
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 648 Session of
2015

INTRODUCED BY STEFANO, SCARNATI, ALLOWAY, WARD, VOGEL,
HUTCHINSON, BARTOLOTTA, VULAKOVICH, YUDICHAK AND WOZNIAK,
APRIL 8, 2015

REFERRED TO TRANSPORTATION, APRIL 8, 2015

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in snowmobiles and all-terrain vehicles, further
3 providing for restricted account and for Snowmobile and ATV
4 Advisory Committee.

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

7 Section 1. Section 7706(a)(1) and (2), (b) introductory
8 paragraph and (c) of Title 75 of the Pennsylvania Consolidated
9 Statutes are amended and the section is amended by adding
10 subsections to read:

11 § 7706. Restricted account.

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

13 (1) [The department] There is established a restricted
14 account with two separate funds, the ATV Management Fund and
15 the Snowmobile Management Fund. The department shall deposit
16 the following into [a] the appropriate fund of the restricted
17 account[, which is hereby established]:

18 (i) all moneys received from the registration of and

1 issuance of certificates of title for snowmobiles and
2 ATV's and from the issuance of vintage snowmobile
3 permits;

4 (ii) all revenue from the sale of any publications
5 or services relating to snowmobiles and ATV's; [and]

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

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

17 (v) all moneys existing in the restricted account at
18 the time this section becomes effective shall be divided
19 into the two funds based on the current number of active
20 snowmobile and active ATV registrations; and

21 (vi) all refunds of gas taxes generated under
22 section 9017(d.1) (relating to refunds) shall be
23 deposited in the respective funds on a proportional basis
24 of the activity that generated those taxes.

25 (2) The department shall draw moneys from the respective
26 funds in the restricted account for use in performing any
27 activities necessary to carry out the purposes of this
28 chapter, including registration and certificate of title
29 activities, training, education, enforcement activities,
30 construction and maintenance of snowmobile and ATV trails and

1 acquisition of equipment, supplies and interests in land. All
2 moneys deposited in this account shall remain in it to be
3 used as specified in this section. With the exception of
4 trails used by both snowmobiles and ATV's, under no
5 circumstances shall the department expend any moneys from any
6 fund except for the activity that generated those funds.

7 * * *

8 (b) Grant-in-aid.--The department shall, upon written
9 application and subsequent approval, grant money from the
10 appropriate fund of the restricted account:

11 * * *

12 (c) Audit of moneys.--The restricted account shall be
13 audited every two years. Copies of the audit shall be provided
14 to the Snowmobile and ATV Advisory Committee[.], the
15 Appropriations Committee of the Senate and the Appropriations
16 Committee of the House of Representatives. Copies shall also be
17 posted and maintained on the department's publicly accessible
18 Internet website.

19 (d) Annual report.--An annual report on income and
20 expenditures from each fund of the restricted account shall be
21 posted and maintained on the department's publicly accessible
22 Internet website and provided to the Appropriations Committee of
23 the Senate and the Appropriations Committee of the House of
24 Representatives.

25 (e) Regulations.--No later than 60 days from the effective
26 date of this subsection, the department shall promulgate
27 regulations necessary to implement the provisions of this
28 section. The department shall promulgate regulations in a manner
29 that is separate from regulations pertaining to any other grant
30 program administered by the department. The department's

1 regulations shall include a quarterly approval process.

2 Section 2. Section 7717(b), (e) (1) and (2) and (f) of Title
3 75 are amended to read:

4 § 7717. Snowmobile and ATV Advisory Committee.

5 * * *

6 (b) Composition.--The committee shall consist of 17 members.
7 The members shall be as follows:

8 (1) The chairman and minority chairman of the
9 Environmental Resources and Energy Committee of the Senate.

10 (2) The chairman and minority chairman of the
11 Environmental Resources and Energy Committee of the House of
12 Representatives.

13 (3) One member [from] representing the Pennsylvania Game
14 Commission.

15 (4) One member [from] representing the Allegheny
16 National Forest.

17 (5) One member [from] representing the Pennsylvania
18 State Association of Township Supervisors.

19 (6) One member [from] representing the Pennsylvania
20 State Association of Boroughs.

21 (7) One member [from] representing the Pennsylvania
22 State Association of County Commissioners.

23 (7.1) One member representing the Department of
24 Community and Economic Development.

25 (8) [~~Eight~~] Seven members of the public representing the
26 following organizations to be appointed by the Secretary of
27 Conservation and Natural Resources:

28 (i) Two members from a list of at least six
29 representatives submitted by the Pennsylvania State
30 Snowmobile Association.

1 (ii) Two members from a list of at least six
2 representatives submitted by the Pennsylvania Off-Highway
3 Vehicle Association.

4 (iii) One member from a list of at least three
5 representatives submitted by the Pennsylvania Farm
6 Bureau.

7 [(iv) Two members from a list of at least six
8 representatives submitted by conservation or nonmotorized
9 recreation organizations.]

10 (v) One member from a list of at least three
11 representatives submitted by the Pennsylvania Association
12 of Travel [Council] and Tourism.

13 (vi) One member from a list of at least three
14 representatives submitted by the Pennsylvania Economic
15 Development Association.

16 Each member may designate an alternate to serve in his stead. A
17 member shall notify the chairman in writing of this designation.

18 * * *

19 (e) Meetings and expenses.--

20 (1) The committee shall meet at least [annually]
21 biannually.

22 (2) A public member, including a designee, who misses
23 three consecutive meetings without good cause [acceptable to
24 the chairman] may be replaced by the Secretary of
25 Conservation and Natural Resources upon recommendation of the
26 chairman.

27 * * *

28 (f) Powers and duties.--The powers and duties of the
29 committee shall be to advise the Secretary of Conservation and
30 Natural Resources on matters concerning the implementation of

1 this chapter, including existing and proposed regulations,
2 standards, policies, guidelines and practices; use and operation
3 of snowmobiles and ATV's on public and private land;
4 acquisition, construction, development and maintenance of
5 trails; enforcement; and allocation of fees collected by the
6 department pursuant to this chapter.

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