

CHAPTER 53. SNOWMOBILE AND ALL-TERRAIN VEHICLE GRANTS

Subchap.

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Authority

The provisions of this Chapter 53 issued under the Snowmobile and All-Terrain Vehicle Law, 75 Pa.C.S. §§ 7704 and 7706(b.1); and section 313 of the Conservation and Natural Resources Act (71 P.S. § 1340.313), unless otherwise noted.

Source

The provisions of this Chapter 53 adopted September 4, 2020, effective September 5, 2020, 50 Pa.B. 4511, unless otherwise noted.

Subchapter A. GENERAL PROVISIONS

Sec.

53.1. Definitions.

53.2. Authority.

53.3. Application procedure.

53.4. Grant selection process and criteria.

53.5. Funding levels.

§ 53.1. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

ATV—An all-terrain vehicle as defined in section 7706(e) of the Vehicle Code (relating to restricted accounts).

ATV Management Restricted Account—A restricted revenue account for funds that may only be used for ATV related activities, or activities related to joint-use trails, as required under section 7706(a)(2) of the Vehicle Code.

Acquisition—The purchase or lease of land or buildings for snowmobile or ATV activities, or both.

Development—Construction, alteration or renovation required for and compatible with the physical improvement of land.

Joint-use trail—A trail that may be used by snowmobiles and ATVs.

Land—Real property, including improvements thereon, rights-of-way, water, riparian and other rights, easements, privileges and any other physical property or rights of interest of any kind or description relating to or connected with real property.

Maintenance—Recurring upkeep needed on a regular basis on snowmobile, ATV or joint-use trails, trail related facilities and equipment.

Municipality—A county, city, borough, incorporated town, township or an official agency created by the foregoing units of government under the laws of the Commonwealth.

Nonprofit organization—An organization that is exempt from income tax under section 501 of the Internal Revenue Code (26 U.S.C.A. § 501).

Project—A proposal to acquire or develop land, research the feasibility of acquiring or developing land, prepare or perform right-of-way lease agreements, purchase or lease equipment, or conduct educational or training programs relating to snowmobile or ATV activities, or both.

Rehabilitation—The improvement or restoration, excluding routine maintenance, of existing snowmobile, ATV or joint-use trails.

Snowmobile—The term as defined in section 7702 of the Vehicle Code (relating to definitions).

Snowmobile Management Restricted Account—A restricted revenue account for funds that may only be used for snowmobile related activities, or activities related to joint-use trails, as required under section 7706(a)(2) of the Vehicle Code.

Vehicle Code—75 Pa.C.S. §§ 101—9701.

§ 53.2. Authority.

This chapter is adopted under section 7706(b.1) of the Vehicle Code (relating to restricted accounts) and applies to municipalities, for-profit organizations and nonprofit organizations seeking grants under this chapter.

§ 53.3. Application procedure.

(a) Grant applicants may apply for grants under this chapter by submitting an application through the Department's online grant portal on the Department's web site.

(b) By completing, signing and submitting a grant application to the Department, the grant applicant will be deemed to have certified to the Department that it shall be legally bound by the terms, conditions and provisions of the grant.

(c) There will be two grant rounds annually during which the Department will accept grant applications. The first grant round will open on the first business day in February and close on the last business day in March. The second grant round will open on the first business day in August and close on the last business day in September.

§ 53.4. Grant selection process and criteria.

(a) Following the closing date of each grant round, the Department will consider properly filed applications for approval and award.

(b) If the Department determines that an application is incomplete and that additional information is necessary, the grant applicant shall provide that additional information to allow for further consideration of the application.

(c) In reviewing an application, the Department will give priority to all of the following criteria:

- (1) The anticipated benefits of the project.
- (2) The local and regional impact of the project.
- (3) The estimated cost of the project.
- (4) The availability of matching funds for the project.
- (5) Cost sharing by the grant applicant and other entities.
- (6) The results of similar types of projects that have already been completed.
- (7) The results of previous projects completed by the grant applicant.
- (8) The Department's priorities for motorized recreational trails.

(d) The Department will complete its review and approval of properly filed applications prior to the opening of the following grant round.

§ 53.5. Funding levels.

Grants under this chapter may cover part or all of the cost of an eligible project.

Subchapter B. ALL-TERRAIN VEHICLE GRANTS

Sec.

53.11. ATV Management Restricted Account.

53.12. Eligibility.

§ 53.11. ATV Management Restricted Account.

(a) The Department may only award grants for ATV projects under this subchapter.

(b) The Department may only fund grants with money from the ATV Management Restricted Account under this subchapter.

(c) Joint-use trail projects are considered ATV projects under this subchapter.

§ 53.12. Eligibility.

(a) The Department may award grants to the following groups and organizations:

- (1) For-profit organizations.
- (2) Nonprofit organizations.
- (3) Municipalities.

(b) The Department may award grants to for-profit organizations, nonprofit organizations and municipalities for the following project costs on lands not owned by the Commonwealth:

- (1) Plans, specifications and engineering surveys.
- (2) Fees and costs related to the preparation or performance of right-of-way lease agreements.
- (3) Land acquisition.

- (4) Construction, maintenance and rehabilitation of trails and other facilities for ATVs.
- (c) The Department may award grants to for-profit and nonprofit organizations for the maintenance, rehabilitation and construction of ATV trails on lands owned by the Commonwealth.
- (d) The Department may award grants to for-profit organizations, nonprofit organizations and municipalities for equipment, training and educational activities relating to ATV use.

Subchapter C. SNOWMOBILE GRANTS

- Sec. 53.21. Snowmobile Management Restricted Account.
- 53.22. Eligibility.

§ 53.21. Snowmobile Management Restricted Account.

- (a) The Department may only award grants for snowmobile projects under this subchapter.
- (b) The Department may only fund grants with money from the Snowmobile Management Restricted Account under this subchapter.
- (c) Joint-use trail projects are considered snowmobile projects under this subchapter.

§ 53.22. Eligibility.

- (a) The Department may award grants to the following groups and organizations:
 - (1) For-profit organizations.
 - (2) Nonprofit organizations.
 - (3) Municipalities.
- (b) The Department may award grants to for-profit organizations, nonprofit organizations and municipalities for the following project costs on lands not owned by the Commonwealth:
 - (1) Plans, specifications and engineering surveys.
 - (2) Fees and costs related to the preparation or performance of right-of-way lease agreements.
 - (3) Land acquisition.
 - (4) Construction, maintenance and rehabilitation of trails and other facilities for snowmobiles.
- (c) The Department may award grants to for-profit and nonprofit organizations for the maintenance, rehabilitation and construction of snowmobile trails on lands owned by the Commonwealth.
- (d) The Department may award grants to for-profit organizations, nonprofit organizations and municipalities for equipment, training and educational activities relating to snowmobile use.

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