

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

HOUSE BILL

No. 154      Session of  
2001

---

INTRODUCED BY PHILLIPS, ROSS, FORCIER, SAYLOR, BARD, FAIRCHILD,  
GEIST, HESS, LEH, MAHER, MARKOSEK, MARSICO, McCALL, MCGILL,  
PIPPY, STAIRS AND WATSON, JANUARY 29, 2001

---

SENATOR MADIGAN, TRANSPORTATION, IN SENATE, AS AMENDED,  
APRIL 24, 2001

---

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, adding definitions; further providing for penalties  
3 for persons who violate pedestrian right-of-way in  
4 crosswalks; providing for maintenance of certain pedestrian  
5 crosswalks and for enforcement of summary offenses in State  
6 park and forest lands; and further providing for snowmobiles  
7 and all-terrain vehicles.

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

10 Section 1. Section 102 of Title 75 of the Pennsylvania  
11 Consolidated Statutes is amended by adding definitions to read:

12 § 102. Definitions.

13 Subject to additional definitions contained in subsequent  
14 provisions of this title which are applicable to specific  
15 provisions of this title, the following words and phrases when  
16 used in this title shall have, unless the context clearly  
17 indicates otherwise, the meanings given to them in this section:

18 \* \* \*

19 "Transfer." To change ownership by purchase, gift or any

1 other means.

2 "Transferee." A person to whom ownership of a motor vehicle  
3 is transferred, by purchase, gift or any means other than by the  
4 creation of a security interest, and any person who, as agent,  
5 signs an odometer disclosure statement for the transferee.

6 "Transferor." A person who transfers his ownership of a  
7 motor vehicle by sale, gift or any means other than by the  
8 creation of a security interest, and any person who, as agent,  
9 signs an odometer disclosure statement for the transferor.

10 \* \* \*

11 Section 2. Sections 3113 and 3542 of Title 75 are amended to  
12 read:

13 § 3113. Pedestrian-control signals.

14 (a) General rule.--Whenever special pedestrian-control  
15 signals exhibiting words or symbols are in place, the signals  
16 shall indicate as follows:

17 (1) Word "Walk" or walking person symbol.--Pedestrians  
18 facing the signal should proceed across the roadway in the  
19 direction of the signal and shall be given the right-of-way  
20 by the drivers of all vehicles.

21 (2) Phrase "Don't Walk" or upraised hand symbol.--  
22 Pedestrians should not start to cross the roadway in the  
23 direction of the signal, but any pedestrian who has partially  
24 completed his crossing on the "Walk" signal should proceed to  
25 a sidewalk or safety zone while the "Don't Walk" signal is  
26 showing.

27 (3) Flashing "Walk".--Pedestrians facing the signal are  
28 cautioned that there is possible hazard from turning  
29 vehicles, but pedestrians may proceed across the roadway in  
30 the direction of the signal and shall be given the right-of-

1 way by the drivers of all vehicles.

2 (4) Flashing "Don't Walk" Signal.--Pedestrians should  
3 not start to cross the roadway in the direction of the  
4 signal, but any pedestrian who has partly completed crossing  
5 during the "Walk" signal should proceed to a sidewalk or  
6 safety zone, and all drivers of vehicles shall yield to the  
7 pedestrian.

8 (b) Local regulation.--This section does not prohibit a  
9 municipality from establishing a summary offense for violation  
10 of subsection (a)(2) or (4).

11 (c) Penalties.--The driver of a vehicle who violates  
12 subsection (a) commits a summary offense and, upon conviction,  
13 shall be sentenced to pay a fine of \$100.

14 § 3542. Right-of-way of pedestrians in crosswalks.

15 (a) General rule.--When traffic-control signals are not in  
16 place or not in operation, the driver of a vehicle shall yield  
17 the right-of-way to a pedestrian crossing the roadway within any  
18 marked crosswalk or within any unmarked crosswalk at an  
19 intersection.

20 (b) Exercise of care by pedestrian.--No pedestrian shall  
21 suddenly leave a curb or other place of safety and walk or run  
22 into the path of a vehicle which is so close as to constitute a  
23 hazard.

24 (c) Limitation on vehicles passing.--Whenever any vehicle is  
25 stopped at any crosswalk at an intersection or at any marked  
26 crosswalk to permit a pedestrian to cross the roadway, the  
27 driver of any other vehicle approaching from the rear shall not  
28 overtake and pass the stopped vehicle.

29 (d) Application of section.--Subsection (a) does not apply  
30 under the conditions stated in section 3543(b) (relating to

1 pedestrians crossing at other than crosswalks).

2 (e) Penalties.--The driver of a vehicle who violates  
3 subsection (a) commits a summary offense and shall, upon  
4 conviction, be sentenced to pay a fine of \$100.

5 Section 3. Title 75 is amended by adding sections to read:

6 § 6129. Maintenance of pedestrian crosswalks in school zones.

7 The department may paint and maintain pedestrian crosswalks  
8 located within school zones on State-designated highways.

9 § 6313. Enforcement of summary offenses in State park and  
10 forest lands.

11 (a) General rule.--Notwithstanding any provision of law to  
12 the contrary, individuals appointed and commissioned by the  
13 Department of Conservation and Natural Resources to preserve  
14 order in the State park or State forest lands are specifically  
15 authorized to enforce those provisions of this title which  
16 designate violations as summary offenses, while acting within  
17 the State park or State forest lands. The authority includes the  
18 power to stop vehicles suspected of summary offenses, to issue  
19 citations for summary offenses and, if a vehicle is stopped for  
20 a suspected summary offense, to make arrests where evidence  
21 appears of additional offenses designated as misdemeanors or  
22 felonies.

23 (b) Construction.--Nothing in this section shall be  
24 construed to limit the powers granted these individuals by law.

25 Section 4. Sections 7702, 7706 and 7711 of Title 75 are  
26 amended to read:

27 § 7702. Definitions.

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

"All-terrain vehicle" or "ATV."

[(1)] A motorized off-highway vehicle[, ] ~~that~~ WHICH <—  
travels on three or more inflatable tires and that WHICH has: <—

(1) a maximum width of 50 inches [or less in width,  
having] and a maximum dry weight of [600] 800 pounds [or  
less, traveling on three or more low-pressure tires and  
having a seat designed to be straddled by the operator is  
designated as a Class I all-terrain vehicle.]; or

(2) [A motorized off-highway vehicle, 58 inches or less  
in width, having a dry weight of 700 pounds or less,  
traveling on four or more low-profile, low-pressure tires and  
having a bench seat is designated as a Class II all-terrain  
vehicle.] a width that WHICH exceeds 50 inches or a dry <—  
weight that WHICH exceeds 800 pounds. <—

[(3)] ATV's described in paragraph (1) may be referred to  
as Class I ATV's, and ATV's described in paragraph (2) may be  
referred to as Class II ATV's. This term does not include  
snowmobiles, trail bikes, motorboats, golf carts, aircraft,  
dune buggies, automobiles, construction machines, trucks or  
home utility machines; military, fire, emergency and law  
enforcement vehicles; implements of husbandry; multipurpose  
agricultural vehicles; vehicles used by the department; or  
[off-road vehicles not generally used for outdoor recreation]  
any vehicle that is, or is required to be, registered under  
Chapter 13 (relating to registration of vehicles). In  
addition, this term does not include off-road motor vehicles  
used exclusively as utility vehicles for agricultural or  
business operations and incidentally operated or moved upon  
the highway.

["Cowling." The forward portion of the snowmobile, usually

1 of fiberglass or similar material, surrounding the motor and  
2 clutch assembly.]

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

7 "Department." The Department of [Environmental] Conservation  
8 and Natural Resources of the Commonwealth.

9 "Head lamp." A major lighting device used to provide general  
10 illumination ahead of a vehicle.

11 "Highway." The entire width between the boundary lines of  
12 every way publicly maintained when any part thereof is open to  
13 the use of the public for purposes of vehicular travel.

14 ["Low-pressure tire." A pneumatic tire, six inches or more  
15 in width, designed for use on wheels with a rim diameter of 12  
16 inches or less and utilizing an operating pressure of ten pounds  
17 per square inch or less, as recommended by the vehicle  
18 manufacturer.]

19 "Snowmobile." An engine-driven vehicle [of a type which  
20 utilizes sled type runners, or skis, or an endless belt tread or  
21 any combination of these or other similar means of contact with  
22 the surface upon which it is operated] ~~designed to travel over~~ <—  
23 ~~snow or ice that has an endless belt track or tracks, steered by~~  
24 ~~a ski or skis and has an overall width of 48 inches or less.~~

25 The.] WHICH IS ALL OF THE FOLLOWING: <—

26 (1) IS DESIGNED TO TRAVEL OVER SNOW OR ICE.

27 (2) HAS AN ENDLESS BELT TRACK OR TRACKS.

28 (3) IS STEERED BY A SKI OR SKIS.

29 (4) HAS AN OVERALL WIDTH OF 48 INCHES OR LESS.

30 THE term does not include [any] A farm tractor, [highway or <—

1 other] construction equipment, [or any] military [or law  
2 enforcement] vehicle, vehicle with inflatable tires or machinery  
3 used strictly for the grooming of snowmobile trails.

4 "Street." A highway, other than an alley, within the  
5 corporate limits of a political subdivision.

6 "Tail lamp." A device to designate the rear of a vehicle by  
7 a warning light.

8 § 7706. Restricted [receipts fund] account.

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

10 (1) The department shall [deposit all moneys received  
11 from the registration of snowmobiles and the registration and  
12 issuance of certificates of title for ATV's, the sale of  
13 snowmobile and ATV registration information, snowmobile and  
14 ATV publications and other services provided by the  
15 department, and all fees and fines assessed and collected  
16 under this chapter in a restricted receipts fund, from which  
17 the] deposit the following into a restricted account, which  
18 is hereby established:

19 (i) all moneys received from the registration of and  
20 issuance of certificates of title for snowmobiles and  
21 ATV's;

22 (ii) all revenue from the sale of any publications  
23 or services relating to snowmobiles and ATV's; and

24 (iii) all fines, penalties, fees and costs assessed  
25 and collected as a result of enforcement activities  
26 conducted by the department's law enforcement personnel  
27 under this chapter.

28 (2) The department shall draw moneys from the restricted  
29 account for use in [carrying out the registration and the  
30 issuance of certificates of title, safety education and

enforcement requirements of this chapter as well as the establishment,] performing any activities necessary to carry out the purposes of this chapter, including registration and certificate of title activities, training, education, enforcement activities, construction and maintenance of snowmobile and ATV trails and [any] acquisition of equipment [and], supplies [necessary to carry out the purposes of this chapter] and interests in land. All moneys deposited in [said fund not heretofore paid into the General Fund] this account shall remain in [said restricted receipts fund] it to be used as specified in this [chapter and any increases in moneys previously paid to the General Fund shall remain in said restricted receipts fund to be used as specified in this chapter.] section.

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

(b) Grant-in-aid.--The department shall [also], upon written application and subsequent approval, [disperse moneys to municipalities, nonprofit snowmobile clubs and organizations for construction, maintenance and rehabilitation of snowmobile trails or any other facilities for the use of snowmobiles, including plans and specifications, engineering surveys and supervision and land acquisition where necessary.

The department shall promulgate such rules and regulations it deems necessary for the administration of this subsection.]



grant money from the restricted account:

(1) To municipalities and profit and nonprofit organizations, in connection with snowmobile and ATV use on lands not owned by the Commonwealth for the following:

(i) Plans, specifications and engineering surveys.

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

(iii) Land acquisition.

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

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

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

(c) Audit of moneys.--The restricted [receipts fund] account shall be audited every two years. COPIES OF THE AUDIT SHALL BE PROVIDED TO THE SNOWMOBILE AND ATV ADVISORY COMMITTEE.

<—

§ 7711. Registration of dealers.

[Any person who is in the business of selling snowmobiles or ATV's shall register as a dealer. The department, upon receipt of application and the required fee, shall assign a distinguishing dealer registration number to the registrant and issue appropriate registration certificate to him. Dealer registrations are not transferable.]

(a) General rule.--A person who is in the business of selling snowmobiles or ATV's in this Commonwealth shall register with the department as a dealer. A person who is in the business of selling snowmobiles or ATV's outside this Commonwealth may

1 register with the department as a dealer.

2 (b) Issuance.--Upon receipt of an application upon a form  
3 prescribed and furnished by the department which shall contain  
4 information ~~reasonable~~ REASONABLY required by the department and <—  
5 which shall be accompanied by the required fee, the department  
6 shall issue to a dealer:

7 (1) A AN ANNUAL dealer registration certificate <—  
8 containing a dealer registration number and expiration date.

9 (2) Three ANNUAL dealer registration plates displaying <—  
10 the expiration date of the dealer registration.

11 (3) Three ANNUAL dealer plate registration cards <—  
12 displaying the expiration date of the dealer registration.

13 (c) Registration not transferable.--A dealer registration  
14 certificate, dealer registration plate and dealer plate  
15 registration card are not transferable.

16 (d) Expiration of registration.--A dealer registration  
17 certificate, dealer registration plate and dealer plate  
18 registration card expire effective the day after the expiration  
19 date displayed on them. A dealer registration certificate,  
20 dealer registration plate or dealer plate registration card that  
21 has expired is not valid.

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

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

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

30 (3) There is displayed on the snowmobile or ATV in a

manner prescribed by the department a valid dealer  
registration plate issued to the dealer under this section.

(4) The snowmobile or ATV is operated only for the  
purpose of demonstration or testing in connection with the  
dealer's business.

Section 5. Title 75 is amended by adding sections to read:

§ 7711.1. Registration of snowmobile or ATV.

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

(1) There is carried on the snowmobile or ATV a valid  
registration certificate, issued therefor pursuant to  
subsection (b).

(2) There is displayed on the snowmobile a registration  
decal, or on the ATV a registration plate, issued therefor  
pursuant to subsection (b).

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

(4) There is displayed on the snowmobile or ATV a valid  
expiration sticker issued therefor pursuant to subsection  
(b).

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

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

(1) A BIENNIAL registration certificate containing the

<—

registration number for the snowmobile or ATV and the  
expiration date of the registration.

(2) A registration decal displaying the registration  
number for a snowmobile or a registration plate displaying  
the registration number for an ATV.

(3) ~~An~~ A BIENNIAL expiration sticker displaying the  
expiration date of the registration.

<—

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

(d) Expiration of registration.--

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

(2) Upon transfer of ownership of a snowmobile or ATV  
during a registration period, the registration certificate  
and expiration sticker shall expire. The transferor shall,  
within 15 days from the date of transfer, return to the  
department the registration certificate with the date of  
transfer and the name and address of the new owner endorsed  
on the back. If the transferor applies for registration of a  
different snowmobile or ATV and pays the required transfer  
fee, the transferor may be issued, in the name of the  
transferor, a registration certificate and expiration sticker  
for that snowmobile or ATV for the remainder of the  
registration period without payment of a registration fee.  
The registration decal or plate shall not be removed from a  
snowmobile or ATV upon transfer to the new owner and is

1 invalid until the new owner is issued a registration  
2 certificate or limited registration certificate for the  
3 snowmobile or ATV.

4 (3) An expired general registration certificate and an  
5 expired expiration sticker are invalid.

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

11 (f) Exemptions from registration.--Subsection (a) does not  
12 apply if:

13 (1) The snowmobile or ATV is owned by or in the  
14 possession of a dealer who has been issued a dealer  
15 registration certificate, dealer registration plates and  
16 dealer plate registration cards under § 7711 (relating to  
17 registration of dealers), the dealer is in compliance with §  
18 7711 and the snowmobile or ATV is used in accordance with  
19 §7711.

20 (2) The snowmobile or ATV is owned and used by the  
21 United States or another state or a political subdivision  
22 thereof, in which case the snowmobile or ATV shall display  
23 the name of the owner in a manner prescribed by the  
24 department.

25 (3) The snowmobile or ATV is operated on land owned or  
26 leased by the owner or operator of the snowmobile or ATV and  
27 it is not operated elsewhere within this Commonwealth.

28 (4) The owner of the snowmobile or ATV is not a resident  
29 of this Commonwealth and the operator presents proof that the  
30 snowmobile or ATV has been properly registered in another

jurisdiction that exempts from its registration requirements persons who have obtained proper registration under this chapter.

§ 7711.2. Limited registration of snowmobile or ATV.

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

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

(2) There is displayed on the snowmobile a valid registration decal or on the ATV a valid registration plate, issued pursuant to subsection (b).

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

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

(1) A limited registration certificate containing the registration number for the snowmobile or ATV.

(2) A registration decal displaying the registration number for a snowmobile or a registration plate displaying the registration number for an ATV.

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

1     (d) Transfer of ownership.--Upon transfer of ownership of a  
2     snowmobile or ATV for which a limited registration certificate  
3     has been issued, the limited registration certificate shall  
4     become invalid. The transferor shall, within 15 days from the  
5     date of transfer, return to the department the limited  
6     registration certificate with the date of transfer and the name  
7     and address of the new owner endorsed on the back. The  
8     registration decal or plate shall not be removed from the  
9     snowmobile or ATV upon transfer to the new owner and is invalid  
10    until the new owner obtains a registration certificate or  
11    limited registration certificate for the snowmobile or ATV.

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

17    Section 6. Section 7712 of Title 75 is repealed.

18    Section 7. Sections 7712.1, 7712.2, 7712.3, 7712.4, 7712.5,  
19    7712.6 and 7712.7 of Title 75 are amended to read:

20    § 7712.1. Certificate of title for [ATV's required] snowmobile  
21           or ATV.

22    (a) General rule.--Except as otherwise provided in [this  
23    section] subsection (b), [every] an owner of a [Class I or Class  
24    II] snowmobile or ATV which is in this Commonwealth and for  
25    which no certificate of title has been issued shall [make  
26    application] apply to the department for a certificate of title  
27    [to the ATV].

28    (b) [Exception.--The provisions of this section which  
29    require every owner of an ATV to make application for and  
30    receive a certificate of title shall not apply to any person who

has registered an ATV on or before the effective date of this section unless that owner resells the registered ATV.]

Exemptions from titling.--No certificate of title is required for:

(1) A snowmobile or ATV that was registered prior to the effective date of this section.

(2) A snowmobile or ATV owned by the United States unless a general registration certificate has been issued therefor.

(3) A new snowmobile or ATV owned by a dealer before and until sale.

(4) A snowmobile or ATV owned by a nonresident of this Commonwealth and not required by law to be registered in this Commonwealth.

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

(c) Contents of application.--Application for a certificate of title shall be made upon a form prescribed and furnished by the department and shall contain a full description of the snowmobile or ATV, date of purchase, the [actual or bona fide] name and address of the owner, a statement of the title of applicant, together with any other information or documents the department requires to identify the snowmobile or ATV and to enable the department to determine whether the owner is entitled to a certificate of title.

(d) Signing and filing of application.--Application for a certificate of title shall be made within 15 days of the sale or



1 transfer of [an] a snowmobile or ATV or its entry into this  
2 Commonwealth from another jurisdiction, whichever is later. The  
3 application shall be accompanied by the required fee [prescribed  
4 in this subchapter,] and any tax payable by the applicant under  
5 the laws of this Commonwealth in connection with the acquisition  
6 or use of [an] a snowmobile or ATV or evidence to show that the  
7 tax has been paid or collected. The application shall be signed  
8 and verified by oath or affirmation by the applicant if a  
9 natural person; in the case of an association or partnership, by  
10 a member or a partner; and in the case of a corporation, by an  
11 executive officer or [some] person specifically authorized by  
12 the corporation to sign the application.

13 [(e) ATV's purchased from dealers or manufacturers.--If the  
14 application refers to an ATV purchased from a dealer or  
15 manufacturer, the dealer or manufacturer shall mail or deliver  
16 to the department the certificate of title and any other  
17 required forms within 15 days of the date of purchase. Any  
18 dealer or manufacturer violating this subsection is guilty of a  
19 summary offense and shall, upon conviction, be sentenced to pay  
20 a fine of \$50 for each violation. The requirement that the  
21 dealer or manufacturer mail or deliver the application to the  
22 department does not apply to ATV's purchased by governmental  
23 agencies.

24 (f) ATV's not requiring certificate of title.--No  
25 certificate of title is required for:

26 (1) An ATV owned by the United States unless it is  
27 registered in this Commonwealth.

28 (2) A new ATV owned by a manufacturer or registered  
29 dealer before and until sale.

30 (3) Any ATV which meets the requirements of subsection

(b) prior to any resale.]

(g) Registration without certificate of title prohibited.--  
Except as provided in subsection (b), the department shall not  
[register or renew the registration of an] issue a registration  
certificate or limited registration certificate for a snowmobile  
or ATV unless a certificate of title has been issued by the  
department to the owner or an application for a certificate of  
title has been delivered by the owner to the department.

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

(1) [That any] A required fee has not been paid.

(2) [That any] Any taxes payable under the laws of this  
Commonwealth on or in connection with, or resulting from the  
acquisition or use of, the snowmobile or ATV have not been  
paid.

(3) [That the] The applicant is not the owner of the  
snowmobile or ATV.

(4) [That the] The application contains a false or  
fraudulent statement.

(5) [That the] The applicant has failed to furnish  
required information or documents or any additional  
information the department reasonably requires.

[(i) Suspension and cancellation of certificate of title.--

(1) The department may cancel the certificate of title  
issued for a new ATV when it is shown by satisfactory  
evidence that the ATV has been returned within 45 days to the  
manufacturer or dealer from whom obtained.

(2) The department, upon receipt of certification from

1 the clerk of any court showing conviction for a misstatement  
2 of facts on any application for a certificate of title or any  
3 transfer of a certificate of title, shall suspend the  
4 certificate of title and require that the certificate be  
5 returned immediately to the department, whereupon the  
6 department may cancel the certificate.

7 (3) The department may suspend a certificate of title  
8 when a check received in payment of the fee is not paid on  
9 demand or when the fee for the certificate is unpaid and  
10 owing.]

11 (j) Transfer of ownership of snowmobile or ATV.--

12 (1) [In the event of] Upon the sale or transfer of [the]  
13 ownership of [an] a snowmobile or ATV within this  
14 Commonwealth, the owner shall execute an assignment and  
15 warranty of title to the transferee in the space provided on  
16 the certificate of title or as the department prescribes,  
17 sworn to before a notary public or other officer empowered to  
18 administer oaths, and deliver the certificate to the  
19 transferee at the time of the delivery of the snowmobile or  
20 ATV.

21 (2) Except as otherwise provided in section [7712.2  
22 (relating to transfer to or from [manufacturer or] dealer)]  
23 7715.1 (relating to snowmobile or ATV purchased from dealer),  
24 the transferee shall, within 15 days of the assignment [or  
25 reassignment] of the certificate of title, apply for a new  
26 title by [presenting] forwarding to the department the  
27 certificate of title executed as required by paragraph (1), a  
28 properly completed application for certificate of title,  
29 sworn to before a notary public or other officer empowered to  
30 administer oaths, and [accompanied by] such other forms as

1 the department may require.

2 [(3) Any] (k) Penalty.--A person [violating] who  
3 violates subsection (a) [shall be guilty of a] commits a  
4 summary offense and shall, upon conviction, be sentenced:

5 (i) For a first offense, to pay a fine of \$100 and  
6 costs of prosecution.

7 (ii) For a subsequent offense, to pay a fine of not  
8 less than \$300 nor more than \$1,000 and costs of  
9 prosecution.

10 § 7712.2. Transfer to or from [manufacturer or] dealer.

11 (a) Transfer to [manufacturer or] dealer.--[When the  
12 purchaser or transferee of an] If a dealer acquires a snowmobile  
13 or ATV [is a manufacturer or registered dealer who holds the  
14 ATV] for the purpose of resale, a certificate of title need not  
15 be applied for as provided for in section 7712.1 (relating to  
16 certificate of title for [ATV's required] snowmobile or ATV),  
17 but the [transferee] dealer shall, within seven days from the  
18 date of [assignment of the certificate of title to the  
19 manufacturer or dealer] acquisition forward to the department,  
20 upon a form prescribed and furnished by the department,  
21 notification of the acquisition of the snowmobile or ATV.

22 [Notification as authorized in this section may not be used in  
23 excess of three consecutive transactions after which time an  
24 application shall be made for a certificate of title.]

25 (b) Execution and display of notice of transfer.--[The  
26 manufacturer or] A dealer making notification [as to any ATV  
27 acquired] pursuant to subsection (a) shall execute at least  
28 three copies of the notification, the original of which shall be  
29 forwarded to the department, one copy to accompany the  
30 snowmobile or ATV [on] in any subsequent transfer and one copy

1 to be retained by the [manufacturer or] dealer for at least one  
2 year after a subsequent transfer, to be exhibited, with the  
3 assigned certificate of title, upon request of [any] a police  
4 officer or authorized department employee.

5 (c) Transfer from [manufacturer or] dealer.--Except as  
6 otherwise provided in [this section when the transferee is  
7 another manufacturer or dealer] subsection (a), if a dealer  
8 transfers the dealer's interest in a snowmobile or ATV:

9 (1) The [manufacturer or] dealer[, upon transferring  
10 their interest in the ATV,] shall execute an assignment and  
11 warranty of title to the transferee in the space provided on  
12 the certificate of title or as the department prescribes.

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

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

23 (d) Exception for repossessed snowmobiles or ATV's.--This  
24 section does not apply to [an] a snowmobile or ATV repossessed  
25 upon default of performance of a lease, contract of conditional  
26 sale or similar agreement.

27 (e) Penalty; suspension or revocation of dealer  
28 registration.--[Any manufacturer or] A dealer [violating any of  
29 the provisions of] who violates this section [is guilty of]  
30 commits a summary offense and shall, upon conviction, be

1 sentenced to pay a fine of \$50 [for each violation]. If a dealer  
2 violates this section, the department may suspend or revoke the  
3 registration issued under section 7711 (relating to registration  
4 of dealers).

5 § 7712.3. Transfer of snowmobile or ATV by operation of law.

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

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

23 (c) Surrender of certificate.--A person holding a  
24 certificate of title, whose interest in [an] a snowmobile or ATV  
25 has been extinguished or transferred other than by voluntary  
26 transfer, shall immediately surrender the certificate of title  
27 to the person to whom the right to possession of the snowmobile  
28 or ATV has passed. Upon request of the department, such person  
29 shall mail or deliver the certificate to the department.  
30 Delivery of the certificate pursuant to the request of the

1 department does not affect the rights of the person surrendering  
2 the certificate.

3 § 7712.4. Correction of certificate of title.

4 (a) General rule.--When [any] a certificate of title has  
5 been issued in error to a person not entitled to [the  
6 certificate] it or contains incorrect information, or  
7 information has been omitted from the certificate, the  
8 department shall notify in writing the person to whom the  
9 certificate has been issued or delivered, and such person shall  
10 [immediately] return the certificate [of title] within 48 hours,  
11 together with any other information necessary for the adjustment  
12 of the department records, and[, ] upon receipt of the  
13 certificate, the department shall cancel the certificate and  
14 issue a corrected certificate [of title].

15 (b) Change in material information on certificate.--If any  
16 material information on the certificate of title is changed or  
17 different from the information originally set forth, the owner  
18 shall immediately inform the department and apply for a  
19 corrected certificate [of title]. For the purposes of this  
20 subsection, a change of address [shall] is not [be] deemed  
21 material.

22 (c) Seizure of certificate on conviction.--Upon summary  
23 conviction for violation of [the provisions of] this section,  
24 the department may delegate authority to [any] a department  
25 employee or police officer to seize the certificate of title.

26 § 7712.5. Issuance of new certificate following transfer.

27 (a) Voluntary transfer.--The department, upon receipt of a  
28 properly assigned certificate of title with an application for a  
29 new certificate of title, the required fee and any other  
30 required documents and articles, shall issue a new certificate

1 of title in the name of the transferee as owner and mail it to  
2 the first [lienholder] secured party named in the certificate  
3 or, if none, to the owner.

4 (b) Involuntary transfer.--The department, upon receipt of  
5 an application for a new certificate of title by a transferee  
6 other than by voluntary transfer, on a form prescribed and  
7 furnished by the department together with [proper] proof  
8 satisfactory to the department of the transfer, the required fee  
9 and any other required documents and articles, shall issue a new  
10 certificate of title in the name of the transferee as owner.

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

15 § 7712.6. Suspension and cancellation of certificate of title.

16 (a) Return of new snowmobile or ATV.--The department may  
17 cancel the certificate of title issued for a new snowmobile or  
18 ATV [when] if it is shown by satisfactory evidence that the  
19 snowmobile or ATV has been returned [within the time specified  
20 in the department regulations] to the [manufacturer or] dealer  
21 from whom obtained.

22 (b) [ATV's] Snowmobile or ATV sold to nonresidents.--The  
23 department may cancel [certificates] a certificate of title for  
24 [ATV's] a snowmobile or ATV sold to [residents] a resident of  
25 [other states] another state or foreign [countries] country  
26 [when] if the snowmobile or ATV is to be registered in the other  
27 jurisdiction.

28 (c) Surrender of Pennsylvania certificate in other  
29 jurisdiction.--The department, upon receipt of notification from  
30 another state or foreign country that a certificate of title



1 issued by the department has been surrendered by the owner in  
2 conformity with the laws of the other state or foreign country,  
3 may cancel the certificate of title.

4 (d) Surrender of foreign certificate to department.--[When]  
5 If an owner surrenders a certificate of title from another state  
6 or foreign country to the department, the department may notify  
7 the state or foreign country [in order] so that the certificate  
8 of title may be canceled or otherwise disposed of in accordance  
9 with the law of the other jurisdiction.

10 (e) Conviction for misstatement of facts.--The department,  
11 upon receipt of certification from the clerk of [any] a court  
12 showing conviction for a misstatement of facts on [any] an  
13 application for an original or duplicate certificate of title or  
14 [any] a transfer of a certificate of title, shall suspend the  
15 certificate of title and require that [the certificate] it be  
16 returned [immediately] to the department within ten days of  
17 notice by the department, whereupon the department may cancel  
18 [the certificate] it.

19 (f) Nonpayment of fee.--The department may suspend or cancel  
20 a certificate of title when a check received in payment of the  
21 fee is not paid on demand or when the fee for the certificate is  
22 unpaid and owing.

23 (g) Security interest unaffected by suspension or  
24 cancellation.--Suspension or cancellation of a certificate of  
25 title does not, in itself, affect the validity of a security  
26 interest noted on the certificate.

27 (h) Surrender of certificate.--The department may request  
28 the return of [certificates] a certificate of title which [have]  
29 has been suspended or canceled. The owner or person in  
30 possession of the [certification] certificate of title shall

1 [immediately], within ten days of the date of request by the  
2 department, mail or deliver the certificate to the department.

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

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

15 (b) Certificate not to be assigned in blank.--No person  
16 [shall make application] may apply for, or assign or physically  
17 possess, a certificate of title, or direct or allow another  
18 person in his employ or control to [make application] apply for,  
19 or assign or physically possess, a certificate of title, unless  
20 the name of the transferee is placed on the assignment of  
21 certificate of title simultaneously with the name of the  
22 transferor and duly notarized.

23 (c) Persons authorized to hold certificate.--No person  
24 [shall] may receive, obtain or hold a certificate of title  
25 recorded in the name of another person for the other person who  
26 is not in the regular employ of, or not a member of the family  
27 of, the other person, unless the person receiving, obtaining or  
28 holding the certificate of title has a valid undischarged [lien]  
29 security interest recorded in the department against the  
30 snowmobile or ATV represented by the certificate of title.

(d) Penalty.--[Any] A person [violating any of the provisions of] who violates this section [is guilty of] commits a summary offense and shall, upon conviction, be sentenced to pay a fine of \$100 and costs of prosecution.

Section 8. Sections 7713, 7714 and 7715 of Title 75 are repealed.

Section 9. Title 75 is amended by adding sections to read:

§ 7715.1. Snowmobile or ATV purchased from dealer.

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

(b) Penalty.--A dealer who violates subsection (a) commits a summary offense and shall, upon conviction, be sentenced to pay a fine of \$300 and costs of prosecution, or to be imprisoned for not more than 90 days, or both. In addition, if a dealer violates subsection (a), the department may suspend or revoke the registration issued under section 7711 (relating to registration of dealers).

§ 7715.2. Fees.

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

(1) Certificate of title, \$22.50.

(2) Expiration sticker, \$20.

(3) Dealer registration, \$25.

(4) Replacement, due to loss or damage, of registration certificate, limited registration certificate, registration decal, registration plate or expiration sticker, \$5.

1       (5) Transfer of registration pursuant to section 7711.1  
2       (relating to registration of snowmobile or ATV), \$5.

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

5       (b) Exemptions from fees.--Subsection (a) does not apply to  
6       a snowmobile or ATV owned by:

7           (1) The Commonwealth.

8           (2) A political subdivision of this Commonwealth.

9           (3) A volunteer organization and used exclusively for  
10       emergency purposes.

11       Section 10. Sections 7716, 7717, 7724 and 7725(h) are  
12       amended to read:

13       § 7716. [Central registration file] Records.

14       The department shall maintain a [central file] record, which  
15       shall be made available to all enforcement agencies, of [the  
16       certificate of registration]:

17           (1) The registration number[, ] for each snowmobile and  
18       ATV for which a registration certificate or limited  
19       registration certificate is issued.

20           (2) The name and address of the owner of each snowmobile  
21       and ATV for which a registration certificate or limited  
22       registration certificate [of registration] is issued [and  
23       such information shall be made available to all enforcement  
24       agencies].

25       § 7717. Snowmobile [Trail] and ATV Advisory Committee.

26       (a) Establishment.--There is hereby established under the  
27       jurisdiction of the department a board known as the Snowmobile  
28       [Trail] and ATV Advisory Committee.

29       (b) Composition.--[The Snowmobile Trail Advisory Committee  
30       shall be appointed within three months of the effective date of

1 this section and biannually thereafter. The membership shall be  
2 composed of three members from the Pennsylvania State Snowmobile  
3 Association, one of whom shall have experience in trail creation  
4 on public land, one of whom shall have experience in trail  
5 creation on private land and one of whom shall be a member at  
6 large. In addition, one member shall be appointed from each of  
7 the following organizations: Pennsylvania Travel Council,  
8 Pennsylvania State Association of Township Supervisors,  
9 Pennsylvania State Association of Township Commissioners,  
10 Pennsylvania State Association of Boroughs, Pennsylvania State  
11 Association of County Commissioners, Pennsylvania Association of  
12 Realtors, Pennsylvania Landowners Association, Pennsylvania  
13 Vacation Land Developers Association, Pennsylvania Chapter of  
14 Rails to Trails Conservancy, Department of Commerce and  
15 Department of Community Affairs. The name of the representatives  
16 shall be submitted to the secretary within ten days of the  
17 receipt of the request for them.] The committee shall consist of  
18 17 members. The members shall be as follows:

19 (1) The chairman and minority chairman of the  
20 Environmental Resources and Energy Committee of the Senate.

21 (2) The chairman and minority chairman of the  
22 Environmental Resources and Energy Committee of the House of  
23 Representatives.

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

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

26 (5) One member from the Pennsylvania State Association  
27 of Township Supervisors.

28 (6) One member from the Pennsylvania State Association  
29 of Boroughs.

30 (7) One member from the Pennsylvania State Association

1 of County Commissioners.

2 (8) Eight members of the public representing the  
3 following organizations, to be appointed by the Secretary of  
4 Conservation and Natural Resources.

5 (i) Two members from a list of at least six  
6 representatives submitted by the Pennsylvania State  
7 Snowmobile Association.

8 (ii) Two members from a list of at least six  
9 representatives submitted by the Pennsylvania Off-Highway  
10 Vehicle Association.

11 (iii) One member from a list of at least three  
12 representatives submitted by the Pennsylvania Farm  
13 Bureau.

14 (iv) Two members from a list of at least six  
15 representatives submitted by conservation or nonmotorized  
16 recreation organizations.

17 (v) One member from a list of at least three  
18 representatives submitted by the Pennsylvania Travel  
19 Council.

20 Each member may designate an alternate to serve in his stead. A  
21 member shall notify the chairman in writing of this ~~destination~~ <—  
22 DESIGNATION. <—

23 (c) [Responsibilities.--The committee shall review existing  
24 and proposed regulations, standards and procedures for all trail  
25 acquisition, construction, development and maintenance. The  
26 committee may also make recommendations on trail sites, trail  
27 site acquisition and the allocation of fees collected pursuant  
28 to this chapter regarding acquisition, construction and  
29 maintenance of trails for snowmobile use.] Terms of  
30 appointees.--The terms of all members of the committee appointed

1 by the Secretary of Conservation and Natural Resources shall be  
2 three years. Any member of the committee may be reappointed for  
3 additional terms. A person appointed to fill a vacancy shall  
4 serve for the unexpired term and is eligible for reappointment.

5 (d) [Advisory committee actions.--The recommendations of the  
6 advisory committee shall be submitted to the secretary who shall  
7 give due consideration to them.] Officers.--The members of the  
8 committee shall annually elect a chairman, a vice chairman and a  
9 secretary from among the public members of the committee.

10 (e) Meetings and expenses.--

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

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

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

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

30 § 7724. Operation on private or State property.

1 (a) Private real property.--

2 (1) No person shall operate a snowmobile or an ATV on  
3 [any] private real property without the ~~express~~ consent of <—  
4 the owner [or lessor] thereof. Any person operating a  
5 snowmobile or an ATV upon lands of another shall stop and  
6 identify himself upon the request of the landowner or his  
7 duly authorized representatives and, if requested to do so by  
8 the landowner, shall promptly remove the snowmobile or ATV  
9 from the premises.

10 (2) When a person operates a snowmobile or an ATV in a  
11 manner as to violate section 3717 (relating to trespass by  
12 motor vehicle), the applicable fines, penalties and  
13 suspensions provided in this title for violation of section  
14 3717 shall apply to this subsection.

15 (b) State property.--

16 (1) No person shall operate a snowmobile or an ATV on  
17 State-owned property except on clearly marked and previously  
18 designated snowmobile or ATV routes or as expressly permitted  
19 by the landowner COMMONWEALTH. <—

20 (2) (i) The department may designate any road within a  
21 State Park or State Forest over which the department has  
22 jurisdiction as a snowmobile road or an ATV road, or  
23 both, and may, in its discretion, determine whether the  
24 road shall be closed to vehicular traffic or whether  
25 snowmobiles and ATV's may share the designated road with  
26 vehicular traffic. Adequate notices of such designation  
27 and determination shall be sufficiently and prominently  
28 displayed.

29 (ii) No person shall operate a snowmobile or ATV on  
30 State park or State forest land except as follows:



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

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

11           (C) A person may operate a Class II ATV on a  
12           road, trail or area if the person has been given  
13           specific, written permission by the department to  
14           operate a Class II ATV on the road, trail or area.

15 § 7725. Operation by persons under age sixteen.

16 \* \* \*

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

25 \* \* \*

26 ~~Section 11. Section 7726 of Title 75 is amended by adding a~~ <—  
27 ~~subsection to read:~~

28 ~~§ 7726. Operation in safe manner.~~

29 \* \* \*

30 ~~(d) Unsafe carrying of passengers. No person shall operate~~

1 ~~an ATV with a passenger unless the ATV was designed by the~~  
2 ~~manufacturer to carry a passenger. A person who violates this~~  
3 ~~subsection commits a summary offense and shall, upon conviction,~~  
4 ~~be sentenced to pay a fine of \$100 and costs of prosecution.~~

5 \* \* \*

6 Section ~~12~~ 11. Sections 7730 and 7752 of Title 75 are  
7 amended to read:

8 § 7730. Liability insurance.

9 (a) Requirement.--[Any] A snowmobile or ATV for which  
10 ~~registration or limited registration is~~ required [to be  
11 registered pursuant to] under this chapter shall have liability  
12 insurance coverage for the snowmobile or ATV issued by an  
13 insurance carrier authorized to do business in this  
14 Commonwealth. THIS SUBSECTION DOES NOT APPLY TO LIMITED  
15 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 or ATV upon the request of any  
19 magistrate or any person having authority to enforce the  
20 provisions of this chapter or to any person who has suffered or  
21 claims to have suffered either personal injury or property  
22 damage as a result of the operation of such snowmobile or ATV.  
23 It shall be an affirmative defense to any prosecution for a  
24 violation of this section that such proof was so produced within  
25 ~~[24]~~ 72 hours of receiving notice of such violation, injury or  
26 damage or the claim of such injury or damage.

27 (c) Owner's responsibility.--No owner of a snowmobile or ATV  
28 shall operate or permit the same to be operated without having  
29 in full force and effect liability insurance coverage required  
30 by this section. The operator of a snowmobile or ATV shall carry

1 proof of insurance on [their] his person or on the snowmobile or  
2 ATV when it is in operation.

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

8 § 7752. Penalties for violation of chapter.

9 (a) General rule.--Except as provided in subsections [(b)  
10 and (c),] (c) and (d) and unless otherwise provided in this  
11 chapter, [any] a person [violating any of the provisions of] who  
12 violates this chapter [is guilty of] commits a summary offense  
13 and shall, upon conviction:

14 (1) For a first offense, be sentenced to pay a fine of  
15 not less than [\$25] \$50 [nor] or more than [\$100] \$200 and  
16 costs of prosecution and, in default of the payment [thereof]  
17 of the fine or costs, shall [undergo imprisonment] be  
18 imprisoned for not more than ten days.

19 (2) For a [second] subsequent offense, be sentenced to  
20 pay a fine of not less than [\$50] \$100 [nor] or more than  
21 [\$200] \$300 and costs of prosecution and, in default of the  
22 payment [thereof] of the fine or costs, shall [undergo  
23 imprisonment] be imprisoned for not more than 30 days.

24 [(b) Failure to obtain liability insurance.--Any person who  
25 fails to obtain liability insurance required pursuant to this  
26 chapter commits a summary offense and shall, upon conviction, be  
27 sentenced to pay a fine of \$300 which shall be returned to the  
28 restricted receipts account created pursuant to this chapter.]

29 (c) Unauthorized disposition of forms.--[Any] A person who  
30 disposes of [any] a summons or complaint issued pursuant to this

chapter in [any other] a manner other than that prescribed by law, rule or regulation [is guilty of] commits a misdemeanor of the third degree.

(d) Registration [and decals].--

(1) [Any] A person [violating] who violates section [7713(a)] 7711.1 (relating to [certificates of] registration [and decals] of snowmobile or ATV) or section 7711.2 (relating to limited registration of snowmobile or ATV) by failing to obtain [a] the required registration certificate [of] or limited registration certificate commits a summary offense and shall, upon conviction, be sentenced to pay a fine of \$300 or to be imprisoned for 90 days [imprisonment], or both[.], and costs of prosecution. Proceedings for a summary offense under this paragraph must be commenced within 60 days after commission of the alleged offense or within 60 days after discovery of the commission of the offense or the identity of the offender, whichever is later.

(2) [Any] A person [violating] who violates section [7713(a)] 7711.1 or 7711.2 by failing to properly display [a registration number or the validation decal] the required registration decal or plate commits a summary offense and shall, upon conviction, be sentenced to pay a fine of \$50[.] and costs of prosecution.

(3) A person who violates section 7711.1 by failing to properly display the required expiration sticker or by failing to carry the required registration certificate commits a summary offense and shall, upon conviction, be sentenced to pay a fine of \$50 and costs of prosecution.

SECTION 12. THE DEPARTMENT OF CONSERVATION AND NATURAL

RESOURCES SHALL PROMULGATE REGULATIONS NECESSARY TO ENFORCE THE

1 AMENDMENT OF 75 PA.C.S. CH. 77.

2 Section 13. This act shall take effect as follows:

3 (1) The amendment or addition of 75 Pa.C.S. §§ 102, 6129  
4 and ~~6313~~ 7717 shall take effect in 60 days. <—

5 ~~(2) This section shall take effect immediately.~~ <—

6 (2) THE ADDITION OF 75 PA.C.S. § 6313 SHALL TAKE EFFECT <—  
7 IMMEDIATELY.

8 (3) SECTION 12 AND THIS SECTION SHALL TAKE EFFECT  
9 IMMEDIATELY.

10 ~~(3)~~ (4) The remainder of this act shall take effect in <—  
11 120 days.