

Part 13

Motorized Devices and All-Terrain Vehicles

[Added 7-12-2004 by Ord. No. 34-2004; Amended 12-19-2016 by Ord. No. 68-2016; 6-14-2021 by Ord. 44-2021]

A Use and Operation



§ 576-1301. Operation of motorized devices is restricted.



No person shall operate an unlicensed, unregistered or uninspected motorized device or all-terrain vehicle on any alley, public property or street.

§ 576-1302. Definitions.



A. For the purposes of this Part, a “motorized device” means a device commonly referred to as a “dirt bike,” “motor scooter” or “powerboard,” that cannot be registered with the State for legal use on streets, roads and highways but not a motorized assistive device used by a person with a disability, that is designed to allow operation powered by an internal combustion engine or electric motor that is capable of propelling the device and operator without human propulsion.

B. An “All-terrain vehicle” or “ATV” shall have the same meaning as used in Section 7702 of the Vehicle Code, 75 Pa. C.S. § 7702.

C. “Forfeiture” - loss of property due to a violation of law.

D. “Operator” - a person who is operating a motorized device or ATV.

E. “Owner” - Any person who has legal or equitable title to the motorized device or ATV and/or to the property on which a motorized device or ATV is being operated.

F. “Private Property” - Any land, right-of-way, road or property under the control of an owner other than the City of Reading and not available for general use by the public.

G. “Seizure Notice” - notice mailed via first class mail to the owner of the vehicle and to the person who was issued a notice of violation of City Code Chapter 576 Part 13.

H. “Snow mobile” - an engine driven vehicle intended to travel over snow or ice with a width of 48 inches or less.

§ 576-1303. Registration and Title.



A. Registration.

(1) All ATVs and/or motorized vehicles in the City of Reading, except all-terrain vehicles used solely in support of a licensed commercial business or agricultural purposes, need to be registered and titled with the Pennsylvania Department of Conservation and Natural Resources (DCNR) or with PennDOT. Registration permits the ATV and/or motorized vehicle to be operated exclusively on the owner’s private property, on another land owner’s private property with written consent, or any local highway or property designated by the municipality or the State for ATV and/or motorized vehicle operation.

(2) Upon registration with DCNR, the plate must be attached and prominently displayed on the rear of the ATV.

(3) Exempt from registration requirements are ATVs and/or motorized vehicles owned by nonresidents covered by a valid registration in their state or province. If the vehicle is purchased at a

registered dealer, the dealer will handle the application for title and registration. If the ATV is purchased privately, the purchaser will need to contact the Department of Conservation and Natural Resources to register and title the vehicle.

B. Title.

(1) All ATVs in the City of Reading must have a title issued by DCNR. Title is not required for ATVs registered with DCNR before February 1987 until they are sold by the owner. For non-residents, the ATV must be registered as per the regulations administered by the State or province in which the owner resides.

(2) Title is not required for ATVs used exclusively as utility vehicles for agricultural or support of a licensed commercial business operations; those owned and operated by a governmental body; owned by a registered dealer prior to sale; or an ATV owned by a resident of Pennsylvania but properly registered in another state.

§ 576-1304. Operation and Use.



A. Operation.

(1) No person shall operate, park, stop, stand, place or maintain any all-terrain vehicle and/or motorized vehicle on any public sidewalk or any public property, including without limitation any park or recreation facility, except where expressly authorized by law; provided that the owner or a person with lawful permission of the owner may temporarily place an all-terrain vehicle and/or motorized vehicle on the sidewalk abutting his or her house or abutting any premises where the vehicle is lawfully stored, for purposes of lawfully transporting the vehicle to a location outside the City within 48 hours of notice.

(2) Nothing in this section prohibits the lawful transport of an all-terrain vehicle and/or motorized vehicle on a licensed trailer or other safe carrier, or the manual transport of a vehicle onto or off of such a carrier, so long as the motor or engine of the all-terrain vehicle remains off at all times. Additionally, this does not grant the operator authority to state or local highways to gain access to a permitted ATV area of operation.

B. Nuisance.

(1) An ATV and/or motorized vehicle operator must remain at least 100 feet from any adjoining or adjacent property line, and must remain at least 150 feet from an off-site residential dwelling.

(2) No person shall operate an ATV and/or motorized device without an effective and suitable muffling device on its engine which efficiently deadens or muffles the noise of the exhaust.

(3) This does not include municipal, emergency and law enforcement vehicles or vehicles used exclusively for agricultural or in support of a licensed commercial business operations.

§ 576-1305. Towing and Storage.



A. The owner of the vehicle or the person charged with a violation of this part shall be responsible for paying the towing and storage fees as per Chapter [212-144](#) of the City of Reading Codified Ordinances and the City's towing contract with a towing contractor.

B. Vehicles shall be stored at a location determined to be secure by the Public Works and Police Departments. The owner of the vehicles towed and stored shall be responsible for the payment of the towing and storage fees, along with any other penalties or fines assigned by the Police Department, prior to the release of the vehicle.

C. Payment of the towing and storage fee alone shall not relieve the owner from liability from any fine or penalty for the violation of this part for which the vehicle was removed or stored.

§ 576-1306. Enforcement.**[Amended 10-11-2021 by Ord. No. 74-2021]**

A. Penalties. The penalty for a violation of this section relating to the operation of motorized devices and all-terrain vehicles shall be forfeiture of the vehicle. Automatic forfeiture shall apply to all subsequent violations of this section.

B. Notices of violation and a seizure notice shall be issued by the Police Department. Contested charges shall be resolved, penalties shall be imposed, and payments shall be collected and processed by the Police Department.

C. Seizure. In addition to the notice of violation, whenever a police officer has probable cause to believe a vehicle has been used or is being used in violation of this section, the officer may seize the vehicle. The vehicle shall be stored at a secure location as determined by the Public Works and Police Departments until the final adjudication of the offense.

D. Forfeiture. Forfeiture, other than voluntary forfeiture (as set forth below) by the owner, of the impounded vehicle shall be approved or rejected by the Code and License Appeals Board though an appeal by the defendant or vehicle owner. If an appeal hearing is not requested within ten (10) days of the receipt of the seizure notice, the Police Department shall issue a list of vehicles with a copy of the violation notices and seizure notices to the Code and License Appeals Board for approval or rejection.

(1) If forfeiture is not awarded, the Police Department shall return the vehicle to the owner after:

(a) The owner pays all penalties and fees for the seizure, tow and storage of the vehicle defined herein; and

(b) The owner provides proof of registration, title and proof of insurance.

(2) If forfeiture is awarded, the Police Department shall dispose of the vehicle in an appropriate manner which may include destruction of the vehicle to reduce the opportunity for the vehicle to be used in any manner that would violate this section.

(3) If the Police Department cannot identify the legal owner of the impounded vehicle within 45 days, the Department shall file a request for forfeiture that includes the methods used to determine the ownership of the vehicle with the Code and License Appeals Board. The Board shall approve or reject the request at their next meeting. If the request is approved the vehicle(s) shall be immediately destroyed.

E. Voluntary Forfeiture. Any person to whom a ticket is issued may, if he provides proof that he is the registered owner of the vehicle, within ten (10) days of receipt of the seizure notice, agree to forfeit the vehicle in lieu of contesting the violation and in lieu of other fines and penalties or file an appeal with the Code and License Appeals Board.

§ 576-1307 Vehicles Seized Prior to the Effective Date of this Part.**[Amended 10-11-2021 by Ord. No. 74-2021]**

Notices of seizure shall be issued to the owners of vehicles that have been seized prior to the effective date of this Part by certified and first class mail notifying the owner that he/she has 30 days to claim the vehicle as per § 576-1306 D.(1) above or appeal the seizure to the Code and License Appeals Board as per § 576-1306 B. (1) above. Failure to take either action by the owner of the vehicle shall result in the Police Department making a request for forfeiture to the Code and License Appeals Board as per § 576-1306 D. (3) above.

