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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 1183 Session of  
2022

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INTRODUCED BY BROWNE, SCAVELLO AND FONTANA, MAY 3, 2022

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REFERRED TO TRANSPORTATION, MAY 3, 2022

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AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, in forfeiture of assets,  
3 further providing for asset forfeiture and providing for  
4 disposal of forfeited property; and, in snowmobiles and all-  
5 terrain vehicles, further providing for operation on streets  
6 and highways.

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

9 Section 1. Section 5803(a) of Title 42 of the Pennsylvania  
10 Consolidated Statutes is amended by adding a paragraph to read:

11 § 5803. Asset forfeiture.

12 (a) Applicability.--Notwithstanding any law to the contrary,  
13 this section shall apply to forfeitures conducted under the  
14 following:

15 \* \* \*

16 (13.1) 75 Pa.C.S. § 7721(d) (relating to operation on  
17 streets and highways).

18 \* \* \*

19 Section 2. Title 42 is amended by adding a section to read:

20 § 5809. Disposal of forfeited property.

1 All property which has been forfeited under section 5803(a)  
2 (13.1) (relating to asset forfeiture) shall be destroyed.

3 Section 3. Section 7721 of Title 75 is amended to read:

4 § 7721. Operation on streets and highways.

5 (a) General rule.--Except as otherwise provided in this  
6 chapter, it is unlawful to operate a snowmobile, dirt bike or an  
7 ATV on any street or highway which is not designated and posted  
8 as a snowmobile, dirt bike or an ATV road by the governmental  
9 agency having jurisdiction.

10 (b) Emergency and bridge crossings.--A snowmobile, dirt bike  
11 or an ATV may be operated on highways and streets:

12 (1) During periods of emergency when so declared by a  
13 policy agency having jurisdiction.

14 (2) When necessary to cross a bridge or culvert.

15 (c) Crossing street or highway.--A snowmobile, dirt bike or  
16 an ATV may make a direct crossing of a street or highway upon  
17 compliance with the following requirements:

18 (1) The crossing is made at an angle of approximately 90  
19 degrees to the direction of the highway and at a place where  
20 no obstruction prevents a quick and safe crossing.

21 (2) The snowmobile, dirt bike or ATV is brought to a  
22 complete stop before crossing the shoulder or main-traveled  
23 way of the highway.

24 (3) The driver yields the right-of-way to all oncoming  
25 traffic which constitutes an immediate hazard.

26 (4) In crossing a divided highway, the crossing is made  
27 only at an intersection of such highway with another public  
28 street or highway.

29 (d) Penalties.--A dirt bike or all-terrain vehicle operated  
30 on any public street, highway or right-of-way in a city of the

1 third class or a borough in violation of this section shall be  
2 designated as prima facie contraband subject to forfeiture in  
3 accordance with 42 Pa.C.S. § 5803 (relating to asset  
4 forfeiture).

5 (e) Definitions.--As used in this section, the following  
6 words and phrases shall have the meanings given to them in this  
7 subsection unless the context clearly indicates otherwise:

8 "Dirt bike." A two-wheeled motorcycle that is designed and  
9 manufactured for off-road use only and that does not comply with  
10 Federal motor vehicle safety standards or United States  
11 Environmental Protection Agency on-road emissions standards.

12 Section 4. This act shall take effect in 60 days.