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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2261 Session of  
2003

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INTRODUCED BY HALUSKA, CORRIGAN, GERGELY, HORSEY, KELLER,  
LEDERER, S. MILLER, STABACK, THOMAS, TIGUE, WANSACZ,  
WASHINGTON AND YOUNGBLOOD, DECEMBER 16, 2003

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REFERRED TO COMMITTEE ON TRANSPORTATION, DECEMBER 16, 2003

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AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, further providing for the registration of dirt  
3 bikes operated on certain lands of the Department of  
4 Conservation and Natural Resources.

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

7 Section 1. Chapter 79 of Title 75 of the Pennsylvania  
8 Consolidated Statutes is amended by adding a subchapter to read:

9 SUBCHAPTER C

10 DIRT BIKES

11 Sec.

12 7921. Definitions.

13 7922. Registration required.

14 7923. Application process and issuance of registration tags.

15 7924. Placement of registration tag on dirt bike.

16 7925. Registration fees.

17 7926. Reciprocity.

18 7927. Liability insurance.

1 7928. Suspension or revocation.

2 7929. Surrender of registration tags.

3 7930. Penalty.

4 § 7921. Definitions.

5 The following words and phrases when used in this subchapter  
6 shall have the meanings given to them in this section unless the  
7 context clearly indicates otherwise:

8 "Department." The Department of Conservation and Natural  
9 Resources of the Commonwealth.

10 "Dirt bike." A motor vehicle having a seat or saddle for use  
11 of the rider and designed:

12 (1) To travel on not more than two wheels in contact  
13 with the ground.

14 (2) To be operated primarily for off-highway use.

15 § 7922. Registration required.

16 A person who owns a dirt bike and operates the dirt bike on  
17 motorized recreational areas or trails designated for such use  
18 by the department shall register the dirt bike with the  
19 department in accordance with the provisions of this subchapter.

20 § 7923. Application process and issuance of registration tags.

21 Upon application on a form prescribed by the department which  
22 shall contain a full description of the dirt bike, the actual  
23 and bona fide name and address of the owner, proof of ownership  
24 and any other information the department may reasonably require,  
25 and which shall be accompanied by the required fee, the  
26 department shall issue a certificate of registration of a dirt  
27 bike and a registration tag showing the expiration date to the  
28 owner.

29 § 7924. Placement of registration tag on dirt bike.

30 The registration tags issued under this subchapter shall be

1 affixed to the dirt bike in such a manner that the numbers may  
2 be easily identified at all times when operating the dirt bike.  
3 § 7925. Registration fees.

4 (a) General rule.--Except as otherwise provided for under  
5 subsection (b), the fees for registration of dirt bikes required  
6 to be registered under this subchapter and to be collected by  
7 the department are as follows:

8 (1) Each individual resident registration for two years,  
9 \$20.

10 (2) Each individual nonresident registration for two  
11 years, \$20.

12 (3) Replacement of a lost, mutilated or destroyed tag,  
13 \$1.

14 (b) Exemption from fees.--No registration fee shall be  
15 required for the registration of dirt bikes owned by:

16 (1) The Commonwealth.

17 (2) Political subdivisions.

18 (3) Volunteer organizations and used exclusively for  
19 emergency purposes.

20 § 7926. Reciprocity.

21 (a) General rule.--Except as otherwise provided for under  
22 subsection (b), a nonresident owner of a dirt bike covered by a  
23 valid registration of the state, province, district or country  
24 of residence shall pay the registration fee and display a  
25 current registration tag.

26 (b) Exception.--Subsection (a) does not apply to a  
27 nonresident owner of a dirt bike if the state, province,  
28 district or country of residence similarly recognizes a properly  
29 registered dirt bike of a resident owner of this Commonwealth.

30 § 7927. Liability insurance.

1 (a) Requirement.--A dirt bike for which registration is  
2 required under this subchapter shall have liability insurance  
3 coverage for the dirt bike issued by an insurance carrier  
4 authorized to do business in this Commonwealth.

5 (b) Proof of insurance.--Proof of insurance as required by  
6 this section shall be produced and displayed by the owner or  
7 operator of the dirt bike upon the request of any magistrate or  
8 any person having authority to enforce the provisions of this  
9 subchapter or to any person who has suffered or claims to have  
10 suffered either personal injury or property damage as a result  
11 of the operation of the dirt bike.

12 (c) Owner's responsibility.--No owner of a dirt bike shall  
13 operate or permit the same to be operated without having in full  
14 force and effect liability insurance coverage required by this  
15 section. The operator of a dirt bike shall carry proof of  
16 insurance on his person or on the dirt bike when it is in  
17 operation.

18 (d) Insurer notice to department.--If the owner of a dirt  
19 bike terminates the insurance required by this subchapter, the  
20 insurer shall notify the department. If the owner renews the  
21 insurance after cancellation, the insurer shall notify the  
22 department of the renewal.

23 (e) Penalty.--A person who violates subsection (a) or (c)  
24 commits a summary offense and shall, upon conviction, be  
25 sentenced to pay a fine of \$300 and costs of prosecution and in  
26 default of payment of the fine or costs shall be imprisoned for  
27 not more than ten days.

28 § 7928. Suspension or revocation.

29 The department shall provide by regulation for the suspension  
30 and revocation of dirt bike registration issued under this

1 subchapter.

2 § 7929. Surrender of registration tags.

3 (a) General rule.--The department, on suspending or revoking  
4 any registration, shall require the registration tag to be  
5 surrendered immediately to the department.

6 (b) Delegation of authority.--

7 (1) If after 30 days from the mail date of a notice of  
8 suspension or revocation, the registration tag is not  
9 surrendered under subsection (a), the department may delegate  
10 authority to the following persons to seize a registration  
11 tag and registration card which are required to be  
12 surrendered under subsection (a):

13 (i) A designated department employee.

14 (ii) Members of the Pennsylvania State Police.

15 (iii) Local police officers.

16 (iv) Sheriffs or deputy sheriffs.

17 (v) Constables or deputy constables.

18 (2) If constables and deputy constables are delegated  
19 authority to seize registration tags under this section, they  
20 shall be compensated by the department at the rate of \$15 for  
21 each registration tag and card jointly seized, plus mileage.  
22 The department shall pay a constable or deputy constable  
23 within 30 days after a documented request for payment is  
24 submitted to it.

25 (c) Penalty.--Any person who fails or refuses to surrender  
26 to the department or its authorized delegate, upon demand, any  
27 registration tag which has been suspended or revoked commits a  
28 summary offense and shall, upon conviction, be sentenced to pay  
29 a fine of \$300, plus costs. Costs shall include a reasonable fee  
30 for official seizure of the unsurrendered items.

1 § 7930. Penalty.

2 Except as otherwise provided in section 7929(c) (relating to  
3 surrender of registration tags), a person who violates any  
4 provision of this subchapter commits a summary offense and  
5 shall, upon conviction, be sentenced to pay a fine of \$300 or to  
6 a term of imprisonment of 90 days, or both.

7 Section 2. This act shall take effect in 60 days.