

No. 1985-56

AN ACT

HB 348

Amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the operation and regulation of multipurpose agricultural vehicles; providing for the registration and regulation of certain all-terrain vehicles; and imposing powers and duties on the Department of Environmental Resources.

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

Section 1. Section 102 of Title 75 of the Pennsylvania Consolidated Statutes is amended by adding a definition to read:

§ 102. Definitions.

Subject to additional definitions contained in subsequent provisions of this title which are applicable to specific provisions of this title, the following words and phrases when used in this title shall have, unless the context clearly indicates otherwise, the meanings given to them in this section:

* * *

“Multipurpose agricultural vehicle.” A motor vehicle which is 50 inches or less in width and 600 pounds or less in dry weight and which is used exclusively for agricultural operations and only incidentally operated or moved upon the highways.

* * *

Section 2. Sections 1102 and 1302 of Title 75 are amended by adding paragraphs to read:

§ 1102. Vehicles not requiring certificate of title.

No certificate of title is required for:

* * *

(10) A multipurpose agricultural vehicle.

§ 1302. Vehicles exempt from registration.

The following types of vehicles are exempt from registration:

* * *

(17) Any multipurpose agricultural vehicle. Vehicles exempt from registration under this paragraph shall be used exclusively upon a farm or farms owned or operated by the owner of the vehicles or upon highways between:

(i) Parts of one such farm.

(ii) Such farms located not more than two miles apart.

Section 3. The heading of Chapter 77 is amended to read:

CHAPTER 77

SNOWMOBILES AND ALL-TERRAIN VEHICLES

Section 4. Sections 7701, 7702, 7706, 7711, 7712, 7713, 7714, 7715, 7716, 7721, 7722, 7723, 7724, 7725, 7726, 7727, 7728, 7729, 7741, 7742, 7743, 7751 and 7752 of Title 75 are amended to read:

§ 7701. Short title of chapter.

This chapter shall be known and may be cited as the [**“Snowmobile Law.”**] *Snowmobile and All-Terrain Vehicle Law.*

§ 7702. Definitions.

The following words and phrases when used in this chapter shall have, unless the context clearly indicates otherwise, the meanings given to them in this section:

“All-terrain vehicle” or “ATV.”

(1) *A motorized off-highway vehicle, 50 inches or less in width, having a dry weight of 600 pounds or less, traveling on three or more low-pressure tires and having a seat designed to be straddled by the operator is designated as a Class I all-terrain vehicle.*

(2) *A motorized off-highway vehicle, 58 inches or less in width, having a dry weight of 700 pounds or less, traveling on four or more low-profile, low-pressure tires and having a bench seat is designated as a Class II all-terrain vehicle.*

(3) *This term does not include snowmobiles, trail bikes, motorboats, golf carts, aircraft, dune buggies, automobiles, construction machines, trucks or home utility machines; military, fire, emergency and law enforcement vehicles; implements of husbandry; multipurpose agricultural vehicles; vehicles used by the department; or off-road vehicles not generally used for outdoor recreation.*

“Cowling.” The forward portion of the snowmobile, usually of fiberglass or similar material, surrounding the motor and clutch assembly.

“Dealer.” A person engaged in the business of selling snowmobiles or all-terrain vehicles at wholesale or retail.

“Department.” The Department of Environmental Resources of the Commonwealth.

“Head lamp.” A major lighting device used to provide general illumination ahead of a vehicle.

“Highway.” The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

“Low-pressure tire.” *A pneumatic tire, six inches or more in width, designed for use on wheels with a rim diameter of 12 inches or less and utilizing an operating pressure of ten pounds per square inch or less, as recommended by the vehicle manufacturer.*

“Snowmobile.” An engine-driven vehicle of a type which utilizes sled type runners, or skis, or an endless belt tread or any combination of these or other similar means of contact with the surface upon which it is operated. The term does not include any farm tractor, highway or other construction equipment, or any military or law enforcement vehicle.

“Street.” A highway, other than an alley, within the corporate limits of a political subdivision.

“Tail lamp.” A device to designate the rear of a vehicle by a warning light.

§ 7706. Restricted receipts fund.

(a) Deposit and use of moneys.—The department shall deposit all moneys received from the registration of snowmobiles *and* *ATV*'s, the sale of snowmobile *and* *ATV* registration information, snowmobile *and* *ATV* publications and other services provided by the department, **[all fines and penalties resulting from violations of this chapter,]** and all fees collected under this chapter in a restricted receipts fund, from which the department shall draw moneys for use in carrying out the registration, safety education and enforcement requirements of this chapter as well as the establishment, construction and maintenance of trails and any equipment and supplies necessary to carry out the purposes of this chapter. All moneys in said fund not heretofore paid into the General Fund shall remain in said restricted receipts fund to be used as specified in this chapter.

(b) Audit of moneys.—The restricted receipts fund shall be audited every two years.

§ 7711. Registration of dealers.

Any person who is in the business of selling snowmobiles *or* *ATV*'s shall register as a dealer. The department, upon receipt of application and the required fee, shall assign a distinguishing dealer registration number to the registrant and issue appropriate registration certificate to him. Dealer registrations are not transferable.

§ 7712. Registration of snowmobiles *and* *ATV*'s.

(a) General rule.—Upon application therefor upon a form prescribed and furnished by the department which shall contain a full description of the snowmobile *or* *ATV*, the actual and bona fide name and address of the owner, proof of ownership and any other information the department may reasonably require, and which shall be accompanied by the required fee, the department shall issue a certificate of registration of a snowmobile *or* *an* *ATV* and a decal showing the expiration date to the owner.

(b) Temporary registration.—Temporary registration for a period not to exceed 45 days may be issued by a registered dealer pursuant to rules and regulations promulgated by the department.

(c) Fees.—Fees for registration of snowmobiles *and* *ATV*'s to be collected by the department under this chapter are as follows:

(1) Each individual resident registration for two years, \$10 *for a snowmobile* and \$20 *for an* *ATV*.

(2) Each individual nonresident registration for two years, \$10 *for a snowmobile* and \$20 *for an* *ATV*.

(3) Each dealer registration for one year, \$25.

(4) Replacement of a lost, mutilated or destroyed certificate or decal, \$1.

(5) *Transfers of snowmobile and* *ATV* *registrations as described in section 7713 (relating to certificates of registration and decals), \$3.*

(d) Exemptions from fees.—No fee is required for the registration of snowmobiles *or* *ATV*'s owned by:

- (1) The Commonwealth.
- (2) Political subdivisions.
- (3) Volunteer organizations and used exclusively for emergency purposes.

§ 7713. Certificates of registration and decals.

(a) General rule.—Except as otherwise provided in this chapter, it is unlawful to operate a snowmobile *or an ATV* unless a certificate of registration has been issued therefor and unless there is displayed thereon the permanent or temporary registration number and a valid decal.

(b) Registration number requirements.—Numbers corresponding to the permanent registration number of the snowmobile, shown on the certificate of registration, shall be obtained by the applicant and affixed to the snowmobile. The permanent registration number displayed on the snowmobile shall be of a color which will contrast with the surface to which applied, shall be reflective and shall be at least three inches high.

(c) Display of number and decal.—The decal and the permanent registration number shall be displayed on both sides of the cowling of the snowmobile for which issued. No number other than the number assigned to a snowmobile by the department or the identification number of the registration in another state shall be attached to or displayed on the cowling. *The department shall by regulation prescribe the manner in which the decal and registration number shall be displayed on various types of ATV's.*

(d) Expiration on transfer.—The certificate of registration issued **[for a]** *to the owner of a snowmobile or an ATV* shall expire and the decal shall become invalid when **[title to]** *ownership of the snowmobile or ATV* is transferred. *Upon any transfer, the seller (and former owner) shall, within 15 days from the date of sale, return to the department the certificate of registration previously issued to him with the date of sale, name and residence of the new owner endorsed on the back. If the former owner applies for registration of a different snowmobile or ATV and pays a transfer fee, he may be issued, in his name, a certificate of registration for that snowmobile or ATV for the remainder of the registration period without payment of a registration fee.*

(e) Suspension or revocation.—The department may suspend or revoke the certification of registration for a snowmobile *or an ATV* upon conviction of the owner of any offense under this chapter.

§ 7714. Exemptions from registration.

No certificate of registration or decal shall be required for a snowmobile *or an ATV*:

(1) Owned and used by the United States or another state, or a political subdivision thereof, but such snowmobile shall display the name of the owner on the cowling thereof, *and such ATV shall display the name of the owner in a manner prescribed by regulation of the department.*

(2) Covered by a valid registration or license of another state, province or country.

(3) Owned and operated on lands owned by the owner or operator of the snowmobile *or ATV* or on lands to which he has a contractual right other than as a member of a club or association, provided the snowmobile *or ATV* is not operated elsewhere within this Commonwealth.

§ 7715. Reciprocity.

The provisions of this chapter relating to certificates of registration and decals shall not apply to nonresident owners who have complied with the registration and licensing laws of the state, province, district or country of residence, provided that the snowmobile *or* *ATV* is appropriately identified in accordance with the laws of the state of residence.

§ 7716. Central registration file.

The department shall maintain a central file of the certificate of registration number, name and address of the owner of each snowmobile *and* *ATV* for which a certificate of registration is issued and such information shall be made available to all enforcement agencies.

§ 7721. Operation on streets and highways.

(a) General rule.—Except as otherwise provided in this chapter, it is unlawful to operate a snowmobile *or an* *ATV* on any street or highway which is not designated and posted as a snowmobile *or an* *ATV* road by the governmental agency having jurisdiction.

(b) Emergency and bridge crossings.—A snowmobile *or an* *ATV* may be operated on highways and streets:

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

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

(c) Crossing street or highway.—A snowmobile *or an* *ATV* may make a direct crossing of a street or [two-lane] highway upon compliance with the following requirements:

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

(2) The snowmobile *or* *ATV* is brought to a complete stop before crossing the shoulder or main-traveled way of the highway.

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

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

§ 7722. Designation of snowmobile *and* *ATV* roads.

(a) General rule.—The Department of Transportation on State-designated highways and local authorities on any highway, road or street within its jurisdiction may designate any highway, road or street within its jurisdiction as a snowmobile road, *an* *ATV* road, *or both*, and may, in its discretion, determine whether such road shall be closed to vehicular traffic or whether snowmobiles *and* *ATV*'s may share this designated road with vehicular traffic.

(b) Posting notices.—Adequate notices of such designation and determination shall be sufficiently and prominently displayed.

(c) Liability.—There shall be no liability imposed on the Department of Transportation or any other State agency or any political subdivision of this Commonwealth as a result of designating any highway, road or street as a snowmobile road *or an* *ATV* road as provided in subsection (a).

§ 7723. Special snowmobile *and* *ATV* events.

(a) General rule.—Snowmobiles *and* *ATV*'s may be operated on highways and streets for special snowmobile *and* *ATV* events of limited duration which are conducted according to a prearranged schedule under permit from the governmental agency having jurisdiction.

(b) Authority of local authorities.—A local authority may block off highways and streets within its jurisdiction for the purpose of allowing snowmobile *and* *ATV* races, rallies or derbies. No State trunk highway or connecting street, or part thereof, shall be blocked off by any local authority for any snowmobile *or* *ATV* race, rally or derby.

(c) Notification and duty of police.—A local authority shall notify the local police department and the county sheriff's office at least one week in advance of the time and place of any snowmobile *or* *ATV* race, rally or derby which may result in any highway or street, or part thereof, being blocked off. Upon such notice, the local police department shall take such measures as it deems appropriate to protect persons and property and to regulate traffic in the designated area and its vicinity on the day of such race, rally or derby.

§ 7724. Operation on private or State property.

(a) Private property.—No person shall operate a snowmobile *or an* *ATV* on private property without the consent of the owner of or lessor thereof. Any person operating a snowmobile *or an* *ATV* upon lands of another shall stop and identify himself upon the request of the landowner or his duly authorized representatives and, if requested to do so by the landowner, shall promptly remove the snowmobile *or* *ATV* from the premises.

(b) State property.—No person shall operate a snowmobile *or an* *ATV* on State-owned property except on clearly marked and previously designated snowmobile *or* *ATV* routes. The department may designate any road within a State Park or State Forest over which the department has jurisdiction as a snowmobile road *or an* *ATV* road, *or both*, and may, in its discretion, determine whether the road shall be closed to vehicular traffic or whether snowmobiles *and* *ATV*'s may share the designated road with vehicular traffic. Adequate notices of such designation and determination shall be sufficiently and prominently displayed.

§ 7725. Operation by persons under age sixteen.

[(a) Snowmobile safety certification.—Except as otherwise provided in this section, no person ten years of age and over who has not reached 16 years of age shall operate a snowmobile in this Commonwealth, except upon lands of his parent or guardian, unless and until he has received safety training as prescribed by the department and has received the appropriate snowmobile safety certificate issued by the department. The department may authorize sanctioned snowmobile clubs to act as agents in conducting classes and examinations and issuing snowmobile safety certificates in the name of the department.

(b) Failure to exhibit certificate.—The failure of an operator to exhibit a snowmobile safety certificate upon demand to any police officer having authority to enforce the provisions of this chapter shall be presumptive evidence that such person is not the holder of such certificate.

(c) **Permitting unauthorized operation.**—No owner of a snowmobile shall authorize or permit the operation thereof within this Commonwealth by any person under the age of 16 years unless the operator is the holder of a valid snowmobile safety certificate or except as authorized by subsection (a).

(d) **Limitations on operation.**—No person:

(1) Under the age of 16 years shall drive a snowmobile across any highway or connecting street thereto.

(2) Under the age of ten years shall operate a snowmobile without the knowledge and express consent of the landowner unless he is accompanied by a person over 18 years of age or a person over 14 years of age who holds a snowmobile safety certificate.]

(a) **Crossing street or highway.**—No person under 16 years of age shall drive a snowmobile or an ATV across any highway or connecting street thereto unless he is under the direct supervision of a person 18 years of age or older and unless he holds a valid and appropriate safety certificate from the Commonwealth or a valid and approved certificate issued under the authority of another state or Province of Canada. The department shall determine what certificates will be approved.

(b) **Operation by persons under ten years of age.**—No person under ten years of age shall operate a snowmobile or ATV upon State-owned land.

(c) **Snowmobile and ATV safety certification.**—No person 10 to 15 years of age shall operate a snowmobile or an ATV in this Commonwealth unless the person satisfies one of the following conditions:

(1) Is under the direct supervision of a certified snowmobile or ATV safety instructor during a safety training course.

(2) Is on land owned or leased by a parent or legal guardian.

(3) Has received safety training as prescribed by the department and has received the appropriate safety certificate issued by the department.

(4) Holds an appropriate safety certificate issued under the authority of another state or Province of Canada and recognized by the department.

(d) **Failure to exhibit certificate.**—The failure of such a youthful operator to exhibit the appropriate safety certificate, upon demand, to any law enforcement officer having authority to enforce the provisions of this section shall be presumptive evidence that such person is not the holder of such certificate.

(e) **Permitting unauthorized operation.**—No owner of a snowmobile or an ATV shall authorize or permit the operation thereof within this Commonwealth by any person under 16 years of age unless the person under 16 years of age is the holder of a valid and appropriate safety certificate, or except as authorized in subsections (b) and (c).

(f) **Certification of snowmobile safety instructors.**—The department may certify snowmobile or ATV safety instructors to act as its agents in conducting classes and examinations and issuing snowmobile or ATV safety certificates in its name.

(g) **Operation on snowmobile and ATV roads.**—No person under 16 years of age may operate a snowmobile or an ATV on streets or highways designated under section 7722 (relating to designation of snowmobile and

ATV roads) as open to snowmobile or ATV and vehicular traffic. A person under 16 years of age who holds the appropriate safety certificate may operate a snowmobile or an ATV on roads designated under section 7724(b) (relating to operation on private or State property) as open to snowmobile or ATV and vehicular traffic, provided he is under the direct supervision of a person 18 years of age or older.

(h) Snowmobile safety program.—The department shall implement a comprehensive snowmobile and ATV information, safety education and training program which shall include the preparation and dissemination of information and safety advice to the public and training of operators. The program shall provide for the training of youthful operators and for the issuance of snowmobile or ATV safety certificates to those who successfully complete the training provided under the program.

(i) Cooperation with other organizations.—In implementing a program which is established under this section, the department shall cooperate with private organizations and associations, private and public corporations, the Department of Education and local governmental units. The department shall consult with snowmobile, ATV and environmental organizations and associations in regard to subject matter of a training program that leads to certification of snowmobile and ATV operators.

§ 7726. Operation in safe manner.

(a) General rule.—No person shall operate a snowmobile or an ATV in any of the following ways:

(1) At a rate of speed that is unreasonable or improper under existing conditions or in excess of the maximum limits posted for vehicular traffic.

(2) In any careless way so as to endanger the person or property of another.

(3) While under the influence of alcohol or any controlled substance.

(b) Permitting unsafe operation.—No owner or other person having charge or control of a snowmobile or an ATV shall knowingly authorize or permit the operation of the snowmobile or ATV by any person who is incapable to do so by reason of age, physical or mental disability, or who is under the influence of alcohol or any controlled substance.

(c) Operation on highways and streets open to snowmobiles or ATV's and vehicular traffic.—No person shall operate a snowmobile or ATV in any of the following ways on highways and streets open to snowmobiles or ATV's and vehicular traffic:

(1) Upon the left side of highways or streets, except one-way streets, or as specified in paragraph (2).

(2) Ride two snowmobiles or ATV's abreast. Snowmobiles and ATV's shall be operated in single file except when overtaking another vehicle. The driver of any vehicle overtaking another vehicle proceeding in the same direction shall pass at a safe distance to the left thereof, until safely clear of such overtaken vehicle. Nothing in this section shall be construed to prohibit a driver overtaking the passing upon the right of another vehicle which is making or about to make a left turn. The driver of a vehicle shall not drive to the left side of the center of a highway in overtaking or passing

another vehicle proceeding in the same direction, unless the left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit the overtaking or passing to be made in safety.

(3) Turn to the right or left at an intersection or stop or decrease speed at an intersection without signaling as stated in this paragraph. The driver shall extend his hand and arm from the left side of the vehicle in the following manner to indicate as stated:

(i) Left turn or other vehicle movement toward left, hand and arm extended horizontally.

(ii) Right turn or other vehicle movement toward right, left hand and arm extended outward and pointed upward from the elbow.

(iii) Stop or decrease speed, either the left or right hand and arm extended upward.

(4) Disobey any traffic signal or signs placed in accordance with this title unless otherwise directed by a peace officer.

(5) Without a securely fastened helmet on the head of an individual who operates or is a passenger on a snowmobile or ATV or who is being towed or otherwise propelled by a snowmobile. The department shall specify the types of helmets allowed through rules and regulations.

§ 7727. Additional limitations on operation.

Except as otherwise permitted under the act of June 3, 1937 (P.L.1225, No.316), known as [*“The Game Law,”*] *The Game Law*, no person shall:

(1) Operate or ride in any snowmobile *or* *ATV* with any bow and arrows or with any firearm in his possession unless it is *unstrung or* unloaded.

(2) Drive or pursue any wildlife with a snowmobile *or an* *ATV*.

§ 7728. Accidents and accident reports.

(a) Duty to stop and provide information.—Whenever any snowmobile *or* *ATV* is involved in an accident resulting in loss of life, personal injury or damage to property and the operator thereof has knowledge of such accident, he shall stop and give his name and address, the name and address of the owner thereof and the registration number of the snowmobile *or* *ATV* to the injured person or the person sustaining the damage or to a police officer. In case no police officer nor the person sustaining the damage is present at the place where the damage occurred, then the operator shall immediately report, as soon as he is physically able, the accident to the nearest law enforcement agency.

(b) Report of accident to department.—The operator of any snowmobile *or* *ATV* involved in any accident resulting in injuries to or death of any person or resulting in property damage to the estimated amount of \$100 or more shall, within seven days after such accident, report the matter in writing to the department. If the operator is physically incapable of making the report and there is another participant in the accident not so incapacitated, the participant shall make the report within the prescribed period of time after the accident. In the event that there is no other participant and the operator is other than the owner, then the owner shall within the prescribed period of time, after learning of the facts of such accident, report the matter

to the department, together with such information as may have come to his knowledge relating to such accident. Every operator or owner of a snowmobile *or an ATV* in an accident, or surviving participant of any such accident, shall make such other and additional reports as the department shall require.

(c) Report by law enforcement officer.—A law enforcement officer who investigates or receives information of an accident involving a snowmobile *or an ATV* shall make a written report of the investigation or information received, and such additional facts relating to the accident as may come to his knowledge, and mail the same within 48 hours to the department and keep a record thereof in his office.

(d) Exception.—This section does not apply when property damage is sustained in sanctioned snowmobile *or ATV* races, derbies and rallies.

§ 7729. Liability of owner for negligence.

(a) General rule.—Negligence in the use or operation of a snowmobile *or an ATV* is attributable to the owner. Every owner of a snowmobile *or an ATV* used or operated in this Commonwealth shall be liable and responsible for death or injury to person or damage to property resulting from negligence in the use or operation of such snowmobile *or ATV* by any person using or operating the snowmobile *or ATV* with the permission, express or implied, of such owner.

(b) Exception.—The negligence of the operator shall not be attributed to the owner as to any claim or cause of action accruing to the operator or his legal representative for such injuries or death.

§ 7741. Head lamps and tail lamps.

(a) Time of operation.—Every snowmobile *or ATV* operated during hours of darkness shall display a lighted head lamp and tail lamp. The lights shall be in operation during the period of from one-half hour after sunset to one-half hour before sunrise and at any time when, due to insufficient light or unfavorable atmospheric conditions caused by fog or otherwise, other persons, vehicles and other objects are not clearly discernible for a distance of 500 feet ahead.

(b) Head lamp requirements.—The head lamp shall display white light of sufficient illuminating power to reveal any person, vehicle or substantial object at a distance of 100 feet ahead.

(1) If the snowmobile *or ATV* is equipped with a multiple beam head lamp, the upper beam shall meet the minimum requirements set forth in this section and the lowermost beam shall be so aimed and of sufficient intensity to reveal persons and vehicles at a distance of at least 50 feet ahead.

(2) If the snowmobile *or ATV* is equipped with a single beam head lamp, the lamp shall be so aimed that when the vehicle is loaded none of the high intensity portion of the light, at a distance of 75 feet ahead, projects higher than the level of the center of the lamp from which it comes.

(c) Tail lamp requirements.—The tail lamp shall display a red light plainly visible during darkness from a distance of 500 feet.

§ 7742. Brakes.

(a) *Snowmobiles.*—It is unlawful to operate a snowmobile which is not equipped with at least one brake of a design approved by the department operated either by hand or by foot, capable of bringing the snowmobile to a stop, under normal conditions, within 40 feet when traveling at a speed of 20 miles per hour with a 150 pound driver and on hard packed snow, or locking its traction belt or belts. The design shall permit simple and easy adjustment to compensate for wear.

(b) *ATV's.*—*It is unlawful to operate an ATV which is not equipped with a braking system which may be operated by hand or foot, capable of producing deceleration of 14 feet per second on level ground at a speed of 20 miles per hour, and the design must permit simple and easy adjustment to compensate for wear.*

§ 7743. Mufflers and noise control.

(a) General rule.—It is unlawful to operate a snowmobile *or an ATV* which is not equipped at all times with a muffler in good working order which blends the exhaust noise into the overall snowmobile *or ATV* noise and is in constant operation to prevent excessive or unusual noise. The exhaust system shall not emit or produce a sharp popping or crackling sound. The sound intensity produced by a snowmobile shall not exceed 82dbA when measured in accordance with SAE Recommended Practice J 192 Exterior Sound Level for Snowmobiles, as amended. The department may by regulation adopt more stringent noise requirements *for snowmobiles. The department shall by regulation adopt noise requirements for in-use operation of ATV's using measurement procedures in accordance with ANSI/SAE Recommended Practice J 1287 March 1982, Measurement of Exhaust Level of Stationary Motorcycles. The sound level intensity produced by an ATV shall not exceed 99dbA, or decibels, when measured at 20 inches.*

(b) Modified mufflers prohibited.—It is unlawful to modify a muffler or to operate a snowmobile *or an ATV* with a modified muffler *so as to increase the sound level of the snowmobile or ATV above the level allowed by this section.*

(c) Exception.—This section does not apply to organized races or similar competitive events.

§ 7751. Enforcement personnel and procedures.

(a) Duty of enforcement.—Every law enforcement officer in this Commonwealth and designated officers and employees of the department shall enforce the provisions of this chapter.

(b) Forms and procedures.—The department may prescribe the form of summons or complaint, or both, in all cases involving a violation of any provision of this chapter or of any ordinance, rule or regulation relating to snowmobiles *or ATV's*, or of any class or category of such cases, and may establish procedures for proper administrative controls over the disposition thereof.

(c) Records and reports.—The chief executive officer of each local police force, sheriffs and the Commissioner of the Pennsylvania State Police shall prepare or cause to be prepared such records and reports as may be prescribed under this section.

(d) Rules and regulations.—The department may promulgate such rules and regulations as may be deemed necessary to accomplish the purposes and enforce the provisions of this section including requirements for reporting by trial courts having jurisdiction over snowmobile *and* *ATV* violations.

§ 7752. Penalties for violation of chapter.

(a) General rule.—Except as provided in subsection (b), any person violating any of the provisions of this chapter is guilty of a summary offense and shall, upon conviction:

(1) For a first offense, be sentenced to pay a fine of not less than **[\$10]** ~~\$25~~ nor more than **[\$50]** ~~\$100~~ and costs of prosecution and, in default of the payment thereof, shall undergo imprisonment for not more than ten days.

(2) For a second offense, be sentenced to pay a fine of not less than **[\$25]** ~~\$50~~ nor more than **[\$100]** ~~\$200~~ and costs of prosecution and, in default of the payment thereof, shall undergo imprisonment for not more than 30 days.

(b) Unauthorized disposition of forms.—Any person who disposes of any **[uniform snowmobile]** summons or complaint *issued pursuant to this chapter* in any other manner than that prescribed by law, rule or regulation is guilty of a misdemeanor of the third degree.

Section 5. Enforcement of registration of *ATV's* and *ATV* dealers shall commence six months after the effective date of this act.

Section 6. This act shall take effect in 60 days.

APPROVED—The 11th day of July, A. D. 1985.

DICK THORNBURGH