

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1703 Session of 2015

INTRODUCED BY MILLARD, COHEN, D. COSTA, DIAMOND, GABLER, GIBBONS, HELM, HICKERNELL, KIRKLAND, McNEILL, MOUL, TALLMAN, THOMAS, VEREB, YOUNGBLOOD AND ZIMMERMAN, NOVEMBER 16, 2015

AS REPORTED FROM COMMITTEE ON TOURISM AND RECREATIONAL DEVELOPMENT, HOUSE OF REPRESENTATIVES, AS AMENDED, FEBRUARY 10, 2016

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in snowmobiles and all-terrain vehicles, further
3 providing for operation by persons under age sixteen AND FOR <--
4 MUFFLERS AND NOISE CONTROL.

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

7 ~~Section 1. Section 7725(b.1) of Title 75 of the Pennsylvania <--
8 Consolidated Statutes is amended to read:~~

9 SECTION 1. SECTIONS 7725(B.1) AND (D) AND 7743(A) OF TITLE
10 75 OF THE PENNSYLVANIA CONSOLIDATED STATUTES ARE AMENDED TO <--
11 READ:

12 § 7725. Operation by persons under age sixteen.

13 \* \* \*

14 (b.1) ATV size restrictions.--[An ATV operated in this
15 Commonwealth by a person eight or nine years of age shall have
16 an engine size of 70cc or less.] No person shall operate an ATV
17 bearing a certification label conforming to ANSI/SVIA 1 - 2010

1 in violation of the age recommendation warning label affixed by  
2 the manufacturer. An ATV not bearing a certification label  
3 conforming to ANSI/SVIA 1 - 2010 operated in this Commonwealth  
4 by a person eight or nine years of age shall have an engine size  
5 of 70cc or less.

6 \* \* \*

7 (D) FAILURE TO EXHIBIT CERTIFICATE.--[THE FAILURE OF SUCH A <--  
8 YOUTHFUL OPERATOR TO EXHIBIT THE APPROPRIATE SAFETY CERTIFICATE,  
9 UPON DEMAND, TO ANY LAW ENFORCEMENT OFFICER HAVING AUTHORITY TO  
10 ENFORCE THE PROVISIONS OF THIS SECTION SHALL BE PRESUMPTIVE  
11 EVIDENCE THAT SUCH PERSON IS NOT THE HOLDER OF SUCH  
12 CERTIFICATE.] WITHIN FIVE DAYS OF RECEIVING NOTICE OF A  
13 VIOLATION OF THIS SECTION, A YOUTHFUL OPERATOR SHALL PRESENT THE  
14 APPROPRIATE SAFETY CERTIFICATE THAT WAS VALID AT THE TIME OF  
15 DEMAND AT THE OFFICE OF THE ISSUING AUTHORITY. UPON PRESENTATION  
16 OF THE SAFETY CERTIFICATE, THE ISSUING AUTHORITY SHALL DISMISS  
17 THE CHARGE.

18 \* \* \*

19 § 7743. MUFFLERS AND [NOISE] SOUND CONTROL.

20 (A) GENERAL RULE.--IT IS UNLAWFUL TO OPERATE A SNOWMOBILE OR  
21 AN ATV WHICH IS NOT EQUIPPED AT ALL TIMES WITH A MUFFLER IN GOOD  
22 WORKING ORDER WHICH BLENDS THE EXHAUST [NOISE] SOUND INTO THE  
23 OVERALL SNOWMOBILE OR ATV [NOISE] SOUND AND IS IN CONSTANT  
24 OPERATION TO PREVENT EXCESSIVE OR UNUSUAL NOISE. THE EXHAUST  
25 SYSTEM SHALL NOT EMIT OR PRODUCE A SHARP POPPING OR CRACKLING  
26 SOUND. THE SOUND INTENSITY PRODUCED BY A SNOWMOBILE SHALL NOT  
27 EXCEED 82DBA WHEN MEASURED IN ACCORDANCE WITH SAE RECOMMENDED  
28 PRACTICE J 192 EXTERIOR SOUND LEVEL FOR SNOWMOBILES, AS AMENDED.  
29 THE DEPARTMENT MAY BY REGULATION ADOPT MORE STRINGENT NOISE  
30 REQUIREMENTS FOR SNOWMOBILES. THE DEPARTMENT SHALL BY REGULATION

1 ADOPT NOISE REQUIREMENTS FOR IN-USE OPERATION OF ATV'S USING  
2 MEASUREMENT PROCEDURES IN ACCORDANCE WITH ANSI/SAE RECOMMENDED  
3 PRACTICE J 1287 [MARCH 1982] JULY 1998, MEASUREMENT OF EXHAUST  
4 LEVEL OF STATIONARY MOTORCYCLES. THE SOUND LEVEL INTENSITY  
5 PRODUCED BY AN ATV MANUFACTURED BEFORE JANUARY 1, 1998, SHALL  
6 NOT EXCEED 99DBA, OR DECIBELS, WHEN MEASURED AT 20 INCHES. THE  
7 SOUND LEVEL INTENSITY PRODUCED BY AN ATV MANUFACTURED ON OR  
8 AFTER JANUARY 1, 1998, SHALL NOT EXCEED 96DBA, OR DECIBELS, WHEN  
9 MEASURED AT 20 INCHES.

10 \* \* \*

11 Section 2. This act shall take effect immediately.