
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 742 Session of
2015

INTRODUCED BY HANNA, THOMAS, McNEILL, MOUL AND COHEN,
MARCH 6, 2015

REFERRED TO COMMITTEE ON TRANSPORTATION, MARCH 6, 2015

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in snowmobiles and all-terrain vehicles, expanding
3 the scope of the chapter to include modified golf carts.

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

6 Section 1. The heading of Chapter 77 of Title 75 of the
7 Pennsylvania Consolidated Statutes is amended to read:

8 CHAPTER 77

9 SNOWMOBILES, MODIFIED GOLF CARTS

10 AND ALL-TERRAIN VEHICLES

11 Section 2. Section 7701 of Title 75 is amended to read:

12 § 7701. Short title of chapter.

13 This chapter shall be known and may be cited as the
14 Snowmobile, Modified Golf Cart and All-Terrain Vehicle Law.

15 Section 3. The definition of "dealer" in section 7702 of
16 Title 75 is amended and the section is amended by adding a
17 definition to read:

18 § 7702. Definitions.

1 The following words and phrases when used in this chapter
2 shall have, unless the context clearly indicates otherwise, the
3 meanings given to them in this section:

4 * * *

5 "Dealer." A person engaged in the business of selling
6 snowmobiles, modified golf carts or all-terrain vehicles at
7 wholesale or retail who is registered or required to be
8 registered under section 7711 (relating to registration of
9 dealers).

10 * * *

11 "Modified golf cart." A self-propelled motor vehicle which
12 is designed to, other than transport people engaged in the game
13 of golf:

14 (1) Carry two or more persons.

15 (2) Operate at speeds of 25 miles per hour or less.

16 (3) Have at least four wheels in contact with the
17 ground.

18 (4) Have an unladen weight of less than 1,800 pounds.

19 The term does not include a golf cart on a golf course or
20 otherwise engaged in the game of golf.

21 * * *

22 Section 4. Sections 7706, 7711(a) and (e), 7711.1, 7711.2,
23 7712.1, 7712.2, 7712.3, 7712.5(c), 7712.6(a) and (b), 7712.7(a)
24 and (c), 7712.8(a), (b) and (c), 7712.9(a) and (b), 7712.10,
25 7712.12(a), 7712.13, 7715.1(a), 7715.2, 7716, 7717(a) and (f),
26 7721, 7722, 7724, 7725, 7726, 7727, 7728, 7729, 7730, 7741,
27 7742, 7743, 7751(b) and (d) and 7752(d) of Title 75 are amended
28 to read:

29 § 7706. Restricted account.

30 (a) Deposit and use of moneys.--

1 (1) The department shall deposit the following into a
2 restricted account, which is hereby established:

3 (i) all moneys received from the registration of and
4 issuance of certificates of title for snowmobiles, and
5 modified golf carts and ATV's and from the issuance of
6 vintage snowmobile permits;

7 (ii) all revenue from the sale of any publications
8 or services relating to snowmobiles, modified golf carts
9 and ATV's; and

10 (iii) all fines, penalties, fees and costs assessed
11 and collected as a result of enforcement activities
12 conducted by the department's law enforcement personnel
13 under this chapter.

14 (2) The department shall draw moneys from the restricted
15 account for use in performing any activities necessary to
16 carry out the purposes of this chapter, including
17 registration and certificate of title activities, training,
18 education, enforcement activities, construction and
19 maintenance of snowmobile, modified golf cart and ATV trails
20 and acquisition of equipment, supplies and interests in land.
21 All moneys deposited in this account shall remain in it to be
22 used as specified in this section.

23 (3) The provisions of 42 Pa.C.S. § 3573(b)(2) (relating
24 to municipal corporation portion of fines, etc.)
25 notwithstanding, when prosecution under this chapter is the
26 result of local police action, all fines, penalties, fees and
27 costs assessed as a result of such prosecution shall be
28 payable to the municipal corporation under which the local
29 police are organized.

30 (b) Grant-in-aid.--The department shall, upon written

1 application and subsequent approval, grant money from the
2 restricted account:

3 (1) To municipalities and profit and nonprofit
4 organizations in connection with snowmobile, modified golf
5 cart and ATV use on lands not owned by the Commonwealth for
6 the following:

7 (i) Plans, specifications and engineering surveys.

8 (ii) Fees and costs related to the preparation or
9 performance of right-of-way lease agreements.

10 (iii) Land acquisition.

11 (iv) Construction, maintenance and rehabilitation of
12 trails and other facilities for snowmobiles and ATV's.

13 (2) To municipalities and profit and nonprofit
14 organizations for equipment, training and education
15 activities relating to snowmobile and ATV use.

16 (3) To profit and nonprofit organizations for the
17 maintenance and rehabilitation, but not the construction, of
18 snowmobile and ATV trails on land owned by the Commonwealth.

19 (c) Audit of moneys.--The restricted account shall be
20 audited every two years. Copies of the audit shall be provided
21 to the Snowmobile, Modified Golf Cart and ATV Advisory
22 Committee.

23 § 7711. Registration of dealers.

24 (a) General rule.--A person who is in the business of
25 selling snowmobiles, modified golf carts or ATV's in this
26 Commonwealth shall register with the department as a dealer. A
27 person who is in the business of selling snowmobiles, modified
28 golf carts or ATV's outside this Commonwealth may register with
29 the department as a dealer.

30 * * *

1 (e) Use of dealer registration plates.--A dealer may operate
2 or permit to be operated within this Commonwealth a snowmobile,
3 modified golf cart or ATV owned by or in the possession of the
4 dealer if:

5 (1) A valid dealer registration certificate issued to
6 the dealer under this section is displayed conspicuously in
7 the dealer's place of business.

8 (2) The operator carries a valid dealer registration
9 card issued to the dealer under this section.

10 (3) There is displayed on the snowmobile, modified golf
11 cart or ATV in a manner prescribed by the department a valid
12 dealer registration plate issued to the dealer under this
13 section.

14 (4) The snowmobile, modified golf cart or ATV is
15 operated only for the purpose of demonstration or testing in
16 connection with the dealer's business.

17 § 7711.1. Registration of snowmobile, modified golf cart or
18 ATV.

19 (a) General rule.--Except as otherwise provided in
20 subsection (f), it is unlawful for a person to operate or for an
21 owner to permit another person to operate a snowmobile, a
22 modified golf cart or an ATV unless:

23 (1) There is carried on the snowmobile, modified golf
24 cart or ATV a valid registration certificate issued therefor
25 pursuant to subsection (b).

26 (2) There is displayed on the snowmobile or modified
27 golf cart a registration decal, or on the ATV a registration
28 plate, issued therefor pursuant to subsection (b).

29 (3) The display of the registration decal or plate is in
30 the manner prescribed by the department.

1 (4) There is displayed on the snowmobile, modified golf
2 cart or ATV a valid expiration sticker issued therefor
3 pursuant to subsection (b).

4 (5) The display of the expiration sticker is in the
5 manner prescribed by the department.

6 (b) Issuance.--Upon receipt of an application therefor upon
7 a form prescribed and furnished by the department which shall
8 contain information reasonably required by the department and
9 which shall be accompanied by the required fee, the department
10 shall issue to the owner of a snowmobile, modified golf cart or
11 ATV:

12 (1) A biennial registration certificate containing the
13 registration number for the snowmobile, modified golf cart or
14 ATV and the expiration date of the registration.

15 (2) A registration decal displaying the registration
16 number for a snowmobile or a modified golf cart or a
17 registration plate displaying the registration number for an
18 ATV.

19 (3) A biennial expiration sticker displaying the
20 expiration date of the registration.

21 (c) Temporary registration.--Temporary registration for a
22 period not to exceed 45 days may be issued by a dealer as
23 prescribed by the department. Proof of temporary registration
24 shall be carried and displayed as prescribed by the department.

25 (d) Expiration of registration.--

26 (1) Except as provided in paragraph (2), a registration
27 certificate and an expiration sticker shall expire effective
28 the day after the expiration date appearing on the
29 registration certificate and expiration sticker.

30 (2) Upon transfer of ownership of a snowmobile, modified

1 golf cart or ATV during a registration period, the
2 registration certificate and expiration sticker shall expire.
3 The transferor shall, within 15 days from the date of
4 transfer, return to the department the registration
5 certificate with the date of transfer and the name and
6 address of the new owner endorsed on the back. If the
7 transferor applies for registration of a different
8 snowmobile, modified golf cart or ATV and pays the required
9 transfer fee, the transferor may be issued in the name of the
10 transferor a registration certificate and expiration sticker
11 for that snowmobile, modified golf cart or ATV for the
12 remainder of the registration period without payment of a
13 registration fee. The registration decal or plate shall not
14 be removed from a snowmobile, modified golf cart or ATV upon
15 transfer to the new owner and is invalid until the new owner
16 is issued a registration certificate or limited registration
17 certificate for the snowmobile, modified golf cart or ATV.

18 (3) An expired general registration certificate and an
19 expired expiration sticker are invalid.

20 (e) Suspension or revocation.--If a person violates this
21 chapter or is convicted of any offense under this chapter, the
22 department may suspend or revoke a registration certificate and
23 an expiration sticker. A suspended or revoked registration
24 certificate or expiration sticker is invalid.

25 (f) Exemptions from registration.--Subsection (a) does not
26 apply if:

27 (1) The snowmobile, modified golf cart or ATV is owned
28 by or in the possession of a dealer who has been issued a
29 dealer registration certificate, dealer registration plates
30 and dealer plate registration cards under section 7711

1 (relating to registration of dealers), the dealer is in
2 compliance with section 7711 and the snowmobile, modified
3 golf cart or ATV is used in accordance with section 7711.

4 (2) The snowmobile, modified golf cart or ATV is owned
5 and used by the United States or another state or a political
6 subdivision thereof, in which case the snowmobile, modified
7 golf cart or ATV shall display the name of the owner in a
8 manner prescribed by the department.

9 (3) The snowmobile, modified golf cart or ATV is
10 operated on land owned or leased by the owner or operator of
11 the snowmobile, modified golf cart or ATV and it is not
12 operated elsewhere within this Commonwealth.

13 (4) The owner of the snowmobile, modified golf cart or
14 ATV is not a resident of this Commonwealth and the operator
15 presents proof that the snowmobile, modified golf cart or ATV
16 has been properly registered in another jurisdiction that
17 exempts from its registration requirements persons who have
18 obtained proper registration under this chapter.

19 (5) The snowmobile is a vintage snowmobile.

20 (6) The modified golf cart is used for the
21 transportation of persons engaged in the game of golf on a
22 public or private golf course or across a public highway
23 during a game of golf and it is not otherwise operated in a
24 manner requiring registration.

25 § 7711.2. Limited registration of snowmobile, modified golf
26 cart or ATV.

27 (a) General rule.--It is unlawful for a person to operate or
28 for an owner to permit another person to operate a snowmobile,
29 modified golf cart or ATV identified in section 7711.1(f)(3)
30 (relating to registration of snowmobile, modified golf cart or

1 ATV) unless:

2 (1) A limited registration certificate has been issued
3 therefor pursuant to subsection (b).

4 (2) There is displayed on the snowmobile or modified
5 golf cart a valid registration decal or on the ATV a valid
6 registration plate issued pursuant to subsection (b).

7 (3) The display of the registration decal or plate is in
8 the manner prescribed by the department.

9 (b) Issuance.--Upon receipt of an application therefor upon
10 a form prescribed and furnished by the department which shall
11 contain information reasonably required by the department, the
12 department shall issue to the owner of a snowmobile, modified
13 golf cart or ATV for which limited registration is required
14 under subsection (a):

15 (1) A limited registration certificate containing the
16 registration number for the snowmobile, modified golf cart or
17 ATV.

18 (2) A registration decal displaying the registration
19 number for a snowmobile or modified golf cart or a
20 registration plate displaying the registration number for an
21 ATV.

22 (c) Temporary limited registration.--Temporary limited
23 registration for a period not to exceed 45 days may be issued by
24 a dealer as prescribed by the department. Proof of temporary
25 limited registration shall be displayed as prescribed by the
26 department.

27 (d) Transfer of ownership.--Upon transfer of ownership of a
28 snowmobile, modified golf cart or ATV for which a limited
29 registration certificate has been issued, the limited
30 registration certificate shall become invalid. The transferor

1 shall, within 15 days from the date of transfer, return to the
2 department the limited registration certificate with the date of
3 transfer and the name and address of the new owner endorsed on
4 the back. The registration decal or plate shall not be removed
5 from the snowmobile, modified golf cart or ATV upon transfer to
6 the new owner and is invalid until the new owner obtains a
7 registration certificate or limited registration certificate for
8 the snowmobile, modified golf cart or ATV.

9 (e) Suspension or revocation.--If a person violates this
10 chapter or is convicted of any offense under this chapter, the
11 department may suspend or revoke a limited registration
12 certificate. A suspended or revoked limited registration
13 certificate is invalid.

14 § 7712.1. Certificate of title for snowmobile, modified golf
15 cart or ATV.

16 (a) General rule.--Except as otherwise provided in
17 subsection (b), an owner of a snowmobile, modified golf cart or
18 ATV which is in this Commonwealth and for which no certificate
19 of title has been issued shall apply to the department for a
20 certificate of title.

21 (b) Exemptions from titling.--No certificate of title is
22 required for:

23 (1) A snowmobile, modified golf cart or ATV that was
24 registered prior to the effective date of this section.

25 (2) A snowmobile, modified golf cart or ATV owned by the
26 United States unless a general registration certificate has
27 been issued therefor.

28 (3) A new snowmobile, modified golf cart or ATV owned by
29 a dealer before and until sale.

30 (4) A snowmobile, modified golf cart or ATV owned by a

1 nonresident of this Commonwealth and not required by law to
2 be registered in this Commonwealth.

3 (5) A snowmobile, modified golf cart or ATV owned by a
4 resident of this Commonwealth and required by law to be
5 registered in another state, based and used principally
6 outside of this Commonwealth and not required by law to be
7 registered in this Commonwealth.

8 (6) A modified golf cart solely used for:

9 (i) the transportation of persons engaged in the
10 game of golf on a public or private golf course or across
11 a public highway during a game of golf; or

12 (ii) transportation on land owned or leased by the
13 owner or operator of the modified golf cart.

14 (c) Contents of application.--Application for a certificate
15 of title shall be made upon a form prescribed and furnished by
16 the department and shall contain a full description of the
17 snowmobile, modified golf cart or ATV, date of purchase, the
18 name and address of the owner, a statement of the title of
19 applicant, together with any other information or documents the
20 department requires to identify the snowmobile, modified golf
21 cart or ATV and to enable the department to determine whether
22 the owner is entitled to a certificate of title.

23 (d) Signing and filing of application.--Application for a
24 certificate of title shall be made within 15 days of the sale or
25 transfer of a snowmobile, modified golf cart or ATV or its entry
26 into this Commonwealth from another jurisdiction, whichever is
27 later. The application shall be accompanied by the required fee
28 and any tax payable by the applicant under the laws of this
29 Commonwealth in connection with the acquisition or use of a
30 snowmobile, modified golf cart or ATV or evidence to show that

1 the tax has been paid or collected. The application shall be
2 signed and verified by oath or affirmation by the applicant if a
3 natural person; in the case of an association or partnership, by
4 a member or a partner; and in the case of a corporation, by an
5 executive officer or person specifically authorized by the
6 corporation to sign the application.

7 (g) Registration without certificate of title prohibited.--
8 Except as provided in subsection (b), the department shall not
9 issue a registration certificate or limited registration
10 certificate for a snowmobile, modified golf cart or ATV or a
11 vintage snowmobile permit for a vintage snowmobile unless a
12 certificate of title has been issued by the department to the
13 owner or an application for a certificate of title has been
14 delivered by the owner to the department.

15 (h) Refusing issuance of certificate of title.--The
16 department may refuse issuance of a certificate of title if it
17 has reasonable grounds to believe any one of the following:

18 (1) A required fee has not been paid.

19 (2) Any taxes payable under the laws of this
20 Commonwealth on or in connection with, or resulting from the
21 acquisition or use of, the snowmobile, modified golf cart or
22 ATV have not been paid.

23 (3) The applicant is not the owner of the snowmobile, modified golf cart or ATV.

24 (4) The application contains a false or fraudulent
25 statement.

26 (5) The applicant has failed to furnish required
27 information or documents or any additional information the
28 department reasonably requires.

29 (j) Transfer of ownership of snowmobile, modified golf cart

1 or ATV.--

2 (1) Upon the sale or transfer of ownership of a
3 snowmobile, modified golf cart or ATV within this
4 Commonwealth, the owner shall execute an assignment and
5 warranty of title to the transferee in the space provided on
6 the certificate of title or as the department prescribes,
7 sworn to before a notary public or other officer empowered to
8 administer oaths, and deliver the certificate to the
9 transferee at the time of the delivery of the snowmobile,
10 modified golf cart or ATV.

11 (2) Except as otherwise provided in section 7715.1
12 (relating to snowmobile, modified golf cart or ATV purchased
13 from dealer), the transferee shall, within 15 days of the
14 assignment of the certificate of title, apply for a new title
15 by forwarding to the department the certificate of title
16 executed as required by paragraph (1), a properly completed
17 application for certificate of title, sworn to before a
18 notary public or other officer empowered to administer oaths,
19 and such other forms as the department may require.

20 (k) Penalty.--A person who violates subsection (a) commits a
21 summary offense and shall, upon conviction, be sentenced:

22 (1) For a first offense, to pay a fine of \$100 and costs
23 of prosecution.

24 (2) For a subsequent offense, to pay a fine of not less
25 than \$300 nor more than \$1,000 and costs of prosecution.

26 § 7712.2. Transfer to or from dealer.

27 (a) Transfer to dealer.--If a dealer acquires a snowmobile,
28 modified golf cart or ATV for the purpose of resale, a
29 certificate of title need not be applied for as provided for in
30 section 7712.1 (relating to certificate of title for snowmobile,

1 modified golf cart or ATV), but the dealer shall, within seven
2 days from the date of acquisition, forward to the department,
3 upon a form prescribed and furnished by the department,
4 notification of the acquisition of the snowmobile, modified golf
5 cart or ATV.

6 (b) Execution and display of notice of transfer.--A dealer
7 making notification pursuant to subsection (a) shall execute at
8 least three copies of the notification, the original of which
9 shall be forwarded to the department, one copy to accompany the
10 snowmobile, modified golf cart or ATV in any subsequent transfer
11 and one copy to be retained by the dealer for at least one year
12 after a subsequent transfer, to be exhibited, with the assigned
13 certificate of title, upon request of a police officer or
14 authorized department employee.

15 (c) Transfer from dealer.--Except as otherwise provided in
16 subsection (a), if a dealer transfers the dealer's interest in a
17 snowmobile, modified golf cart or ATV:

18 (1) The dealer shall execute an assignment and warranty
19 of title to the transferee in the space provided on the
20 certificate of title or as the department prescribes.

21 (2) The transferee shall complete the application for
22 certificate of title in the name of the transferee, sworn to
23 before a notary public or other officer empowered to
24 administer oaths.

25 (3) The dealer shall forward to the department the
26 certificate of title executed as required by paragraph (1), a
27 properly completed application for certificate of title and
28 such other forms as the department may require within 15 days
29 of the transfer.

30 (d) Exception for repossessed snowmobiles, modified golf

1 carts or ATV's.--This section does not apply to a snowmobile,
2 modified golf cart or ATV repossessed upon default of
3 performance of a lease, contract of conditional sale or similar
4 agreement.

5 (e) Penalty and suspension or revocation of dealer
6 registration.--A dealer who violates this section commits a
7 summary offense and shall, upon conviction, be sentenced to pay
8 a fine of \$50. If a dealer violates this section, the department
9 may suspend or revoke the registration issued under section 7711
10 (relating to registration of dealers).

11 § 7712.3. Transfer of snowmobile, modified golf cart or ATV by
12 operation of law.

13 (a) General rule.--If the interest of an owner in a
14 snowmobile, modified golf cart or ATV passes to another other
15 than by voluntary transfer, the transferee shall, except as
16 otherwise provided, promptly mail or deliver to the department
17 the last certificate of title, if available, and shall apply for
18 a new certificate of title on a form prescribed and furnished by
19 the department. The application shall be accompanied by such
20 instruments or documents of authority, or certified copies
21 thereof, as may be sufficient or required by law to evidence or
22 effect a transfer of title or interest in or to chattels in such
23 case.

24 (b) Transfer to surviving spouse.--Transfer of a certificate
25 of title to a surviving spouse, or a person designated by the
26 spouse, may be made without the necessity of filing for letters
27 of administration, notwithstanding the fact that there are minor
28 children surviving the decedent, if the surviving spouse files
29 an affidavit that all debts of the decedent have been paid.

30 (c) Surrender of certificate.--A person holding a

1 certificate of title, whose interest in a snowmobile, modified
2 golf cart or ATV has been extinguished or transferred other than
3 by voluntary transfer, shall immediately surrender the
4 certificate of title to the person to whom the right to
5 possession of the snowmobile, modified golf cart or ATV has
6 passed. Upon request of the department, such person shall mail
7 or deliver the certificate to the department. Delivery of the
8 certificate pursuant to the request of the department does not
9 affect the rights of the person surrendering the certificate.

10 § 7712.5. Issuance of new certificate following transfer.

11 * * *

12 (c) Filing and retention of surrendered certificate.--The
13 department shall file and retain for five years a surrendered
14 certificate of title, or a copy, in such a manner as to permit
15 the tracing of title of the snowmobile, modified golf cart or
16 ATV.

17 § 7712.6. Suspension and cancellation of certificate of title.

18 (a) Return of new snowmobile, modified golf cart or ATV.--
19 The department may cancel the certificate of title issued for a
20 new snowmobile, modified golf cart or ATV if it is shown by
21 satisfactory evidence that the snowmobile, modified golf cart or
22 ATV has been returned to the dealer from whom obtained.

23 (b) Snowmobile, modified golf cart or ATV sold to
24 nonresidents.--The department may cancel a certificate of title
25 for a snowmobile, modified golf cart or ATV sold to a resident
26 of another state or foreign country if the snowmobile, modified
27 golf cart or ATV is to be registered in the other jurisdiction.

28 * * *

29 § 7712.7. Application for certificate of title by agent.

30 (a) Authorization to apply.--No person may apply for a

1 certificate of title on behalf of another person unless
2 authorization to do so is in effect and is verified by oath or
3 affirmation of the other person, made, except as between lessors
4 and fleet owners as lessees, not more than 15 days before the
5 application is received by the department. A lessor may
6 authorize a fleet owner to apply for a certificate of title for
7 a leased snowmobile, modified golf cart or ATV for a period of
8 up to one year.

9 * * *

10 (c) Persons authorized to hold certificate.--No person may
11 receive, obtain or hold a certificate of title recorded in the
12 name of another person for the other person who is not in the
13 regular employ of, or not a member of the family of, the other
14 person, unless the person receiving, obtaining or holding the
15 certificate of title has a valid undischarged security interest
16 recorded in the department against the snowmobile, modified golf
17 cart or ATV represented by the certificate of title.

18 * * *

19 § 7712.8. Perfection of security interest in a snowmobile,
20 modified golf cart or ATV.

21 (a) Applicability of section.--Except as otherwise provided
22 in 13 Pa.C.S. §§ 9311(d) (relating to perfection of security
23 interests in property subject to certain statutes, regulations
24 and treaties), 9315(c) and (d) (relating to secured party's
25 rights on disposition of collateral and in proceeds) and 9316(d)
26 and (e) (relating to effect of change in governing law), this
27 section provides the exclusive method of perfecting a security
28 interest in a snowmobile, modified golf cart or ATV for which a
29 certificate of title is required under this subchapter.

30 (b) Snowmobiles, modified golf carts or ATV's without

1 Pennsylvania certificate of title.--If an owner creates a
2 security interest in a snowmobile, modified golf cart or ATV for
3 which a certificate of title has not been issued by the
4 department, the owner shall, at the request of the secured
5 party, promptly execute an application for a certificate of
6 title on a form prescribed by the department showing the name
7 and address of the secured party. The owner shall tender the
8 application, the existing certificate of title, if any, and the
9 required fee to the department. A security interest in a
10 snowmobile, modified golf cart or ATV is perfected at the time
11 that such application, existing certificate of title, if any,
12 and required fee are received by the department.

13 (c) Snowmobiles, modified golf carts or ATV's with
14 Pennsylvania certificate of title.--If an owner creates a
15 security interest in a snowmobile, modified golf cart or ATV for
16 which a certificate of title has been issued by the department,
17 the owner shall, at the request of the secured party, promptly
18 execute an application on a form prescribed by the department
19 showing the name and address of the secured party. The owner
20 shall tender the certificate of title, together with the
21 application and the required fee, to the department. A security
22 interest in a snowmobile, modified golf cart or ATV is perfected
23 at the time such application, certificate of title and required
24 fee are received by the department.

25 * * *

26 § 7712.9. Satisfaction of security interest.

27 (a) Satisfaction of secured obligation.--Unless otherwise
28 agreed by the owner, within 15 days of the satisfaction of the
29 obligation secured by a security interest in a snowmobile,
30 modified golf cart or ATV, the secured party shall mail or

1 deliver the certificate of title to the owner or to the
2 department with a statement of satisfaction signed by the
3 secured party. Upon receipt of the certificate of title and
4 statement of satisfaction, the department shall issue a
5 corrected certificate of title without an indorsement of such
6 secured party's security interest and mail the same to the
7 holder of the first remaining security interest or, if there is
8 no remaining security interest, the owner.

9 (b) Satisfaction of subordinate secured obligation.--If the
10 certificate of title for a snowmobile, modified golf cart or ATV
11 is in the possession of a prior secured party, the subordinate
12 secured party whose obligation is satisfied shall mail or
13 deliver to the owner a signed statement of satisfaction in
14 accordance with subsection (a). Upon request of the owner and
15 receipt of the statement of satisfaction, the secured party in
16 possession of the certificate of title shall mail or deliver the
17 certificate of title, together with the statement of
18 satisfaction, to the department. Upon receipt of the certificate
19 of title and evidence of satisfaction, the department shall
20 issue a corrected certificate of title without an indorsement of
21 the satisfied security interest and mail the same to the prior
22 secured party.

23 * * *

24 § 7712.10. Release of security interest.

25 A secured party that releases a security interest in a
26 snowmobile, modified golf cart or ATV shall mail or deliver the
27 certificate of title to the owner with a statement of release
28 signed by the secured party, or the secured party may apply to
29 the department for a corrected certificate of title to be issued
30 in the name of the owner. Upon receipt of the certificate of

1 title and statement of release, the department shall issue a
2 corrected certificate of title without an indorsement of such
3 secured party and mail the same to the holder of the first
4 remaining security interest or, if there is no remaining secured
5 party, the owner.

6 § 7712.12. Assignment by secured party of security interest.

7 (a) General rule.--A secured party may assign, absolutely or
8 otherwise, his security interest in a snowmobile, modified golf
9 cart or ATV to a person other than the owner without affecting
10 the interest of the owner or the validity or perfection of the
11 security interest.

12 * * *

13 § 7712.13. Exemptions.

14 The provisions of this subchapter relating to procedures for
15 perfecting, assigning and satisfying security interests do not
16 apply to:

17 (1) a lien given by statute or rule of law to a supplier
18 of services or materials for the snowmobile, modified golf
19 cart or ATV;

20 (2) a lien given by statute to the United States, the
21 Commonwealth or any political subdivision of the
22 Commonwealth;

23 (3) a security interest in a snowmobile, modified golf
24 cart or ATV described in 13 Pa.C.S. § 9311(d) (relating to
25 perfection of security interests in property subject to
26 certain statutes, regulations and treaties); or

27 (4) a snowmobile, modified golf cart or ATV for which a
28 certificate of title is not required under this subchapter.

29 § 7715.1. Snowmobile, modified golf cart or ATV purchased from
30 dealer.

1 (a) General rule.--If a snowmobile, modified golf cart or
2 ATV is purchased from a dealer, the dealer shall mail or deliver
3 to the department an application for a registration certificate
4 or limited registration certificate, an application for
5 certificate of title, any other required forms and the required
6 fees within 15 days of the date of purchase.

7 * * *

8 § 7715.2. Fees.

9 (a) Fees.--Except as provided in subsection (b), the
10 department shall collect the following fees:

11 (1) Certificate of title, \$22.50.

12 (2) Expiration sticker, \$20.

13 (2.1) Vintage snowmobile permit, \$20.

14 (3) Dealer registration, \$25.

15 (4) Replacement, due to loss or damage, of registration
16 certificate, limited registration certificate, registration
17 decal, registration plate, expiration sticker or vintage
18 snowmobile permit, \$5.

19 (5) Transfer of registration pursuant to section 7711.1
20 (relating to registration of snowmobile, modified golf cart
21 or ATV), \$5.

22 (6) Recording the name of a secured party on a
23 certificate of title, \$5.

24 (b) Exemptions from fees.--Subsection (a) does not apply to
25 a snowmobile, modified golf cart or ATV owned by:

26 (1) The Commonwealth.

27 (2) A political subdivision of this Commonwealth.

28 (3) A volunteer organization and used exclusively for
29 emergency purposes.

30 § 7716. Records.

1 The department shall maintain a record, which shall be made
2 available to all enforcement agencies, of:

3 (1) The registration number for each snowmobile,
4 modified golf cart and ATV for which a registration
5 certificate or limited registration certificate is issued.

6 (2) The name and address of the owner of each
7 snowmobile, modified golf cart and ATV for which a
8 registration certificate or limited registration certificate
9 is issued.

10 (3) The permit number for each vintage snowmobile for
11 which a vintage snowmobile permit is issued.

12 (4) The name and address of the owner of each vintage
13 snowmobile for which a vintage snowmobile permit is issued.

14 § 7717. Snowmobile, Modified Golf Cart and ATV Advisory
15 Committee.

16 (a) Establishment.--There is hereby established under the
17 jurisdiction of the department a board known as the Snowmobile,
18 Modified Golf Cart and ATV Advisory Committee.

19 * * *

20 (f) Powers and duties.--The powers and duties of the
21 committee shall be to advise the Secretary of Conservation and
22 Natural Resources on matters concerning the implementation of
23 this chapter, including existing and proposed regulations,
24 standards, policies and practices; use and operation of
25 snowmobiles, modified golf carts and ATV's on public and private
26 land; acquisition, construction, development and maintenance of
27 trails; enforcement; and allocation of fees collected by the
28 department pursuant to this chapter.

29 § 7721. Operation on streets and highways.

30 (a) General rule.--Except as otherwise provided in this

1 chapter, it is unlawful to operate a snowmobile, a modified golf
2 cart or an ATV on any street or highway which is not designated
3 and posted as a snowmobile, a modified golf cart or an ATV road
4 by the governmental agency having jurisdiction.

5 (b) Emergency and bridge crossings.--A snowmobile, a
6 modified golf cart or an ATV may be operated on highways and
7 streets:

8 (1) During periods of emergency when so declared by a
9 policy agency having jurisdiction.

10 (2) When necessary to cross a bridge or culvert.

11 (c) Crossing street or highway.--A snowmobile, a modified
12 golf cart or an ATV may make a direct crossing of a street or
13 highway upon compliance with the following requirements:

14 (1) The crossing is made at an angle of approximately 90
15 degrees to the direction of the highway and at a place where
16 no obstruction prevents a quick and safe crossing.

17 (2) The snowmobile, modified golf cart or ATV is brought
18 to a complete stop before crossing the shoulder or main-
19 traveled way of the highway.

20 (3) The driver yields the right-of-way to all oncoming
21 traffic which constitutes an immediate hazard.

22 (4) In crossing a divided highway, the crossing is made
23 only at an intersection of such highway with another public
24 street or highway.

25 § 7722. Designation of snowmobile, modified golf cart and ATV
26 roads.

27 (a) General rule.--The Department of Transportation on
28 State-designated highways and local authorities on any highway,
29 road or street within its jurisdiction may designate any
30 highway, road or street within its jurisdiction as a snowmobile

1 road, a modified golf cart road, an ATV road, or [both] a
2 combination, and may, in its discretion, determine whether such
3 road shall be closed to vehicular traffic or whether
4 snowmobiles, modified golf carts and ATV's may share this
5 designated road with vehicular traffic.

6 (b) Posting notices.--Adequate notices of such designation
7 and determination shall be sufficiently and prominently
8 displayed.

9 (c) Liability.--There shall be no liability imposed on the
10 Department of Transportation or any other State agency or any
11 political subdivision of this Commonwealth as a result of
12 designating any highway, road or street as a snowmobile road, a
13 modified golf cart road or an ATV road as provided in subsection
14 (a).

15 § 7724. Operation on private or State property.

16 (a) Private real property.--

17 (1) No person shall operate a snowmobile, a modified
18 golf cart or an ATV on private real property without the
19 consent of the owner thereof. Any person operating a
20 snowmobile, a modified golf cart or an ATV upon lands of
21 another shall stop and identify himself upon the request of
22 the landowner or his duly authorized representatives and, if
23 requested to do so by the landowner, shall promptly remove
24 the snowmobile, modified golf cart or ATV from the premises.

25 (2) When a person operates a snowmobile, a modified golf
26 cart or an ATV in a manner as to violate section 3717
27 (relating to trespass by motor vehicle), the applicable
28 fines, penalties and suspensions provided in this title for
29 violation of section 3717 shall apply to this subsection.

30 (b) State property.--

1 (1) No person shall operate a snowmobile, a modified
2 golf cart or an ATV on State-owned property except on clearly
3 marked and previously designated snowmobile, modified golf
4 cart or ATV routes or as expressly permitted by the
5 Commonwealth.

6 (2) (i) The department may designate any road within a
7 State Park or State Forest over which the department has
8 jurisdiction as a snowmobile road, a modified golf cart
9 road or an ATV road, or [both] a combination, and may, in
10 its discretion, determine whether the road shall be
11 closed to vehicular traffic or whether snowmobiles, modified golf carts
12 and ATV's may share the designated
13 road with vehicular traffic. Adequate notices of such
14 designation and determination shall be sufficiently and
15 prominently displayed.

16 (ii) No person shall operate a snowmobile, modified
17 golf cart or ATV on State park or State forest land
18 except as follows:

19 (A) A person may operate a snowmobile on a road,
20 trail or area that is designated and marked by the
21 department as open for snowmobile use or on which the
22 person has been given specific written permission to
23 operate the snowmobile.

24 (B) A person may operate a Class I ATV on a
25 road, trail or area that is designated and marked by
26 the department as open for ATV use or on which the
27 person has been given specific written permission to
28 operate the ATV.

29 (C) A person may operate a Class II ATV on a
30 road, trail or area if the person has been given

1 specific written permission by the department to
2 operate a Class II ATV on the road, trail or area.

3 (D) A person may operate a modified golf cart on
4 a road, trail or area that is designated and marked
5 by the department as open for modified golf cart use
6 or on which the person has been given specific
7 written permission to operate the modified golf cart.

8 § 7725. Operation by persons under age sixteen.

9 (a) Crossing street or highway.--No person under 16 years of
10 age shall drive a snowmobile, modified a golf cart or an ATV
11 across any highway or connecting street thereto unless he is
12 under the direct supervision of a person 18 years of age or
13 older and unless he holds a valid and appropriate safety
14 certificate from the Commonwealth or a valid and approved
15 certificate issued under the authority of another state or
16 Province of Canada. The department shall determine what
17 certificates will be approved.

18 (b) Operation of an ATV or a modified golf cart by persons
19 under eight years of age.--No person under eight years of age
20 shall operate an ATV or a modified golf cart upon State-owned
21 land.

22 (b.1) ATV size restrictions.--An ATV operated in this
23 Commonwealth by a person eight or nine years of age shall have
24 an engine size of 70cc or less.

25 (b.2) Operation of a snowmobile by persons under ten years
26 of age.--No person under ten years of age shall operate a
27 snowmobile upon State-owned land.

28 (c) Snowmobile, modified golf cart and ATV safety
29 certification.--No person 8 to 15 years of age shall operate an
30 ATV or a modified golf cart subject to registration under this

1 chapter, and no person between 10 and 15 years of age shall
2 operate a snowmobile in this Commonwealth unless the person
3 satisfies one of the following conditions:

4 (1) Is under the direct supervision of a certified
5 snowmobile, modified golf cart or ATV safety instructor
6 during a safety training course.

7 (2) Is on land owned or leased by a parent or legal
8 guardian.

9 (3) Has received safety training as prescribed by the
10 department and has received the appropriate safety
11 certificate issued by the department.

12 (4) Holds an appropriate safety certificate issued under
13 the authority of another state or Province of Canada and
14 recognized by the department.

15 (d) Failure to exhibit certificate.--The failure of such a
16 youthful operator to exhibit the appropriate safety certificate,
17 upon demand, to any law enforcement officer having authority to
18 enforce the provisions of this section shall be presumptive
19 evidence that such person is not the holder of such certificate.

20 (e) Permitting unauthorized operation.--No owner of a
21 snowmobile, a modified golf cart or an ATV shall authorize or
22 permit the operation thereof within this Commonwealth by any
23 person under 16 years of age unless the person under 16 years of
24 age is the holder of a valid and appropriate safety certificate,
25 or except as authorized in subsections (b), (b.2) and (c).

26 (f) Certification of snowmobile safety instructors.--The
27 department may certify snowmobile, modified golf cart or ATV
28 safety instructors to act as its agents in conducting classes
29 and examinations and issuing snowmobile, modified golf cart or
30 ATV safety certificates in its name.

1 (g) Operation on snowmobile, modified golf cart and ATV
2 roads.--No person under 16 years of age may operate a
3 snowmobile, a modified golf cart or an ATV on streets or
4 highways designated under section 7722 (relating to designation
5 of snowmobile, modified golf cart and ATV roads) as open to
6 snowmobile, modified golf cart or ATV and vehicular traffic. A
7 person under 16 years of age who holds the appropriate safety
8 certificate may operate a snowmobile, a modified golf cart or an
9 ATV on roads designated under section 7724(b) (relating to
10 operation on private or State property) as open to snowmobile, __
11 modified golf cart or ATV and vehicular traffic, provided he is
12 under the direct supervision of a person 18 years of age or
13 older.

14 (h) Snowmobile, modified golf cart and ATV safety program.--
15 The department shall implement a comprehensive snowmobile, __
16 modified golf cart and ATV information, safety education and
17 training program which shall include the preparation and
18 dissemination of information and safety advice to the public and
19 training of operators. The program shall provide for the
20 training of youthful operators and others who wish to receive
21 training. It shall also provide for the issuance of snowmobile, __
22 modified golf cart or ATV safety certificates to those who
23 successfully complete the training provided under the program.

24 (i) Cooperation with other organizations.--In implementing a
25 program which is established under this section, the department
26 shall cooperate with private organizations and associations,
27 private and public corporations, the Department of Education and
28 local governmental units. The department shall consult with
29 snowmobile, modified golf cart, ATV and environmental
30 organizations and associations in regard to subject matter of a

1 training program that leads to certification of snowmobile,
2 modified golf cart and ATV operators.

3 § 7726. Operation in safe manner.

4 (a) General rule.--No person shall operate a snowmobile, a
5 modified golf cart or an ATV in any of the following ways:

6 (1) At a rate of speed that is unreasonable or improper
7 under existing conditions or in excess of the maximum limits
8 posted for vehicular traffic.

9 (2) In any careless way so as to endanger the person or
10 property of another.

11 (3) While under the influence of alcohol or any
12 controlled substance.

13 (b) Permitting unsafe operation.--No owner or other person
14 having charge or control of a snowmobile, a modified golf cart
15 or an ATV shall knowingly authorize or permit the operation of
16 the snowmobile, modified golf cart or ATV by any person who is
17 incapable to do so by reason of age, physical or mental
18 disability, or who is under the influence of alcohol or any
19 controlled substance.

20 (c) Operation on highways and streets open to snowmobiles,
21 modified golf carts or ATV's and vehicular traffic.--No person
22 shall operate a snowmobile, modified golf cart or ATV in any of
23 the following ways on highways and streets open to snowmobiles,
24 modified golf carts or ATV's and vehicular traffic:

25 (1) Upon the left side of highways or streets, except
26 one-way streets, or as specified in paragraph (2).

27 (2) Ride two snowmobiles, modified golf carts or ATV's
28 abreast. Snowmobiles, modified golf carts and ATV's shall be
29 operated in single file except when overtaking another
30 vehicle. The driver of any vehicle overtaking another vehicle

1 proceeding in the same direction shall pass at a safe
2 distance to the left thereof, until safely clear of such
3 overtaken vehicle. Nothing in this section shall be construed
4 to prohibit a driver overtaking the passing upon the right of
5 another vehicle which is making or about to make a left turn.
6 The driver of a vehicle shall not drive to the left side of
7 the center of a highway in overtaking or passing another
8 vehicle proceeding in the same direction, unless the left
9 side is clearly visible and is free of oncoming traffic for a
10 sufficient distance ahead to permit the overtaking or passing
11 to be made in safety.

12 (3) Turn to the right or left at an intersection or stop
13 or decrease speed at an intersection without signaling as
14 stated in this paragraph. The driver shall extend his hand
15 and arm from the left side of the vehicle in the following
16 manner to indicate as stated:

17 (i) Left turn or other vehicle movement toward left,
18 hand and arm extended horizontally.

19 (ii) Right turn or other vehicle movement toward
20 right, left hand and arm extended outward and pointed
21 upward from the elbow.

22 (iii) Stop or decrease speed, either the left or
23 right hand and arm extended upward.

24 (4) Disobey any traffic signal or signs placed in
25 accordance with this title unless otherwise directed by a
26 peace officer.

27 (5) Without a securely fastened helmet on the head of an
28 individual who operates or is a passenger on a snowmobile or
29 ATV or who is being towed or otherwise propelled by a
30 snowmobile. The department shall specify the types of helmets

1 allowed through rules and regulations.

2 § 7727. Additional limitations on operation.

3 Except as otherwise permitted under Title 34 (relating to
4 game), no person shall:

5 (1) Operate or ride in any snowmobile, modified golf
6 cart or ATV with any bow and arrows or with any firearm in
7 his possession unless it is unstrung or unloaded.

8 (2) Drive or pursue any game or wildlife with a
9 snowmobile, a modified golf cart or an ATV.

10 § 7728. Accidents and accident reports.

11 (a) Duty to stop and provide information.--Whenever any
12 snowmobile, modified golf cart or ATV is involved in an accident
13 resulting in loss of life, personal injury or damage to property
14 and the operator thereof has knowledge of such accident, he
15 shall stop and give his name and address, the name and address
16 of the owner thereof and the registration number of the
17 snowmobile, modified golf cart or ATV to the injured person or
18 the person sustaining the damage or to a police officer. In case
19 no police officer nor the person sustaining the damage is
20 present at the place where the damage occurred, then the
21 operator shall immediately report, as soon as he is physically
22 able, the accident to the nearest law enforcement agency.

23 (b) Report of accident to department.--The operator of any
24 snowmobile, modified golf cart or ATV involved in any accident
25 resulting in injuries to or death of any person or resulting in
26 property damage to the estimated amount of \$100 or more shall,
27 within seven days after such accident, report the matter in
28 writing to the department. If the operator is physically
29 incapable of making the report and there is another participant
30 in the accident not so incapacitated, the participant shall make

1 the report within the prescribed period of time after the
2 accident. In the event that there is no other participant and
3 the operator is other than the owner, then the owner shall
4 within the prescribed period of time, after learning of the
5 facts of such accident, report the matter to the department,
6 together with such information as may have come to his knowledge
7 relating to such accident. Every operator or owner of a
8 snowmobile, a modified golf cart or an ATV in an accident, or
9 surviving participant of any such accident, shall make such
10 other and additional reports as the department shall require.

11 (c) Report by law enforcement officer.--A law enforcement
12 officer who investigates or receives information of an accident
13 involving a snowmobile, a modified golf cart or an ATV shall
14 make a written report of the investigation or information
15 received, and such additional facts relating to the accident as
16 may come to his knowledge, and mail the same within 48 hours to
17 the department and keep a record thereof in his office.

18 (d) Exception.--This section does not apply when property
19 damage is sustained in sanctioned snowmobile, modified golf cart
20 or ATV races, derbies and rallies.

21 § 7729. Liability of owner for negligence.

22 (a) General rule.--Negligence in the use or operation of a
23 snowmobile, a modified golf cart or an ATV is attributable to
24 the owner. Every owner of a snowmobile, a modified golf cart or
25 an ATV used or operated in this Commonwealth shall be liable and
26 responsible for death or injury to person or damage to property
27 resulting from negligence in the use or operation of such
28 snowmobile, modified golf cart or ATV by any person using or
29 operating the snowmobile, modified golf cart or ATV with the
30 permission, express or implied, of such owner.

1 (b) Exception.--The negligence of the operator shall not be
2 attributed to the owner as to any claim or cause of action
3 accruing to the operator or his legal representative for such
4 injuries or death.

5 § 7730. Liability insurance.

6 (a) Requirement.--A snowmobile, modified golf cart or ATV
7 for which registration is required under this chapter shall have
8 liability insurance coverage for the snowmobile, modified golf
9 cart or ATV issued by an insurance carrier authorized to do
10 business in this Commonwealth. This subsection does not apply to
11 limited registrations.

12 (b) Proof of insurance.--Proof of insurance as required by
13 this section shall be produced and displayed by the owner or
14 operator of such snowmobile, modified golf cart or ATV upon the
15 request of any magistrate or any person having authority to
16 enforce the provisions of this chapter or to any person who has
17 suffered or claims to have suffered either personal injury or
18 property damage as a result of the operation of such snowmobile,
19 modified golf cart or ATV. It shall be an affirmative defense to
20 any prosecution for a violation of this section that such proof
21 was so produced within 72 hours of receiving notice of such
22 violation, injury or damage or the claim of such injury or
23 damage.

24 (c) Owner's responsibility.--No owner of a snowmobile,
25 modified golf cart or ATV shall operate or permit the same to be
26 operated without having in full force and effect liability
27 insurance coverage required by this section. The operator of a
28 snowmobile, modified golf cart or ATV shall carry proof of
29 insurance on his person or on the snowmobile, modified golf cart
30 or ATV when it is in operation.

1 (d) Penalty.--A person who violates subsection (a) or (c)
2 commits a summary offense and shall, upon conviction, be
3 sentenced to pay a fine of \$300 and costs of prosecution and, in
4 default of payment of the fine or costs, shall be imprisoned for
5 not more than ten days.

6 § 7741. Head lamps and tail lamps.

7 (a) Time of operation.--Every snowmobile, modified golf cart
8 for which registration is required under this chapter or ATV
9 operated during hours of darkness shall display a lighted head
10 lamp and tail lamp. The lights shall be in operation during the
11 period of from one-half hour after sunset to one-half hour
12 before sunrise and at any time when, due to insufficient light
13 or unfavorable atmospheric conditions caused by fog or
14 otherwise, other persons, vehicles and other objects are not
15 clearly discernible for a distance of 500 feet ahead.

16 (b) Head lamp requirements.--The head lamp shall display
17 white light of sufficient illuminating power to reveal any
18 person, vehicle or substantial object at a distance of 100 feet
19 ahead.

20 (1) If the snowmobile, modified golf cart or ATV is
21 equipped with a multiple beam head lamp, the upper beam shall
22 meet the minimum requirements set forth in this section and
23 the lowermost beam shall be so aimed and of sufficient
24 intensity to reveal persons and vehicles at a distance of at
25 least 50 feet ahead.

26 (2) If the snowmobile, modified golf cart or ATV is
27 equipped with a single beam head lamp, the lamp shall be so
28 aimed that when the vehicle is loaded none of the high
29 intensity portion of the light, at a distance of 75 feet
30 ahead, projects higher than the level of the center of the

1 lamp from which it comes.

2 (c) Tail lamp requirements.--The tail lamp shall display a
3 red light plainly visible during darkness from a distance of 500
4 feet.

5 § 7742. Brakes.

6 (a) Snowmobiles.--It is unlawful to operate a snowmobile
7 which is not equipped with at least one brake of a design
8 approved by the department operated either by hand or by foot,
9 capable of bringing the snowmobile to a stop, under normal
10 conditions, within 40 feet when traveling at a speed of 20 miles
11 per hour with a 150 pound driver and on hard packed snow, or
12 locking its traction belt or belts. The design shall permit
13 simple and easy adjustment to compensate for wear.

14 (b) Modified golf carts and ATV's.--It is unlawful to
15 operate a modified golf cart for which registration is required
16 under this chapter or an ATV which is not equipped with a
17 braking system which may be operated by hand or foot, capable of
18 producing deceleration of 14 feet per second on level ground at
19 a speed of 20 miles per hour, and the design must permit simple
20 and easy adjustment to compensate for wear.

21 § 7743. Mufflers and noise control.

22 (a) General rule.--It is unlawful to operate a snowmobile, a
23 modified golf cart or an ATV which is not equipped at all times
24 with a muffler in good working order which blends the exhaust
25 noise into the overall snowmobile, modified golf cart or ATV
26 noise and is in constant operation to prevent excessive or
27 unusual noise. The exhaust system shall not emit or produce a
28 sharp popping or crackling sound. The sound intensity produced
29 by a snowmobile shall not exceed 82dbA when measured in
30 accordance with SAE Recommended Practice J 192 Exterior Sound

1 Level for Snowmobiles, as amended. The department may by
2 regulation adopt more stringent noise requirements for
3 snowmobiles. The department shall by regulation adopt noise
4 requirements for in-use operation of ATV's using measurement
5 procedures in accordance with ANSI/SAE Recommended Practice J
6 1287 March 1982, Measurement of Exhaust Level of Stationary
7 Motorcycles. The sound level intensity produced by an ATV shall
8 not exceed 99dbA, or decibels, when measured at 20 inches.

9 (b) Modified mufflers prohibited.--It is unlawful to modify
10 a muffler or to operate a snowmobile, a modified golf cart or an
11 ATV with a modified muffler so as to increase the sound level of
12 the snowmobile, modified golf cart or ATV above the level
13 allowed by this section.

14 (c) Exception.--This section does not apply to organized
15 races or similar competitive events.

16 § 7751. Enforcement personnel and procedures.

17 * * *

18 (b) Forms and procedures.--The department may prescribe the
19 form of summons or complaint, or both, in all cases involving a
20 violation of any provision of this chapter or of any ordinance,
21 rule or regulation relating to snowmobiles, modified golf carts
22 or ATV's, or of any class or category of such cases, and may
23 establish procedures for proper administrative controls over the
24 disposition thereof.

25 * * *

26 (d) Rules and regulations.--The department may promulgate
27 such rules and regulations as may be deemed necessary to
28 accomplish the purposes and enforce the provisions of this
29 section including requirements for reporting by trial courts
30 having jurisdiction over snowmobile, modified golf cart and ATV

1 violations.

2 § 7752. Penalties for violation of chapter.

3 * * *

4 (d) Registration.--

5 (1) A person who violates section 7711.1 (relating to
6 registration of snowmobile, modified golf cart or ATV) or
7 7711.2 (relating to limited registration of snowmobile, modified golf cart or ATV) by failing to obtain the required
8 registration certificate or limited registration certificate
9 commits a summary offense and shall, upon conviction, be
10 sentenced to pay a fine of \$300 or to be imprisoned for 90
11 days, or both, and costs of prosecution. Proceedings for a
12 summary offense under this paragraph must be commenced within
13 60 days after commission of the alleged offense or within 60
14 days after discovery of the commission of the offense or the
15 identity of the offender, whichever is later.

17 (2) A person who violates section 7711.1 or 7711.2 by
18 failing to properly display the required registration decal
19 or plate commits a summary offense and shall, upon
20 conviction, be sentenced to pay a fine of \$50 and costs of
21 prosecution.

22 (3) A person who violates section 7711.1 by failing to
23 properly display the required expiration sticker or by
24 failing to carry the required registration certificate
25 commits a summary offense and shall, upon conviction, be
26 sentenced to pay a fine of \$50 and costs of prosecution.
27 Section 5. This act shall take effect in 60 days.