

No. 2001-68

AN ACT

HB 154

Amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, adding definitions; further providing for penalties for persons who violate pedestrian right-of-way in crosswalks; providing for maintenance of certain pedestrian crosswalks and for enforcement of summary offenses in State park and forest lands; and further providing for snowmobiles and all-terrain vehicles.

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 definitions 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:

* * *

“Transfer.” To change ownership by purchase, gift or any other means.

“Transferee.” A person to whom ownership of a motor vehicle is transferred, by purchase, gift or any means other than by the creation of a security interest, and any person who, as agent, signs an odometer disclosure statement for the transferee.

“Transferor.” A person who transfers his ownership of a motor vehicle by sale, gift or any means other than by the creation of a security interest and any person who, as agent, signs an odometer disclosure statement for the transferor.

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Section 2. Sections 3113 and 3542 of Title 75 are amended to read:

§ 3113. Pedestrian-control signals.

(a) General rule.—Whenever special pedestrian-control signals exhibiting words or symbols are in place, the signals shall indicate as follows:

(1) Word “Walk” or walking person symbol.—Pedestrians facing the signal should proceed across the roadway in the direction of the signal and shall be given the right-of-way by the drivers of all vehicles.

(2) Phrase “Don’t Walk” or upraised hand symbol.—Pedestrians should not start to cross the roadway in the direction of the signal, but any pedestrian who has partially completed his crossing on the “Walk” signal should proceed to a sidewalk or safety zone while the “Don’t Walk” signal is showing.

(3) Flashing “Walk”.—Pedestrians facing the signal are cautioned that there is possible hazard from turning vehicles, but pedestrians may proceed across the roadway in the direction of the signal and shall be given the right-of-way by the drivers of all vehicles.

(4) Flashing “Don’t Walk” Signal.—Pedestrians should not start to cross the roadway in the direction of the signal, but any pedestrian who has partly completed crossing during the “Walk” signal should proceed to a sidewalk or safety zone, and all drivers of vehicles shall yield to the pedestrian.

(b) Local regulation.—This section does not prohibit a municipality from establishing a summary offense for violation of subsection (a)(2) or (4).

(c) Penalties.—The driver of a vehicle who violates subsection (a) commits a summary offense and, upon conviction, shall be sentenced to pay a fine of \$100.

§ 3542. Right-of-way of pedestrians in crosswalks.

(a) General rule.—When traffic-control signals are not in place or not in operation, the driver of a vehicle shall yield the right-of-way to a pedestrian crossing the roadway within any marked crosswalk or within any unmarked crosswalk at an intersection.

(b) Exercise of care by pedestrian.—No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close as to constitute a hazard.

(c) Limitation on vehicles passing.—Whenever any vehicle is stopped at any crosswalk at an intersection or at any marked crosswalk to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass the stopped vehicle.

(d) Application of section.—Subsection (a) does not apply under the conditions stated in section 3543(b) (relating to pedestrians crossing at other than crosswalks).

(e) Penalties.—The driver of a vehicle who violates subsection (a) commits a summary offense and shall, upon conviction, be sentenced to pay a fine of \$100.

Section 3. Title 75 is amended by adding sections to read:

§ 6129. *Maintenance of pedestrian crosswalks in school zones.*

The department may paint and maintain pedestrian crosswalks located within school zones on State-designated highways.

§ 6313. *Enforcement of summary offenses in State park and forest lands.*

(a) General rule.—Notwithstanding any provision of law to the contrary, individuals appointed and commissioned by the Department of Conservation and Natural Resources to preserve order in the State park or State forest lands are specifically authorized to enforce those provisions of this title which designate violations as summary offenses while acting within the State park or State forest lands. The authority includes the power to stop vehicles suspected of summary offenses, to

issue citations for summary offenses and, if a vehicle is stopped for a suspected summary offense, to make arrests where evidence appears of additional offenses designated as misdemeanors or felonies.

(b) Construction.—Nothing in this section shall be construed to limit the powers granted these individuals by law.

Section 4. Sections 7702, 7706 and 7711 of Title 75 are amended to read:

§ 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[,], which travels on three or more inflatable tires and which has:

(1) a maximum width of 50 inches [or less in width, having] and a maximum dry weight of [600] 800 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.]; or

(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.] a width which exceeds 50 inches or a dry weight which exceeds 800 pounds.

[(3)] ATV's described in paragraph (1) may be referred to as Class I ATV's, and ATV's described in paragraph (2) may be referred to as Class II ATV's. 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.] any vehicle that is or is required to be registered under Chapter 13 (relating to registration of vehicles). In addition, this term does not include off-road motor vehicles used exclusively as utility vehicles for agricultural or business operations and incidentally operated or moved upon the highway.

["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 who is registered or required to be registered under section 7711 (relating to registration of dealers).

“Department.” The Department of [Environmental] Conservation and Natural 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.] *which is all of the following:*

- (1) *Is designed to travel over snow or ice.*
- (2) *Has an endless belt track or tracks.*
- (3) *Is steered by a ski or skis.*
- (4) *Has an overall width of 48 inches or less.*

The term does not include [any] a farm tractor, [highway or other] construction equipment, [or any] military [or law enforcement] vehicle, *vehicle with inflatable tires or machinery used strictly for the grooming of snowmobile trails.*

“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] *account.*

(a) Deposit and use of moneys.—

(1) The department shall [deposit all moneys received from the registration of snowmobiles and the registration and issuance of certificates of title for ATV's, the sale of snowmobile and ATV registration information, snowmobile and ATV publications and other services provided by the department, and all fees and fines assessed and collected under this chapter in a restricted receipts fund, from which the] *deposit the following into a restricted account, which is hereby established:*

- (i) *all moneys received from the registration of and issuance of certificates of title for snowmobiles and ATV's;*
- (ii) *all revenue from the sale of any publications or services relating to snowmobiles and ATV's; and*
- (iii) *all fines, penalties, fees and costs assessed and collected as a result of enforcement activities conducted by the department's law enforcement personnel under this chapter.*

(2) The department shall draw moneys *from the restricted account* for use in [carrying out the registration and the issuance of certificates of title, safety education and enforcement requirements

of this chapter as well as the establishment,] *performing any activities necessary to carry out the purposes of this chapter, including registration and certificate of title activities, training, education, enforcement activities, construction and maintenance of snowmobile and ATV trails and [any] acquisition of equipment [and], supplies [necessary to carry out the purposes of this chapter] and interests in land. All moneys deposited in [said fund not heretofore paid into the General Fund] this account shall remain in [said restricted receipts fund] it to be used as specified in this [chapter and any increases in moneys previously paid to the General Fund shall remain in said restricted receipts fund to be used as specified in this chapter.] section.*

(3) The provisions of 42 Pa.C.S. § 3573(b)(2) (relating to municipal corporation portion of fines, etc.) notwithstanding, when prosecution under this chapter is the result of local police action, all fines, penalties, fees and costs assessed as a result of such prosecution shall be payable to the municipal corporation under which the local police are organized.

(b) Grant-in-aid.—The department shall [also], upon written application and subsequent approval, [disperse moneys to municipalities, nonprofit snowmobile clubs and organizations for construction, maintenance and rehabilitation of snowmobile trails or any other facilities for the use of snowmobiles, including plans and specifications, engineering surveys and supervision and land acquisition where necessary.

The department shall promulgate such rules and regulations it deems necessary for the administration of this subsection.] *grant money from the restricted account:*

(1) To municipalities and profit and nonprofit organizations in connection with snowmobile and ATV use on lands not owned by the Commonwealth for the following:

(i) Plans, specifications and engineering surveys.

(ii) Fees and costs related to the preparation or performance of right-of-way lease agreements.

(iii) Land acquisition.

(iv) Construction, maintenance and rehabilitation of trails and other facilities for snowmobiles and ATV's.

(2) To municipalities and profit and nonprofit organizations for equipment, training and education activities relating to snowmobile and ATV use.

(3) To profit and nonprofit organizations for the maintenance and rehabilitation, but not the construction, of snowmobile and ATV trails on land owned by the Commonwealth.

(c) **Audit of moneys.**—The restricted [receipts fund] *account* shall be audited every two years. *Copies of the audit shall be provided to the Snowmobile and ATV Advisory Committee.*

§ 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.]

(a) **General rule.**—*A person who is in the business of selling snowmobiles or ATV's in this Commonwealth shall register with the department as a dealer. A person who is in the business of selling snowmobiles or ATV's outside this Commonwealth may register with the department as a dealer.*

(b) **Issuance.**—*Upon receipt of an application upon a form prescribed and furnished by the department which shall contain information reasonably required by the department and which shall be accompanied by the required fee, the department shall issue to a dealer:*

(1) *An annual dealer registration certificate containing a dealer registration number and expiration date.*

(2) *Three annual dealer registration plates displaying the expiration date of the dealer registration.*

(3) *Three annual dealer plate registration cards displaying the expiration date of the dealer registration.*

(c) **Registration not transferable.**—*A dealer registration certificate, dealer registration plate and dealer plate registration card are not transferable.*

(d) **Expiration of registration.**—*A dealer registration certificate, dealer registration plate and dealer plate registration card expire effective the day after the expiration date displayed on them. A dealer registration certificate, dealer registration plate or dealer plate registration card that has expired is not valid.*

(e) **Use of dealer registration plates.**—*A dealer may operate or permit to be operated within this Commonwealth a snowmobile or ATV owned by or in the possession of the dealer if:*

(1) *A valid dealer registration certificate issued to the dealer under this section is displayed conspicuously in the dealer's place of business.*

(2) *The operator carries a valid dealer registration card issued to the dealer under this section.*

(3) *There is displayed on the snowmobile or ATV in a manner prescribed by the department a valid dealer registration plate issued to the dealer under this section.*

(4) *The snowmobile or ATV is operated only for the purpose of demonstration or testing in connection with the dealer's business.*

Section 5. Title 75 is amended by adding sections to read:

§ 7711.1. Registration of snowmobile or ATV.

(a) General rule.—Except as otherwise provided in subsection (f), it is unlawful for a person to operate or for an owner to permit another person to operate a snowmobile or an ATV unless:

(1) There is carried on the snowmobile or ATV a valid registration certificate issued therefor pursuant to subsection (b).

(2) There is displayed on the snowmobile a registration decal, or on the ATV a registration plate, issued therefor pursuant to subsection (b).

(3) The display of the registration decal or plate is in the manner prescribed by the department.

(4) There is displayed on the snowmobile or ATV a valid expiration sticker issued therefor pursuant to subsection (b).

(5) The display of the expiration sticker is in the manner prescribed by the department.

(b) Issuance.—Upon receipt of an application therefor upon a form prescribed and furnished by the department which shall contain information reasonably required by the department and which shall be accompanied by the required fee, the department shall issue to the owner of a snowmobile or ATV:

(1) A biennial registration certificate containing the registration number for the snowmobile or ATV and the expiration date of the registration.

(2) A registration decal displaying the registration number for a snowmobile or a registration plate displaying the registration number for an ATV.

(3) A biennial expiration sticker displaying the expiration date of the registration.

(c) Temporary registration.—Temporary registration for a period not to exceed 45 days may be issued by a dealer as prescribed by the department. Proof of temporary registration shall be carried and displayed as prescribed by the department.

(d) Expiration of registration.—

(1) Except as provided in paragraph (2), a registration certificate and an expiration sticker shall expire effective the day after the expiration date appearing on the registration certificate and expiration sticker.

(2) Upon transfer of ownership of a snowmobile or ATV during a registration period, the registration certificate and expiration sticker shall expire. The transferor shall, within 15 days from the date of transfer, return to the department the registration certificate with the date of transfer and the name and address of the new owner endorsed on the back. If the transferor applies for registration of a different snowmobile or ATV and pays the required transfer fee, the transferor

may be issued in the name of the transferor a registration certificate and expiration sticker for that snowmobile or ATV for the remainder of the registration period without payment of a registration fee. The registration decal or plate shall not be removed from a snowmobile or ATV upon transfer to the new owner and is invalid until the new owner is issued a registration certificate or limited registration certificate for the snowmobile or ATV.

(3) An expired general registration certificate and an expired expiration sticker are invalid.

(e) Suspension or revocation.—If a person violates this chapter or is convicted of any offense under this chapter, the department may suspend or revoke a registration certificate and an expiration sticker. A suspended or revoked registration certificate or expiration sticker is invalid.

(f) Exemptions from registration.—Subsection (a) does not apply if:

(1) The snowmobile or ATV is owned by or in the possession of a dealer who has been issued a dealer registration certificate, dealer registration plates and dealer plate registration cards under section 7711 (relating to registration of dealers), the dealer is in compliance with section 7711 and the snowmobile or ATV is used in accordance with section 7711.

(2) The snowmobile or ATV is owned and used by the United States or another state or a political subdivision thereof, in which case the snowmobile or ATV shall display the name of the owner in a manner prescribed by the department.

(3) The snowmobile or ATV is operated on land owned or leased by the owner or operator of the snowmobile or ATV and it is not operated elsewhere within this Commonwealth.

(4) The owner of the snowmobile or ATV is not a resident of this Commonwealth and the operator presents proof that the snowmobile or ATV has been properly registered in another jurisdiction that exempts from its registration requirements persons who have obtained proper registration under this chapter.

§ 7711.2. Limited registration of snowmobile or ATV.

(a) General rule.—It is unlawful for a person to operate or for an owner to permit another person to operate a snowmobile or ATV identified in section 7711.1(f)(3) (relating to registration of snowmobile or ATV) unless:

(1) A limited registration certificate has been issued therefor pursuant to subsection (b).

(2) There is displayed on the snowmobile a valid registration decal or on the ATV a valid registration plate issued pursuant to subsection (b).

(3) The display of the registration decal or plate is in the manner prescribed by the department.

(b) Issuance.—Upon receipt of an application therefor upon a form prescribed and furnished by the department which shall contain information reasonably required by the department, the department shall issue to the owner of a snowmobile or ATV for which limited registration is required under subsection (a):

(1) A limited registration certificate containing the registration number for the snowmobile or ATV.

(2) A registration decal displaying the registration number for a snowmobile or a registration plate displaying the registration number for an ATV.

(c) Temporary limited registration.—Temporary limited registration for a period not to exceed 45 days may be issued by a dealer as prescribed by the department. Proof of temporary limited registration shall be displayed as prescribed by the department.

(d) Transfer of ownership.—Upon transfer of ownership of a snowmobile or ATV for which a limited registration certificate has been issued, the limited registration certificate shall become invalid. The transferor shall, within 15 days from the date of transfer, return to the department the limited registration certificate with the date of transfer and the name and address of the new owner endorsed on the back. The registration decal or plate shall not be removed from the snowmobile or ATV upon transfer to the new owner and is invalid until the new owner obtains a registration certificate or limited registration certificate for the snowmobile or ATV.

(e) Suspension or revocation.—If a person violates this chapter or is convicted of any offense under this chapter, the department may suspend or revoke a limited registration certificate. A suspended or revoked limited registration certificate is invalid.

Section 6. Section 7712 of Title 75 is repealed.

Section 7. Sections 7712.1, 7712.2, 7712.3, 7712.4, 7712.5, 7712.6 and 7712.7 of Title 75 are amended to read:

§ 7712.1. Certificate of title for [ATV's required] *snowmobile or ATV*.

(a) General rule.—Except as otherwise provided in [this section] subsection (b), [every] *an* owner of a [Class I or Class II] *snowmobile or ATV* which is in this Commonwealth and for which no certificate of title has been issued shall [make application] *apply* to the department for a certificate of title [to the ATV].

(b) [Exception.—The provisions of this section which require every owner of an ATV to make application for and receive a certificate of title shall not apply to any person who has registered an ATV on or before the effective date of this section unless that owner resells the registered ATV.] *Exemptions from titling.*—No certificate of title is required for:

(1) A snowmobile or ATV that was registered prior to the effective date of this section.

(2) A snowmobile or ATV owned by the United States unless a general registration certificate has been issued therefor.

(3) A new snowmobile or ATV owned by a dealer before and until sale.

(4) A snowmobile or ATV owned by a nonresident of this Commonwealth and not required by law to be registered in this Commonwealth.

(5) A snowmobile or ATV owned by a resident of this Commonwealth and required by law to be registered in another state, based and used principally outside of this Commonwealth and not required by law to be registered in this Commonwealth.

(c) Contents of application.—Application for a certificate of title shall be made upon a form prescribed and furnished by the department and shall contain a full description of the *snowmobile or* ATV, date of purchase, the [actual or bona fide] name and address of the owner, a statement of the title of applicant, together with any other information or documents the department requires to identify the *snowmobile or* ATV and to enable the department to determine whether the owner is entitled to a certificate of title.

(d) Signing and filing of application.—Application for a certificate of title shall be made within 15 days of the sale or transfer of [an] *a snowmobile or* ATV or its entry into this Commonwealth from another jurisdiction, whichever is later. The application shall be accompanied by the *required* fee [prescribed in this subchapter,] and any tax payable by the applicant under the laws of this Commonwealth in connection with the acquisition or use of [an] *a snowmobile or* ATV or evidence to show that the tax has been paid or collected. The application shall be signed and verified by oath or affirmation by the applicant if a natural person; in the case of an association or partnership, by a member or a partner; and in the case of a corporation, by an executive officer or [some] person specifically authorized by the corporation to sign the application.

[(e) ATV's purchased from dealers or manufacturers.—If the application refers to an ATV purchased from a dealer or manufacturer, the dealer or manufacturer shall mail or deliver to the department the certificate of title and any other required forms within 15 days of the date of purchase. Any dealer or manufacturer violating this subsection is guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of \$50 for each violation. The requirement that the dealer or manufacturer mail or deliver the application to the department does not apply to ATV's purchased by governmental agencies.

(f) ATV's not requiring certificate of title.—No certificate of title is required for:

(1) An ATV owned by the United States unless it is registered in this Commonwealth.

(2) A new ATV owned by a manufacturer or registered dealer before and until sale.

(3) Any ATV which meets the requirements of subsection (b) prior to any resale.]

(g) Registration without certificate of title prohibited.—Except as provided in subsection (b), the department shall not [register or renew the registration of an] *issue a registration certificate or limited registration certificate for a snowmobile or ATV* unless a certificate of title has been issued by the department to the owner or an application for a certificate of title has been delivered by the owner to the department.

(h) Refusing issuance of certificate of title.—The department may refuse issuance of a certificate of title [when] *if* it has reasonable grounds to believe *any one of the following*:

(1) [That any] A required fee has not been paid.

(2) [That any] *Any* taxes payable under the laws of this Commonwealth on or in connection with, or resulting from the acquisition or use of, the *snowmobile or ATV* have not been paid.

(3) [That the] *The* applicant is not the owner of the *snowmobile or ATV*.

(4) [That the] *The* application contains a false or fraudulent statement.

(5) [That the] *The* applicant has failed to furnish required information or documents or any additional information the department reasonably requires.

[i] Suspension and cancellation of certificate of title.—

(1) The department may cancel the certificate of title issued for a new ATV when it is shown by satisfactory evidence that the ATV has been returned within 45 days to the manufacturer or dealer from whom obtained.

(2) The department, upon receipt of certification from the clerk of any court showing conviction for a misstatement of facts on any application for a certificate of title or any transfer of a certificate of title, shall suspend the certificate of title and require that the certificate be returned immediately to the department, whereupon the department may cancel the certificate.

(3) The department may suspend a certificate of title when a check received in payment of the fee is not paid on demand or when the fee for the certificate is unpaid and owing.]

(j) Transfer of ownership of *snowmobile or ATV*.—

(1) [In the event of] *Upon* the sale or transfer of [the] ownership of [an] *a snowmobile or ATV* within this Commonwealth, the owner shall execute an assignment and warranty of title to the transferee in the space provided on the certificate of title or as the department prescribes, sworn to before a notary public or other officer empowered to administer oaths,

and deliver the certificate to the transferee at the time of the delivery of the *snowmobile or ATV*.

(2) Except as otherwise provided in section [7712.2 (relating to transfer to or from manufacturer or dealer)] 7715.1 (relating to snowmobile or ATV purchased from dealer), the transferee shall, within 15 days of the assignment [or reassignment] of the certificate of title, apply for a new title by [presenting] forwarding to the department the *certificate of title executed as required by paragraph (1), a properly completed application for certificate of title, sworn to before a notary public or other officer empowered to administer oaths, and accompanied by* such *other* forms as the department may require.

[(3) Any] (k) *Penalty*.—A person [violating] *who violates* subsection (a) [shall be guilty of a] *commits a summary offense and shall, upon conviction, be sentenced:*

[(i)] (I) For a first offense, to pay a fine of \$100 *and costs of prosecution*.

[(ii)] (2) For a subsequent offense, to pay a fine of not less than \$300 nor more than \$1,000 *and costs of prosecution*.

§ 7712.2. Transfer to or from [manufacturer or] dealer.

(a) Transfer to [manufacturer or] dealer.—[When the purchaser or transferee of an] *If a dealer acquires a snowmobile or ATV [is a manufacturer or registered dealer who holds the ATV] for the purpose of resale, a certificate of title need not be applied for as provided for in section 7712.1 (relating to certificate of title for [ATV's required] snowmobile or ATV), but the [transferee] dealer shall, within seven days from the date of [assignment of the certificate of title to the manufacturer or dealer] acquisition, forward to the department, upon a form prescribed and furnished by the department, notification of the acquisition of the snowmobile or ATV. [Notification as authorized in this section may not be used in excess of three consecutive transactions after which time an application shall be made for a certificate of title.]*

(b) Execution and display of notice of transfer.—[The manufacturer or] A dealer making notification [as to any ATV acquired] pursuant to subsection (a) shall execute at least three copies *of the notification*, the original of which shall be forwarded to the department, one copy to accompany the *snowmobile or ATV [on] in any subsequent transfer* and one copy to be retained by the [manufacturer or] dealer for at least one year after a subsequent transfer, to be exhibited, with the assigned certificate of title, upon request of [any] a police officer or authorized department employee.

(c) Transfer from [manufacturer or] dealer.—Except as otherwise provided in [this section when the transferee is another manufacturer or dealer] *subsection (a), if a dealer transfers the dealer's interest in a snowmobile or ATV:*

(1) The [manufacturer or] dealer[, upon transferring their interest in the ATV,] shall execute an assignment and warranty of title to the transferee in the space provided on the certificate of title or as the department prescribes.

(2) The transferee shall complete the application for certificate of title in the name of the transferee, *sworn to before a notary public or other officer empowered to administer oaths.*

(3) The [manufacturer or] dealer shall forward to the department the *certificate of title executed as required by paragraph (1), a properly completed application for certificate of title and [any] such other [required] forms as the department may require [to the department]* within 15 days of the transfer.

(d) Exception for repossessed *snowmobiles or* ATV's.—This section does not apply to [an] *a snowmobile or* ATV repossessed upon default of performance of a lease, contract of conditional sale or similar agreement.

(e) Penalty *and suspension or revocation of dealer registration.*—[Any manufacturer or] A dealer [violating any of the provisions of] *who violates* this section [is guilty of] *commits* a summary offense and shall, upon conviction, be sentenced to pay a fine of \$50 [for each violation]. *If a dealer violates this section, the department may suspend or revoke the registration issued under section 7711 (relating to registration of dealers).* § 7712.3. Transfer of *snowmobile or* ATV by operation of law.

(a) General rule.—If the interest of an owner in [an] *a snowmobile or* ATV passes to another other than by voluntary transfer, the transferee shall, except as otherwise provided, promptly mail or deliver to the department the last certificate of title, if available, and shall apply for a new certificate of title on a form prescribed and furnished by the department. The application shall be accompanied by such instruments or documents of authority, or certified copies thereof, as may be sufficient or required by law to evidence or effect a transfer of title or interest in or to chattels in such case.

(b) Transfer to surviving spouse.—Transfer of a certificate of title to a surviving spouse, or [any] *a* person designated by the spouse, may be made without the necessity of filing for letters of administration, notwithstanding the fact that there are minor children surviving the decedent, [provided] *if* the surviving spouse files an affidavit that all [the] debts of the decedent have been paid.

(c) Surrender of certificate.—A person holding a certificate of title, whose interest in [an] *a snowmobile or* ATV has been extinguished or transferred other than by voluntary transfer, shall immediately surrender the certificate of title to the person to whom the right to possession of the *snowmobile or* ATV has passed. Upon request of the department, such person shall mail or deliver the certificate to the department. Delivery of the certificate pursuant to the request of the department does not affect the rights of the person surrendering the certificate.

§ 7712.4. Correction of certificate of title.

(a) General rule.—When [any] *a* certificate of title has been issued in error to a person not entitled to [the certificate] *it* or contains incorrect information, or information has been omitted from the certificate, the department shall notify in writing the person to whom the certificate has been issued or delivered, and such person shall [immediately] return the certificate [of title] within 48 hours, together with any other information necessary for the adjustment of the department records, and[,] upon receipt of the certificate, the department shall cancel the certificate and issue a corrected certificate [of title].

(b) Change in material information on certificate.—If any material information on the certificate of title is changed or different from the information originally set forth, the owner shall immediately inform the department and apply for a corrected certificate [of title]. For the purposes of this subsection, a change of address [shall] is not [be] deemed material.

(c) Seizure of certificate on conviction.—Upon summary conviction for violation of [the provisions of] this section, the department may delegate authority to [any] *a* department employee or police officer to seize the certificate of title.

§ 7712.5. Issuance of new certificate following transfer.

(a) Voluntary transfer.—The department, upon receipt of a properly assigned certificate of title with an application for a new certificate of title, the required fee and any other required documents and articles, shall issue a new certificate of title in the name of the transferee as owner and mail it to the first [lienholder] *secured party* named in the certificate or, if none, to the owner.

(b) Involuntary transfer.—The department, upon receipt of an application for a new certificate of title by a transferee other than by voluntary transfer, on a form prescribed and furnished by the department together with [proper] proof satisfactory to the department of the transfer, the required fee and any other required documents and articles, shall issue a new certificate of title in the name of the transferee as owner.

(c) Filing and retention of surrendered certificate.—The department shall file and retain for five years [every] *a* surrendered certificate of title, or a copy, in such a manner as to permit the tracing of title of the *snowmobile or ATV*.

§ 7712.6. Suspension and cancellation of certificate of title.

(a) Return of new *snowmobile or ATV*.—The department may cancel the certificate of title issued for a new *snowmobile or ATV* [when] *if* it is shown by satisfactory evidence that the *snowmobile or ATV* has been returned [within the time specified in the department regulations] to the [manufacturer or] dealer from whom obtained.

(b) [ATV's] *Snowmobile or ATV* sold to nonresidents.—The department may cancel [certificates] *a certificate* of title for [ATV's] *a snowmobile or ATV* sold to [residents] *a resident* of [other states] *another*

state or foreign [countries] *country* [when] *if* the *snowmobile* or *ATV* is to be registered in the other jurisdiction.

(c) Surrender of Pennsylvania certificate in other jurisdiction.—The department, upon receipt of notification from another state or foreign country that a certificate of title issued by the department has been surrendered by the owner in conformity with the laws of the other state or foreign country, may cancel the certificate of title.

(d) Surrender of foreign certificate to department.—[When] *If* an owner surrenders a certificate of title from another state or foreign country to the department, the department may notify the state or foreign country [in order] *so* that the certificate of title may be canceled or otherwise disposed of in accordance with the law of the other jurisdiction.

(e) Conviction for misstatement of facts.—The department, upon receipt of certification from the clerk of [any] *a* court showing conviction for a misstatement of facts on [any] *an* application for an original or duplicate certificate of title or [any] *a* transfer of a certificate of title, shall suspend the certificate of title and require that [the certificate] *it* be returned [immediately] to the department *within ten days of notice by the department*, whereupon the department may cancel [the certificate] *it*.

(f) Nonpayment of fee.—The department may suspend or *cancel* a certificate of title when a check received in payment of the fee is not paid on demand or when the fee for the certificate is unpaid and owing.

(g) Security interest unaffected by suspension or cancellation.—Suspension or cancellation of a certificate of title does not, in itself, affect the validity of a security interest noted on the certificate.

(h) Surrender of certificate.—The department may request the return of [certificates] *a certificate* of title which [have] *has* been suspended or canceled. The owner or person in possession of the [certification] *certificate* of title shall [immediately], *within ten days of the date of request by the department*, mail or deliver the certificate to the department. § 7712.7. Application for certificate of title by agent.

(a) Authorization to [make application] *apply*.—No person [shall make application] *may apply* for a certificate of title [when acting for] *on behalf of* another person unless authorization to [make the application] *do so* is in effect and is verified by oath or affirmation of the other person, made, [excepting] *except* as between lessors and fleet owners as lessees, not more than 15 days before the application is received by the department. [Lessors] *A lessor* may authorize *a* fleet [owners] *owner* to [make application] *apply* for *a* [certificates] *certificate* of title for *a* leased [ATV's] *snowmobile or ATV* for [periods] *a period* of up to one year.

(b) Certificate not to be assigned in blank.—No person [shall make application] *may apply* for, or assign or physically possess, a certificate of title, or direct or allow another person in his employ or control to [make application] *apply* for, or assign or physically possess, a certificate of title,

unless the name of the transferee is placed on the assignment of certificate of title simultaneously with the name of the transferor and duly notarized.

(c) Persons authorized to hold certificate.—No person **[shall]** *may* receive, obtain or hold a certificate of title recorded in the name of another person for the other person who is not in the regular employ of, or not a member of the family of, the other person, unless the person receiving, obtaining or holding the certificate of title has a valid undischarged **[lien]** *security interest* recorded in the department against the *snowmobile or ATV* represented by the certificate of title.

(d) Penalty.—**[Any]** A person **[violating any of the provisions of]** *who violates* this section **[is guilty of]** *commits* a summary offense and shall, upon conviction, be sentenced to pay a fine of \$100 *and costs of prosecution*.

Section 7.1. Sections 7712.8, 7712.9, 7712.10, 7712.12 and 7712.13 of Title 75, added June 8, 2001 (P.L.123, No.18), are amended to read:

§ 7712.8. Perfection of security interest in **[an]** *a snowmobile or ATV*.

(a) Applicability of section.—Except as otherwise provided in 13 Pa.C.S. §§ 9311(d) (relating to perfection of security interests in property subject to certain statutes, regulations and treaties), 9315(c) and (d) (relating to secured party's rights on disposition of collateral and in proceeds) and 9316(d) and (e) (relating to continued perfection of security interest following change in governing law), this section provides the exclusive method of perfecting a security interest in **[an]** *a snowmobile or ATV* for which a certificate of title is required under this subchapter.

(b) *Snowmobiles or ATV's* without Pennsylvania certificate of title.—If an owner creates a security interest in **[an]** *a snowmobile or ATV* for which a certificate of title has not been issued by the department, the owner shall, at the request of the secured party, promptly execute an application for a certificate of title on a form prescribed by the department showing the name and address of the secured party. The owner shall tender the application, the existing certificate of title, if any, and the required fee to the department. A security interest in **[an]** *a snowmobile or ATV* is perfected at the time that such application, existing certificate of title, if any, and required fee are received by the department.

(c) *Snowmobiles or ATV's* with Pennsylvania certificate of title.—If an owner creates a security interest in **[an]** *a snowmobile or ATV* for which a certificate of title has been issued by the department, the owner shall, at the request of the secured party, promptly execute an application on a form prescribed by the department showing the name and address of the secured party. The owner shall tender the certificate of title, together with the application and the required fee, to the department. A security interest in **[an]** *a snowmobile or ATV* is perfected at the time such application, certificate of title and required fee are received by the department.

(d) Certificate of title in possession of secured party.—Upon request of the owner or a subordinate secured party, a secured party in possession of

the certificate of title shall mail or deliver the certificate to the department or, upon receipt from the subordinate secured party of the application of the owner and the required fee, shall mail or deliver them to the department with the certificate of title. The delivery of the certificate to the department does not affect the rights of the first secured party under his security agreement.

(e) Indorsement and delivery of certificate of title.—Upon receipt of the application, existing certificate of title, if any, and required fee, the department shall indorse on the existing certificate of title or the new certificate that it issues the names and addresses of all secured parties and shall mail the certificate of title to the first secured party named in the certificate.

§ 7712.9. Satisfaction of security interest.

(a) Satisfaction of secured obligation.—Unless otherwise agreed by the owner, within 15 days of the satisfaction of the obligation secured by a security interest in **[an] a snowmobile or ATV**, the secured party shall mail or deliver the certificate of title to the owner or to the department with a statement of satisfaction signed by the secured party. Upon receipt of the certificate of title and statement of satisfaction, the department shall issue a corrected certificate of title without an indorsement of such secured party's security interest and mail the same to the holder of the first remaining security interest or, if there is no remaining security interest, the owner.

(b) Satisfaction of subordinate secured obligation.—If the certificate of title for **[an] a snowmobile or ATV** is in the possession of a prior secured party, the subordinate secured party whose obligation is satisfied shall mail or deliver to the owner a signed statement of satisfaction in accordance with subsection (a). Upon request of the owner and receipt of the statement of satisfaction, the secured party in possession of the certificate of title shall mail or deliver the certificate of title, together with the statement of satisfaction, to the department. Upon receipt of the certificate of title and evidence of satisfaction, the department shall issue a corrected certificate of title without an indorsement of the satisfied security interest and mail the same to the prior secured party.

(c) Penalties.—Any person violating the provisions of this section commits a summary offense and shall, upon conviction, be sentenced to pay a fine of \$50.

§ 7712.10. Release of security interest.

A secured party that releases a security interest in **[an] a snowmobile or ATV** shall mail or deliver the certificate of title to the owner with a statement of release signed by the secured party, or the secured party may apply to the department for a corrected certificate of title to be issued in the name of the owner. Upon receipt of the certificate of title and statement of release, the department shall issue a corrected certificate of title without an indorsement of such secured party and mail the same to the holder of the

first remaining security interest or, if there is no remaining secured party, the owner.

§ 7712.12. Assignment by secured party of security interest.

(a) General rule.—A secured party may assign, absolutely or otherwise, his security interest in [an] *a snowmobile or* ATV to a person other than the owner without affecting the interest of the owner or the validity or perfection of the security interest.

(b) Duty of assignee.—An assignee who desires to become the secured party of record shall mail or deliver to the department the certificate of title and an assignment by the secured party named on the certificate of title on a form prescribed by the department accompanied by the required fee. Upon receipt of the certificate of title, assignment and fee, the department shall issue a corrected certificate of title naming the assignee as secured party.

(c) Division 9.—The provisions of this section are subject to 13 Pa.C.S. § 9308(e) (relating to when security interest or agricultural lien is perfected; continuity of perfection).

§ 7712.13. Exemptions.

The provisions of this subchapter relating to procedures for perfecting, assigning and satisfying security interests do not apply to:

- (1) a lien given by statute or rule of law to a supplier of services or materials for the *snowmobile or* ATV;
- (2) a lien given by statute to the United States, the Commonwealth or any political subdivision of the Commonwealth;
- (3) a security interest in [an] *a snowmobile or* ATV described in 13 Pa.C.S. § 9311(d) (relating to perfection of security interests in property subject to certain statutes, regulations and treaties); or
- (4) [an] *a snowmobile or* ATV for which a certificate of title is not required under this subchapter.

Section 8. Sections 7713, 7714 and 7715 of Title 75 are repealed.

Section 9. Title 75 is amended by adding sections to read:

§ 7715.1. *Snowmobile or ATV purchased from dealer.*

(a) *General rule.—If a snowmobile or ATV is purchased from a dealer, the dealer shall mail or deliver to the department an application for a registration certificate or limited registration certificate, an application for certificate of title, any other required forms and the required fees within 15 days of the date of purchase.*

(b) *Penalty.—A dealer who violates subsection (a) commits a summary offense and shall, upon conviction, be sentenced to pay a fine of \$300 and costs of prosecution or to be imprisoned for not more than 90 days, or both. In addition, if a dealer violates subsection (a), the department may suspend or revoke the registration issued under section 7711 (relating to registration of dealers).*

§ 7715.2. *Fees.*

(a) *Fees.—Except as provided in subsection (b), the department shall collect the following fees:*

(1) *Certificate of title, \$22.50.*

(2) *Expiration sticker, \$20.*

(3) *Dealer registration, \$25.*

(4) *Replacement, due to loss or damage, of registration certificate, limited registration certificate, registration decal, registration plate or expiration sticker, \$5.*

(5) *Transfer of registration pursuant to section 7711.1 (relating to registration of snowmobile or ATV), \$5.*

(6) *Recording the name of a secured party on a certificate of title, \$5.*

(b) *Exemptions from fees.—Subsection (a) does not apply to a snowmobile or ATV owned by:*

(1) *The Commonwealth.*

(2) *A political subdivision of this Commonwealth.*

(3) *A volunteer organization and used exclusively for emergency purposes.*

Section 10. Sections 7716, 7717, 7724 and 7725(h) are amended to read:

§ 7716. [Central registration file] *Records.*

The department shall maintain a [central file] *record, which shall be made available to all enforcement agencies, of [the certificate of registration]:*

(1) *The registration number[,], for each snowmobile and ATV for which a registration certificate or limited registration certificate is issued.*

(2) *The name and address of the owner of each snowmobile and ATV for which a registration certificate or limited registration certificate [of registration] is issued [and such information shall be made available to all enforcement agencies].*

§ 7717. *Snowmobile [Trail] and ATV Advisory Committee.*

(a) *Establishment.—There is hereby established under the jurisdiction of the department a board known as the Snowmobile [Trail] and ATV Advisory Committee.*

(b) *Composition.—[The Snowmobile Trail Advisory Committee shall be appointed within three months of the effective date of this section and biannually thereafter. The membership shall be composed of three members from the Pennsylvania State Snowmobile Association, one of whom shall have experience in trail creation on public land, one of whom shall have experience in trail creation on private land and one of whom shall be a member at large. In addition, one member shall be appointed from each of the following organizations: Pennsylvania Travel Council, Pennsylvania State Association of Township Supervisors, Pennsylvania State Association of Township Commissioners, Pennsylvania State Association of Boroughs, Pennsylvania State Association of County Commissioners, Pennsylvania*

Association of Realtors, Pennsylvania Landowners Association, Pennsylvania Vacation Land Developers Association, Pennsylvania Chapter of Rails to Trails Conservancy, Department of Commerce and Department of Community Affairs. The name of the representatives shall be submitted to the secretary within ten days of the receipt of the request for them.] *The committee shall consist of 17 members. The members shall be as follows:*

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

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

(3) *One member from the Pennsylvania Game Commission.*

(4) *One member from the Allegheny National Forest.*

(5) *One member from the Pennsylvania State Association of Township Supervisors.*

(6) *One member from the Pennsylvania State Association of Boroughs.*

(7) *One member from the Pennsylvania State Association of County Commissioners.*

(8) *Eight members of the public representing the following organizations to be appointed by the Secretary of Conservation and Natural Resources:*

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

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

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

(iv) *Two members from a list of at least six representatives submitted by conservation or nonmotorized recreation organizations.*

(v) *One member from a list of at least three representatives submitted by the Pennsylvania Travel Council.*

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

(c) [Responsibilities.—The committee shall review existing and proposed regulations, standards and procedures for all trail acquisition, construction, development and maintenance. The committee may also make recommendations on trail sites, trail site acquisition and the allocation of fees collected pursuant to this chapter regarding acquisition, construction and maintenance of trails for snowmobile use.] *Terms of appointees.—The terms of all members of the committee appointed by the Secretary of Conservation and Natural Resources shall be three years. Any member of the committee may be reappointed for*

additional terms. A person appointed to fill a vacancy shall serve for the unexpired term and is eligible for reappointment.

(d) *[Advisory committee actions.—The recommendations of the advisory committee shall be submitted to the secretary who shall give due consideration to them.] Officers.—The members of the committee shall annually elect a chairman, a vice chairman and a secretary from among the public members of the committee.*

(e) *Meetings and expenses.—*

(1) *The committee shall meet at least annually.*

(2) *A public member, including a designee, who misses three consecutive meetings without good cause acceptable to the chairman may be replaced by the Secretary of Conservation and Natural Resources.*

(3) *The public members of the committee shall be allowed actual, necessary and reasonable per diem expenses in accordance with regulations of the Executive Board. The department shall provide appropriate staff support to enable the committee to properly carry out its functions.*

(f) *Powers and duties.—The powers and duties of the committee shall be to advise the Secretary of Conservation and Natural Resources on matters concerning the implementation of this chapter, including existing and proposed regulations, standards, policies and practices; use and operation of snowmobiles and ATV's on public and private land; acquisition, construction, development and maintenance of trails; enforcement; and allocation of fees collected by the department pursuant to this chapter.*

§ 7724. Operation on private or State property.

(a) Private real property.—

(1) No person shall operate a snowmobile or an ATV on [any] private real property without the consent of the owner [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.

(2) When a person operates a snowmobile or an ATV in a manner as to violate section 3717 (relating to trespass by motor vehicle), the applicable fines, penalties and suspensions provided in this title for violation of section 3717 shall apply to this subsection.

(b) State property.—

(1) No person shall operate a snowmobile or an ATV on State-owned property except on clearly marked and previously designated snowmobile or ATV routes or as expressly permitted by the Commonwealth.

(2) (i) 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.

(ii) No person shall operate a snowmobile or ATV on State park or State forest land except as follows:

(A) A person may operate a snowmobile on a road, trail or area that is designated and marked by the department as open for snowmobile use or on which the person has been given specific written permission to operate the snowmobile.

(B) A person may operate a Class I ATV on a road, trail or area that is designated and marked by the department as open for ATV use or on which the person has been given specific written permission to operate the ATV.

(C) A person may operate a Class II ATV on a road, trail or area if the person has been given specific written permission by the department to operate a Class II ATV on the road, trail or area.

§ 7725. Operation by persons under age sixteen.

* * *

(h) **Snowmobile and ATV 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.

* * *

Section 11. Sections 7730 and 7752 of Title 75 are amended to read:

§ 7730. Liability insurance.

(a) **Requirement.**—[Any] A snowmobile or ATV for which registration is required [to be registered pursuant to] under this chapter shall have liability insurance coverage for the snowmobile or ATV issued by an insurance carrier authorized to do business in this Commonwealth. *This subsection does not apply to limited registrations.*

(b) **Proof of insurance.**—Proof of insurance as required by this section shall be produced and displayed by the owner or operator of such snowmobile or ATV upon the request of any magistrate or any person having authority to enforce the provisions of this chapter or to any person who has suffered or claims to have suffered either personal injury or property damage as a result of the operation of such snowmobile or ATV. It shall be an affirmative defense to any prosecution for a violation of this section that such proof was so produced within [24] 72 hours of receiving

notice of such violation, injury or damage or the claim of such injury or damage.

(c) Owner's responsibility.—No owner of a snowmobile *or* ATV shall operate or permit the same to be operated without having in full force and effect liability insurance coverage required by this section. The operator of a snowmobile *or* ATV shall carry proof of insurance on [their] *his* person or on the snowmobile *or* ATV when it is in operation.

(d) Penalty.—A person who violates subsection (a) or (c) commits a summary offense and shall, upon conviction, be sentenced to pay a fine of \$300 and costs of prosecution and, in default of payment of the fine or costs, shall be imprisoned for not more than ten days.

§ 7752. Penalties for violation of chapter.

(a) General rule.—Except as provided in subsections [(b) and (c),] (c) *and (d) and unless otherwise provided in this chapter, [any] a person [violating any of the provisions of] who violates this chapter [is guilty of] commits a summary offense and shall, upon conviction:*

(1) For a first 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] *of the fine or costs*, shall [undergo imprisonment] *be imprisoned* for not more than ten days.

(2) For a [second] *subsequent* offense, be sentenced to pay a fine of not less than [\$50] \$100 nor more than [\$200] \$300 and costs of prosecution and, in default of the payment [thereof] *of the fine or costs*, shall [undergo imprisonment] *be imprisoned* for not more than 30 days.

[(b) Failure to obtain liability insurance.—Any person who fails to obtain liability insurance required pursuant to this chapter commits a summary offense and shall, upon conviction, be sentenced to pay a fine of \$300 which shall be returned to the restricted receipts account created pursuant to this chapter.]

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

(d) Registration [and decals].—

(1) [Any] A person [violating] who violates section [7713(a)] 7711.1 (relating to [certificates of] registration [and decals] of snowmobile or ATV) or 7711.2 (relating to limited registration of snowmobile or ATV) by failing to obtain [a] the required registration certificate [of] or limited registration certificate commits a summary offense and shall, upon conviction, be sentenced to pay a fine of \$300 or to be imprisoned for 90 days [imprisonment], or both[,], and costs of prosecution. Proceedings for a summary offense under this paragraph must be commenced within 60 days after commission of the alleged offense or

within 60 days after discovery of the commission of the offense or the identity of the offender, whichever is later.

(2) [Any] A person [violating] *who violates* section [7713(a)] *7711.1 or 7711.2* by failing to properly display [a registration number or the validation decal] *the required registration decal or plate* commits a summary offense and shall, upon conviction, be sentenced to pay a fine of \$50[.] *and costs of prosecution.*

(3) *A person who violates section 7711.1 by failing to properly display the required expiration sticker or by failing to carry the required registration certificate commits a summary offense and shall, upon conviction, be sentenced to pay a fine of \$50 and costs of prosecution.*

Section 12. The Department of Conservation and Natural Resources shall promulgate regulations necessary to enforce the amendment of 75 Pa.C.S. Ch. 77.

Section 13. This act shall take effect as follows:

(1) The amendment or addition of 75 Pa.C.S. §§ 102, 6129 and 7717 shall take effect in 60 days.

(2) The amendment or addition of 75 Pa.C.S. §§ 6313, 7702 and 7724 shall take effect immediately.

(3) Section 12 and this section shall take effect immediately.

(4) The remainder of this act shall take effect in 120 days.

APPROVED—The 25th day of June, A.D. 2001.

THOMAS J. RIDGE