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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1347 Session of  
2017

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INTRODUCED BY HANNA, LONGIETTI, SANKEY, WARREN AND MOUL,  
MAY 8, 2017

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REFERRED TO COMMITTEE ON TRANSPORTATION, MAY 8, 2017

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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. Chapter 77 heading and section 7701 of Title 75  
7 of the Pennsylvania Consolidated Statutes are amended to read:

8 CHAPTER 77

9 SNOWMOBILES, MODIFIED GOLF CARTS

10 AND ALL-TERRAIN VEHICLES

11 § 7701. Short title of chapter.

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

14 Section 2. The definition of "dealer" in section 7702 of  
15 Title 75 is amended and the section is amended by adding a  
16 definition to read:

17 § 7702. Definitions.

18 The following words and phrases when used in this chapter

1 shall have, unless the context clearly indicates otherwise, the  
2 meanings given to them in this section:

3 \* \* \*

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

9 \* \* \*

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

13 (1) Carry two or more persons.

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

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

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

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

20 \* \* \*

21 Section 3. Section 7706 of Title 75, amended July 20, 2016  
22 (P.L.837, No.97), is amended to read:

23 § 7706. Restricted accounts.

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

25 (1) The ATV Management Restricted Account and the  
26 Snowmobile Management Restricted Account are established in  
27 the State Treasury. The department shall deposit the  
28 following into the appropriate restricted account:

29 (i) all moneys received from the registration of and  
30 issuance of certificates of title for snowmobiles,

1 modified golf carts and ATV's and from the issuance of  
2 vintage snowmobile permits;

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

6 (iii) all fines, penalties, fees and costs assessed  
7 and collected as a result of enforcement activities  
8 conducted by the department's law enforcement personnel  
9 under this chapter related to violations attributed to  
10 ATV's shall be deposited in the ATV Management Restricted  
11 Account;

12 (iv) all fines, penalties, fees and costs assessed  
13 and collected as a result of enforcement activities  
14 conducted by the department's law enforcement personnel  
15 under this chapter related to violations attributed to  
16 snowmobiles shall be deposited in the Snowmobile  
17 Management Restricted Account; [and]

18 (iv.1) all fines, penalties, fees and costs assessed  
19 and collected as a result of enforcement activities  
20 conducted by the department's law enforcement personnel  
21 under this chapter related to violations attributed to  
22 modified golf carts shall be deposited in the Modified  
23 Golf Cart Account; and

24 (v) all refunds of gas taxes generated under section  
25 9017(d.1) (relating to refunds) shall be deposited in the  
26 two restricted accounts on a proportional basis of the  
27 activity that generated those taxes.

28 (2) The department shall draw moneys from the respective  
29 restricted accounts for use in performing any activities  
30 necessary to carry out the purposes of this chapter,

1 including registration and certificate of title activities,  
2 training, education, enforcement activities, construction and  
3 maintenance of snowmobile, modified golf cart and ATV trails  
4 and acquisition of equipment, supplies and interests in land.  
5 All moneys deposited in these accounts shall remain in them  
6 to be used as specified in this section. With the exception  
7 of trails used by [both] snowmobiles, modified golf carts and  
8 ATV's, under no circumstances shall the department expend any  
9 moneys from the accounts except for the activity that  
10 generated those accounts.

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

18 (b) Grant-in-aid.--The department shall, upon written  
19 application and subsequent approval, grant money from the  
20 restricted accounts:

21 (1) To municipalities, profit and nonprofit  
22 organizations in connection with snowmobile, modified golf  
23 cart and ATV use on lands not owned by the Commonwealth for  
24 the following:

25 (i) Plans, specifications and engineering surveys.

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

28 (iii) Land acquisition.

29 (iv) Construction, maintenance and rehabilitation of  
30 trails and other facilities for snowmobiles, modified

1           golf carts and ATV's.

2           (2) To municipalities and profit and nonprofit  
3 organizations for equipment, training and education  
4 activities relating to snowmobile, modified golf cart and ATV  
5 use.

6           (3) To profit and nonprofit organizations for the  
7 maintenance, rehabilitation and construction of snowmobile  
8 and ATV trails on land owned by the Commonwealth.

9           (b.1) Regulations.--No later than 60 days from the effective  
10 date of this subsection, the department shall promulgate  
11 regulations necessary to implement the provisions of subsection  
12 (b). The department shall promulgate the regulations in a manner  
13 that is separate from regulations pertaining to any other grant  
14 program administered by the department. The department's  
15 regulations shall include a semiannual approval grant process.

16           (c) Audit of moneys.--The restricted accounts shall be  
17 audited every two years. Copies of the audit shall be provided  
18 to the Snowmobile, Modified Golf Cart and ATV Advisory  
19 Committee, the Appropriations Committee of the Senate and the  
20 Appropriations Committee of the House of Representatives. Copies  
21 shall also be posted and maintained on the department's publicly  
22 accessible Internet website.

23           (d) Annual report.--An annual report on income and  
24 expenditures from the restricted accounts shall be posted and  
25 maintained on the department's publicly accessible Internet  
26 website and provided to the Appropriations Committee of the  
27 Senate and the Appropriations Committee of the House of  
28 Representatives.

29           (e) Definition.--For purposes of this section, "all-terrain  
30 vehicle" or "ATV" shall also include any self-propelled vehicle

1 which is manufactured for sale or operation primarily on off-  
2 highway trails or off-highway competition and only incidentally  
3 operated on public highways. This term shall not include a  
4 snowmobile or other self-propelled vehicles manufactured for  
5 off-highway use exclusively designed for travel on snow or ice,  
6 steered by skis or runners and supported in whole or in part by  
7 one or more skis, belts or cleats which utilize an endless belt  
8 tread.

9 Section 4. Sections 7711(a) and (e), 7711.1, 7711.2, 7712.1,  
10 7712.2, 7712.3, 7712.5(c), 7712.6(a) and (b), 7712.7(a) and (c),  
11 7712.8(a), (b) and (c), 7712.9(a) and (b), 7712.10, 7712.12(a),  
12 7712.13, 7715.1(a), 7715.2 and 7716 of Title 75 are amended to  
13 read:

14 § 7711. Registration of dealers.

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

21 \* \* \*

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

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

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

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

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

8 § 7711.1. Registration of snowmobile, modified golf cart or  
9 ATV.

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

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

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

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

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

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

27 (b) Issuance.--Upon receipt of an application therefor upon  
28 a form prescribed and furnished by the department which shall  
29 contain information reasonably required by the department and  
30 which shall be accompanied by the required fee, the department

1 shall issue to the owner of a snowmobile, modified golf cart or  
2 ATV:

3 (1) A biennial registration certificate containing the  
4 registration number for the snowmobile, modified golf cart or  
5 ATV and the expiration date of the registration.

6 (2) A registration decal displaying the registration  
7 number for a snowmobile or a modified golf cart or a  
8 registration plate displaying the registration number for an  
9 ATV.

10 (3) A biennial expiration sticker displaying the  
11 expiration date of the registration.

12 (c) Temporary registration.--Temporary registration for a  
13 period not to exceed 45 days may be issued by a dealer as  
14 prescribed by the department. Proof of temporary registration  
15 shall be carried and displayed as prescribed by the department.

16 (d) Expiration of registration.--

17 (1) Except as provided in paragraph (2), a registration  
18 certificate and an expiration sticker shall expire effective  
19 the day after the expiration date appearing on the  
20 registration certificate and expiration sticker.

21 (2) Upon transfer of ownership of a snowmobile, modified  
22 golf cart or ATV during a registration period, the  
23 registration certificate and expiration sticker shall expire.  
24 The transferor shall, within 15 days from the date of  
25 transfer, return to the department the registration  
26 certificate with the date of transfer and the name and  
27 address of the new owner endorsed on the back. If the  
28 transferor applies for registration of a different  
29 snowmobile, modified golf cart or ATV and pays the required  
30 transfer fee, the transferor may be issued in the name of the



1 transferor a registration certificate and expiration sticker  
2 for that snowmobile, modified golf cart or ATV for the  
3 remainder of the registration period without payment of a  
4 registration fee. The registration decal or plate shall not  
5 be removed from a snowmobile, modified golf cart or ATV upon  
6 transfer to the new owner and is invalid until the new owner  
7 is issued a registration certificate or limited registration  
8 certificate for the snowmobile, modified golf cart or ATV.

9 (3) An expired general registration certificate and an  
10 expired expiration sticker are invalid.

11 (e) Suspension or revocation.--If a person violates this  
12 chapter or is convicted of any offense under this chapter, the  
13 department may suspend or revoke a registration certificate and  
14 an expiration sticker. A suspended or revoked registration  
15 certificate or expiration sticker is invalid.

16 (f) Exemptions from registration.--Subsection (a) does not  
17 apply if:

18 (1) The snowmobile, modified golf cart or ATV is owned  
19 by or in the possession of a dealer who has been issued a  
20 dealer registration certificate, dealer registration plates  
21 and dealer plate registration cards under section 7711  
22 (relating to registration of dealers), the dealer is in  
23 compliance with section 7711 and the snowmobile, modified  
24 golf cart or ATV is used in accordance with section 7711.

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

30 (3) The snowmobile, modified golf cart or ATV is

1 operated on land owned or leased by the owner or operator of  
2 the snowmobile, modified golf cart or ATV and [it] is not  
3 operated elsewhere within this Commonwealth.

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

10 (5) The snowmobile is a vintage snowmobile.

11 (6) The modified golf cart is used for the  
12 transportation of persons engaged in the game of golf on a  
13 public or private golf course or across a public highway  
14 during a game of golf and is not otherwise operated in a  
15 manner requiring registration.

16 § 7711.2. Limited registration of snowmobile, modified golf  
17 cart or ATV.

18 (a) General rule.--It is unlawful for a person to operate or  
19 for an owner to permit another person to operate a snowmobile,   
20 modified golf cart or ATV identified in section 7711.1(f) (3)  
21 (relating to registration of snowmobile, modified golf cart or  
22 ATV) unless:

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

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

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

30 (b) Issuance.--Upon receipt of an application therefor upon

1 a form prescribed and furnished by the department which shall  
2 contain information reasonably required by the department, the  
3 department shall issue to the owner of a snowmobile, modified  
4 golf cart or ATV for which limited registration is required  
5 under subsection (a):

6 (1) A limited registration certificate containing the  
7 registration number for the snowmobile, modified golf cart or  
8 ATV.

9 (2) A registration decal displaying the registration  
10 number for a snowmobile or modified golf cart or a  
11 registration plate displaying the registration number for an  
12 ATV.

13 (c) Temporary limited registration.--Temporary limited  
14 registration for a period not to exceed 45 days may be issued by  
15 a dealer as prescribed by the department. Proof of temporary  
16 limited registration shall be displayed as prescribed by the  
17 department.

18 (d) Transfer of ownership.--Upon transfer of ownership of a  
19 snowmobile, modified golf cart or ATV for which a limited  
20 registration certificate has been issued, the limited  
21 registration certificate shall become invalid. The transferor  
22 shall, within 15 days from the date of transfer, return to the  
23 department the limited registration certificate with the date of  
24 transfer and the name and address of the new owner endorsed on  
25 the back. The registration decal or plate shall not be removed  
26 from the snowmobile, modified golf cart or ATV upon transfer to  
27 the new owner and is invalid until the new owner obtains a  
28 registration certificate or limited registration certificate for  
29 the snowmobile, modified golf cart or ATV.

30 (e) Suspension or revocation.--If a person violates this

1 chapter or is convicted of any offense under this chapter, the  
2 department may suspend or revoke a limited registration  
3 certificate. A suspended or revoked limited registration  
4 certificate is invalid.

5 § 7712.1. Certificate of title for snowmobile, modified golf  
6 cart or ATV.

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

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

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

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

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

21 (4) A snowmobile, modified golf cart or ATV owned by a  
22 nonresident of this Commonwealth and not required by law to  
23 be registered in this Commonwealth.

24 (5) A snowmobile, modified golf cart or ATV owned by a  
25 resident of this Commonwealth and required by law to be  
26 registered in another state, based and used principally  
27 outside of this Commonwealth and not required by law to be  
28 registered in this Commonwealth.

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

30 (i) the transportation of persons engaged in the

1 game of golf on a public or private golf course or across  
2 a public highway during a game of golf; or  
3 (ii) transportation on land owned or leased by the  
4 owner or operator of the modified golf cart.

5 (c) Contents of application.--Application for a certificate  
6 of title shall be made upon a form prescribed and furnished by  
7 the department and shall contain a full description of the  
8 snowmobile, modified golf cart or ATV, date of purchase, the  
9 name and address of the owner, a statement of the title of  
10 applicant, together with any other information or documents the  
11 department requires to identify the snowmobile, modified golf  
12 cart or ATV and to enable the department to determine whether  
13 the owner is entitled to a certificate of title.

14 (d) Signing and filing of application.--Application for a  
15 certificate of title shall be made within 15 days of the sale or  
16 transfer of a snowmobile, modified golf cart or ATV or its entry  
17 into this Commonwealth from another jurisdiction, whichever is  
18 later. The application shall be accompanied by the required fee  
19 and any tax payable by the applicant under the laws of this  
20 Commonwealth in connection with the acquisition or use of a  
21 snowmobile, modified golf cart or ATV or evidence to show that  
22 the tax has been paid or collected. The application shall be  
23 signed and verified by oath or affirmation by the applicant if a  
24 natural person; in the case of an association or partnership, by  
25 a member or a partner; and in the case of a corporation, by an  
26 executive officer or person specifically authorized by the  
27 corporation to sign the application.

28 (g) Registration without certificate of title prohibited.--  
29 Except as provided in subsection (b), the department shall not  
30 issue a registration certificate or limited registration

1 certificate for a snowmobile, modified golf cart or ATV or a  
2 vintage snowmobile permit for a vintage snowmobile unless a  
3 certificate of title has been issued by the department to the  
4 owner or an application for a certificate of title has been  
5 delivered by the owner to the department.

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

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

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

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

16 (4) The application contains a false or fraudulent  
17 statement.

18 (5) The applicant has failed to furnish required  
19 information or documents or any additional information the  
20 department reasonably requires.

21 (j) Transfer of ownership of snowmobile, modified golf cart  
22 or ATV.--

23 (1) Upon the sale or transfer of ownership of a  
24 snowmobile, modified golf cart or ATV within this  
25 Commonwealth, the owner shall execute an assignment and  
26 warranty of title to the transferee in the space provided on  
27 the certificate of title or as the department prescribes,  
28 sworn to before a notary public or other officer empowered to  
29 administer oaths, and deliver the certificate to the  
30 transferee at the time of the delivery of the snowmobile, modified golf cart

1 modified golf cart or ATV.

2 (2) Except as otherwise provided in section 7715.1  
3 (relating to snowmobile, modified golf cart or ATV purchased  
4 from dealer), the transferee shall, within 15 days of the  
5 assignment of the certificate of title, apply for a new title  
6 by forwarding to the department the certificate of title  
7 executed as required by paragraph (1), a properly completed  
8 application for certificate of title, sworn to before a  
9 notary public or other officer empowered to administer oaths,  
10 and such other forms as the department may require.

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

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

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

17 § 7712.2. Transfer to or from dealer.

18 (a) Transfer to dealer.--If a dealer acquires a snowmobile,  
19 modified golf cart or ATV for the purpose of resale, a  
20 certificate of title need not be applied for as provided for in  
21 section 7712.1 (relating to certificate of title for snowmobile,  
22 modified golf cart or ATV), but the dealer shall, within seven  
23 days from the date of acquisition, forward to the department,  
24 upon a form prescribed and furnished by the department,  
25 notification of the acquisition of the snowmobile, modified golf  
26 cart or ATV.

27 (b) Execution and display of notice of transfer.--A dealer  
28 making notification pursuant to subsection (a) shall execute at  
29 least three copies of the notification, the original of which  
30 shall be forwarded to the department, one copy to accompany the

1 snowmobile, modified golf cart or ATV in any subsequent transfer  
2 and one copy to be retained by the dealer for at least one year  
3 after a subsequent transfer, to be exhibited, with the assigned  
4 certificate of title, upon request of a police officer or  
5 authorized department employee.

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

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

12 (2) The transferee shall complete the application for  
13 certificate of title in the name of the transferee, sworn to  
14 before a notary public or other officer empowered to  
15 administer oaths.

16 (3) The dealer shall forward to the department the  
17 certificate of title executed as required by paragraph (1), a  
18 properly completed application for certificate of title and  
19 such other forms as the department may require within 15 days  
20 of the transfer.

21 (d) Exception for repossessed snowmobiles, modified golf  
22 carts or ATV's.--This section does not apply to a snowmobile,  
23 modified golf cart or ATV repossessed upon default of  
24 performance of a lease, contract of conditional sale or similar  
25 agreement.

26 (e) Penalty and suspension or revocation of dealer  
27 registration.--A dealer who violates this section commits a  
28 summary offense and shall, upon conviction, be sentenced to pay  
29 a fine of \$50. If a dealer violates this section, the department  
30 may suspend or revoke the registration issued under section 7711



1 (relating to registration of dealers).

2 § 7712.3. Transfer of snowmobile, modified golf cart or ATV by  
3 operation of law.

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

15 (b) Transfer to surviving spouse.--Transfer of a certificate  
16 of title to a surviving spouse, or a person designated by the  
17 spouse, may be made without the necessity of filing for letters  
18 of administration, notwithstanding the fact that there are minor  
19 children surviving the decedent, if the surviving spouse files  
20 an affidavit that all debts of the decedent have been paid.

21 (c) Surrender of certificate.--A person holding a  
22 certificate of title, whose interest in a snowmobile, modified  
23 golf cart or ATV has been extinguished or transferred other than  
24 by voluntary transfer, shall immediately surrender the  
25 certificate of title to the person to whom the right to  
26 possession of the snowmobile, modified golf cart or ATV has  
27 passed. Upon request of the department, such person shall mail  
28 or deliver the certificate to the department. Delivery of the  
29 certificate pursuant to the request of the department does not  
30 affect the rights of the person surrendering the certificate.

1 § 7712.5. Issuance of new certificate following transfer.

2 \* \* \*

3 (c) Filing and retention of surrendered certificate.--The  
4 department shall file and retain for five years a surrendered  
5 certificate of title, or a copy, in such a manner as to permit  
6 the tracing of title of the snowmobile, modified golf cart or  
7 ATV.

8 § 7712.6. Suspension and cancellation of certificate of title.

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

14 (b) Snowmobile, modified golf cart or ATV sold to  
15 nonresidents.--The department may cancel a certificate of title  
16 for a snowmobile, modified golf cart or ATV sold to a resident  
17 of another state or foreign country if the snowmobile, modified  
18 golf cart or ATV is to be registered in the other jurisdiction.

19 \* \* \*

20 § 7712.7. Application for certificate of title by agent.

21 (a) Authorization to apply.--No person may apply for a  
22 certificate of title on behalf of another person unless  
23 authorization to do so is in effect and is verified by oath or  
24 affirmation of the other person, made, except as between lessors  
25 and fleet owners as lessees, not more than 15 days before the  
26 application is received by the department. A lessor may  
27 authorize a fleet owner to apply for a certificate of title for  
28 a leased snowmobile, modified golf cart or ATV for a period of  
29 up to one year.

30 \* \* \*

1 (c) Persons authorized to hold certificate.--No person may  
2 receive, obtain or hold a certificate of title recorded in the  
3 name of another person for the other person who is not in the  
4 regular employ of, or not a member of the family of, the other  
5 person, unless the person receiving, obtaining or holding the  
6 certificate of title has a valid undischarged security interest  
7 recorded in the department against the snowmobile, modified golf  
8 cart or ATV represented by the certificate of title.

9 \* \* \*

10 § 7712.8. Perfection of security interest in a snowmobile, modified golf cart or ATV.  
11

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

21 (b) Snowmobiles, modified golf carts or ATV's without  
22 Pennsylvania certificate of title.--If an owner creates a  
23 security interest in a snowmobile, modified golf cart or ATV for  
24 which a certificate of title has not been issued by the  
25 department, the owner shall, at the request of the secured  
26 party, promptly execute an application for a certificate of  
27 title on a form prescribed by the department showing the name  
28 and address of the secured party. The owner shall tender the  
29 application, the existing certificate of title, if any, and the  
30 required fee to the department. A security interest in a

1 snowmobile, modified golf cart or ATV is perfected at the time  
2 that such application, existing certificate of title, if any,  
3 and required fee are received by the department.

4 (c) Snowmobiles, modified golf carts or ATV's with  
5 Pennsylvania certificate of title.--If an owner creates a  
6 security interest in a snowmobile, modified golf cart or ATV for  
7 which a certificate of title has been issued by the department,  
8 the owner shall, at the request of the secured party, promptly  
9 execute an application on a form prescribed by the department  
10 showing the name and address of the secured party. The owner  
11 shall tender the certificate of title, together with the  
12 application and the required fee, to the department. A security  
13 interest in a snowmobile, modified golf cart or ATV is perfected  
14 at the time such application, certificate of title and required  
15 fee are received by the department.

16 \* \* \*

17 § 7712.9. Satisfaction of security interest.

18 (a) Satisfaction of secured obligation.--Unless otherwise  
19 agreed by the owner, within 15 days of the satisfaction of the  
20 obligation secured by a security interest in a snowmobile, modified golf cart or ATV, the secured party shall mail or  
21 deliver the certificate of title to the owner or to the  
22 department with a statement of satisfaction signed by the  
23 secured party. Upon receipt of the certificate of title and  
24 statement of satisfaction, the department shall issue a  
25 corrected certificate of title without an indorsement of such  
26 secured party's security interest and mail the same to the  
27 holder of the first remaining security interest or, if there is  
28 no remaining security interest, the owner.

30 (b) Satisfaction of subordinate secured obligation.--If the

1 certificate of title for a snowmobile, modified golf cart or ATV  
2 is in the possession of a prior secured party, the subordinate  
3 secured party whose obligation is satisfied shall mail or  
4 deliver to the owner a signed statement of satisfaction in  
5 accordance with subsection (a). Upon request of the owner and  
6 receipt of the statement of satisfaction, the secured party in  
7 possession of the certificate of title shall mail or deliver the  
8 certificate of title, together with the statement of  
9 satisfaction, to the department. Upon receipt of the certificate  
10 of title and evidence of satisfaction, the department shall  
11 issue a corrected certificate of title without an indorsement of  
12 the satisfied security interest and mail the same to the prior  
13 secured party.

14 \* \* \*

15 § 7712.10. Release of security interest.

16 A secured party that releases a security interest in a  
17 snowmobile, modified golf cart or ATV shall mail or deliver the  
18 certificate of title to the owner with a statement of release  
19 signed by the secured party, or the secured party may apply to  
20 the department for a corrected certificate of title to be issued  
21 in the name of the owner. Upon receipt of the certificate of  
22 title and statement of release, the department shall issue a  
23 corrected certificate of title without an indorsement of such  
24 secured party and mail the same to the holder of the first  
25 remaining security interest or, if there is no remaining secured  
26 party, the owner.

27 § 7712.12. Assignment by secured party of security interest.

28 (a) General rule.--A secured party may assign, absolutely or  
29 otherwise, his security interest in a snowmobile, modified golf  
30 cart or ATV to a person other than the owner without affecting

1 the interest of the owner or the validity or perfection of the  
2 security interest.

3 \* \* \*

4 § 7712.13. Exemptions.

5 The provisions of this subchapter relating to procedures for  
6 perfecting, assigning and satisfying security interests do not  
7 apply to:

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

11 (2) a lien given by statute to the United States, the  
12 Commonwealth or any political subdivision of the  
13 Commonwealth;

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

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

20 § 7715.1. Snowmobile, modified golf cart or ATV purchased from  
21 dealer.

22 (a) General rule.--If a snowmobile, modified golf cart or  
23 ATV is purchased from a dealer, the dealer shall mail or deliver  
24 to the department an application for a registration certificate  
25 or limited registration certificate, an application for  
26 certificate of title, any other required forms and the required  
27 fees within 15 days of the date of purchase.

28 \* \* \*

29 § 7715.2. Fees.

30 (a) Fees.--Except as provided in subsection (b), the

1 department shall collect the following fees:

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

3 (2) Expiration sticker, \$20.

4 (2.1) Vintage snowmobile permit, \$20.

5 (3) Dealer registration, \$25.

6 (4) Replacement, due to loss or damage, of registration  
7 certificate, limited registration certificate, registration  
8 decal, registration plate, expiration sticker or vintage  
9 snowmobile permit, \$5.

10 (5) Transfer of registration pursuant to section 7711.1  
11 (relating to registration of snowmobile, modified golf cart  
12 or ATV), \$5.

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

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

17 (1) The Commonwealth.

18 (2) A political subdivision of this Commonwealth.

19 (3) A volunteer organization and used exclusively for  
20 emergency purposes.

21 § 7716. Records.

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

24 (1) The registration number for each snowmobile, modified golf cart  
25 modified golf cart and ATV for which a registration  
26 certificate or limited registration certificate is issued.

27 (2) The name and address of the owner of each  
28 snowmobile, modified golf cart and ATV for which a  
29 registration certificate or limited registration certificate  
30 is issued.

1 (3) The permit number for each vintage snowmobile for  
2 which a vintage snowmobile permit is issued.

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

5 Section 5. Section 7717(a) and (f) of Title 75, amended July  
6 20, 2016 (P.L.837, No.97), are amended to read:

7 § 7717. Snowmobile, Modified Golf Cart and ATV Advisory  
8 Committee.

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

12 \* \* \*

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

22 Section 6. Sections 7721, 7722 and 7724 of Title 75 are  
23 amended to read:

24 § 7721. Operation on streets and highways.

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

30 (b) Emergency and bridge crossings.--A snowmobile, a



1 modified golf cart or an ATV may be operated on highways and  
2 streets:

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

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

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

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

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

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

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

20 § 7722. Designation of snowmobile, modified golf cart and ATV  
21 roads.

22 (a) General rule.--The Department of Transportation on  
23 State-designated highways and local authorities on any highway,  
24 road or street within its jurisdiction may designate any  
25 highway, road or street within its jurisdiction as a snowmobile  
26 road, a modified golf cart road, an ATV road, or [both] a  
27 combination, and may, in its discretion, determine whether such  
28 road shall be closed to vehicular traffic or whether  
29 snowmobiles, modified golf carts and ATV's may share this  
30 designated road with vehicular traffic.

1 (b) Posting notices.--Adequate notices of such designation  
2 and determination shall be sufficiently and prominently  
3 displayed.

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

10 § 7724. Operation on private or State property.

11 (a) Private real property.--

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

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

25 (b) State property.--

26 (1) No person shall operate a snowmobile, a modified  
27 golf cart or an ATV on State-owned property except on clearly  
28 marked and previously designated snowmobile, modified golf  
29 cart or ATV routes or as expressly permitted by the  
30 Commonwealth.

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

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

14 (A) A person may operate a snowmobile on a road,  
15 trail or area that is designated and marked by the  
16 department as open for snowmobile use or on which the  
17 person has been given specific written permission to  
18 operate the snowmobile.

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

24 (C) A person may operate a Class II ATV on a  
25 road, trail or area if the person has been given  
26 specific written permission by the department to  
27 operate a Class II ATV on the road, trail or area.

28 (D) A person may operate a modified golf cart on  
29 a road, trail or area that is designated and marked  
30 by the department as open for modified golf cart use

1 or on which the person has been given specific  
2 written permission to operate the modified golf cart.

3 Section 7. Section 7725 of Title 75, amended November 3,  
4 2016 (P.L.1058, No.136), is amended to read:

5 § 7725. Operation by persons under age sixteen.

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

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

19 (b.1) ATV size restrictions.--No person shall operate an ATV  
20 bearing a certification label conforming to ANSI/SVIA 1 - 2010  
21 in violation of the age recommendation warning label affixed by  
22 the manufacturer. An ATV not bearing a certification label  
23 conforming to ANSI/SVIA 1 - 2010 operated in this Commonwealth  
24 by a person eight or nine years of age shall have an engine size  
25 of 70cc or less.

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

29 (c) Snowmobile, modified golf cart and ATV safety  
30 certification.--No person 8 to 15 years of age shall operate an

1 ATV or a modified golf cart subject to registration under this  
2 chapter, and no person between 10 and 15 years of age shall  
3 operate a snowmobile in this Commonwealth unless the person  
4 satisfies one of the following conditions:

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

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

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

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

16 (d) Failure to exhibit certificate.--Within five days of  
17 receiving notice of a violation of this section, a youthful  
18 operator shall present the appropriate safety certificate that  
19 was valid at the time of demand at the office of the issuing  
20 authority. Upon presentation of the safety certificate, the  
21 issuing authority shall dismiss the charge.

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

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

1 and examinations and issuing snowmobile, modified golf cart or  
2 ATV safety certificates in its name.

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

16 (h) Snowmobile, modified golf cart and ATV safety program.--  
17 The department shall implement a comprehensive snowmobile, modified golf cart and ATV information, safety education and  
18 modified golf cart and ATV information, safety education and  
19 training program which shall include the preparation and  
20 dissemination of information and safety advice to the public and  
21 training of operators. The program shall provide for the  
22 training of youthful operators and others who wish to receive  
23 training. It shall also provide for the issuance of snowmobile, modified golf cart or ATV safety certificates to those who  
24 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  
28 shall cooperate with private organizations and associations,  
29 private and public corporations, the Department of Education and  
30 local governmental units. The department shall consult with

1 snowmobile, modified golf cart, ATV and environmental  
2 organizations and associations in regard to subject matter of a  
3 training program that leads to certification of snowmobile,  
4 modified golf cart and ATV operators.

5 Section 8. Sections 7726, 7727, 7728, 7729, 7730, 7741 and  
6 7742 of Title 75 are amended to read:

7 § 7726. Operation in safe manner.

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

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

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

15 (3) While under the influence of alcohol or any  
16 controlled substance.

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

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

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

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

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

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

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

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

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



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

6 § 7727. Additional limitations on operation.

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

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

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

14 § 7728. Accidents and accident reports.

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

27       (b) Report of accident to department.--The operator of any  
28 snowmobile, modified golf cart or ATV involved in any accident  
29 resulting in injuries to or death of any person or resulting in  
30 property damage to the estimated amount of \$100 or more shall,

1 within seven days after such accident, report the matter in  
2 writing to the department. If the operator is physically  
3 incapable of making the report and there is another participant  
4 in the accident not so incapacitated, the participant shall make  
5 the report within the prescribed period of time after the  
6 accident. In the event that there is no other participant and  
7 the operator is other than the owner, then the owner shall  
8 within the prescribed period of time, after learning of the  
9 facts of such accident, report the matter to the department,  
10 together with such information as may have come to his knowledge  
11 relating to such accident. Every operator or owner of a  
12 snowmobile, a modified golf cart or an ATV in an accident, or  
13 surviving participant of any such accident, shall make such  
14 other and additional reports as the department shall require.

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

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

25 § 7729. Liability of owner for negligence.

26 (a) General rule.--Negligence in the use or operation of a  
27 snowmobile, a modified golf cart or an ATV is attributable to  
28 the owner. Every owner of a snowmobile, a modified golf cart or  
29 an ATV used or operated in this Commonwealth shall be liable and  
30 responsible for death or injury to person or damage to property

1 resulting from negligence in the use or operation of such  
2 snowmobile, modified golf cart or ATV by any person using or  
3 operating the snowmobile, modified golf cart or ATV with the  
4 permission, express or implied, of such owner.

5 (b) Exception.--The negligence of the operator shall not be  
6 attributed to the owner as to any claim or cause of action  
7 accruing to the operator or his legal representative for such  
8 injuries or death.

9 § 7730. Liability insurance.

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

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

28 (c) Owner's responsibility.--No owner of a snowmobile,   
29 modified golf cart or ATV shall operate or permit the same to be  
30 operated without having in full force and effect liability

1 insurance coverage required by this section. The operator of a  
2 snowmobile, modified golf cart or ATV shall carry proof of  
3 insurance on his person or on the snowmobile, modified golf cart  
4 or ATV when it is in operation.

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

10 § 7741. Head lamps and tail lamps.

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

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

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

30 (2) If the snowmobile, modified golf cart or ATV is

1 equipped with a single beam head lamp, the lamp shall be so  
2 aimed that when the vehicle is loaded none of the high  
3 intensity portion of the light, at a distance of 75 feet  
4 ahead, projects higher than the level of the center of the  
5 lamp from which it comes.

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

9 § 7742. Brakes.

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

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

25 Section 9. Section 7743 of Title 75, amended November 3,  
26 2016 (P.L.1058, No.136), is amended to read:

27 § 7743. Mufflers and sound control.

28 (a) General rule.--It is unlawful to operate a snowmobile, a  
29 modified golf cart or an ATV which is not equipped at all times  
30 with a muffler in good working order which blends the exhaust

1 sound into the overall snowmobile, modified golf cart or ATV  
2 sound and is in constant operation to prevent excessive or  
3 unusual noise. The exhaust system shall not emit or produce a  
4 sharp popping or crackling sound. The sound intensity produced  
5 by a snowmobile shall not exceed 82dbA when measured in  
6 accordance with SAE Recommended Practice J 192 Exterior Sound  
7 Level for Snowmobiles, as amended. The department may by  
8 regulation adopt more stringent noise requirements for  
9 snowmobiles. The department shall by regulation adopt noise  
10 requirements for in-use operation of ATV's using measurement  
11 procedures in accordance with ANSI/SAE Recommended Practice J  
12 1287 July 1998, Measurement of Exhaust Level of Stationary  
13 Motorcycles. The sound level intensity produced by an ATV  
14 manufactured before January 1, 1998, shall not exceed 99dbA, or  
15 decibels, when measured at 20 inches. The sound level intensity  
16 produced by an ATV manufactured on or after January 1, 1998,  
17 shall not exceed 96dbA, or decibels, when measured at 20 inches.

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

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

25 Section 10. Sections 7751(b) and (d) and 7752(d) of Title 75  
26 are amended to read:

27 § 7751. Enforcement personnel and procedures.

28 \* \* \*

29 (b) Forms and procedures.--The department may prescribe the  
30 form of summons or complaint, or both, in all cases involving a

1 violation of any provision of this chapter or of any ordinance,  
2 rule or regulation relating to snowmobiles, modified golf carts  
3 or ATV's, or of any class or category of such cases, and may  
4 establish procedures for proper administrative controls over the  
5 disposition thereof.

6 \* \* \*

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

13 § 7752. Penalties for violation of chapter.

14 \* \* \*

15 (d) Registration.--

16 (1) A person who violates section 7711.1 (relating to  
17 registration of snowmobile, modified golf cart or ATV) or  
18 7711.2 (relating to limited registration of snowmobile, modified golf cart or ATV) by failing to obtain the required  
19 registration certificate or limited registration certificate  
20 commits a summary offense and shall, upon conviction, be  
21 sentenced to pay a fine of \$300 or to be imprisoned for 90  
22 days, or both, and costs of prosecution. Proceedings for a  
23 summary offense under this paragraph must be commenced within  
24 60 days after commission of the alleged offense or within 60  
25 days after discovery of the commission of the offense or the  
26 identity of the offender, whichever is later.

27  
28 (2) A person who violates section 7711.1 or 7711.2 by  
29 failing to properly display the required registration decal  
30 or plate commits a summary offense and shall, upon

1 conviction, be sentenced to pay a fine of \$50 and costs of  
2 prosecution.

3 (3) A person who violates section 7711.1 by failing to  
4 properly display the required expiration sticker or by  
5 failing to carry the required registration certificate  
6 commits a summary offense and shall, upon conviction, be  
7 sentenced to pay a fine of \$50 and costs of prosecution.  
8 Section 11. This act shall take effect in 60 days.