

COMMONWEALTH OF PENNSYLVANIA
HOUSE OF REPRESENTATIVES

TOURISM AND RECREATIONAL DEVELOPMENT COMMITTEE

ROOM B-31
CAPITOL BUILDING

TUESDAY, OCTOBER 18, 2011
9:00 A.M.

PUBLIC HEARING ON HOUSE BILL 63

BEFORE:

HONORABLE JERRY A. STERN, MAJORITY CHAIRMAN
HONORABLE THADDEUS KIRKLAND, MINORITY CHAIRMAN
HONORABLE SCOTT BOYD
HONORABLE ROSEMARY BROWN
HONORABLE FRANK BURNS
HONORABLE DOM COSTA
HONORABLE DANIEL DEASY
HONORABLE GORDON DENLINGER
HONORABLE MIKE FLECK
HONORABLE KEITH GILLESPIE
HONORABLE GARY HALUSKA
HONORABLE DOYLE HEFFLEY
HONORABLE SUE HELM
HONORABLE MARK LONGIETTI
HONORABLE ROBERT MATZIE
HONORABLE CARL METZGAR
HONORABLE DAVID MILLARD
HONORABLE JOHN PAYNE
HONORABLE ADAM RAVENSTAHL
HONORABLE MARIO SCAVELLO

ALSO PRESENT:

LAURA WAGNER-MILLER
MAJORITY LEGISLATIVE ADMINISTRATIVE ASSISTANT

ALYCIA MILLER
FLOOR MANAGER, REPRESENTATIVE HANNA'S OFFICE

CATHY WASHBURN
EXECUTIVE DIRECTOR, SENATOR EARLL'S OFFICE

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THE HONORABLE MICHAEL HANNA, REPRESENTATIVE
PRIME SPONSOR-HOUSE BILL 63

FRED BROWN
HENRY H. HARTMAN
PA STATE SNOWMOBILE ASSOCIATION

CHAIRMAN STERN: Good morning everyone. I would like to call this morning's meeting of the House Tourism and Recreational Development Committee to order. Will the secretary take the roll?

LAURA WAGNER-MILLER: Good morning. Chairman Stern.

CHAIRMAN STERN: Present.

LAURA WAGNER-MILLER: Boback. Boyd

REPRESENTATIVE BOYD: Here.

LAURA WAGNER-MILLER: Rosemary Brown.

REPRESENTATIVE BROWN: Here.

LAURA WAGNER-MILLER: Denlinger.

REPRESENTATIVE DENLINGER: Here.

LAURA WAGNER-MILLER: Fleck.

REPRESENTATIVE FLECK: Here.

LAURA WAGNER-MILLER: Gillespie.

REPRESENTATIVE GILLESPIE: ---

LAURA WAGNER-MILLER: Gingrich. Heffley

REPRESENTATIVE HEFFLEY: Here.

LAURA WAGNER-MILLER: Helm.

REPRESENTATIVE HELM: ---

LAURA WAGNER-MILLER: Metzgar.

REPRESENTATIVE METZGAR: Here.

LAURA WAGNER-MILLER: Millard.

REPRESENTATIVE MILLARD: Here.

LAURA WAGNER-MILLER: Moul. Payne.

REPRESENTATIVE PAYNE: Here.

LAURA WAGNER-MILLER: Scavello.

REPRESENTATIVE SCAVELLO: Yes.

LAURA WAGNER-MILLER: Chairman Kirkland.

CHAIRMAN KIRKLAND: Present.

LAURA WAGNER-MILLER: Vanessa Brown. Burns.

REPRESENTATIVE BURNS: Here.

LAURA WAGNER-MILLER: Costa.

REPRESENTATIVE DOM COSTA: Here.

LAURA WAGNER-MILLER: Cruz on leave. Deasy.

REPRESENTATIVE DEASY: Here.

LAURA WAGNER-MILLER: Haluska.

REPRESENTATIVE HALUSKA: Here.

LAURA WAGNER-MILLER: Longietti.

REPRESENTATIVE LONGIETTI: Here.

LAURA WAGNER-MILLER: Matzie.

REPRESENTATIVE MATZIE: Here.

LAURA WAGNER-MILLER: Ravenstahl.

REPRESENTATIVE RAVENSTAHL: Here.

CHAIRMAN STERN: Thank you. The topic of today's meeting is going to be House Bill 63. It is a public hearing today. This bill will create a permanent process for the limited use of vintage snowmobiles, which are defined as snowmobiles that are at least twenty five years old. Ten dollar permit is in lieu of the regular registration and would allow the snowmobile to be used only at vintage snowmobile rides or rallies which are defined in the bill. Similar legislation in the form of House Bill 1171 has passed the House last session by vote of 192 to 7 but then died in the Senate. I like to now recognize Chairman Kirkland for any remarks he would like to make.

CHAIRMAN KIRKLAND: Thank you Mr. Chairman and good morning. Usually Mr. Chairman I look forward to these hearings I am kind of reluctant this time around because we are talking about snowmobiling and I am trying to stretch the summer out. But as it is we look forward to your testimony this morning.

CHAIRMAN STERN: Thanks Chairman. Before we begin our testifying comments this morning and introduce the panel members I like to also recognize in the room here this morning Senator Earl's Executive Assistant and Director of the Committee over there, Kathy Washburn is here with us this morning and also I would like to recognize Representative Hanna's Legislative Aide here today and his Assistant Alycia Miller is here with us as well this morning. And I wanted to make note and comment that also that Representative Hanna could not make it here this morning. He has testimony that he has submitted for the Committee. He got hung up in traffic this morning so he won't be here present this morning so we'll begin the first of group of testifiers and we have beginning here with us this morning we have Fred Brown and if you want to introduce your guest Fred and at that time you can begin the presentation.

FRED BROWN: Thank you Chairman Stern. To my right is Henry Hartman. Henry is an entrepreneur out of Hanover; he is the publisher of the Pennsylvania Keystone Snowmobiler.

Also in the first row on the end is Lori Elliott, the Executive Director of the Pennsylvania State Snowmobile Association and to her left is Bob Kirshner, former President, Vice President and Member of the Board of Directors of the State Association. And Chairman Kirkland, I would like to see if we could stretch a few more warm days out this summer too.

Chairman Stern, Chairman Kirkland, members of the Tourism and Recreational Development Committee and staff my name is Fred Brown. I am the Legislative Advisor to the Pennsylvania State Snowmobile Association and I am here today to offer a bit of history and comment on House Bill 63.

First, I would like to thank Chairman Stern for his work in bringing this legislation to the Committee and his efforts since the bill's introduction in working with PSSA (Pennsylvania State Snowmobile Association) and the administration in an effort to bring forth the best possible product.

I would also like to thank and acknowledge the efforts of Representative Hanna and his staff for his willingness in the last session and in this session to be the prime sponsor of this legislation on behalf of the Association.

The legislation when passed as Chairman Stern outlined, would create a vintage snowmobile permit in the Commonwealth. Currently there are two types of registration, both, one is an active form of registration and the other is a limited registration. This would add to those two.

Under the terms of the bill a one-time fee of \$10 would be charged to register a vintage snowmobile. A vintage snowmobile is one that is 25 years or older. Vintage snowmobiles registered under the Act would only be ridden at an event for vintage snowmobiles.

By way of a little history, in the last session, this proposal was House Bill 1171 and during the course of negotiations with DCNR (Department of Conservation and Natural Resources) and Transportation Committee Chairman Joe Markosek, PSSA was able to negotiate a product which you have before you, with the exception of the cost of the permit.

Since the introduction of this proposal PSSA has maintained that the price for the permit should be set at \$10. At the time DCNR, at last session, DCNR was supporting a fee of \$35. At the time they had estimated the transaction cost to be \$1.50. PSSA believed and continues to believe that because of the extremely limited opportunity of individuals to utilize this permit to ride in a vintage event that the cost of \$35 was more than what was necessary for the opportunity to have a vintage permit for their sled.

House Bill 1171 did pass the House with a fee of \$35. As the legislative session was drawing to a close and because only one Vehicle Code Bill was in position to pass finally, we sought the support of the sponsor of House Bill 1800, Representative Ellis, and also Senator John Wozniak to amend House Bill 1800 with the language that you have in front of you and the \$10 fee. Unfortunately that bill was stripped of its provisions went back to the underlying legislation and we are back here before you seeking passage of House Bill 63.

It was conveyed to me then by the prime sponsor House Bill 1800 that DCNR would ask the Governor to veto the bill over the difference in the fee. And that House Leadership at the time would not move the bill forward unless there was an agreement by the prime sponsor to remove the vintage snowmobile language.

In this session I was advised that the administration and the Department had issues with House Bill 63. Several meetings were held with the Governor's Deputy Legislative Director and

on two occasions with Chairman Stern and his staff and a staff from Representative Hanna's office to discuss the concerns the administration had with the proposal.

In mid-September a meeting was held that involved representatives of DCNR, the Governor's Legislative Policy Office, Representative Stern and Hanna's Office and PSSA. Representatives of DCNR and governor's office expressed the following concerns:

- 1.) How to determine if a snowmobile is 25 years or older.
- 2.) Loss of funds to the snowmobile/ATV fund and,
- 3.) What is a vintage snowmobile event?

Each of these concerns were fully aired and it was my belief when we left the meeting the department and the policy office were to draft language that would make them feel comfortable regarding the definition of vintage snowmobile event. Several weeks later after the meeting I received language not only proposing changes to the definition of vintage snowmobile event but also language offered by the administration to go to fixed year of manufacture instead of the 25 years or older language as to what constitutes a vintage snowmobile.

We agree with department's definition of vintage snowmobile event and would support it when the committee considers the bill for action.

Regarding establishing a fixed year to determine whether a snowmobile is vintage is not in keeping with the direction that snow-belt states have gone on this subject. In fact one state that has a fixed date is in the process of passing legislation to go to the 25 year model. Therefore we would oppose changing that definition. As we will show there are reliable ways to identify the year in which a snowmobile was manufactured. Please also note that DCNR has been registering snowmobiles since the early 70's.

On behalf of the association and its more than 40,000 registered snowmobile owners we look forward to working with the committee in bringing this aspect of snowmobiling to fruition. We believe this is to positive step forward in helping to broaden the opportunity for vintage owners, assist our all volunteer clubs in their fundraising efforts, educating the public on the history of our sport and it will add to the overall value that snowmobiling brings to Pennsylvania's economy.

Again, Chairman Stern, Kirkland, and staff of the committee thank you for this opportunity and we look forward to responding to your questions. Thank you.

CHAIRMAN STERN: Mr. Hartman if you want to proceed with your testimony and then we will just open it up for questions to either you or Fred, okay?

HENRY HARTMAN: Thank you.

CHAIRMAN STERN: Thank you.

HENRY HARTMAN: Chairman Stern, Chairman Kirkland, Members of the Committee and staff, my name is Henry Hartman. I am also here on behalf of PSSA and many vintage snowmobile enthusiasts. Thank you for the opportunity to share some information with you today.

I experienced my first snowmobile in 1968 on a machine built in York, in a plant that today is the Harley Davidson factory. In the early 1970s I started employment with a John Deere dealership and have been very active in the sport of snowmobiling ever since. Over the years I have been involved with selling John Deere, Kawasaki and Polaris snowmobiles. I regularly share my knowledge of the older machines with vintage snowmobile owners looking for information and history and answering service and parts questions.

The history of the snowmobile business is quite interesting. At the height of their initial popularity, there were about 130 different manufacturers building over 200 brand names of machines. One of the things that I enjoy sharing with the younger people, who take the Snowmobile Safety Training Course, is the fact that many years ago you could buy a snowmobile at J.C. Penney's, at Sears and at the former Montgomery Wards. Between 1967 and 1975 there were 3 companies producing 4 brands of snowmobiles right here within the Commonwealth of Pennsylvania.

There are currently only 4 manufacturers producing and selling snowmobiles for the North American market. They are Arctic Cat, Polaris, Ski-Doo and Yamaha. The Most recent time a different manufacturer of snowmobiles had machines for sale was the 1984 model year. John Deere exited the market with their 84 models. Previously Kawasaki ended their models with the 1982 model year and Scorpion the year before that in 1981. All of these are easily beyond the 25 year old threshold for the vintage registration. The 4 current manufacturers each have model year information coded in their model number and/or serial number designations.

DCNR has all of the information needed to correctly identify those machines which are 25 years old or beyond. They have been registering machines snowmobiles ever since soon after the original Snowmobile Law was enacted in 1971.

In researching information for this day, I spoke to a fellow snowmobile dealer who commented that when they submit a registration and have the model year listed incorrectly, they get a phone call from DCNR and the registration office questioning the year. I believe that office already has all the information pertaining to what models and what serial numbers were built in what years. For you information, we have included copies from John Deere parts books which explain the system they use to identify their models and years.

Arctic Cat used the first digit of their serial number to indicate the model year. Let's say the serial number began with the digit 8. That would make the machine either a 1968 or 1978. If the first digit was a zero, it would be either be a 1970 or 1980. Model names of the Arctic Cats didn't run for 10 years, so there is very little possibility of confusion which decade a machine belongs to. Arctic Enterprises, the original parent company of Arctic cat went bankrupt in 1981 and for 2 years there were no machines built.

A new company name Arctco restarted Arctic Cat production with the 1984 model machines. And they started using the first two digits of the serial number to show the year. So in 1984 the serial numbers all started with 84. The following years saw the continuation of this pattern until the more recent 17 digit VIN (Vehicle Identification Number) numbers came into use by all current manufacturers.

Polaris, starting with the 1972 models used the first two or three digits of their model number to indicate the model year. 1972 machines all started with the digits 72. Beginning in 1979 they added a zero before the year, so a '79 model machine starts that model number with 079. You can refer to the included examples that we copied from an older Polaris Handbook.

Ski-Doo and Yamaha also have model year information coded in their model and serial number information. Please reference the printed material we have provided.

Many owners of vintage snowmobiles here in the Commonwealth are interested in showing and operating their old machines at events hosted by clubs and dealers throughout the state. They are usually ridden only short distances in order to prevent breakdowns that might involve hard to find parts, if the parts can be found at all. Allowing these older machines to be registered as vintage will boost the economic impact all over the state. Owners of these

machines, eat, lodge, fuel up and buy vehicles to haul and tow these machines. It makes good sense in every way to encourage these types of activities rather than deny the opportunity.

I thank you for this time to speak to you. I will gladly answer any questions you might have.

CHAIRMAN STERN: Thank you Mr. Hartman. To begin with I would like to acknowledge several members that have joined us since we began. Representative Gillespie is here from York County. Representative Gingrich is here from Lebanon and also Representative Helm from Dauphin County is here. Before we, I would like to ask the first question, if I could Fred. One of the things, first of all I wanted to let the committee members know that we also asked DCNR to testify today before the committee on this particular bill through an email and they declined to testify. So I just wanted to put that out there for the public record but also wanted to acknowledge you, Fred. One of the sticking points it seems to be is with the \$10 registration fee and whether or not the Commonwealth will lose money on a \$10 registration fee, if we go that route and then license vintage snowmobiles for the special events. Do you want to comment on that?

FRED BROWN: Yes, thank you Chairman Stern. One piece of information that came out of the last session was from DCNR through Joe Graci and the legislative office indicating as I said in my testimony the per transaction cost was \$1.50. In subsequent conversation with DCNR legislative office I have been advised that it is now \$6.50 with that increase occurring just over the last 2, 3 years. It is still well below the \$10 and in further conversation I probably should have started out by saying that we estimate or least based on data received from the Department that there are approximately 40,000 inactive snowmobiles in Pennsylvania that would qualify at 25 years or older. These machines obviously, are not currently registered. The Commonwealth

and the restricted account is not gaining any revenue. And its, I cannot fathom how you can suggest that you are going to lose revenue based on a program that is going to generate revenue albeit only a onetime fee. And for the extremely limited opportunity under the definition of event and relying on the Mother Nature to provide the snow in order to pursue a riding opportunity. It just baffles me that there would be this position by the department that they would be a loss of funds. I don't understand. Now I would say in addition to that, I have spoken to a number of state administrators, one in particular which kind of got me a little closer to believing that there could be a loss of funds is that I think it is the state of Wisconsin or somewhere in the mid-west where they allowed their vintage snowmobiles onetime fee to ride anywhere anytime, just like an active snowmobile. And I can see where that may possibly cause a belief that there is a loss of funds. But under what we are proposing here, I find it very difficult to suggest that there would be loss of revenue to the Commonwealth.

CHAIRMAN STERN: These are snowmobiles that aren't currently registered and you're stating that there are close to or estimation of 40,000 snowmobiles in the Commonwealth that aren't registered at this time?

FRED BROWN: Yes.

CHAIRMAN STERN: There are, probably in that age range.

FRED BROWN: Yes. I would also note for the committee that out of that approximately 40,000 there are about 2,500 or 3,000 or so that would fit under the definition of vintage but they are actively registered and I do not see an actively registered owner downgrading their ability to ride that machine if they are enjoying the opportunity to ride it now.

CHAIRMAN STERN: At this time I like to acknowledge Representative Longietti.

REPRESENTATIVE LONGIETTI: Thank you Mr. Chairman and thank you Mr. Brown and Mr. Hartman for your testimony and I am a cosponsor of House Bill 63, I fully support it. DCNR obviously declined to come here and answer questions so we are only left to ask you questions. And obviously, you know, Mr. Hartman you kind of laid out that it is not difficult to identify the year of these vintage snowmobiles and if I understand correctly as well in the Commonwealth registered vintage automobiles in this state. What, how does DCNR, you know, in your discussions with them confronted with the information that you have provided to the committee today, how do they respond that they don't think that they are able to adequately indentify a 25 year old or older snowmobile? Is there any adequate response that they give?

HENRY HARTMAN: Not that satisfies me, Representative. We have suggested, you know, should they prevail and want to pursue, well a fixed state they would pick arbitrarily 1980 as the date of manufacturer but if they say at the outset they can't determine the age, I don't know how they are going to be able to determine 1980, so it's perplexing.

REPRESENTATIVE LONGIETTI: Thank you. It's frustrating because, you know, one of the things we like to try to do is have legislation that we don't have to continually come back and revisit and if you pick an arbitrary date 5, 10 years down the road that is going need to be revised and I think that is why you picked 25 years.

HENRY HARTMAN: And that's, as I mentioned in my testimony, that seems to be the direction that others snow belt states that have had this in operation for many years have gone.

REPRESENTATIVE LONGIETTI: Thank you Mr. Chairman.

CHAIRMAN STERN: Thank you. Representative Denlinger.

REPRESENTATIVE DENLINGER: Thank you Mr. Chairman and thank you both for your testimony. A question that Representative Longietti asked was some of my question too but

I am kind of wondering I have to admit this is kind of a new realm for me, does this take the pattern similar to like vintage automobiles where folks gather, you know, to show off their prize piece sometimes run it a little sometimes don't run it at all? What is the nature of the activity if you just kind of educate us a little bit?

FRED BROWN: You are on the right track sir. It is interesting that a lot of folks in my age bracket are looking for these older machines to fix up, restore, take them out, show them off, run them on a very limited basis, it is a deal where, you know, my Dad had one of those years ago. Just like the vintage cars, antique cars and there is a growing segment in that, in fact there is a number of national publications and websites devoted just to the vintage snowmobile movement all across U.S. and Canada.

REPRESENTATIVE DENLINGER: So it is growing rapidly then?

FRED BROWN: It is a very, very popular thing and it's growing every day.

REPRESENTATIVE DENLINGER: Yes, thank you. Thank you Mr. Chairman.

CHAIRMAN STERN: Any other members have any questions?

REPRESENTATIVE HALUSKA: Yes Mr. Chairman.

CHAIRMAN STERN: Representative Haluska.

REPRESENTATIVE HALUSKA: Thank you. Fred let's roll back a little bit. You can still register these snowmobiles with the 20 dollar or by annual registration right?

FRED BROWN: Yes.

REPRESENTATIVE HALUSKA: There is no cut off? So basically what you are trying to do then rather than have to register these every two years, you are trying to get a permanent plate like we do for antique automobiles or whatever?

FRED BROWN: Yes.

REPRESENTATIVE HALUSKA: Okay. So then would DCNR then issue an antique snowmobile plate? Or vintage snowmobile plate?

FRED BROWN: What we envision Representative is just simply a packet card that a registration card, if you will, no exterior markings again because the event are going to be controlled, the people will register when arriving at an activity, they'll do the run and it's in a effort as well as Henry said they are restored, they are custom painted, and they don't want, the user would like not to have to have any outward markings or any type of numbers or plates affixed to the machines.

REPRESENTATIVE HALUSKA: Oh okay. So it would be a registration then?

FRED BROWN: Yes.

REPRESENTATIVE HALUSKA: You would be carrying that would be for that particular machine.

FRED BROWN: Yes.

REPRESENTATIVE HALUSKA: Okay.

CHAIRMAN STERN: Thanks Representative Haluska. I appreciate your testimony Mr. Hartman this morning and also Fred for coming to clarify explain some of the points that may have been questioned here this morning. That is going to conclude this morning's meeting; I would like to acknowledge Representative Moul here before we adjourn for the meeting. This meeting stands adjourned. Thank you.

FRED BROWN: Thank you.

The above is a full and accurate transcript of proceedings produced by the Chief Clerk's Office of the Pennsylvania House of Representatives.

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