

No. 2016-136

AN ACT

HB 1703

Amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in snowmobiles and all-terrain vehicles, further providing for operation by persons under age sixteen and for mufflers and noise control.

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

Section 1. Sections 7725(b.1) and (d) and 7743 heading and (a) of Title 75 of the Pennsylvania Consolidated Statutes are amended to read:
§ 7725. Operation by persons under age sixteen.

* * *

(b.1) **ATV size restrictions.**—**[An ATV operated in this Commonwealth by a person eight or nine years of age shall have an engine size of 70cc or less.]** *No person shall operate an ATV bearing a certification label conforming to ANSI/SVIA 1 - 2010 in violation of the age recommendation warning label affixed by the manufacturer. An ATV not bearing a certification label conforming to ANSI/SVIA 1 - 2010 operated in this Commonwealth by a person eight or nine years of age shall have an engine size of 70cc or less.*

* * *

(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.]** *Within five days of receiving notice of a violation of this section, a youthful operator shall present the appropriate safety certificate that was valid at the time of demand at the office of the issuing authority. Upon presentation of the safety certificate, the issuing authority shall dismiss the charge.*

* * *

§ 7743. Mufflers and **[noise] sound** 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] sound** into the overall snowmobile or ATV **[noise] sound** 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] July 1998**, Measurement of Exhaust Level of Stationary Motorcycles. The sound level

intensity produced by an ATV *manufactured before January 1, 1998*, shall not exceed 99dbA, or decibels, when measured at 20 inches. *The sound level intensity produced by an ATV manufactured on or after January 1, 1998, shall not exceed 96dbA, or decibels, when measured at 20 inches.*

* * *

Section 2. This act shall take effect immediately.

APPROVED—The 3rd day of November, A.D. 2016

TOM WOLF