

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1936 Session of 2017

INTRODUCED BY WENTLING, WARD, MILLARD, B. MILLER, WHEELAND AND A. HARRIS, NOVEMBER 27, 2017

AS AMENDED ON THIRD CONSIDERATION, IN SENATE, OCTOBER 16, 2018

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, IN GENERAL PROVISIONS RELATING TO SIZE, WEIGHT AND <--
3 LOAD, FURTHER PROVIDING FOR RESTRICTIONS ON USE OF HIGHWAYS
4 AND BRIDGES; AND, in snowmobiles and all-terrain vehicles,
5 further providing for operation by persons under age sixteen
6 and for mufflers and sound controls.

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

9 Section 1. Sections 7725(b.1) and 7743(a) of Title 75 of the <--
10 Pennsylvania Consolidated Statutes are amended to read:

11 SECTION 1. SECTIONS 4902(A) (4) AND (5), 7725(B.1) AND <--
12 7743(A) OF TITLE 75 OF THE PENNSYLVANIA CONSOLIDATED STATUTES
13 ARE AMENDED TO READ:

14 § 4902. RESTRICTIONS ON USE OF HIGHWAYS AND BRIDGES.

15 (A) RESTRICTIONS BASED ON CONDITION OF HIGHWAY OR BRIDGE.--

16 \* \* \*

17 (4) THE METHODOLOGY UNDER PARAGRAPH (3) MAY ALLOW FOR
18 EXEMPTIONS FROM 67 PA. CODE CH. 189 (RELATING TO HAULING IN
19 EXCESS OF POSTED WEIGHT LIMIT) RELATED TO THE AT-RISK

1       INDUSTRY [SECTORS] OF LOGGING OR OTHER FOREST PRODUCTS  
2       EXPERIENCING A 20% DECLINE IN STATEWIDE EMPLOYMENT BETWEEN  
3       MARCH 2002 AND MARCH 2011, AS DETERMINED BY THE DEPARTMENT OF  
4       LABOR AND INDUSTRY.

5           (5) THE EXEMPTIONS AND RELATED REQUIREMENTS UNDER  
6       PARAGRAPH (4) MAY REMAIN IN EXISTENCE ONLY UNTIL DECEMBER 31,  
7       [2018] 2023. EXEMPTIONS FOR LOCAL DELIVERY OR PICKUP MAY NOT  
8       INCLUDE TRAFFIC GOING TO OR COMING FROM A SITE AT WHICH  
9       MINERALS, NATURAL GAS OR NATURAL RESOURCES ARE DEVELOPED,  
10      HARVESTED OR EXTRACTED, NOTWITHSTANDING WHETHER THE SITE IS  
11      LOCATED AT A RESIDENCE, A COMMERCIAL SITE OR ON FARMLAND.  
12      DELIVERY OR PICKUP OF LOGS OR OTHER FOREST PRODUCTS TO OR  
13      FROM PERMANENT PROCESSING MILLS LOCATED ON OR REACHABLE ONLY  
14      THROUGH POSTED HIGHWAYS SHALL BE CONSIDERED LOCAL DELIVERY OR  
15      PICKUP. DELIVERY OR PICKUP OF COAL TO OR FROM PERMANENT COAL  
16      REPROCESSING OR PREPARATION PLANTS LOCATED ON OR REACHABLE  
17      ONLY THROUGH POSTED HIGHWAYS AND NOT ON THE SAME POSTED  
18      HIGHWAY AS A SITE AT WHICH COAL IS EXTRACTED SHALL BE  
19      CONSIDERED LOCAL DELIVERY OR PICKUP.

20      \* \* \*

21   § 7725. Operation by persons under age sixteen.

22      \* \* \*

23      (b.1) ATV size restrictions.--No person shall operate an ATV  
24      bearing a certification label conforming to ANSI/SVIA 1 - 2010,  
25      or its successor standard, in violation of the age  
26      recommendation warning label affixed by the manufacturer. An ATV  
27      not bearing a certification label conforming to ANSI/SVIA 1 -  
28      2010, or its successor standard, operated in this Commonwealth  
29      by a person eight or nine years of age shall have an engine size  
30      of 70cc or less.

1 \* \* \*

2 § 7743. Mufflers and sound control.

3 (a) General rule.--It is unlawful to operate a snowmobile or  
4 an ATV which is not equipped at all times with a muffler in good  
5 working order which blends the exhaust sound into the overall  
6 snowmobile or ATV sound and is in constant operation to prevent  
7 excessive or unusual [noise] sound. The exhaust system shall not  
8 emit or produce a sharp popping or crackling sound. The sound  
9 intensity produced by a snowmobile shall not exceed 82dbA when  
10 measured in accordance with SAE Recommended Practice J 192  
11 Exterior Sound Level for Snowmobiles, as amended. The department  
12 may by regulation adopt more stringent [noise] sound  
13 requirements for snowmobiles. The department shall by regulation  
14 adopt [noise] sound requirements for in-use operation of ATV's  
15 using measurement procedures in accordance with [ANSI/SAE] SAE  
16 Recommended Practice J 1287 July 1998, Measurement of Exhaust  
17 Level of Stationary Motorcycles. The sound level intensity  
18 produced by an ATV manufactured before January 1, 1998, shall  
19 not exceed 99dbA, or decibels, when measured at 20 inches. The  
20 sound level intensity produced by an ATV manufactured on or  
21 after January 1, 1998, shall not exceed 96dbA, or decibels, when  
22 measured at 20 inches.

23 \* \* \*

24 Section 2. This act shall take effect immediately.