

## No. 177

## AN ACT

## SB 490

Amending the act of April 29, 1959 (P.L.58, No.32), 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," prescribing penalties for operation of certain vehicles and tractors or combinations thereof in violation of certain rules, regulations, conditions or restrictions; and authorizing a peace officer upon probable cause, to arrest persons committing certain violations.

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

Section 1. The penalty clauses of sections 905 and 906, act of April 29, 1959 (P.L.58, No.32), known as "The Vehicle Code," are amended to read:

Section 905. Permits for Excessive Size and Weight.—

\* \* \*

Penalty.—Any person operating or moving a vehicle or tractor or load of a size or weight exceeding the maximum specified in this act, without first having obtained a permit or permits so to do, and any person altering or forging a special permit for excessive size and weight, or presenting or exhibiting an altered or forged special permit for excessive size and weight, *or any person operating a vehicle or tractor, or combination thereof, in violation of the rules, regulations, conditions or restrictions of a permit issued pursuant to this section, authorizing operation of the vehicle or tractor or combination thereof*, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of **[fifty dollars (\$50.00)] one hundred fifty dollars (\$150.00)** and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Section 906. Permits for Movement of Vehicles in the Process of Being Manufactured.—

\* \* \*

Penalty.—Any manufacturer operating or moving a vehicle without first having obtained a permit or permits so to do as herein provided, *or any manufacturer operating a vehicle in violation of the rules, regulations, conditions or restrictions of a permit or permit herein provided*, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of **[fifty dollars (\$50.00)] one hundred fifty dollars (\$150.00)** and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Section 2. Subsection (a) of section 1204 of the act is amended to read:

Section 1204. Arrests on View or With Warrant.—

(a) Peace officers, when in uniform and displaying a badge or other sign of authority, may arrest, upon view, any person violating any of the provisions of this act, where the offense is designated a felony or a misdemeanor, or in cases causing or contributing to an accident resulting in injury or death to any person, and in all cases of arrest such peace officers shall forthwith make and file with the magistrate, before whom the arrested person is taken, **[an information] a complaint** setting forth in detail the offense, and at once furnish a copy thereof to the person arrested. *A peace officer may, upon view or upon probable cause without a warrant, arrest any person violating section 1037 of this act in cases causing or contributing to an accident.*

\* \* \*

Section 3. This act shall take effect immediately.

APPROVED—The 20th day of July, A. D. 1974.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly No. 177.

A handwritten signature in black ink, reading "C. McLaughlin Tucker". The signature is written in a cursive, flowing style.

*Secretary of the Commonwealth.*