

in the collection of motor license fees, fees for titling vehicles and tractors, operators' license fees, and the tax on liquid fuels, and the issuance of certificates of title and motor and operators' licenses. Such moneys shall be transferred, from time to time, out of the Motor License Fund to the General Fund, shall be credited to the current appropriation out of the General Fund to the Pennsylvania [Motor] *State* Police, and shall be available for the purposes for which such appropriation is appropriated by law.

Section 7. Estimates of the amounts to be expended from the Motor License Fund under this act or any other act, from time to time, by the Department of Revenue, the Pennsylvania [Motor] *State* Police, and the Department of Highways, respectively, and by the Board of Finance and Revenue in the payment of claims for refund, shall be submitted to the Governor for his approval or disapproval, as in the case of other appropriations made to administrative departments, boards, and commissions; and it shall be unlawful for the Auditor General to honor any requisition for the expenditure of any moneys whatsoever out of the Motor License Fund by the Board of Finance and Revenue for refunds, or by the Department of Revenue, or by the Pennsylvania [Motor] *State* Police, or by the Department of Highways for any purpose whatsoever in excess of the estimates approved by the Governor, any other act or acts heretofore enacted to the contrary notwithstanding.

Estimates of expenditures.

Subject to the foregoing provisions, the moneys in the Motor License Fund shall be paid out of the fund, upon warrant of the Auditor General, drawn, after requisition, by the Board of Finance and Revenue, the Department of Revenue, the Pennsylvania [Motor] *State* Police, or the Department of Highways, as the case may be.

Section 2. This act shall become effective the first day of June, one thousand nine hundred forty-three.

Act effective June 1, 1943.

APPROVED—The 28th day of April, A. D. 1943.

EDWARD MARTIN

No. 58

AN ACT

To further amend sections eight hundred and twenty-three (i) and (j), and one thousand two hundred and eleven of the act, approved the first day of May, one thousand nine hundred and 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 variously amended, by changing the name Pennsylvania Motor Police to Pennsylvania State Police.

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

Act of May 1,  
1929, P. L. 905,  
section 823, sub-  
sections (i) and  
(j); and section  
1211 of said act,  
as last amended  
June 27, 1939,  
P. L. 1185,  
further amended.

Section 1. Subsections (i) and (j) of section eight hundred twenty-three 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 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 last amended by the act, approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (Pamphlet Laws, one thousand one hundred thirty-five), are hereby amended to read as follows:

Section 823. Official Inspections.—

(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 and with the regulations of the State Council of Education of Pennsylvania. Such certificate shall bear the approval of and be counter-signed by the Commissioner of the Pennsylvania [Motor] *State Police*. This provision shall not apply to buses operated over regular routes in scheduled service under the authority of the Public Utility Commission.

(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 Pennsylvania [Motor] *State Police* 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 and the regulations of the State Council of Education of Pennsylvania. This provision shall not apply to buses operated over regular routes in scheduled service under the authority of the Public Utility Commission.

Section 2. Section one thousand two hundred eleven of said act, as last amended by the act, approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (Pamphlet Laws, eleven hundred thirty-five), is hereby amended to read as follows:

Section 1211. Limitation of Authority for Pennsylvania [Motor] *State Policemen*.—Such employes of the Commonwealth as are designated as Pennsylvania [Motor] *State Policemen* are hereby declared to be peace officers, and are hereby given police power and authority throughout the Commonwealth to arrest on view, on Sunday or any other day, 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.

Whenever an arrest is made upon view, on Sunday or any other day, under the provisions of this section, the officer making the arrest shall forthwith take the defendant before the nearest available magistrate in the city, borough, incorporated town, or township, where the alleged offense occurred: Provided, however, That where there is no substantial difference between the respective distances from the place where the alleged violation occurred to the offices of more than one magistrate, any such prosecution may be brought before any one of such magistrates, or, if there is no magistrate available in such district, then the officer shall forthwith take the defendant to such nearest available magistrate in any adjoining city, borough, incorporated town, or township, and shall 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.

Any person so arrested on any day, other than Sunday, shall be given the opportunity of having an immediate hearing, or of waiving a hearing, or of giving bail; and any person so arrested on Sunday shall be given the opportunity of giving bail, which shall be accepted by the magistrate the same as on any other day, as provided in this act, for a hearing before the magistrate to be held at a date not more than ten days from the date of such arrest, or of waiving a hearing and giving bail for his appearance in court.

Act effective  
June 1, 1943.

Section 3. This act shall become effective the first day of June, one thousand nine hundred forty-three.

APPROVED—The 28th day of April, A. D. 1943.

EDWARD MARTIN

No. 59

AN ACT

To amend the title and sections four, five, six and eight of the act, approved the third day of July, one thousand nine hundred forty-one (Pamphlet Laws, two hundred forty-nine), entitled "A supplement to the act, approved the twenty-ninth day of June, one thousand nine hundred thirty-seven (Pamphlet Laws, two thousand four hundred twenty-three), as amended, entitled, 'An act establishing a Pennsylvania Motor Police Retirement System; providing for payments upon retirement, death, disability, involuntary retirement, and of certain medical expenses from the State Employes' Retirement Fund, under the Administration of the State Employes' Retirement Board; providing for contributions by members of the Pennsylvania Motor Police and the Commonwealth; providing for the guarantee by the Commonwealth of certain of said funds; providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial processes; and providing penalties,' " by changing the name Pennsylvania Motor Police Retirement System to Pennsylvania State Police Retirement System, and the name Pennsylvania Motor Police to Pennsylvania State Police.

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

Pennsylvania  
State Police.

Title and sections 4, 5, 6 and 8, act of July 3, 1941, P. L. 249, supplement to act of June 29, 1937, P. L. 2423, amended.

Section 1. The title of the act, approved the third day of July, one thousand nine hundred forty-one (Pamphlet Laws, two hundred forty-nine), entitled "A supplement to the act, approved the twenty-ninth day of June, one thousand nine hundred thirty-seven (Pamphlet Laws, two thousand four hundred twenty-three), as amended, entitled, 'An act establishing a Pennsylvania Motor Police Retirement System; providing for payments upon retirement, death, disability, involuntary retirement, and of certain medical expenses