

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 (g), (h), (i), (j), [or] (k) or (l) of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of two dollars (\$2.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than one (1) day.

APPROVED—The 28th day of April, A. D. 1961.

DAVID L. LAWRENCE

No. 48

AN ACT

Amending the act of April 29, 1959 (P. L. 58), entitled "An act consolidating and revising the Vehicle Code, the Tractor Code, the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership, possession and use of vehicles and tractors," limiting the duration of certain operator's license suspensions, authorizing the use of radiomicrowave equipment in timing speed, further regulating convictions, prescribing powers and duties of the Secretary of Revenue and the Secretary of Highways, and prescribing penalties.

The Vehicle
Code.

Subsection (e),
section 618, act
of April 29, 1959,
P. L. 58,
amended.

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

Section 1. Subsection (e) of section 618, act of April 29, 1959 (P. L. 58), known as "The Vehicle Code," is amended to read:

Section 618. Suspension of Licenses or Operating Privileges.—

* * *

(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; *but, if the operator's privileges of such person *have been suspended in the other state, then such suspension shall be for the same period of time as that provided in the suspension by the other state, and no part of the suspension ordered by the secretary shall be served after the expiration of the suspension imposed by the other state.*

* * *

* "has" in original.

Section 2. Section 1002 of the act is amended by adding, after subsection (d), a new subsection to read:

Section 1002 of the act, amended by adding a new subsection (d.1) (1).

Section 1002. Restrictions as to Speed.—

* * *

(d.1) (1) *The rate of speed of any vehicle may be timed on any State highway, including the Pennsylvania Turnpike System, by officers of the Pennsylvania State Police through the use of radiomicrowaves, commonly referred to as electronic speed meters or radar.*

No conviction shall be had upon evidence obtained through the use of radar apparatus unless—

- (i) *it is of a type approved by the secretary, and*
- (ii) *it has been calibrated and tested for accuracy and found accurate or adjusted for accuracy within a period of thirty days prior to the alleged violation, and*
- (iii) *official warning signs have been erected on the highway by the proper authority indicating that radar is in operation;*
- (iv) *the speed recorded is six or more miles per hour in excess of the legal speed limit.*

(2) *The secretary shall have authority to appoint official stations for calibrating and testing radar apparatus, and may prescribe regulations as to the manner in which such calibrations and tests shall be made, and shall issue to such stations official inspection certificate forms.*

An official certificate from an official inspection station, showing that the calibration and tests required by this subsection were made within the required period, and that the radar apparatus was accurate or was adjusted for accuracy, shall be competent and prima facie evidence of the fact that such certificate was issued by an official inspection station appointed by the secretary and of the accuracy of the radar apparatus in every proceeding where an information is brought charging a violation of this section.

(3) *The Secretary of Highways shall have the authority to establish, by rule and regulation, the size, color and type of warning sign to be erected on the highways where radar is in use and to designate the intervals at which such warning signs are erected.*

* * *

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 dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Applicability.

Section *3. The provisions of this act shall apply only to violations occurring on or after the effective date of this act.

APPROVED—The 28th day of April, A. D. 1961.

DAVID L. LAWRENCE

No. 49

AN ACT

Amending the act of April 29, 1959 (P. L. 58), entitled "An act consolidating and revising the Vehicle Code, the Tractor Code, the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership, possession and use of vehicles and tractors," empowering the Secretary of Highways to designate certain restrictive areas for commercial vehicles, establishing speed limits and providing penalties for violations.

The Vehicle Code.

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

Act of April 29, 1959, P. L. 58, amended by adding a new section 1113.1.

Section 1. The act of April 29, 1959 (P. L. 58), known as "The Vehicle Code," is amended by adding, after section 1113, a new section to read:

Section 1113.1. Secretary of Highways to Determine Restrictive Areas for Certain Vehicles.—The Secretary of Highways may establish restrictions on those grades on State highways which he determines to be hazardous, which restrictions shall require commercial vehicles having a gross weight of twenty-one thousand (21,000) pounds or over to use a reduced gear and be limited to a maximum speed. Where such grades terminate in business or residence districts, maximum speed shall not exceed twenty (20) miles per hour. At all other locations maximum speed shall be determined by the Secretary of Highways after a traffic engineering study. All restrictions shall be indicated by erection of official signs according to specifications established by the Secretary of Highways.

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 dollars (\$50.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than twenty (20) days.

APPROVED—The 28th day of April, A. D. 1961.

DAVID L. LAWRENCE

* "2" in original.