
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2047 Session of
2014

INTRODUCED BY CAUSER, STERN, HANNA, COHEN, GILLEN, GODSHALL,
GROVE, HARKINS, MILLARD, OBERLANDER, PICKETT AND SONNEY,
FEBRUARY 24, 2014

REFERRED TO COMMITTEE ON TRANSPORTATION, FEBRUARY 24, 2014

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for the deposit and use of money
3 in a restricted account.

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

6 Section 1. Section 7706 of Title 75 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 7706. Restricted account.

9 (a) Deposit and use of moneys.--

10 (1) [The department] There is established a restricted
11 account with two separate funds, the ATV Management Fund and
12 the Snowmobile Management Fund. The department shall deposit
13 the following into [a] the appropriate fund of the restricted
14 account[, which is hereby established]:

15 (i) all moneys received from the registration of and
16 issuance of certificates of title for snowmobiles and
17 ATV's and from the issuance of vintage snowmobile
18 permits;

1 (ii) all revenue from the sale of any publications
2 or services relating to snowmobiles and ATV's; [and]

3 (iii) all fines, penalties, fees and costs assessed
4 and collected as a result of enforcement activities
5 conducted by the department's law enforcement personnel
6 under this chapter[.] related to violations attributed to
7 ATV's shall be deposited in the ATV Management Fund;

8 (iv) all fines, penalties, fees and costs assessed
9 and collected as a result of enforcement activities
10 conducted by the department's law enforcement personnel
11 under this chapter related to violations attributed to
12 snowmobiles shall be deposited in the Snowmobile
13 Management Fund;

14 (v) all moneys existing in the restricted account at
15 the time this section becomes effective shall be divided
16 into the two funds based on the current number of active
17 snowmobile and active ATV registrations; and

18 (vi) all refunds of gas taxes generated under
19 section 9017(d.1) (relating to refunds) shall be
20 deposited in the respective funds on a proportional basis
21 of the activity that generated those taxes.

22 (2) The department shall draw moneys from the respective
23 funds in the restricted account for use in performing any
24 activities necessary to carry out the purposes of this
25 chapter, including registration and certificate of title
26 activities, training, education, enforcement activities,
27 construction and maintenance of snowmobile and ATV trails and
28 acquisition of equipment, supplies and interests in land. All
29 moneys deposited in this account shall remain in it to be
30 used as specified in this section. With the exception of

1 trails used by both snowmobiles and ATV's, under no
2 circumstances shall the department expend any moneys from any
3 fund except for the activity that generated those funds.

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

11 (b) Grant-in-aid.--The department shall, upon written
12 application and subsequent approval, grant money from the
13 appropriate fund of the restricted account:

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

17 (i) Plans, specifications and engineering surveys.

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

20 (iii) Land acquisition.

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

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

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

29 (c) Audit of moneys.--The restricted account shall be
30 audited every two years. Copies of the audit shall be provided

1 to the Snowmobile and ATV Advisory Committee[.], the
2 Appropriations Committee of the Senate and the Appropriations
3 Committee of the House of Representatives. Copies shall also be
4 posted and maintained on the department's publicly accessible
5 Internet website.

6 (d) Annual report.--An annual report on income and
7 expenditures from each fund of the restricted account shall be
8 posted and maintained on the department's publicly accessible
9 Internet website and provided to the Appropriations Committee of
10 the Senate and the Appropriations Committee of the House of
11 Representatives.

12 Section 2. This act shall take effect in 60 days.