
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 834 Session of
2023

INTRODUCED BY MILLER, REGAN, COSTA, FONTANA, SCHWANK, BREWSTER,
DILLON, KANE, TARTAGLIONE, BAKER AND ROBINSON, JUNE 26, 2023

REFERRED TO TRANSPORTATION, JUNE 26, 2023

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in miscellaneous provisions, further providing for
3 off-road vehicles in urban municipalities, for fleeing or
4 attempting to elude police officer and for reckless driving.

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

7 Section 1. Section 3722(c) and the definition of "urban
8 municipality" in subsection (g) of Title 75 of the Pennsylvania
9 Consolidated Statutes, added July 11, 2022 (P.L.1596, No.92),
10 are amended to read:

11 § 3722. Off-road vehicles in urban municipalities.

12 * * *

13 (c) Penalty.--Except as provided in subsection (d), an
14 individual who violates subsection (a) commits a summary offense
15 and shall, upon conviction:

16 (1) For a first offense, be sentenced to pay a fine of
17 [not less than \$50 nor more than] \$200 and costs of
18 prosecution and, in default of the payment of the fine or
19 costs, be imprisoned for not more than 10 days.

1 (2) For a subsequent offense, be sentenced to pay a fine
2 of [not less than \$100 nor more than] \$300 and costs of
3 prosecution and, in default of the payment of the fine or
4 costs, be imprisoned for not more than 30 days.

5 * * *

6 (g) Definitions.--As used in this section, the following
7 words and phrases shall have the meanings given to them in this
8 subsection unless the context clearly indicates otherwise:

9 * * *

10 "Urban municipality." [A city of the first class, second
11 class, second class A or third class.] The term includes the
12 following:

13 (1) A city of the first class.

14 (2) A county of the second class, second class A or
15 third class.

16 (3) A city of the second class, second class A or third
17 class.

18 Section 2. Section 3733(a) of Title 75 is amended and the
19 section is amended by adding a subsection to read:

20 § 3733. Fleeing or attempting to elude police officer.

21 (a) Offense defined.--Any driver of a motor vehicle, an all-
22 terrain vehicle or a dirt bike who willfully fails or refuses to
23 bring his vehicle to a stop, or who otherwise flees or attempts
24 to elude a pursuing police officer, when given a visual and
25 audible signal to bring the vehicle, all-terrain vehicle or dirt
26 bike to a stop, commits an offense as graded in subsection
27 (a.2).

28 * * *

29 (d) Definitions.--As used in this section, the following
30 words and phrases shall have the meanings given to them in this

1 subsection unless the context clearly indicates otherwise:

2 "All-terrain vehicle." As defined under section 3722(g)
3 (relating to off-road vehicles in urban municipalities).

4 "Dirt bike." As defined under section 3722(g).

5 Section 3. Section 3736 of Title 75 is amended to read:

6 § 3736. Reckless driving.

7 (a) General rule.--Any person who drives any vehicle in
8 willful or wanton disregard for the safety of persons or
9 property is guilty of reckless driving.

10 (a.1) All-terrain vehicle and dirt bike.--

11 (1) Any person who drives an all-terrain vehicle or dirt
12 bike in an urban municipality in a willful or wanton
13 disregard for the safety of persons or property is guilty of
14 reckless driving.

15 (2) If at least three or more persons are driving all-
16 terrain vehicles or dirt bikes in an urban municipality in a
17 willful or wanton disregard for the safety of persons or
18 property, the persons are guilty of reckless driving.

19 (b) Penalty.--

20 (1) Any person who violates [this section] subsection
21 (a) commits a summary offense and shall, upon conviction, be
22 sentenced to pay a fine of \$200.

23 (2) Any person who violates subsection (a.1) commits a
24 summary offense and shall, upon conviction:

25 (i) For a first offense, be sentenced to pay a fine
26 of \$200 and costs of the prosecution and, in default of
27 the payment of the fine or costs, be imprisoned for not
28 more than 10 days.

29 (ii) For a subsequent offense, be sentenced to pay a
30 fine of \$300 and costs of prosecution and, in default of

1 the payment of the fine or costs, be imprisoned for not
2 more than 30 days.

3 (3) Any person who violates subsection (a.1)(2) commits
4 a misdemeanor of the third degree.

5 (c) Definitions.--As used in this section, the following
6 words and phrases shall have the meanings given to them in this
7 subsection unless the context clearly indicates otherwise:

8 "All-terrain vehicle." As defined under section 3722(g)
9 (relating to off-road vehicles in urban municipalities).

10 "Dirt bike." As defined under section 3722(g).

11 "Urban municipality." As defined under section 3722(g).

12 Section 4. This act shall take effect in 60 days.