

No. 575

AN ACT

To repeal sections 2 and 3 of the act, approved the eleventh day of April, one thousand eight hundred sixty-six (Pamphlet Laws 635), entitled "A further supplement to the act consolidating the city of Philadelphia, for the purpose of introducing a sufficient supply of fresh and pure water, for the use of the citizens of said city," by eliminating the right of the City of Philadelphia to enter upon or take certain land in adjoining counties by eminent domain proceedings for water supply purposes and the manner of ascertaining damages for such taking.

City of Philadel-
phia.

Sections 2 and 3,
act of April 11,
1866, P. L. 635,
repealed.

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

Section 1. Sections 2 and 3 of the act, approved the eleventh day of April, one thousand eight hundred sixty-six (Pamphlet Laws 635), entitled "A further supplement to the act consolidating the city of Philadelphia, for the purpose of introducing a sufficient supply of fresh and pure water, for the use of the citizens of said city," are hereby repealed.

APPROVED—The 14th day of January, A. D. 1952.

JOHN S. FINE

No. 576

AN ACT

To amend the act, approved the first day of June, one thousand nine hundred forty-five (Pamphlet Laws 1340), entitled "An act relating to the financial responsibility of operators and owners of motor vehicles; and to make uniform the law with reference thereto; requiring owners and operators in certain cases to furnish proof of financial responsibility; providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases; regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties upon the Secretary of Revenue, the State Treasurer and prothonotaries; and prescribing penalties," by clarifying and extending the provisions of the act to include certain vehicles of the tractor type, authorizing the Secretary of Revenue to prescribe the contents of accident reports, altering certain penalties, and providing for the disposition of fines.

Motor vehicles.

Definition of
"motor vehicle"
in section 1, act
of June 1, 1945,
P. L. 1340,
amended.

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

Section 1. The definition of "motor vehicle" in section 1 of the act, approved the first day of June, one thousand nine hundred forty-five (Pamphlet Laws 1340), entitled "An act relating to the financial responsibility of operators and owners of motor vehicles; and to make uniform the law with reference thereto; requiring owners

and operators in certain cases to furnish proof of financial responsibility; providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases; regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties upon the Secretary of Revenue, the State Treasurer and prothonotaries; and prescribing penalties," is hereby amended to read as follows:

Section 1. Definitions.—The following words and phrases, when used in this act, shall, for the purposes 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.

* * * * *

"Motor Vehicle."—Every self-propelled vehicle which is designed for use upon a highway or *which may be used upon a highway*, including trailers and semi-trailers, designed for use with such vehicles and *vehicles of the tractor type* [() except traction engines, road rollers, combines, farm tractors (*vehicles of the tractor type which are self-propelled, designed and used primarily as farm implements for drawing plows, mowing machines and other implements of husbandry, exempt from registration*), tractor cranes [, power shovels] and well drillers ()].

Section 2. Sections 4, 5 and 32 of said act, as amended by the act, approved the twelfth day of May, one thousand nine hundred forty-nine (Pamphlet Laws 1279), are hereby further amended to read as follows:

Sections 4, 5 and 32, said act, as amended by act of May 12, 1949, P. L. 1279, further amended.

Section 4. Additional Information Required in Accident Reports; Effect of Failure to Report Accidents.—In addition to the information required by "The Vehicle Code" in the report of a motor vehicle accident, such report shall contain *such information as may be prescribed by the secretary* to enable [the secretary] *him* to determine whether the requirements for the deposit of security under section five of this act are inapplicable by reason of the existence of insurance or other exceptions specified in this act *or to make appraisal of all operative facts*.

The secretary shall suspend the license or any non-resident's operating privilege of any person who wilfully fails, refuses or neglects to make report of a motor vehicle accident as required by the laws of this State until such report has been filed and for such further period as may be determined in accordance with the provisions of section five of this act.

Section 5. Security Required Unless Evidence of Insurance; When Security Determined; Suspension; Exceptions.—(a) If twenty (20) days after the receipt of a report of a motor vehicle accident within this State

which has resulted in bodily injury or death or damage to the property of any one person in excess of one hundred dollars (\$100.00), the secretary does not have on file evidence satisfactory to him that the person who would otherwise be required to file security under subsection (b) of this section has (1) been released from liability or (2) has been finally adjudicated not to be liable or (3) has executed a warrant for confession of judgment payable in such installments as the parties have agreed to or (4) has executed a duly acknowledged written agreement providing for the payment of an agreed amount in installments with respect to all claims for injuries or damages resulting from the accident, the secretary shall determine the amount of security which in his judgment shall be sufficient to satisfy any judgment or judgments that may be recovered against each operator or owner for damages resulting from such accident.

(b) The secretary shall, within sixty (60) days after the receipt of such report of a motor vehicle accident, suspend the license of each operator and all registrations of each owner of a motor vehicle in any manner involved in such accident, and if such operator is a nonresident, the privilege of operating a motor vehicle within this State, and if such owner is a nonresident, the privilege of the use within this State of any motor vehicle owned by him, unless such operator or owner or both shall deposit security in the sum so determined by the secretary. Notice of such suspension shall be sent by the secretary to such operator and owner not less than ten (10) days prior to the effective date of such suspension and shall state the amount required as security. Where erroneous information is given the secretary with respect to the matters set forth in clauses (1), (2) or (3) of subsection (c) of this section, he shall take appropriate action, as hereinbefore provided, within sixty (60) days after receipt by him of correct information with respect to such matters.

(c) This section shall not apply under the conditions stated in section six or to any of the following:

(1) To such operator or owner, if such owner had in effect at the time of such accident, an automobile liability policy with respect to the motor vehicle involved in such accident,

(2) To such operator, if not the owner of such motor vehicle, if there was in effect at the time of such accident an automobile liability policy or bond with respect to his operation of motor vehicles not owned by him,

(3) To such operator or owner if the liability of such operator or owner for damages resulting from such accident is in the judgment of the secretary covered by any other form of liability insurance policy or bond, or

(4) To any person qualifying as a self-insurer under section thirty-four.

(d) No such policy or bond shall be effective under this section unless issued by an insurance company or surety company authorized to do business in this State, except that if such motor vehicle was not registered in this State or was a motor vehicle which was registered elsewhere than in this State at the effective date of the policy or bond or the most recent renewal thereof, such policy or bond shall not be effective under this section unless the insurance company or surety company, if not authorized to do business in this State, shall execute a power of attorney authorizing the secretary to accept service on its behalf of notice or process in any action upon such policy or bond arising out of such accident, provided, however, every such policy or bond is subject, if the accident has resulted in bodily injury or death, to a limit exclusive of interest and costs of not less than five thousand dollars (\$5000.00) because of bodily injury to or death of one person in any one accident, and, subject to said limit for one person to a limit of not less than ten thousand dollars (\$10,000.00) because of bodily injury to or death of two or more persons in any one accident, and if the accident has resulted in injury to or destruction of property to a limit of not less than one thousand dollars (\$1000.00) because of injury to or destruction of property of others in any one accident.

Section 32. Other Violations; Penalties.—(a) Any person whose license or registration or nonresident's operating privilege has been suspended or revoked under this act, and who during such suspension or revocation drives any motor vehicle upon any highway, or knowingly permits any motor vehicle owned by such person, to be operated by another upon any highway, except as permitted under this act shall be *guilty of a misdemeanor and, upon conviction, shall be fined not more than five hundred dollars (\$500), or [imprisonment] imprisoned not exceeding six (6) months, or both, in the discretion of the court.*

(b) Any person wilfully failing to return a license or registration as required in section thirty-one shall, *upon summary conviction before a magistrate, be fined [not more than five hundred dollars (\$500). or imprisoned not to exceed] one hundred dollars (\$100) and costs of prosecution, and in default of the payment thereof shall undergo imprisonment for thirty (30) days [, or both, in the discretion of the court].*

(c) Any person who gives *any* information required by *the secretary under* section four of this act in a report of a motor vehicle accident, knowing or having reason to believe that such information is false, or who [shall

forge] makes a false affidavit in connection with any transaction under this act, or who forges or without authority [sign] signs any evidence of proof of financial responsibility, or who files or offers for filing any such notice or evidence of proof, knowing or having reason to believe that it is forged or signed without authority, shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than one thousand dollars (\$1,000.00), or imprisoned not more than (1) year, or both, in the discretion of the court.

(d) Any person who shall violate any provision of this act for which no penalty is otherwise provided shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than five hundred dollars (\$500), or imprisoned not more than ninety (90) days, or both, in the discretion of the court.

(e) All fines and penalties imposed pursuant to the provisions of this act shall be paid to the Commonwealth.

Section 35, said act, repealed.

Section 3. Section 35 of said act is hereby repealed.

APPROVED—The 14th day of January, A. D. 1952.

JOHN S. FINE

No. 577

AN ACT

Authorizing the Department of Highways to erect and maintain toll bridges over the Susquehanna River at certain points, and to provide the necessary approaches and connections with State highways; empowering counties to pay certain damages; providing for the collection of tolls; and making an appropriation.

Bridges.

Department of Highways authorized to erect and construct bridges over Susquehanna River.

Location of bridges.

Powers and authority of department.

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

Section 1. The Department of Highways, with the approval of the Governor, is hereby authorized to erect and construct bridges over the Susquehanna River, at the hereafter described locations, to connect the State highways on both sides of said river, and to acquire the necessary land for approaches thereto.

(a) From a point in or near the borough of Millersburg, in Dauphin County, to a point on the opposite side of said river, in Perry County.

(b) From a point between Safe Harbor and Holtwood, in Lancaster County, to a point on the opposite side of said river, in York County.

Section 2. In the construction of said bridges and the approaches thereto and connections with existing State highways, the Department of Highways shall have all of the powers and authority conferred with respect to the relocation, widening or construction of State high-