

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1183 Session of 2022

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

SENATOR LANGERHOLC, TRANSPORTATION, AS AMENDED, MAY 25, 2022

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 2. 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 3. This act shall take effect in 60 days.

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