

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1338 Session of 2023

INTRODUCED BY NEILSON, HOHENSTEIN, SOLOMON, M. JONES, GALLAGHER, SANCHEZ, CIRESI AND BOROWSKI, JUNE 7, 2023

AS REPORTED FROM COMMITTEE ON TRANSPORTATION, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 20, 2023

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in miscellaneous provisions relating to operation
3 of vehicles, further providing for the offense of off-road
4 vehicles in urban municipalities.

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

7 Section 1. The definition of "urban municipality" in section <--
8 3722(g) of Title 75 of the Pennsylvania Consolidated Statutes,
9 added July 11, 2022 (P.L.1596, No.92), is amended to read:
10 § 3722. Off road vehicles in urban municipalities.

11 * * *

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

15 * * *

16 "Urban municipality." A city of the [first class,] second-
17 class, second class A or third class.

18 SECTION 1. SECTION 3722(F) OF TITLE 75 OF THE PENNSYLVANIA <--

1 CONSOLIDATED STATUTES, ADDED JULY 11, 2022 (P.L.1596, NO.92), IS
2 AMENDED TO READ:

3 § 3722. OFF-ROAD VEHICLES IN URBAN MUNICIPALITIES.

4 * * *

5 (F) CONSTRUCTION.--NOTHING CONTAINED IN THIS SECTION SHALL
6 BE CONSTRUED TO:

7 (1) ALLOW THE OPERATION OF AN ALL-TERRAIN VEHICLE OR
8 DIRT BIKE OUTSIDE OF THE BOUNDARIES OF AN URBAN MUNICIPALITY
9 IN A MANNER THAT IS INCONSISTENT WITH THIS TITLE OR OTHER LAW
10 OF THIS COMMONWEALTH[.]; OR

11 (2) SUPERSEDE OR PREEMPT A LOCAL ORDINANCE ADOPTED BY AN
12 URBAN MUNICIPALITY THAT PROHIBITS, PERMITS OR REGULATES THE
13 OPERATION OF AN ALL-TERRAIN VEHICLE OR DIRT BIKE INSIDE OF
14 THE BOUNDARIES OF THE URBAN MUNICIPALITY.

15 * * *

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