
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1027 Session of
2013

INTRODUCED BY HANNA, KOTIK, HAGGERTY, CALTAGIRONE, V. BROWN,
FABRIZIO, MAHONEY, COHEN, D. COSTA, DeLUCA, QUINN, EVERETT
AND DENLINGER, MARCH 19, 2013

REFERRED TO COMMITTEE ON TRANSPORTATION, MARCH 19, 2013

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 with a
12 primary purpose other than the transportation of people engaged
13 in the game of golf that is designed to carry two or more
14 persons, is designed to be and is operated at speeds of 25 miles
15 per hour or less, has at least four wheels in contact with the
16 ground and has an unladen weight of less than 1,800 pounds. The
17 term does not include a golf cart on a golf course or otherwise
18 engaged in the game of golf.

19 * * *

20 Section 4. Section 7706 of Title 75, amended July 5, 2012
21 (P.L.1000, No.113) is amended to read:

22 § 7706. Restricted account.

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

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

26 (i) all moneys received from the registration of and
27 issuance of certificates of title for snowmobiles,
28 modified golf carts and ATV's and from the issuance of
29 vintage snowmobile permits;

30 (ii) all revenue from the sale of any publications

1 or services relating to snowmobiles, modified golf carts
2 and ATV's; and

3 (iii) all fines, penalties, fees and costs assessed
4 and collected as a result of enforcement activities
5 conducted by the department's law enforcement personnel
6 under this chapter.

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

16 (3) The provisions of 42 Pa.C.S. § 3573(b)(2) (relating
17 to municipal corporation portion of fines, etc.)
18 notwithstanding, when prosecution under this chapter is the
19 result of local police action, all fines, penalties, fees and
20 costs assessed as a result of such prosecution shall be
21 payable to the municipal corporation under which the local
22 police are organized.

23 (b) Grant-in-aid.--The department shall, upon written
24 application and subsequent approval, grant money from the
25 restricted account:

26 (1) To municipalities and profit and nonprofit
27 organizations in connection with snowmobile, modified golf
28 cart and ATV use on lands not owned by the Commonwealth for
29 the following:

30 (i) Plans, specifications and engineering surveys.

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

3 (iii) Land acquisition.

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

6 (2) To municipalities and profit and nonprofit
7 organizations for equipment, training and education
8 activities relating to snowmobile and ATV use.

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

12 (c) Audit of moneys.--The restricted account shall be
13 audited every two years. Copies of the audit shall be provided
14 to the Snowmobile, Modified Golf Cart and ATV Advisory
15 Committee.

16 Section 5. Section 7711(a) and (e) of Title 75 are amended
17 to read:

18 § 7711. Registration of dealers.

19 (a) General rule.--A person who is in the business of
20 selling snowmobiles, modified golf carts or ATV's in this
21 Commonwealth shall register with the department as a dealer. A
22 person who is in the business of selling snowmobiles, modified
23 golf carts or ATV's outside this Commonwealth may register with
24 the department as a dealer.

25 * * *

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

30 (1) A valid dealer registration certificate issued to

1 the dealer under this section is displayed conspicuously in
2 the dealer's place of business.

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

5 (3) There is displayed on the snowmobile, a modified
6 golf cart or ATV in a manner prescribed by the department a
7 valid dealer registration plate issued to the dealer under
8 this section.

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

12 Section 6. Section 7711.1 of Title 75, amended July 5, 2012
13 (P.L.1000, No.113), is amended to read:

14 § 7711.1. Registration of snowmobile, modified golf cart or
15 ATV.

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

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

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

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

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

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

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

9 (1) A biennial registration certificate containing the
10 registration number for the snowmobile, modified golf cart or
11 ATV and the expiration date of the registration.

12 (2) A registration decal displaying the registration
13 number for a snowmobile or a modified golf cart or a
14 registration plate displaying the registration number for an
15 ATV.

16 (3) A biennial expiration sticker displaying the
17 expiration date of the registration.

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

22 (d) Expiration of registration.--

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

27 (2) Upon transfer of ownership of a snowmobile, modified
28 golf cart or ATV during a registration period, the
29 registration certificate and expiration sticker shall expire.
30 The transferor shall, within 15 days from the date of

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

15 (3) An expired general registration certificate and an
16 expired expiration sticker are invalid.

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

22 (f) Exemptions from registration.--Subsection (a) does not
23 apply if:

24 (1) The snowmobile, modified golf cart or ATV is owned
25 by or in the possession of a dealer who has been issued a
26 dealer registration certificate, dealer registration plates
27 and dealer plate registration cards under section 7711
28 (relating to registration of dealers), the dealer is in
29 compliance with section 7711 and the snowmobile, modified
30 golf cart or ATV is used in accordance with section 7711.

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

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

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

16 (5) The snowmobile is a vintage snowmobile.

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

22 Section 7. Section 7711.2 of Title 75 is amended to read:

23 § 7711.2. Limited registration of snowmobile, modified golf
24 cart or ATV.

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

30 (1) A limited registration certificate has been issued

1 therefor pursuant to subsection (b).

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

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

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

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

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

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

25 (d) Transfer of ownership.--Upon transfer of ownership of a
26 snowmobile, modified golf cart or ATV for which a limited
27 registration certificate has been issued, the limited
28 registration certificate shall become invalid. The transferor
29 shall, within 15 days from the date of transfer, return to the
30 department the limited registration certificate with the date of

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

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

12 Section 8. Section 7712.1 of Title 75, amended July 5, 2012
13 (P.L.1000, No.113), is amended to read:

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 Section 9. Section 7712.2, 7712.3, 7712.5(c), 7712.6(a) and
27 (b), 7712.7(a) and (c), 7712.8 heading and (a), (b) and (c),
28 7712.9(a) and (b), 7712.10, 7712.12(a), 7712.13 and 7715.1
29 heading and (a) of Title 75 are amended to read:
30 § 7712.2. Transfer to or from dealer.

1 (a) Transfer to dealer.--If a dealer acquires a snowmobile,
2 modified golf cart or ATV for the purpose of resale, a
3 certificate of title need not be applied for as provided for in
4 section 7712.1 (relating to certificate of title for snowmobile,
5 modified golf cart or ATV), but the dealer shall, within seven
6 days from the date of acquisition, forward to the department,
7 upon a form prescribed and furnished by the department,
8 notification of the acquisition of the snowmobile, modified golf
9 cart or ATV.

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

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

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

25 (2) The transferee shall complete the application for
26 certificate of title in the name of the transferee, sworn to
27 before a notary public or other officer empowered to
28 administer oaths.

29 (3) The dealer shall forward to the department the
30 certificate of title executed as required by paragraph (1), a

1 properly completed application for certificate of title and
2 such other forms as the department may require within 15 days
3 of the transfer.

4 (d) Exception for repossessed snowmobiles, modified golf
5 carts or ATV's.--This section does not apply to a snowmobile,
6 modified golf cart or ATV repossessed upon default of
7 performance of a lease, contract of conditional sale or similar
8 agreement.

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

15 § 7712.3. Transfer of snowmobile, modified golf cart or ATV by
16 operation of law.

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

28 (b) Transfer to surviving spouse.--Transfer of a certificate
29 of title to a surviving spouse, or a person designated by the
30 spouse, may be made without the necessity of filing for letters

1 of administration, notwithstanding the fact that there are minor
2 children surviving the decedent, if the surviving spouse files
3 an affidavit that all debts of the decedent have been paid.

4 (c) Surrender of certificate.--A person holding a
5 certificate of title, whose interest in a snowmobile, modified
6 golf cart or ATV has been extinguished or transferred other than
7 by voluntary transfer, shall immediately surrender the
8 certificate of title to the person to whom the right to
9 possession of the snowmobile, modified golf cart or ATV has
10 passed. Upon request of the department, such person shall mail
11 or deliver the certificate to the department. Delivery of the
12 certificate pursuant to the request of the department does not
13 affect the rights of the person surrendering the certificate.

14 § 7712.5. Issuance of new certificate following transfer.

15 * * *

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

21 § 7712.6. Suspension and cancellation of certificate of title.

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

27 (b) Snowmobile, modified golf cart or ATV sold to
28 nonresidents.--The department may cancel a certificate of title
29 for a snowmobile, modified golf cart or ATV sold to a resident
30 of another state or foreign country if the snowmobile, modified

1 golf cart or ATV is to be registered in the other jurisdiction.

2 * * *

3 § 7712.7. Application for certificate of title by agent.

4 (a) Authorization to apply.--No person may apply for a
5 certificate of title on behalf of another person unless
6 authorization to do so is in effect and is verified by oath or
7 affirmation of the other person, made, except as between lessors
8 and fleet owners as lessees, not more than 15 days before the
9 application is received by the department. A lessor may
10 authorize a fleet owner to apply for a certificate of title for
11 a leased snowmobile, modified golf cart or ATV for a period of
12 up to one year.

13 * * *

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

22 * * *

23 § 7712.8. Perfection of security interest in a snowmobile, modified golf cart or ATV.

24
25 (a) Applicability of section.--Except as otherwise provided
26 in 13 Pa.C.S. §§ 9311(d) (relating to perfection of security
27 interests in property subject to certain statutes, regulations
28 and treaties), 9315(c) and (d) (relating to secured party's
29 rights on disposition of collateral and in proceeds) and 9316(d)
30 and (e) (relating to continued perfection of security interest

1 following change in governing law), this section provides the
2 exclusive method of perfecting a security interest in a
3 snowmobile, modified golf cart or ATV for which a certificate of
4 title is required under this subchapter.

5 (b) Snowmobiles, modified golf carts or ATV's without
6 Pennsylvania certificate of title.--If an owner creates a
7 security interest in a snowmobile, modified golf cart or ATV for
8 which a certificate of title has not been issued by the
9 department, the owner shall, at the request of the secured
10 party, promptly execute an application for a certificate of
11 title on a form prescribed by the department showing the name
12 and address of the secured party. The owner shall tender the
13 application, the existing certificate of title, if any, and the
14 required fee to the department. A security interest in a
15 snowmobile, modified golf cart or ATV is perfected at the time
16 that such application, existing certificate of title, if any,
17 and required fee are received by the department.

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

30 * * *

1 § 7712.9. Satisfaction of security interest.

2 (a) Satisfaction of secured obligation.--Unless otherwise
3 agreed by the owner, within 15 days of the satisfaction of the
4 obligation secured by a security interest in a snowmobile,
5 modified golf cart or ATV, the secured party shall mail or
6 deliver the certificate of title to the owner or to the
7 department with a statement of satisfaction signed by the
8 secured party. Upon receipt of the certificate of title and
9 statement of satisfaction, the department shall issue a
10 corrected certificate of title without an indorsement of such
11 secured party's security interest and mail the same to the
12 holder of the first remaining security interest or, if there is
13 no remaining security interest, the owner.

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

28 * * *

29 § 7712.10. Release of security interest.

30 A secured party that releases a security interest in a

1 snowmobile, modified golf cart or ATV shall mail or deliver the
2 certificate of title to the owner with a statement of release
3 signed by the secured party, or the secured party may apply to
4 the department for a corrected certificate of title to be issued
5 in the name of the owner. Upon receipt of the certificate of
6 title and statement of release, the department shall issue a
7 corrected certificate of title without an indorsement of such
8 secured party and mail the same to the holder of the first
9 remaining security interest or, if there is no remaining secured
10 party, the owner.

11 § 7712.12. Assignment by secured party of security interest.

12 (a) General rule.--A secured party may assign, absolutely or
13 otherwise, his security interest in a snowmobile, modified golf
14 cart or ATV to a person other than the owner without affecting
15 the interest of the owner or the validity or perfection of the
16 security interest.

17 * * *

18 § 7712.13. Exemptions.

19 The provisions of this subchapter relating to procedures for
20 perfecting, assigning and satisfying security interests do not
21 apply to:

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

25 (2) a lien given by statute to the United States, the
26 Commonwealth or any political subdivision of the
27 Commonwealth;

28 (3) a security interest in a snowmobile, modified golf
29 cart or ATV described in 13 Pa.C.S. § 9311(d) (relating to
30 perfection of security interests in property subject to

1 certain statutes, regulations and treaties); or

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

4 § 7715.1. Snowmobile, modified golf cart or ATV purchased from
5 dealer.

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

12 * * *

13 Section 10. Sections 7715.2 and 7716 of Title 75, amended
14 July 5, 2012 (P.L.1000, No.113), are amended to read:

15 § 7715.2. Fees.

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

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

19 (2) Expiration sticker, \$20.

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

21 (3) Dealer registration, \$25.

22 (4) Replacement, due to loss or damage, of registration
23 certificate, limited registration certificate, registration
24 decal, registration plate, expiration sticker or vintage
25 snowmobile permit, \$5.

26 (5) Transfer of registration pursuant to section 7711.1
27 (relating to registration of snowmobile, modified golf cart
28 or ATV), \$5.

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

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

3 (1) The Commonwealth.

4 (2) A political subdivision of this Commonwealth.

5 (3) A volunteer organization and used exclusively for
6 emergency purposes.

7 § 7716. Records.

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

10 (1) The registration number for each snowmobile, modified golf cart
11 modified golf cart and ATV for which a registration
12 certificate or limited registration certificate is issued.

13 (2) The name and address of the owner of each
14 snowmobile, modified golf cart and ATV for which a
15 registration certificate or limited registration certificate
16 is issued.

17 (3) The permit number for each vintage snowmobile for
18 which a vintage snowmobile permit is issued.

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

21 Section 11. Sections 7717, 7721, 7722 and 7724 of Title 75
22 are amended to read:

23 § 7717. Snowmobile, Modified Golf Cart and ATV Advisory
24 Committee.

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

28 (b) Composition.--The committee shall consist of 17 members.
29 The members shall be as follows:

30 (1) The chairman and minority chairman of the

1 Environmental Resources and Energy Committee of the Senate.

2 (2) The chairman and minority chairman of the
3 Environmental Resources and Energy Committee of the House of
4 Representatives.

5 (3) One member from the Pennsylvania Game Commission.

6 (4) One member from the Allegheny National Forest.

7 (5) One member from the Pennsylvania State Association
8 of Township Supervisors.

9 (6) One member from the Pennsylvania State Association
10 of Boroughs.

11 (7) One member from the Pennsylvania State Association
12 of County Commissioners.

13 (8) Eight members of the public representing the
14 following organizations to be appointed by the Secretary of
15 Conservation and Natural Resources:

16 (i) Two members from a list of at least six
17 representatives submitted by the Pennsylvania State
18 Snowmobile Association.

19 (ii) Two members from a list of at least six
20 representatives submitted by the Pennsylvania Off-Highway
21 Vehicle Association.

22 (iii) One member from a list of at least three
23 representatives submitted by the Pennsylvania Farm
24 Bureau.

25 (iv) Two members from a list of at least six
26 representatives submitted by conservation or nonmotorized
27 recreation organizations.

28 (v) One member from a list of at least three
29 representatives submitted by the Pennsylvania Travel
30 Council.

1 Each member may designate an alternate to serve in his stead. A
2 member shall notify the chairman in writing of this designation.

3 (c) Terms of appointees.--The terms of all members of the
4 committee appointed by the Secretary of Conservation and Natural
5 Resources shall be three years. Any member of the committee may
6 be reappointed for additional terms. A person appointed to fill
7 a vacancy shall serve for the unexpired term and is eligible for
8 reappointment.

9 (d) Officers.--The members of the committee shall annually
10 elect a chairman, a vice chairman and a secretary from among the
11 public members of the committee.

12 (e) Meetings and expenses.--

13 (1) The committee shall meet at least annually.

14 (2) A public member, including a designee, who misses
15 three consecutive meetings without good cause acceptable to
16 the chairman may be replaced by the Secretary of Conservation
17 and Natural Resources.

18 (3) The public members of the committee shall be allowed
19 actual, necessary and reasonable per diem expenses in
20 accordance with regulations of the Executive Board. The
21 department shall provide appropriate staff support to enable
22 the committee to properly carry out its functions.

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

1 department pursuant to this chapter.

2 § 7721. Operation on streets and highways.

3 (a) General rule.--Except as otherwise provided in this
4 chapter, it is unlawful to operate a snowmobile, a modified golf
5 cart or an ATV on any street or highway which is not designated
6 and posted as a snowmobile, a modified golf cart or an ATV road
7 by the governmental agency having jurisdiction.

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

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

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

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

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

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

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

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

28 § 7722. Designation of snowmobile, modified golf cart and ATV
29 roads.

30 (a) General rule.--The Department of Transportation on

1 State-designated highways and local authorities on any highway,
2 road or street within its jurisdiction may designate any
3 highway, road or street within its jurisdiction as a snowmobile
4 road, a modified golf cart road, an ATV road, or [both] a
5 combination, and may, in its discretion, determine whether such
6 road shall be closed to vehicular traffic or whether
7 snowmobiles, modified golf carts and ATV's may share this
8 designated road with vehicular traffic.

9 (b) Posting notices.--Adequate notices of such designation
10 and determination shall be sufficiently and prominently
11 displayed.

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

18 § 7724. Operation on private or State property.

19 (a) Private real property.--

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

28 (2) When a person operates a snowmobile, a modified golf
29 cart or an ATV in a manner as to violate section 3717
30 (relating to trespass by motor vehicle), the applicable

1 fines, penalties and suspensions provided in this title for
2 violation of section 3717 shall apply to this subsection.

3 (b) State property.--

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

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

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

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

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

1 operate the ATV.

2 (C) A person may operate a Class II ATV on a
3 road, trail or area if the person has been given
4 specific written permission by the department to
5 operate a Class II ATV on the road, trail or area.

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

11 Section 12. Section 7725 of Title 75, amended July 5, 2012
12 (P.L.1000, No.113), is amended to read:

13 § 7725. Operation by persons under age sixteen.

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

23 (b) Operation of an ATV or a modified golf cart by persons
24 under eight years of age.--No person under eight years of age
25 shall operate an ATV or a modified golf cart upon State-owned
26 land.

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

30 (b.2) Operation of a snowmobile by persons under ten years

1 of age.--No person under ten years of age shall operate a
2 snowmobile upon State-owned land.

3 (c) Snowmobile, modified golf cart and ATV safety
4 certification.--No person 8 to 15 years of age shall operate an
5 ATV or a modified golf cart subject to registration under this
6 chapter, and no person between 10 and 15 years of age shall
7 operate a snowmobile in this Commonwealth unless the person
8 satisfies one of the following conditions:

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

12 (2) Is on land owned or leased by a parent or legal
13 guardian.

14 (3) Has received safety training as prescribed by the
15 department and has received the appropriate safety
16 certificate issued by the department.

17 (4) Holds an appropriate safety certificate issued under
18 the authority of another state or Province of Canada and
19 recognized by the department.

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

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

1 (f) Certification of snowmobile safety instructors.--The
2 department may certify snowmobile, modified golf cart or ATV
3 safety instructors to act as its agents in conducting classes
4 and examinations and issuing snowmobile, modified golf cart or
5 ATV safety certificates in its name.

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

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

26 (i) Cooperation with other organizations.--In implementing a
27 program which is established under this section, the department

1 shall cooperate with private organizations and associations,
2 private and public corporations, the Department of Education and
3 local governmental units. The department shall consult with
4 snowmobile, modified golf cart, ATV and environmental
5 organizations and associations in regard to subject matter of a
6 training program that leads to certification of snowmobile,
7 modified golf cart and ATV operators.

8 Section 13. Sections 7726, 7727, 7728, 7729, 7730, 7741,
9 7742, 7743, 7751(b) and (d) and 7752(d) of Title 75 are amended
10 to read:

11 § 7726. Operation in safe manner.

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

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

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

19 (3) While under the influence of alcohol or any
20 controlled substance.

21 (b) Permitting unsafe operation.--No owner or other person
22 having charge or control of a snowmobile, a modified golf cart
23 or an ATV shall knowingly authorize or permit the operation of
24 the snowmobile, modified golf cart or ATV by any person who is
25 incapable to do so by reason of age, physical or mental
26 disability, or who is under the influence of alcohol or any
27 controlled substance.

28 (c) Operation on highways and streets open to snowmobiles,
29 modified golf carts or ATV's and vehicular traffic.--No person
30 shall operate a snowmobile, modified golf cart or ATV in any of

1 the following ways on highways and streets open to snowmobiles,
2 modified golf carts or ATV's and vehicular traffic:

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

5 (2) Ride two snowmobiles, modified golf carts or ATV's
6 abreast. Snowmobiles, modified golf carts and ATV's shall be
7 operated in single file except when overtaking another
8 vehicle. The driver of any vehicle overtaking another vehicle
9 proceeding in the same direction shall pass at a safe
10 distance to the left thereof, until safely clear of such
11 overtaken vehicle. Nothing in this section shall be construed
12 to prohibit a driver overtaking the passing upon the right of
13 another vehicle which is making or about to make a left turn.
14 The driver of a vehicle shall not drive to the left side of
15 the center of a highway in overtaking or passing another
16 vehicle proceeding in the same direction, unless the left
17 side is clearly visible and is free of oncoming traffic for a
18 sufficient distance ahead to permit the overtaking or passing
19 to be made in safety.

20 (3) Turn to the right or left at an intersection or stop
21 or decrease speed at an intersection without signaling as
22 stated in this paragraph. The driver shall extend his hand
23 and arm from the left side of the vehicle in the following
24 manner to indicate as stated:

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

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

30 (iii) Stop or decrease speed, either the left or

1 right hand and arm extended upward.

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

5 (5) Without a securely fastened helmet on the head of an
6 individual who operates or is a passenger on a snowmobile or
7 ATV or who is being towed or otherwise propelled by a
8 snowmobile. The department shall specify the types of helmets
9 allowed through rules and regulations.

10 § 7727. Additional limitations on operation.

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

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

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

18 § 7728. Accidents and accident reports.

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

1 (b) Report of accident to department.--The operator of any
2 snowmobile, modified golf cart or ATV involved in any accident
3 resulting in injuries to or death of any person or resulting in
4 property damage to the estimated amount of \$100 or more shall,
5 within seven days after such accident, report the matter in
6 writing to the department. If the operator is physically
7 incapable of making the report and there is another participant
8 in the accident not so incapacitated, the participant shall make
9 the report within the prescribed period of time after the
10 accident. In the event that there is no other participant and
11 the operator is other than the owner, then the owner shall
12 within the prescribed period of time, after learning of the
13 facts of such accident, report the matter to the department,
14 together with such information as may have come to his knowledge
15 relating to such accident. Every operator or owner of a
16 snowmobile, a modified golf cart or an ATV in an accident, or
17 surviving participant of any such accident, shall make such
18 other and additional reports as the department shall require.

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

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

29 § 7729. Liability of owner for negligence.

30 (a) General rule.--Negligence in the use or operation of a

1 snowmobile, a modified golf cart or an ATV is attributable to
2 the owner. Every owner of a snowmobile, a modified golf cart or
3 an ATV used or operated in this Commonwealth shall be liable and
4 responsible for death or injury to person or damage to property
5 resulting from negligence in the use or operation of such
6 snowmobile, modified golf cart or ATV by any person using or
7 operating the snowmobile, modified golf cart or ATV with the
8 permission, express or implied, of such owner.

9 (b) Exception.--The negligence of the operator shall not be
10 attributed to the owner as to any claim or cause of action
11 accruing to the operator or his legal representative for such
12 injuries or death.

13 § 7730. Liability insurance.

14 (a) Requirement.--A snowmobile, modified golf cart or ATV
15 for which registration is required under this chapter shall have
16 liability insurance coverage for the snowmobile, modified golf
17 cart or ATV issued by an insurance carrier authorized to do
18 business in this Commonwealth. This subsection does not apply to
19 limited registrations.

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

1 damage.

2 (c) Owner's responsibility.--No owner of a snowmobile,
3 modified golf cart or ATV shall operate or permit the same to be
4 operated without having in full force and effect liability
5 insurance coverage required by this section. The operator of a
6 snowmobile, modified golf cart or ATV shall carry proof of
7 insurance on his person or on the snowmobile, modified golf cart
8 or ATV when it is in operation.

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

14 § 7741. Head lamps and tail lamps.

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

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

28 (1) If the snowmobile, modified golf cart or ATV is
29 equipped with a multiple beam head lamp, the upper beam shall
30 meet the minimum requirements set forth in this section and

1 the lowermost beam shall be so aimed and of sufficient
2 intensity to reveal persons and vehicles at a distance of at
3 least 50 feet ahead.

4 (2) If the snowmobile, modified golf cart or ATV is
5 equipped with a single beam head lamp, the lamp shall be so
6 aimed that when the vehicle is loaded none of the high
7 intensity portion of the light, at a distance of 75 feet
8 ahead, projects higher than the level of the center of the
9 lamp from which it comes.

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

13 § 7742. Brakes.

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

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

29 § 7743. Mufflers and noise control.

30 (a) General rule.--It is unlawful to operate a snowmobile, a

1 modified golf cart or an ATV which is not equipped at all times
2 with a muffler in good working order which blends the exhaust
3 noise into the overall snowmobile, modified golf cart or ATV
4 noise and is in constant operation to prevent excessive or
5 unusual noise. The exhaust system shall not emit or produce a
6 sharp popping or crackling sound. The sound intensity produced
7 by a snowmobile shall not exceed 82dbA when measured in
8 accordance with SAE Recommended Practice J 192 Exterior Sound
9 Level for Snowmobiles, as amended. The department may by
10 regulation adopt more stringent noise requirements for
11 snowmobiles. The department shall by regulation adopt noise
12 requirements for in-use operation of ATV's using measurement
13 procedures in accordance with ANSI/SAE Recommended Practice J
14 1287 March 1982, Measurement of Exhaust Level of Stationary
15 Motorcycles. The sound level intensity produced by an ATV shall
16 not exceed 99dbA, or decibels, when measured at 20 inches.

17 (b) Modified mufflers prohibited.--It is unlawful to modify
18 a muffler or to operate a snowmobile, a modified golf cart or an
19 ATV with a modified muffler so as to increase the sound level of
20 the snowmobile, modified golf cart or ATV above the level
21 allowed by this section.

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

24 § 7751. Enforcement personnel and procedures.

25 * * *

26 (b) Forms and procedures.--The department may prescribe the
27 form of summons or complaint, or both, in all cases involving a
28 violation of any provision of this chapter or of any ordinance,
29 rule or regulation relating to snowmobiles, modified golf carts
30 or ATV's, or of any class or category of such cases, and may

1 establish procedures for proper administrative controls over the
2 disposition thereof.

3 * * *

4 (d) Rules and regulations.--The department may promulgate
5 such rules and regulations as may be deemed necessary to
6 accomplish the purposes and enforce the provisions of this
7 section including requirements for reporting by trial courts
8 having jurisdiction over snowmobile, modified golf cart and ATV
9 violations.

10 § 7752. Penalties for violation of chapter.

11 * * *

12 (d) Registration.--

13 (1) A person who violates section 7711.1 (relating to
14 registration of snowmobile, modified golf cart or ATV) or
15 7711.2 (relating to limited registration of snowmobile, modified golf cart or ATV) by failing to obtain the required
16 registration certificate or limited registration certificate
17 commits a summary offense and shall, upon conviction, be
18 sentenced to pay a fine of \$300 or to be imprisoned for 90
19 days, or both, and costs of prosecution. Proceedings for a
20 summary offense under this paragraph must be commenced within
21 60 days after commission of the alleged offense or within 60
22 days after discovery of the commission of the offense or the
23 identity of the offender, whichever is later.

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

30 (3) A person who violates section 7711.1 by failing to

1 properly display the required expiration sticker or by
2 failing to carry the required registration certificate
3 commits a summary offense and shall, upon conviction, be
4 sentenced to pay a fine of \$50 and costs of prosecution.
5 Section 14. This act shall take effect in 60 days.