

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1544 Session of
2003

INTRODUCED BY CORRIGAN, DALEY, HARHAI, GOODMAN, GEORGE,
READSHAW, YOUNGBLOOD, SOLOBAY, SCRIMENTI AND PALLONE,
JUNE 5, 2003

REFERRED TO COMMITTEE ON TRANSPORTATION, JUNE 5, 2003

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, exempting ex-prisoners of war from paying any fees
3 for titling or registration of vehicles; establishing the
4 Recreational Trails Trust Fund; and further providing for
5 refunds relating to the fuels and liquid fuels tax.

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

8 Section 1. Section 1901 of Title 75 of the Pennsylvania
9 Consolidated Statutes is amended to read:

10 § 1901. Exemption of persons, entities and vehicles from fees.

11 (a) Governmental and quasi-governmental entities.--Except as
12 otherwise specifically provided in this title, no fees shall be
13 charged under this title to any of the following:

14 (1) The Commonwealth.

15 (2) Political subdivisions.

16 (3) State and local authorities.

17 (4) State-related institutions of higher learning.

18 (5) The Federal Government.

19 (6) Other states.

(b) Title and registration fees.--No fee shall be charged for titling or registration of any of the following:

(1) Buses registered by urban mass transportation systems.

(2) Vehicles registered by volunteer fire, rescue and ambulance associations.

(3) Vehicles registered by foreign nationals with the rank of vice consul or higher assigned to a consulate in this Commonwealth provided that citizens of the United States are granted reciprocal exemptions.

(4) Vehicles of totally disabled veterans whose disability is certified by the service unit of the armed forces in which the veterans served or by the United States Veterans' Administration as service-connected.

(5) Vehicles on loan or transferred to a nonprofit corporation by the United States Department of Defense or the United States General Services Administration and used exclusively for leasing to political subdivisions, State agencies and the Federal Government. Such vehicles shall be issued the same kind of registration plates as are issued to vehicles registered by political subdivisions.

(6) A person who, as a member of the armed forces of the United States, was captured by the enemy during World War I, World War II, the Korean Emergency, the Vietnam Conflict or in a future armed conflict for which the Department of Defense authorizes a campaign medal.

(c) Processing fee in lieu of registration fee.--No registration fee shall be charged for vehicles registered by any of the following but the department shall charge a fee of \$10 to cover the costs of processing for issuing or renewing the

1 registration:

2 (1) Hospital.

3 (2) Humane society.

4 (3) Nonprofit youth center.

5 (4) American Red Cross.

6 (5) Church.

7 (6) Girl Scouts of America.

8 (7) Boy Scouts of America.

9 (8) Salvation Army.

10 (9) Duly chartered posts of national veterans'

11 organizations.

12 (10) Young Men's Christian Association.

13 (11) Young Men's Hebrew Association.

14 (12) Young Women's Christian Association.

15 (13) Young Women's Hebrew Association.

16 (14) Jewish Community Center.

17 (15) Nonprofit corporations of musical marching groups

18 of youths.

19 (16) Any person who is retired and receiving social
20 security or other pension and whose total annual income does
21 not exceed \$19,200. Unless the retired person is physically
22 or mentally incapable of driving the vehicle, the retired
23 person shall be the principal driver of the vehicle but may
24 from time to time authorize another person to drive the
25 vehicle in his or her stead.

26 (17) Any veteran who lost a limb or eye or who became
27 partially paralyzed while serving in the armed forces of the
28 United States.

29 [(18) A person who, as a member of the armed forces of
30 the United States, was captured by the enemy during World War

1 I, World War II, the Korean Emergency, the Vietnam Conflict
2 or in a future armed conflict for which the Department of
3 Defense authorizes a campaign medal.]

4 (19) Any person who has been awarded the Congressional
5 Medal of Honor.

6 (20) Nonprofit organizations which care for or otherwise
7 provide services for the elderly or the infirm.

8 (21) Nonprofit organizations which principally serve
9 mentally or physically handicapped or disabled persons.

10 (22) Nonprofit mobile aviation museum.

11 (23) Nonprofit corporations that provide ambulance or
12 emergency medical services.

13 (d) Limitations.--

14 (1) Vehicles titled and registered under the provisions
15 of this section shall be operated and used exclusively for
16 the purpose for which the vehicles were entitled to the
17 exemptions from fees.

18 (2) Only one passenger car or truck with a registered
19 gross weight of not more than 9,000 pounds may be registered
20 to any person under the provisions of subsection (b)(4) and
21 subsection (c)(16), (17)[, (18)] and (19).

22 (e) Penalty.--Any person violating the provisions of this
23 section is guilty of a summary offense.

24 Section 2. Section 9017(d) of Title 75 is amended and the
25 section is amended by adding a subsection to read:

26 § 9017. Refunds.

27 * * *

28 [(d) Off-highway recreational vehicles.--

29 (1) When the tax imposed by this chapter has been paid
30 on fuel used in off-highway recreational vehicles within this

1 Commonwealth, an amount equal to the revenue generated by the
2 tax, but not derived therefrom, may be appropriated through
3 the General Fund to the Department of Conservation and
4 Natural Resources. It is the intent of this chapter that all
5 proceeds from the tax paid on fuel used in off-highway
6 recreational vehicles within this Commonwealth be paid
7 without diminution of the Motor License Fund.

8 (2) The Department of Conservation and Natural Resources
9 shall biennially calculate the amount of liquid fuel consumed
10 by off-highway recreational vehicles and furnish information
11 relating to its calculations and data as may be required by
12 the Appropriations Committee of the Senate and the
13 Appropriations Committee of the House of Representatives.

14 (3) The General Assembly shall review the fuel
15 consumption calculations of the Department of Conservation
16 and Natural Resources to determine the amount of liquid fuels
17 tax paid on liquid fuels consumed in the propulsion of off-
18 highway recreational vehicles in this Commonwealth and may
19 annually appropriate to the Department of Conservation and
20 Natural Resources the amount so determined.

21 (4) Money appropriated under paragraph (3) shall be used
22 for the benefit of motorized and nonmotorized recreational
23 trails by the Department of Conservation and Natural
24 Resources as provided in the Intermodal Surface
25 Transportation Efficiency Act of 1991 (Public Law 102-240,
26 105 Stat. 1914).]

27 (d.1) Motorized recreational vehicles.--An amount equal to
28 50% of the tax imposed by section 9004(a) (relating to
29 imposition of tax, exemptions and deductions) on fuel consumed
30 in the operation of motorized recreational vehicles within this

Commonwealth, but not to exceed \$1,000,000, shall be refunded out of the Liquid Fuels Tax Fund to the Department of Conservation and Natural Resources in the following manner:

(1) There is hereby established a special nonlapsing restricted receipts account in the State Treasury to be known as the Recreational Trails Trust Fund.

(2) One-half of the tax revenues, not to exceed \$1,000,000, generated by the tax imposed by section 9004(a) on fuel used in motorized recreational vehicles used within this Commonwealth, as determined by the Department of Conservation and Natural Resources, shall be annually refunded to the department through the Recreational Trails Trust Fund.

(3) All moneys in the fund are hereby appropriated on a continuing nonlapsing basis to the Department of Conservation and Natural Resources for the activities referred to in paragraph (5).

(4) All interest earned by the fund and refunds or repayments shall be credited to the fund and are hereby appropriated in the same manner as paragraph (3).

(5) All money in the fund shall be used by the Department of Conservation and Natural Resources in accordance with the recommendations of the Snowmobile and ATV Advisory Committee for the acquisition, creation and maintenance of trails used by motorized recreational vehicles and for enforcement in State forests and State parks.

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Section 3. This act shall take effect in 60 days.