

No. 437

AN ACT

Amending the act of May 1, 1929 (P. L. 905), 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," providing special registration provisions for motor buses of certain common carriers of passengers for hire.

The Vehicle
Code.

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

Section 401, act
of May 1, 1929,
P. L. 905,
amended by
inserting a new
subsection (b.1).

Section 1. Section 401, act of May 1, 1929 (P. L. 905), known as "The Vehicle Code," is amended by inserting, after subsection (b), a new subsection to read:

Section 401. Registration of Motor Vehicles, Trailers and Semi-Trailers; Required Special Permits for Non-residents.—

* * * * *

(b.1) Notwithstanding the registration provisions of this act, motor buses and motor omnibuses, consisting of a fleet of five or more, owned by a duly certificated motor bus common carrier of passengers for hire over regular routes between fixed termini, and engaged in interstate, or partly in interstate and partly in intrastate transportation, as a class, may, with the approval of the secretary, be registered and fees paid therefor as follows:

(1) The department shall establish a separate series of motor vehicle license tags or identification stickers for fleet use and, upon payment of the estimated fleet registration cost for a registration year determined as hereinafter provided, shall issue to a fleet owner as many tags or stickers at a fee of one dollar (\$1) each for use during a registration year, as the fleet owner may apply for either at the time of making the payment or thereafter during the registration year.

(2) *On or before the first day of each registration year for which tags are to be issued, the fleet owner shall prepare and file with the department a statement, under oath, disclosing for the preceding calendar year herein called the "base period," the following detailed information:*

(i) *Total bus miles operated everywhere during the base period by all motor buses or motor omnibuses owned by the fleet owner, and total bus miles operated in the Commonwealth during the base period by all motor vehicles in the service of the fleet owner.*

(ii) *A schedule listing each motor vehicle owned by the fleet owner which was used in the fleet owner's operations everywhere during the period, and stating with respect to each motor vehicle the bus number, make, model, year of manufacture, seating capacity, date of acquisition, and, if disposed of during the base period, date of disposition.*

(3) *The fleet owner's estimated fleet licensing cost for the ensuing license year shall be a sum equal to the registration fee for one motor bus, having the same seating capacity as the average of the seating capacities of the buses owned by the fleet owner, during the base period, multiplied by the quotient, including fractions or decimals, resulting from dividing the average miles operated by each motor bus owned by the fleet owner during the base period into the total bus miles operated during the base period in the Commonwealth, the average miles operated by each bus to be determined by dividing the average number of motor buses owned during the base period into the total miles operated everywhere with motor buses during the base period.*

(4) *The estimated fleet licensing cost for fleet owners commencing operations in the Commonwealth during a registration year or who, at the beginning of a registration year, have not operated in this State for the base period, as defined in section 401 (b.1) (2), shall be determined in accordance with regulations prescribed by the department.*

(5) *Each fleet owner who has used mileage apportionment tags or stickers during any registration year shall, within sixty days of the succeeding year, file with the department a statement setting forth for the registration year in each and all of the details prescribed in this subsection the actual operating record and experience, and the corrected fleet registration cost shall be determined on the basis hereof in accordance with the same formula as that above prescribed for determining the estimated fleet registration cost. At the time of filing the statement, the fleet owner shall pay any excess of the corrected fleet registration cost so computed for*

the registration year over the estimate thereof previously paid or, if the estimate previously paid exceeds the corrected cost, the excess shall be promptly refunded to the fleet owner after the filing of the statement.

(6) *The department may require fleet owners, registering under this subsection, to submit, under oath, any additional information that it may deem necessary for the proper administration of the provisions of this section.*

The provisions of this subsection (b.1) shall not affect the right of the secretary to enter into reciprocity agreements as provided for in 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 ten (\$10) dollars and costs of prosecution and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Effective date.

Section 2. This act shall take effect beginning with the registration period beginning June 1, 1958.

APPROVED—The 18th day of July, A. D. 1957.

GEORGE M. LEADER

No. 438

AN ACT

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The Vehicle
Code.

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