person to transport on a motor vehicle, trailer, or semi-trailer, operated for the carriage of passengers for hire, a load of twenty-five (25) per centum in excess of the registered seating capacity, or for any person to cause or permit any such operation: Provided, however, That a child under the age of six years shall not be counted as a person when computing load on any such vehicle: *And provided further, That nothing contained in this subsection shall make unlawful the transportation of a load of more than twenty-five (25%) per centum in excess of the registered seating capacity, when such load is carried by a vehicle for not more than ten consecutive miles.*

(g) *No truck, tractor, and semi-trailer, coupled together, except fire department equipment, shall exceed a total maximum length, inclusive of load and bumpers, of five hundred forty (540) inches, excepting that until, but not after, January first, one thousand nine hundred forty-one, any truck, tractor, and semi-trailer, properly registered in this Commonwealth on the effective date of this act, may, when coupled together, be of a total maxi-*

*imum length not exceeding seventy (70) feet, excepting further that nothing in this subsection shall prohibit the transportation of articles impossible of dismemberment, which do not exceed seventy (70) feet.*

Penalty.—Any person violating any of the provisions of subsections (a), (b), (c), (d), [or] (e) or (g) of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days. Any person violating any of the provisions of subsection (f) of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of not less than ten (\$10) dollars or more than twenty-five (\$25) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days. Such fine shall be in addition to any penalty imposed by any other section or subsection of this act.

Section 2. That the penalty clause of section nine hundred three of the said act is hereby amended to read as follows:

Penalty.—Any person [violating any of the provisions of this section] *operating any vehicle upon any highway with a gross weight exceeding by more than five (5) per centum the maximum gross weight allowed, and not exceeding by more than ten (10) per centum the maximum gross weight allowed,* shall, upon summary conviction before a magistrate, be sentenced to pay a fine of [fifty (\$50)] *twenty-five (\$25) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than [ten (10)] five (5) days, and any person operating any vehicle on any highway with a gross weight exceeding by more than (10) per centum the maximum gross weight allowed, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of fifty (\$50) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.*

Section 3. That sections 904, 1001, 1008, 1012, 1013, 1015, 1023, 1025, 1101, 1201, 1202, 1204, 1206, 1207 and 1211 of the said act are hereby amended or further amended, as the case may be, to read as follows:

Sections 904,  
1001, 1008,  
1012, 1013,  
1015, 1023,  
1025, 1101,  
1201, 1202,  
1204, 1206,  
1207 and 1211,  
amended or  
further amended,  
as the case may  
be.

Section 904. Officers May Weigh Vehicles and Require Removal of Excess Load.—Any peace officer who shall be in uniform, and shall exhibit his badge or other sign of authority, having reason to believe that the weight of a vehicle and load is unlawful, is authorized to weigh the same, either by means of portable or stationary scales, or may require that such vehicle be driven to the nearest stationary scales in the event such scales are

within a distance of two (2) miles. The peace officer may then require the operator to unload immediately such portion of the load as may be necessary to decrease the gross weight of such vehicle to the maximum gross weight specified in this act, except as herein provided for special permits: And further provided, That no arrests shall be made, *or information brought* in cases where the maximum gross weights provided in this act are not exceeded by more than [ten (10)] *five (5)* per centum thereof.

Penalty. — Any person [refusing to unload excess weight when so ordered] *violating any of the provisions of this section*, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 1001. Reckless Driving.—Reckless driving is unlawful, and, for the purpose of this act, is construed to include the following:

(a) Any person who drives any vehicle *or street car or trackless trolley omnibus* upon a highway carelessly and wilfully, or wantonly disregarding the rights or safety of others, or in a manner so as to endanger any person or property.

(b) If investigation into an accident arising from the use and operation of a motor vehicle discloses that the accident occurred due to the front seat of the motor vehicle having been occupied by more than three (3) persons: Provided, That this provision shall not apply to a motor vehicle, the front seat of which has been constructed to accommodate more than three (3) persons: And further provided, That there is sixteen (16) inches of seating capacity for each passenger or occupant so accommodated on said front seat.

(c) Any person who shall participate in any physical endurance test, or any race or speed contest, with a motor vehicle on any highway.

Penalty.—Any person charged with reckless driving, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of not less than ten (\$10) dollars nor more than twenty-five (\$25) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Section 1008. Limitations on Privilege of Overtaking and Passing.—

(a) The driver of a vehicle shall not drive to the left side of the center line of a highway in overtaking [and] *or* passing another vehicle proceeding in the same direction, unless such left side is clearly visible, and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking [and] *or* passing to be made in safety.

(b) The driver of a vehicle shall not overtake [and] *or* pass another vehicle proceeding in the same direction, when approaching the crest of a grade, nor upon a curve in the highway, where the driver's view along the highway is obstructed within a distance of three hundred (300) feet ahead, except, on a highway having two (2) or more lanes for movement of traffic in one direction, the driver of a vehicle may overtake [and] *or* pass another vehicle: Provided, That on a highway, within a business or residence district, having two (2) or more marked lanes for movement of traffic in one direction, the driver of a vehicle may overtake [and] *or* pass another vehicle on the right.

(c) The driver of a vehicle shall not overtake [and] *or* pass any other vehicle, proceeding in the same direction, at any railway grade crossing, nor at any intersection of highways, unless such intersection or crossing is controlled by traffic signal, or unless permitted so to do by a watchman or peace officer, except, on a highway having two (2) or more lanes for movement of traffic in one direction, the driver of a vehicle may overtake [and] *or* pass another vehicle: Provided, That on a highway within a business or residence district, having two (2) or more marked lanes for movement of traffic in one direction, the driver of a vehicle may overtake [and] *or* pass another vehicle on the right. Nothing in this subsection shall be construed to prohibit a driver overtaking [and] *or* passing, upon the right, another vehicle which is making or about to make a left turn.

(d) The driver of a vehicle shall not overtake [and] *or* pass, or attempt to pass, any other vehicle, proceeding in the same direction, between any points indicated by the placing of temporary warning or caution signs indicating that men are working on the highway.

(e) *The driver of a vehicle shall not overtake or pass, or attempt to overtake or pass, any other vehicle proceeding in the same direction in any "no passing zone."*

Penalty.—Any person violating any of the provisions of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 1012. Signals on Starting, Stopping or Turning.—

(a) The driver of any vehicle upon a highway, before starting, stopping or turning from a direct line, shall first see that such movement can be made in safety, and, if any pedestrian may be affected by such movement, shall give a clearly audible signal by sounding the horn, and whenever the operation of any other vehicle *approaching or following* may be affected by such move-

ment, shall give a signal, as required in this section, plainly visible to the driver of such other vehicle, of the intention to make such movement.

(b) The signal herein required shall be given either by means of the hand and arm, in the manner herein specified, or by an approved mechanical or electrical signal device, except that, when *the secretary finds that a vehicle is so constructed or loaded as to prevent the hand and arm signal from being visible to the front and rear*, the signal shall be given by a device of a type which, at the time of its use, is approved by the secretary.

[1] (c) Whenever the signal is given by means of the hand and arm, the driver shall indicate his intention to start, stop, or turn, by extending the hand and arm horizontally from and beyond the left side of the vehicle, or, if he is driving a closed vehicle, by his hand and arm in such a way as to be visible through the window in the rear of the vehicle.

(d) *The secretary is hereby authorized, and it shall be his duty, to make rules and regulations, not inconsistent with this act, for the efficient administration of this section, excepting that he shall make no ruling relating to mechanical or electrical signal devices under this section affecting vehicles, which measure less than thirteen (13) feet from the center of the top of the steering column to the rear end of such vehicle, or when the body of such vehicle extends less than twenty (20) inches to the left of the center of the top of the steering column.*

(e) *All mechanical or electrical signal devices shall be maintained at all times in good working order.*

(f) *No driver of any vehicle upon a highway shall give a signal indicating a stop, start, or turn, unless such signal is required by this act.*

Penalty.—Any person violating any of the provisions of subsections (a), (b), (c), (e) or (f) of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 1013. Right of Way.—(a) When two vehicles, or two street cars, or two trackless trolley omnibuses, approach or enter, or when any vehicle, street car, or trackless trolley omnibus, approaches or enters an intersection at approximately the same time, the driver of the vehicle, street car, or trackless trolley omnibus on the left, shall yield the right of way to the vehicle, street car, or trackless trolley omnibus on the right, except as otherwise provided in this act. The driver of any vehicle, street car, or trackless trolley omnibus traveling

at an unlawful speed shall forfeit any right of way which he might otherwise have hereunder.

(b) The driver of a vehicle, street car, or trackless trolley omnibus, approaching but not having entered an intersection, shall yield the right of way to a vehicle within such intersection or turning therein to the left across the line of travel of such first mentioned vehicle, provided the driver of the vehicle turning left has given a plainly visible signal of intention to turn as required in this act.

(c) The driver of any vehicle, street car, or trackless trolley omnibus, upon a highway within a business or residence district, shall yield the right of way to a pedestrian crossing such highway within a crosswalk, except at intersections where the movement of traffic is being regulated by a peace officer or traffic signal. Every pedestrian crossing a highway within a business or residence district, at any point other than a crosswalk, shall yield the right of way to vehicles upon the highway.

Penalty.—Any person violating any of the provisions of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 1015. What to do on Approach of Police or Fire Department Vehicle.—

(a) Upon the approach of any police or fire department vehicle or ambulance, giving audible signal, the driver of every other vehicle shall immediately drive the same to a position as near as possible, and parallel to, the right-hand edge or curb of the highway, clear of any intersection of highways, and shall stop and remain in such position, unless otherwise directed by a peace officer, until the police or fire department vehicle or ambulance shall have passed.

(b) It shall be unlawful for the driver of any vehicle, street car, or trackless trolley omnibus, other than one on official business, to follow any fire apparatus traveling in response to a fire alarm closer than five hundred (500) feet, or to park such vehicle within five hundred (500) feet where fire apparatus has stopped in answer to a fire alarm.

(c) Upon the approach of any police or fire department vehicle or ambulance, giving audible signal, the operator of every street car or trackless trolley omnibus shall immediately stop and remain in such position, unless otherwise directed by a peace officer, until the police or fire department vehicle or omnibus shall have passed.

Penalty.—Any person violating any of the provisions of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten (\$10) dol-



lars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 1023. [Persons] Tampering with Vehicles.—

(a) No unauthorized person shall sound the horn, handle the levers, or set in motion or in any way tamper with or damage or deface any motor vehicle standing upon any highway.

(b) No person shall hang on to, or ride on, the outside or the rear end of any vehicle, and no person on a bicycle, roller skates, *sled*, or any similar device, shall hold fast to or hitch on to any moving vehicle.

(c) No person shall throw any missile, circular or pamphlet at the occupants of any vehicle, or throw or place any substance upon any public highway injurious or damaging to the highway or a vehicle or the tires thereof.

Penalty.—Any person violating any of the provisions of subsections (a) or (c) of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Any person violating any of the provisions of subsection (b) of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of five (\$5) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than three (3) days.

Section 1025. Duty to Stop in Event of Accident.—

(a) The driver of any vehicle involved in an accident, resulting in injury or death to any person or damage to property, shall immediately stop such vehicle at the scene of such accident.

(b) The driver and owner, if present, of any vehicle involved in any accident, resulting in injury or death to any person or damage to property, shall [upon request] give his name, address, and the registration number of his vehicle, and exhibit his operator's license to the person struck, or the driver or occupants of any vehicle involved, *or the owner or custodian of any property involved, unless the person struck, or the driver of the vehicle or the custodian of the property involved, signifies that no injuries have been received or damages sustained*, and shall render to any person injured in such accident reasonable assistance, including the carrying of such person to a physician or surgeon for medical or surgical treatment, if it is apparent that such treatment is necessary, or is requested by the injured person.

(c) *Whenever the driver of a vehicle is physically unable to give the information or assistance required in this section, and there are other occupants of the vehicle*

at the time of the accident who are physically able to give the information or assistance required in this section, then each of such other occupants shall fully reveal the identity of himself and the identity of the driver of the vehicle, and of the owner of the vehicle of which they were occupants, to the person struck, or to the driver or occupants of any vehicle involved, or to the owner or custodian of any property involved, and shall render to any such person injured in such accident, reasonable assistance, including the carrying of such person to a physician or surgeon for medical or surgical treatment, if it is apparent that such treatment is necessary, or is requested by the injured person.

(d) The driver of any vehicle, street car, or trackless trolley omnibus, which is involved in an accident with any vehicle or property which is unattended, shall immediately stop, and shall then and there either locate and notify the operator or owner of such unattended vehicle, or the owner or custodian of such unattended property, of the name and address of the driver and owner of the vehicle involved in such accident with the unattended vehicle or property, or shall leave in a conspicuous place, in or upon the unattended vehicle or property, a written notice, giving the name and address of the driver, and of the owner of the vehicle involved in such accident, and a statement of the circumstances thereof, and also shall, within twenty-four (24) hours, forward to the department a similar notice regardless of the amount of damage done to such unattended vehicle or property.

(e) The operator of any street car or trackless trolley omnibus involved in an accident, resulting in injury or death to any person or damage to property, shall give his name and address to the person struck, or the driver or occupants of the vehicle involved, or the owner or custodian of any property involved, and shall render to any person injured in such accident, reasonable assistance, including the carrying of or the securing of carriage for such person to a physician or surgeon for medical or surgical treatment, if it is apparent that such treatment is necessary, or is requested by the injured person.

Penalty.—Any person violating any of the provisions of subsections (a), (b) or (e) of this section, shall be guilty of a misdemeanor, and shall, upon conviction thereof in a court of quarter sessions, be sentenced to pay a fine of not more than two hundred (\$200) dollars and costs of prosecution, or undergo imprisonment for not more than three (3) years, or suffer both such fine and imprisonment.

Penalty.—Any person violating any of the provisions of subsection (c) or (d) of this section shall, upon sum-

*mary conviction before a magistrate, be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.*

Section 1101. When Authorities May Restrict Right to Use Highways.—

(a) The Secretary of Highways of this Commonwealth and local authorities may, by ordinance or resolution or ruling, prohibit the operation of vehicles upon any highway, or impose restrictions as to the weight of vehicles and their loads, for a total period not to exceed ninety (90) days in any one (1) calendar year, when operated upon any highway under the jurisdiction of and for the maintenance of which the Secretary of Highways of this Commonwealth or local authorities are responsible, whenever any said highway, by reason of deterioration, rain, snow, or other climatic conditions, will be seriously damaged or destroyed unless the use of vehicles thereon is prohibited or the permissible weights thereof reduced. The Secretary of Highways of this Commonwealth and local authorities enacting or making any such ordinance or resolution or rule shall erect, or cause to be erected and maintained, signs designating the provisions of the ordinance or resolution or rule, at each end of that portion of any highway affected thereby, and at intersections thereof; and the ordinance or resolution or rule shall not be effective until or unless such signs are erected and maintained, *except that local authorities shall have no power or authority to prohibit the operation of vehicles upon a State highway without first obtaining the consent of the Secretary of Highways.*

(b) Whenever necessary for the protection of any highway or the safety of traffic thereon, the Secretary of Highways of this Commonwealth, or local authorities, may also, by ordinance or resolution or rule, prohibit the operation of motor vehicles, trailers, or semi-trailers on designated highways, as to the weights and loads thereon, which prohibitions and limitations shall be designated by appropriate signs placed on such highways and their intersections, *except that local authorities shall have no power or authority to prohibit the operation of vehicles upon a State highway without first obtaining the consent of the Secretary of Highways.*

Section 1201. Limitations of Actions.—

(a) Informations, charging violations of any of the summary provisions of this act, shall be brought before a magistrate within the city, borough, incorporated town, or township where the alleged violation occurred, *or if there is no person holding the office of magistrate in such city, borough, incorporated town, or township, then such information shall be brought before a magistrate in any adjoining city, borough, incorporated town,*

or township, within fifteen (15) days after the commission of the alleged offense and not thereafter, except that where an information is filed against a person prima facie guilty of a summary offense, and it subsequently appears that a person other than the person named in the information was the offender, an information may be filed against such other person within fifteen (15) days after his or her identity shall have been discovered, and excepting further, that information charging violations of the provisions of section 406.1 or section 610.1 of this act may be brought within fifteen (15) days after it is discovered that a violation of either of these sections has been committed.

(b) Where the offense committed is designated a felony or misdemeanor, information may be filed as now provided by law.

Section 1202. Proceedings by Information and Warrant.—

(a) Summary proceedings under this act may be commenced by the filing of information, which information must be filed in the name of the Commonwealth; and, within the period of seven (7) days after information has been lodged, the magistrate shall send by registered mail, to the person charged, at the address shown by the records of the department, a notice in writing of the filing of the information, together with a copy thereof and a notice to appear within ten (10) days of the date of the written notice.

1. If the person named in the information shall not voluntarily appear within ten (10) days of the date of the written notice, a warrant shall then issue and may be served by a peace officer having authority to serve warrants in the county in which the alleged violation has been committed.

If the person charged cannot be served within such county, then the magistrate shall deputize a peace officer, having authority to serve warrants in the county wherein the person charged resides, or may be found, to serve such warrant.

2. The peace officer serving such warrant shall take the defendant before a magistrate, within the city, borough, incorporated town, or township in which the defendant is found, or if there is no person holding the office of magistrate in such city, borough, incorporated town, or township, then the defendant shall be taken before a magistrate in any adjoining city, borough, incorporated town, or township, who shall take bail, either for the defendant's appearance before the magistrate who issued the warrant, or for his appearance for trial in the proper court, if a summary hearing is waived.

(b) Where the offense committed is designated a felony or misdemeanor, information may be filed and warrant served as now provided by law.

(c) *Whenever an arrest is made upon view, under any of the provisions of and as limited by this act, the officer making the arrest shall forthwith make and file, with the magistrate before whom the arrested person is taken, an information setting forth in detail the offense, and at once furnish a copy thereof to the person arrested.*

(d) *Any person so arrested shall be given the opportunity of having an immediate hearing, or of giving bail, as provided in this act, for a hearing before the magistrate, to be held at a date not more than ten (10) days from the date of such arrest, or of waiving a hearing and giving bail for his appearance in court.*

Section 1204. Appeals; Waiving Hearings.—

(a) Any person convicted in any summary proceeding under this act shall have the right of appeal as in other cases of summary conviction.

(b) Any person charged with violating any of the summary provisions of this act may waive summary hearing, and give bond in a sum equal to double the amount of the fine and costs that might be imposed, for appearance for trial before a judge of the court of quarter sessions, or in the county court, or in the municipal court, in counties wherein such court exists, and thereupon the magistrate shall, within fifteen (15) days, return the information to the said court.

(c) If any person, so accused, having waived a hearing, or having appealed from a summary conviction under this act, shall be convicted in such court of the offense charged, he shall be sentenced to pay the fine and costs of prosecution, or suffer imprisonment provided in this act for the offense committed.

(d) If on a waived hearing, or the hearing of an appeal from a summary conviction under this act before a judge of such court, the defendant is found not guilty, and the defendant has paid a fine, or fine and costs, following the sentence on which he appealed, such court, upon acquitting the defendant, shall decree a restitution of the said fine, or fine and costs, to the defendant, and, upon presentation of a certified copy of said decree, it shall be the duty of the magistrate, or other officer to whom such fine or fine and costs has been paid, to refund same to the defendant: Provided, however, If the fine shall have been returned by such magistrate, according to this act, to the treasurer of any city or borough or incorporated town or township, such treasurer shall refund to the defendant such fine, upon presentation of claim: And further provided, That if the fine shall have been returned by such magistrate, according to this act, to the department, refund shall be made as provided in this act. In no case where the defendant is found not guilty shall any costs of prosecution be im-

posed upon him in a summary proceeding under this act, whether heard by a magistrate or court of record.

*Penalty.*—*Any person violating any of the provisions of subsection (d) shall be deemed guilty of a misdemeanor in office, and, upon conviction thereof in a court of quarter sessions, shall be sentenced to pay a fine of one hundred (\$100) dollars and costs of prosecution, or undergo imprisonment for not more than thirty (30) days, or suffer such fine and imprisonment.*

Section 1206. Report of Conviction.—

(a) Every magistrate in this Commonwealth shall keep, for a period of at least two (2) years, a full report of every case in which a person is charged with a violation of any provision of this act, and such records shall be open for inspection by any peace officer or department employe. [In the event that a person is convicted, or that his bail is forfeited, an abstract of such report shall be sent, upon request of the secretary, to the department but] *Every magistrate shall make a monthly report, not later than the tenth day of the following month, of the disposition of every case where a notice charging a violation of the provisions of this act has been sent to a person, or where such person has been arrested on view, or with a warrant, charging a violation of any of the provisions of this act. But this requirement shall not be deemed to make such court a court of record. Abstracts required by this section shall be made upon forms prepared by the department, and shall include all necessary information as to the parties to the case, the nature of the offense, the date of hearing, the plea, the judgment, the amount of the fine or forfeiture, and other information deemed necessary; and every such abstract shall be certified by the magistrate as a true abstract of the record of the court.*

(b) The clerk of any court of record of this Commonwealth shall, within ten (10) days after final judgment of conviction *or acquittal* of any of the provisions of this act, send to the department a certified copy of such judgment of conviction *or acquittal*. Certified copies of the judgment shall also be forwarded to the department, upon conviction *or acquittal* of any person of manslaughter or other felony or misdemeanor in the commission of which a motor vehicle was used.

(c) The department may keep such records in its offices for at least five (5) years, and they shall be open to the inspection of any person during reasonable business hours.

*Penalty.*—[Failure, refusal, or neglect to comply with any of the provisions of this section shall constitute misconduct in office, and shall be ground for removal therefrom] *Any magistrate who shall violate any of the provisions of subsection (a), or any clerk of court who shall*

*violate any of the provisions of subsection (b), or either of them, shall be guilty of a misdemeanor in office, and, upon conviction thereof in a court of quarter sessions, shall be sentenced to pay a fine of not more than five hundred (\$500) dollars and costs of prosecution, or undergo imprisonment for not more than sixty (60) days, or suffer both such fine and imprisonment.*

Section 1207. Disposition of Fines and Forfeitures.—

(a) All fines and penalties collected under the provisions of this act for violations of the same, and all bail forfeited, shall be paid to the department, and transmitted to the State Treasury, and credited to the ["Motor License] "*General Fund*," except those collected for violations of the provisions of sections nine hundred and three (903), nine hundred and five (905), one thousand and two (1002), one thousand and eleven (1011), one thousand and fifteen (1015), one thousand and eighteen (1018), one thousand and twenty (1020), one thousand and twenty-six (1026), one thousand and twenty-eight (1028) of this act, committed within cities, boroughs, incorporated towns, and townships, which fines and penalties and all bail forfeited shall be paid to the treasurer of the city, borough, incorporated town, or township wherein the violation occurred, to be used by such city, borough, incorporated town, or township, for the construction, repair, and maintenance of the highways thereof: Provided, That all fines and penalties collected and all bail forfeited for violations of the provisions of section one thousand and sixteen (1016), committed within cities, boroughs, and incorporated towns, shall be paid to the treasury of the city, borough, or incorporated town wherein the violation occurred, to be used by such city, borough, incorporated town for the construction, repair, and maintenance of the highways thereof: *And provided further, That all fines and penalties collected, and all bail forfeited for violations of the provisions of subsection (f) of section six hundred twenty (620), shall be paid to the treasury of the county wherein the violation occurred, to be used by such county for the payment of physicians' fees for the examination of persons accused of violating the provisions of the said section. Any balance remaining in the treasury of the county at the expiration of the calendar year, and not payable for physicians' services rendered, shall be used for county highway purposes.*

(b) Sworn statements of all fines and penalties, so collected, and all bail forfeited, shall also be made, by the magistrate or other officer imposing or receiving the same, to the secretary, upon forms furnished by the department; such reports shall be made monthly, not later than the tenth (10th) day of the following month.

Penalty.—Any magistrate or other officer who shall

fail to make such monthly reports and returns, or either of them, shall be guilty of a misdemeanor in office, and, upon conviction thereof in a court of quarter sessions, shall be sentenced to pay a fine of five hundred (\$500.00) dollars and costs of prosecution, or undergo imprisonment for not more than sixty days, or suffer both such fine and imprisonment.

Section 1211. Limitation of Authority for [State Highway Patrolmen] *Pennsylvania Motor Policemen*.—Such employes of the Commonwealth as are designated as [“State Highway Patrolmen”] *Pennsylvania Motor Policemen* are hereby declared to be peace officers, and are hereby given police power and authority throughout the Commonwealth to arrest on view, when in uniform, without writ, rule, order, or process, any person violating any of the provisions of this act, *in addition to any other power or authority conferred by law.*

Section 212  
added.

Section 4. That, at the end of article two of the said act, the following new section is hereby added:

*Section 212. Application for Title by Agent.—*

(a) *No person shall make application for a certificate of title when acting for another person unless the authorization to make such application is in effect, and is verified by oath or affirmation of such other person, made not more than fifteen (15) days before such application is received by the department.*

(b) *No person shall make application for, or assign or physically possess, a certificate of title, or direct or allow another person in his employ or control to make application for, or assign or physically possess, a certificate of title, unless the name of the person who is assignee, purchaser or lessee is placed on the assignment of certificate of title simultaneously with the name of the assigner, seller or lessor, and at the time that the oath or affirmation of the assignor, seller or lessor is made.*

(c) *No person shall receive, obtain or hold a certificate of title recorded in the name of another person for such other person who is not in the regular employ of or not a member of the family of such other person, unless the person receiving, obtaining or holding the certificate of title has a valid undischarged encumbrance recorded in the department against the vehicle represented by such certificate of title.*

*Penalty.—Any person violating any of the provisions of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of one hundred (\$100) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.*

Section 406.1  
added.

Section 5. That, after section four hundred six of the said act, the following new section is hereby added:



*Section 406.1. Name and Address on Registration Card Shall Correspond with Actual Name and Address.—*

(a) *No person shall operate or allow another person to operate a vehicle registered in this Commonwealth when the name or address of the owner, as appearing on the registration card, is not identical with the actual name and address of such owner, unless the owner has notified the department of this variance, and given the correct name and address within forty-eight (48) hours of the time of change of name or address, or of discovery of the variance.*

(b) *The owner, upon receiving the corrected registration card, shall mail the registration card bearing the incorrect name or address to the department within forty-eight (48) hours.*

*Penalty.—Any person violating any of the provisions of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of five dollars (\$5) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than three (3) days.*

Section 6. That, after section six hundred ten of the said act, the following new section is hereby added:

Section 610.1  
added.

*Section 610.1. Name and Address on Operator's Card Shall Correspond with Actual Name and Address.—*

(a) *No person shall operate a vehicle registered in this Commonwealth when the name or address of the operator, as appearing on the operator's card, is not identical with the actual name and address of such operator, unless the operator has notified the department of this variance, and given the correct name and address within forty-eight (48) hours of the change of the name or address, or of discovery of the variance.*

(b) *The operator, upon receiving the corrected operator's license card, shall mail the operator's license card bearing the incorrect name and address to the department within forty-eight hours.*

*Penalty.—Any person violating any of the provisions of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of five dollars (\$5) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than three (3) days.*

Section 7. That, after section six hundred fifteen of the said act, the following new section is hereby added:

Section 615.1  
added.

*Section 615.1. Suspension of Privilege to Apply for Operator's License or Learner's Permit.—*

*The secretary may suspend the privilege of any person to apply for an operator's license or learner's permit after a hearing before the secretary or his represen-*

tative, or upon failure of the said person to appear at such hearing, whenever the secretary finds upon sufficient evidence—

(a) That such person has committed any offense for the conviction of which mandatory revocation of license is provided in this act;

(b) That such person has committed any violation of the motor vehicle laws of this Commonwealth;

(c) That such person has failed to file a report with the department of a motor vehicle accident as required by this act;

(d) That such person was operating any motor vehicle involved in an accident resulting fatally to any person;

(e) That such person was convicted of an offense in another state which, if committed in this Commonwealth, would be grounds for the suspension of the privilege to apply for an operator's license or learner's permit;

(f) That such person failed to pay a fine properly imposed, or has failed to appear for a hearing upon a charge of a violation of the vehicle code of another state before a court of competent jurisdiction of such other state upon being notified as provided by law.

(g) That the department has received a certification or request or order of any court or commission to suspend the privilege of any person to apply for an operator's license or learner's permit, duly authorized under the laws of this Commonwealth and empowered by such laws to make such certifications, requests or orders.

(h) Whenever the secretary suspends the privilege to apply for an operator's license or learner's permit of any person, the secretary shall immediately notify such person and afford him an opportunity of a hearing before said secretary or his representative, provided such hearing has not already been held, and after such hearing, the secretary shall either rescind his order of suspension, or, good cause appearing therefor, may suspend the privilege to apply for an operator's license or learner's permit for a further period.

Section 8. That, after section seven hundred one of the said act, the following new section is hereby added:

*Section 701.1. Fee for Commercial Motorcycle.*—The fee for the annual registration of a commercial motorcycle shall be five (\$5) dollars.

Section 717.1  
added.

Section 9. That, after section seven hundred seventeen of the said act, the following new section is hereby added:

*Section 717.1 Fee for Inspection Certificates.*—The fee for inspection certificates shall be five (\$.05) cents for each certificate issued.

Sections 806.1,  
806.2 added.

Section 10. That, after section eight hundred six of the said act, the following new sections are hereby added:

*Section 806.1. Vacuum or Pressure Hose Shall Be Approved.—*

(a) *It shall be unlawful for any person to use upon any vehicle using the highways of this Commonwealth any vacuum or pressure hose for brake systems, unless of a type which has been submitted to the secretary for test, and for which a certificate of approval has been issued by the secretary and is then in effect as provided in this act.*

(b) *The secretary is hereby authorized to adopt and enforce rules and uniform standard specifications as to the strength, diameter, and size of vacuum or pressure hose for brake systems, and the secretary is authorized and required to determine whether any vacuum or pressure hose for brake systems, submitted to him, will comply with such rules and uniform standard specifications, and the secretary may approve such vacuum or pressure hose for brake systems, and may publish lists of such hose, by name and type, as he shall determine are lawful thereunder.*

(c) *Any person desiring approval of any vacuum or pressure hose for brake systems shall submit to the secretary two exact samples of the hose upon which approval is desired, together with the fee provided in this act. The secretary shall, upon notice to the applicant, submit such device to the United States Bureau of Standards, or to such other recognized testing laboratory he may elect, for a report as to the compliance of such hose with the rules and uniform standard specifications adopted by the secretary. Such hose will also be subject to any road tests, practical tests, or other tests as the secretary may deem necessary, to determine that each type of hose and its component parts is so constructed and able to be mounted as to render it readily and universally adjustable to conform to the requirements as adopted by the secretary. The secretary is authorized to refuse approval of any vacuum or pressure hose for brake systems, certified as complying with the specifications and requirements, which the secretary determines will be in actual use unsafe or impracticable, or would fail to comply with the provisions of this act, or such requirements as may be adopted by the secretary.*

(d) *The secretary shall request the testing agency to submit a report of each sample of vacuum or pressure hose for brake systems to the secretary in duplicate. For those which are found to comply with the specifications and requirements, the report shall include any special corrections or adjustments required. Reports of all tests shall be accessible to the public, and a copy thereof shall be furnished by the secretary to the applicant for the test.*

*Penalty.—Any person violating any of the provisions*

of subsection (a) of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

*Section 806.2. Sale of Unapproved Vacuum or Pressure Hose Prohibited.*—It shall be unlawful for any person to sell or lease, or to offer for sale or hire, either separately or as a part of the equipment of a vehicle, any vacuum hose for brake systems, unless such hose is approved by the secretary and bears the trade-mark or name under which it is approved, so as to be legible when installed, and is accompanied by printed instructions as to the manner of installation or use necessary for compliance with the requirements of this act.

*Penalty.*—Any person violating any of the provisions of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of fifty (\$50) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Section 808.1  
added.

Section 11. That, after section eight hundred eight of the said act, the following new section is hereby added:

*Section 808.1. Authority of Secretary Where Vacuum or Pressure Hose Is Not Approved.*—The secretary may refuse to title or issue registration for any motor vehicle, trailer, or semi-trailer, the vacuum or pressure hose for brake systems of which is not approved for use in this Commonwealth.

Section 816.2  
added.

Section 12. That, after section 816.1 of the said act, the following new section is hereby added:

*Section 816.2. Unlawful to Sell Equipment Not in Conformance with Act.*—It shall be unlawful for any person to sell, lease, use, install or repair, either for himself or as the agent or employe of another, or through such agent or employe, any glass, lighting devices, signal devices, brakes, vacuum or pressure hose, or any other kind of equipment whatsoever, for use in any vehicle, trailer, or semi-trailer that is not in conformity with the provisions of this act or the regulations made thereunder.

*Penalty.*—Any person violating any of the provisions of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 822.1  
added.

Section 13. That, after section eight hundred twenty-two of the said act, the following new section is hereby added:

*Section 822.1. Carriage of More than Four Vehicles Prohibited.*—No vehicle or combination of vehicles shall

be operated on the highways of this Commonwealth carrying all or part of the weight of more than four (4) other vehicles.

*Penalty.*—Any person violating any of the provisions of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 14. That, at the end of article eight of the said act, the following new sections are hereby added:

Sections 825,  
826, 827, 828  
added.

*Section 825. Unlawful to Operate Certain Trailers or Semi-Trailers Unless Equipped with Fire Extinguisher.*—It shall be unlawful for any person to operate on the highways of this Commonwealth a vehicle towing a trailer or semi-trailer, designed for the living quarters or carriage of persons, unless such trailer or semi-trailer be equipped with at least one (1) fire extinguisher in good condition and ready for use, of a type inspected and labeled by the Underwriter's Laboratories Incorporated under Classification "B," and utilizing an extinguishing agent which does not need protection from freezing. Such fire extinguisher shall not be smaller than one (1) quart if the carbon tetrachloride type is used, and not smaller than two (2) pounds if the carbon dioxide type is used.

*Penalty.*—Any owner or operator who shall fail to comply with any of the provisions of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

*Section 826. Coupling Device for Trailer or Semi-Trailer Designed for Carriage of Persons Shall Be of Approved Type.*—(a) It shall be unlawful for any person to operate on the highways of this Commonwealth a vehicle towing a trailer or semi-trailer, designed for the living quarters or carriage of persons, unless such vehicle be equipped with a hitch or coupling device in good condition, of a type which has been submitted to the secretary for test, and for which a certificate of approval has been issued by the secretary and is then in effect as provided in this act.

(b) The secretary is hereby authorized to adopt and enforce rules and uniform standard specifications as to the requirements for approval of hitches or coupling devices, and the secretary is authorized and required to determine whether any hitch or coupling device submitted complies with such rules and uniform standard specifications, and the secretary may approve such

hitches or coupling devices and may publish lists of such devices by name and type.

(c) Any person desiring approval of any hitch or coupling device shall submit to the secretary two (2) sets of each type of device on which approval is desired, together with the fee provided in this act. The secretary shall, upon notice to the applicant, submit such device to the United States Bureau of Standards, or to such other recognized testing laboratory he may elect, for a report as to the compliance of such device with the rules and uniform standard specifications adopted by the secretary. Such devices will also be subjected to any road tests, or other tests as the secretary may deem necessary, to determine that each type of hitch or coupling device, and its component parts, is so constructed and mounted as to render them readily and universally adjustable to conform to the requirements as adopted by the secretary. The secretary is authorized to refuse approval of any hitch or coupling device, certified as complying with the specifications and requirements, which the secretary determines will be in actual use unsafe or impracticable, or would fail to comply with the provisions of this act, or such requirements as may be adopted by the secretary.

(d) The secretary shall request the testing agency to submit a report of each type of device to the secretary in duplicate. For those which are found to comply with the specifications and requirements, the report shall include any special adjustments required. Reports of all tests shall be accessible to the public, and a copy thereof shall be furnished by the secretary to the applicant for the test.

Penalty.—Any person violating any of the provisions of subsection (a) of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 827. The owner or operator of any vehicle using the highways of this Commonwealth in violation of the terms of any Federal statute or regulation relating to the equipment of vehicles used in interstate commerce, and when the secretary has declared such persons or vehicles exempt from the provisions of article 8 of this act, shall be guilty of a violation of this section, and shall, upon summary conviction before a magistrate, be sentenced to pay a fine of not less than twenty-five (\$25) dollars and not more than fifty (\$50) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than fifteen (15) days.

Section 828 (a) "School Bus," for the purpose of this section, is any vehicle registered as a commercial

vehicle, motor-bus, or motor omnibus, or any vehicle having a lineal seating space, including the space for the operator, of more than one hundred (100) inches, and owned by, or used under contract with, any school or school district for the transportation of school children.

(b) No person shall own or operate a school bus carrying school children on the highways of this Commonwealth in a school bus that, in addition to the other requirements of this act, does not conform with the following:

(1) The body of the vehicle shall be of all metal construction and of the closed type, and shall provide only one compartment for the operator and school children.

(2) The exhaust system shall be so constructed that exhaust gases will be kept out of the body of the school bus, and adequate ventilation shall be provided in all school buses.

(3) There shall be an entrance door located to the right of the operator and at all times controlled only by such operator. The door shall be at least twenty-four (24) inches wide, and shall be of the jack-knife or safety-split type, and shall have hand rails on its side.

(4) There shall be an emergency exit door in the rear or on the left side near the rear of the vehicle, equipped with an emergency lock operated from the inside of the vehicle, which may be quickly released, and which shall be protected against accidental release. The emergency exit door shall open outwards, and shall be at least twenty-two (22) inches wide, and shall be labelled in black letters at least three (3) inches high on both the outside and inside, "Emergency Door."

(5) All windows shall be so constructed and installed that they shall readily slide up and down only, except that the windows in the rear of the bus shall be stationary. All side windows in the bus shall be provided with removable heavy wire mesh or other removable guard of a sufficient height to prevent the extension of hands.

(6) There shall be at least twelve (12) inches of seating space provided for each elementary school child carried, and at least fourteen (14) inches of seating space provided for each high school child carried. And there shall be a measurement of at least twelve (12) inches from the front of every seat to the back of the seat next to the rear. All seats shall have spring cushions, and all back rests shall be well padded and shall be securely fastened to the bus. There shall be no longitudinal seats opposite to and facing each other within a distance of eighteen (18) inches.

(7) Every school bus shall be of a uniform color which shall be orange, and every such bus shall be label-

led both in the front and in the rear with black letters, not less than six (6) inches in height, with the words "School Bus," showing to the outside.

(8) Every school bus shall be equipped with at least one (1) fire extinguisher in good condition and ready for use as prescribed by the secretary, which shall be so placed that it can be readily reached from the operator's seat.

Provided, that nothing contained in this section shall make unlawful the use before August first, one thousand nine hundred forty, of any vehicle as a school bus for the transportation of school children, if such vehicle was used under contract with any school or school district for the transportation of school children before the effective date of this act.

The secretary shall have the authority to make regulations, not inconsistent with this act, for the efficient administration of this section.

Penalty.—Any person violating any of the provisions of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of not less than ten (\$10) dollars and not more than twenty-five (\$25) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not less than five (5) days and not more than ten (10) days.

Section 15. That, at the end of article 9 of the said act, the following new section is hereby added:

Section 907. The owner or operator of any vehicle using the highways of this Commonwealth in violation of the terms of any Federal statute or regulation relating to the size, weight or construction of vehicles used in interstate commerce, and when the secretary has declared such persons or vehicles exempt from the provisions of article nine of this act, shall be guilty of a violation of this section, and shall, upon summary conviction before a magistrate, be sentenced to pay a fine of not less than twenty-five (\$25) dollars and not more than fifty (\$50) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than fifteen (15) days.

Sections 1032  
and 1033 added.

Section 16. That, at the end of article ten of the said act, the following new sections are hereby added:

Section 1032. Use of Multiple Beam Road Lighting Equipment.—

(a) Whenever a motor vehicle is being operated on a roadway, or shoulder adjacent thereto, during the times specified in section eight hundred one (801), the driver shall use a distribution of light or composite beam directed high enough and of sufficient intensity to reveal persons and vehicles at a safe distance in advance of the vehicle, subject to the following requirements and limitations:



(b) Whenever the driver of a vehicle approaches an oncoming vehicle within five hundred (500) feet, such driver shall depress, dim or use a distribution of light or composite beam so aimed that the glaring rays are not projected into the eyes of the oncoming driver while such driver is approaching, and in no case shall the high intensity portion, which is projected to the left of the prolongation of the extreme left side of the vehicle, be aimed higher than the center of the lamp from which it comes at a distance of twenty-five (25) feet ahead, and in no case higher than a level of forty-two (42) inches above the level upon which the vehicle stands at a distance of seventy-five (75) feet ahead.

Penalty.—Any person violating any of the provisions of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 1033. (a) No person shall operate a vehicle on the highways of this Commonwealth having two levels for the carriage of other vehicles.

(b) No person shall operate a vehicle on the highways of this Commonwealth carrying other vehicles, any part of which is carried at a height of more than one hundred and fifteen (115) inches above the ground.

(c) No person shall operate a vehicle on the highways of this Commonwealth carrying any other vehicle, any part of which is above the cab of the carrier vehicle or over the head of the operator of such carrier vehicle.

(d) No person shall operate a vehicle on the highways of this Commonwealth carrying any other vehicle, any axle of which is more than three (3) feet higher than any other axle on such carried vehicle.

Penalty.—Any person violating any of the provisions of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 17. That, after section eleven hundred twelve of the said act, the following new section is hereby added:

Section 1112.1  
added.

Section 1112.1. Secretary of Highways and Local Authorities Shall Designate "No Passing Zones."—

(a) The Secretary of Highways of this Commonwealth, with reference to State highways, is hereby authorized to designate any portion or portions of such highway as "No Passing Zones," by erecting at the entrance thereto official signs bearing the words, "No Passing Zone," and by erecting at the end of such "No

*Passing Zone*" an official sign bearing the words, "End Of No Passing Zone." The letters and numerals in all of such signs shall be of a form and size approved by the Secretary of Highways of this Commonwealth. Such "No Passing Zone" shall extend for a distance of not greater than one eighth ( $\frac{1}{8}$ ) of a mile between such signs, and any extension of such "No Passing Zone" shall be marked by additional signs in like manner.

Section 1204.1  
added.

Section 18. That, after section twelve hundred four of the said act, the following new section is hereby added:

*Section 1204.1 Discretion Regarding Fines Imposed; Exemptions.*—The fines and penalties provided for in this act are mandatory, and no magistrate or judge shall impose any penalty for a violation of this act varying from the penalties prescribed herein, unless the authority to impose a greater or lesser fine or penalty, than prescribed herein, is expressly contained in this act.

*Penalty.*—Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor in office, and, upon conviction thereof in a court of quarter sessions, shall be sentenced to pay a fine of one hundred (\$100) dollars and costs of prosecution, or undergo imprisonment for not more than thirty (30) days, or suffer both such fine and imprisonment.

Section 1222  
added.

Section 19. That, at the end of article twelve of the said act, the following new section is hereby added:

*Section 1222. Secretary May Supply Certain Information; Fee.*—The secretary may, in his discretion, supply such information relating to encumbrances, and information relating to learners' permits, operators' licenses, the registration and titling of vehicles as has not been disposed of under the provisions of section four hundred fifteen (415) of this act, and may require the payment of a fee of twenty-five (\$.25) cents for each record, document, or letter comprising a part thereof.

Constitutional  
provision.

Section 20. Constitutional Construction.—The provisions of this act are severable, and if any provision thereof is held to be unconstitutional, the decision so holding shall not be construed as affecting or impairing any other provision of this act or the act as a whole. It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein.

When effective.

Section 21. Effective Date.—(a) The amendment to section 713, providing for the reduction of the fee for the renewal of an operator's license from two (\$2) dollars to one (\$1) dollar, shall become effective for the period for the licensing of operators commencing the first day of March, one thousand nine hundred thirty-eight.

(b) The amendments to sections 201, 202, 203, 204,

207, 208, 209, 210, 211, 301, 302, 305, and 306 shall become effective on September first, one thousand nine hundred thirty-seven.

(c) The amendments to section 1033, subsections (a), (b) and (d) shall become effective on January first, one thousand nine hundred and forty.

(d) All of the other provisions of this act shall become effective immediately upon the approval of this act by the Governor.

APPROVED—The 29th day of June, A. D. 1937.

GEORGE H. EARLE

No. 448

### AN ACT

To amend the title and certain sections of the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-seven (Pamphlet Laws, four hundred fifty), entitled "An act relating to fires and fire prevention; imposing duties and conferring powers upon the State police; authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to said State police, and defining their powers and duties; providing for the investigation of the cause, origin, and circumstance of fires and the inspection of all, and the removal or change of, certain buildings; imposing duties on school authorities and on certain corporations, associations, and fire rating agencies; providing for the attendance of witnesses before the said State police, and the enforcement of its orders; and prescribing penalties," by imposing upon the Pennsylvania Motor Police the duty of administering and enforcing the act.

Section 1. Be it enacted, &c., That the title of the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-seven (Pamphlet Laws, four hundred fifty), entitled "An act relating to fires and fire prevention; imposing duties and conferring powers upon the State police; authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to said State police, and defining their powers and duties; providing for the investigation of the cause, origin, and circumstance of fires and the inspection of all, and the removal or change of, certain buildings; imposing duties on school authorities and on certain corporations, associations, and fire rating agencies; providing for the attendance of witnesses before the said State police, and the enforcement of its orders; and prescribing penalties," is hereby amended to read as follows:

Title, act of  
April 27, 1927  
(P. L. 450),  
amended.

### AN ACT

Relating to fires and fire prevention; imposing duties and conferring powers upon the [State] *Pennsylvania*