

City of Philadelphia



Council of the City of Philadelphia
Office of the Chief Clerk
Room 402, City Hall
Philadelphia

(Resolution No. 120625)

RESOLUTION

Authorizing the Committee on Public Safety to hold public hearings to review and examine the regulations surrounding All Terrain Vehicles (ATVs) and similar vehicles.

WHEREAS, ATV Regulations are found in the Pennsylvania Consolidated Statutes Title 75, Chapter 77 and The Pennsylvania Code Title 17, Chapter 21 and 51. Though it is illegal to operate an ATV on non-ATV-designated roadways, state law allows local governments to designate local roads for ATV use either exclusively or shared with other vehicles; and

WHEREAS, According to public polls and opinion gathered via Facebook and Change.org, there is disdain amongst Philadelphia citizens towards the hazards and public nuisance caused by ATVs; and

WHEREAS, Regulation of ATVs is difficult due to the “no-chase” policy restricting Philadelphia police from apprehending offenders in motion. The police have begun a campaign requesting citizens to notify the police of storage areas for illegal ATVs and of illegal riding seen in the City. Police are also partnering with community organizers and local gas stations to help regulate the issue; and

WHEREAS, According to a recent article in the Philadelphia Daily News, ATVs are sold at unclaimed property auctions of the Philadelphia Parking Authority; and

WHEREAS, Many ATVs on Philadelphia streets are stolen, making them in some ways more deadly because of the drivers increased need to evade the police, often in a reckless manner, and the other illegal activity that may coincide with driving the stolen vehicles; and

WHEREAS, Nearby cities use different techniques to deal with the problem of regulation and safety. Sting operations are conducted in New York City to crack down on illegal usage of ATVs. In Baltimore, gas stations are banned from providing fuel to ATVs and parents could be thrown in jail for allowing a child to ride; and

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WHEREAS, The U.S. Consumer Product Safety Commission has collected statistics showing that in Philadelphia 521 deaths from 1982-2010 have involved ATVs; from 1982-2006, 105 deaths were of children under the age of 16; and

WHEREAS, The Study showed that Philadelphia citizens provided strong agreement to the creation of state laws and programs to protect and encourage riding areas on private property and for a change in municipal zoning regulations to support construction and use of ATV areas; and

WHEREAS, The proper regulation and usage of ATVs requires increased community awareness and involvement. With the establishment of proper programming, safety courses, riding areas and other tactics, Philadelphia could see a change in conduct and an impact on City tourism and economics; now, therefore, be it

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That we hereby authorize the Committee on Public Safety to hold public hearings to review and examine the regulations surrounding All Terrain Vehicles (ATVs) and similar vehicles.

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CERTIFICATION: This is a true and correct copy of the original Resolution, Adopted by the Council of the City of Philadelphia on the twenty-first of June, 2012.

Darrell L. Clarke
PRESIDENT OF THE COUNCIL

Michael A. Decker
CHIEF CLERK OF THE COUNCIL

Introduced by: Councilmembers Reynolds Brown and Jones

Sponsored by: Councilmembers Reynolds Brown, Jones, Johnson, Oh, Quiñones Sánchez, Greenlee, Kenney, Goode, Council President Clarke, Councilmembers Squilla, Bass, O'Neill, Tasco and Green