

by any [factory inspector] *duly authorized representative of the Department of Labor and Industry, chief school administrator, home school visitor, attendance officer, secretary of a board of school directors, or police officer*, upon oath or affirmation. All prosecutions for violations of this act shall be in the form of summary criminal proceedings, instituted before a magistrate, alderman, or justice of the peace within the [school district] *county* wherein the offense was committed. Upon conviction, after a hearing, the sentences provided in this act shall be imposed. All fines collected under this act shall be paid into the State Treasury, for the use of the Commonwealth.

Prosecutions.

Fines.

Section 9. The act is amended by adding, after section 24, a new section to read:

Act amended by adding a new section 24.1.

Section 24.1. This act shall be known and may be cited as the "Child Labor Law."

Child Labor Law.

Section 10. The provisions of this act shall not be construed to repeal the provisions of the "Public School Code of 1949" relating to the employment of children.

Construction.

Section 11. This act shall take effect immediately.

Act effective immediately.

APPROVED—The 23rd day of August, A. D. 1961.

DAVID L. LAWRENCE

No. 495

AN ACT

Amending the act of April 12, 1951 (P. L. 90), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances and, in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws," prohibiting the offer and sale of malt and brewed beverages below cost by distributors and importing distributors, and fixing penalties.

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

Liquor Code.

Article IV., act
of April 12,
1951, P. L. 90,
amended by
adding a new
subdivision
(C.1).

Section 1. Article IV., act of April 12, 1951 (P. L. 90), known as the "Liquor Code," is amended by adding, after subdivision (C), a new subdivision to read:

ARTICLE IV.

Licenses and Regulations; Liquor,
Alcohol and Malt and Brewed Beverages.

* * *

(C.1) Sales by Distributors and Importing Distributors.

Section 480. Unfair Competition.—It is hereby declared that any offer or sale of malt or brewed beverages in the Commonwealth of Pennsylvania by distributors or importing distributors at less than cost as defined in this act is an unfair method of competition, contrary to public policy and in contravention of the policy of this act.

Section 481. Costs.—Cost to the distributor or importing distributor shall mean the invoice cost of the malt or brewed beverages, including all hauling charges not otherwise contained in the invoice cost, to which shall be added a mark-up to cover the cost of doing business.

Section 482. Cost of Doing Business.—Cost of doing business is hereby defined as all costs incurred in the conduct of such business, which shall include, but not by way of limitation, the following items of expense: labor (including salaries of the individual owner, partners, executives and officers), rent, interest, charges, depreciation, selling costs, maintenance of equipment, delivery costs, charges for all types of licenses and permits, taxes, insurance and advertising.

Section 483. Offer to Sell Malt or Brewed Beverages.—It shall hereafter be unlawful for any distributor or importing distributor to offer or sell any malt or brewed beverages below cost, or to sell or offer to sell malt or brewed beverages in combination with any other item unless the cost for such item is established in accordance with the provisions of this act.

Section 484. Prices for Malt and Brewed Beverages.—It shall be unlawful for any importing distributor owning or controlling a brand of malt or brewed beverage and acting in the capacity as an original supplier thereof, to offer or sell such brand product at a price less than that established under the provisions of this act by a secondary distributor or importing distributor who has purchased the brand product involved

from the original supplier, and where the said original supplier is in direct competition with such secondary distributor or importing distributor, nor shall any such distributor or importing distributor purchasing a brand product from an original supplier thereof offer or sell such brand product at a price less than that established by the original supplier.

Section 485. Cost Survey by Board.—The board is hereby empowered to direct a cost survey, pursuant to recognized statistical and cost accounting practices, for any geographical marketing area within the Commonwealth, to determine and establish on the basis of actual existing conditions a mark-up to cover the cost of doing business in such area, which mark-up in the absence of proof of a lower cost shall be deemed to be prima facie evidence thereof.

Section 486. Investigations; Evidence.—In any case in which the board has reason to believe that any distributor or importing distributor of malt or brewed beverages or any agent of such licensee is offering or selling any malt or brewed beverages in this Commonwealth at less than cost as defined in this act, the board shall have power to investigate and to order the immediate discontinuance of any such practice found to exist, and further, to punish such licensee in the same manner as herein provided in section 494.

Section 487. Records; Examinations; Prohibitions to Sell.—All distributors or importing distributors shall hereafter be required to maintain, on forms prescribed by the board, all necessary data and information by means of which such licensee has determined his cost under the provisions of this act. The board or any agent appointed in writing by it is hereby authorized to examine the books, papers, invoices and other records of any distributor or importing distributor doing business in this Commonwealth, or any agent of such licensee, either upon submission thereof to the board or in and upon any premises where the same may be located, in order to determine the cost of such malt or brewed beverages, and any person in possession of such books, papers, invoices and other records is hereby directed and required to give the board or its duly appointed agent the means, facilities and opportunities for such examination. Any such licensee who refuses to permit the board or any agent appointed by it in writing to examine its books, papers, invoices and other records, or who fails, neglects or refuses to cease and desist in the sale of malt or brewed beverages in violation of this act

when so ordered by the board, may be prohibited by the board from selling malt or brewed beverages.

APPROVED—The 23rd day of August, A. D. 1961.

DAVID L. LAWRENCE

No. 496

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," changing the permitted length of vehicles operated in combination and granting the power to the Secretary of Highways to establish speed limits.

The Vehicle Code.

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

Subsection (c), section 902, act of April 29, 1959, P. L. 58, amended July 21, 1959, P. L. 551 and October 13, 1959, P. L. 1312, further amended.

Section 1. Subsection (c) of section 902, act of April 29, 1959 (P. L. 58), known as "The Vehicle Code," amended July 21, 1959 (P. L. 551) and October 13, 1959 (P. L. 1312), is amended to read:

Section 902. Size of Vehicles, Tractors and Loads.—

* * * * *

(c) No *motor* vehicle or tractor, except motor buses, motor omnibuses and fire department equipment, shall exceed a total maximum length, including any load thereon, of four hundred twenty (420) inches [, excepting that a semi-trailer designed exclusively for carrying motor vehicles, may exceed such total maximum length by not more than thirty (30) inches, and excepting that semi-trailers designed exclusively for carrying livestock may exceed such total maximum length by not more than sixty (60) inches and,]. *No trailer or semi-trailer shall exceed a total maximum length including any load thereon of four hundred eighty (480) inches, excepting that a refrigerating device attached to the front exterior of a semi-trailer shall be disregarded in measuring the length of the semi-trailer, if the presence or absence of such device would not affect the length of the combination of vehicles in which such semi-trailer is operated. No combination of two (2) vehicles or tractors, inclusive of load and bumpers coupled together, shall exceed a total maximum length of six hundred (600) inches, excepting that until but not after January 1, 1967, a combination of a trailer or semi-trailer and a truck-tractor which truck-tractor is properly registered in Pennsylvania on the effective date of this act may be of a total*