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HOUSE OF REPRESENTATIVES
COMMONWEALTH *of* PENNSYLVANIA

House Democratic Policy Committee Hearing

Safe Streets

Tuesday, May 3rd, 2022 | 2:00 p.m.

Representative Pete Schweyer

OPENING REMARKS

- | | |
|----------|--|
| 2:00p.m. | Rep. Pete Schweyer, D-Lehigh |
| 2:05p.m. | Jason Albright, Assistant State Forester
<i>Pa. Dept. of Conservation and Natural Resources</i> |
| 2:35p.m. | Charles Roca, Police Chief
<i>Allentown Police Department</i> |
| 3:05p.m. | Daysell Ramirez, Support Services Coordinator
<i>Overlook Park Apartments</i> |
| 3:35p.m. | Mike Rebert, District Executive
<i>Pa. Dept. of Transportation</i> |



Illegal Dirt Bike / ATV Testimony

MAY 3, 2022

CHIEF CHARLES ROCA – ALLENTOWN POLICE DEPARTMENT

**Illegal Dirt Bike / ATV Testimony
PA House Democratic Policy Committee
Tuesday, May 3, 2022**

Good afternoon members of the Pennsylvania House Democratic Policy Committee. My name is Charles Roca, and I am the Chief of Police for the City of Allentown Police Department. I am here before you today to speak on a topic that negatively impacts the quality of life for many residents and business owners in the City of Allentown and through out the Commonwealth in municipalities throughout our great state. The illegal operation of dirt bikes and atvs has been growing by the day.

To understand the impact, it is vital to understand the problem. Many of the riders of the dirt bikes and atvs choose to operate them on urban streets. Many times, the riders will ride around in packs of ten to twenty often blocking traffic and performing stunts such as “pop a wheelies” and other tricks that present a very dangerous threat to our pedestrian and motoring public. Urban roadways are no place for this type of activity and the riders are choosing to engage in this dangerous behavior regardless of the threat to themselves or others.

I can relay to you experiences that I have personally encountered. In August of 2020, the Allentown Police Department observed a very large group of motorcycles, dirt bikes, and ATVs gather in the area of North 7th Street and West Tilghman Street for a cruise. These riders filled the streets, and several chose to ride in an illegal and unsafe manner by performing stunts as well as revving up the dirt bike, motorcycle, atv in an effort to spin their wheels causing smoke to be emitted as well as marking the street with tire marks. Allentown Police responded and cleared the majority of the groups, but they returned. During this time, there was three people that sustained injuries from a disturbance that resulted in violence.

On another occasion, I was with my family travelling on American Parkway heading towards the east side of the city to observe the Allentown Band play at the Midway Manor field.

While enroute to the location, there was a pack of about 15 to 20 dirt bike and atv riders

operating on city streets. Two from the pack would stop traffic and the rest would perform the stunts as they travelled on the road way. I could see the frustration with the motorists that had to stop and be inconvenienced from continuing their travel. The group of illegal riders continued travelling in an eastbound direction and eventually went to a location where they gathered in front of a garage. I was able to contact officers who were working at the time in that section of the city and when the officers approached, the riders fled in various directions.

Often the riders of the dirt bikes and atvs will also taunt the police officers in an effort to get the police officer to chase them. At times, the riders will record the interaction and post the video to social media. It is clear that there is a sense of disdain towards law enforcement as well as the embracing of chaotic behavior which presents a very real threat to our pedestrian and motoring public.

In 2022, there have been 230 calls for service regarding dirt bikes and atv's. So far this year, we have towed 21. On a few of these encounters, we have also recovered loaded firearms from riders of the illegal dirt bikes and atvs. The Allentown Police Department has taken steps to address this quality-of-life issue, but we are limited in what we can do. We have identified many of the riders and when observed violating the Pennsylvania vehicle code, they are cited accordingly. This has not been a deterrent though as many riders will continue to operate the dirt bikes and atvs.

We are also encouraging residents to send us information as to where these dirt bikes and atvs are being stored at by sending us emails, calling by phone, or providing a tip through our tip411 application. The outcry from the Allentown community is clear. The nuisance behavior by these riders that **choose** to behave and operate in this manner is what detracts from our community feeling safe. I have personally spoken to residents who are very frustrated and feel violated by these riders who are negatively impacting their day-to-day activity.

I have also heard from some in the dirt bike community who relay that this activity is harmless and that it is not criminal. In some instances, it has been expressed that riding in this

manner is part of the person's culture. I will respond by saying that a person either chooses to comply with the current laws or they do not. In this instance the illegal dirt bike and atv riders are choosing the latter. There is something to be said about personal accountability and being a productive member of society by adding to its fabric and not tearing away at its civility.

The actions by these groups encourage lawlessness and also subjects the individual rider to exposing themselves to dangerous situations. There are numerous examples throughout our great nation of dirt bike riders being involved in fatal crashes where the end result is the loss of life. I am concerned for these riders as well as the rest of the community when these riders exhibit the negative behavior.

I recently attended a radio show with Mayor Matt Tuerk where we discussed the effects and impacts that dirt bike / atv riding has had in the City of Allentown and the steps we are taking to address it. A press conference was held in Allentown City Council Chambers where we revealed our internal and external task forces that were created to work on collaborative solutions to address this issue. The internal task force comprises of departments within the city and in addition to the mayor and myself, the external task force comprises of leaders of other municipalities and police chiefs of other jurisdictions. The issue of illegal dirt bike / atv operation crosses boundaries throughout the Lehigh Valley.

Further, the issue of dirt bikes is not just an "Allentown thing" but it is a nationwide issue in urban environments that requires effective collaboration and partnerships. Part of the strategy in addressing this is a three-prong approach. This includes education, enforcement, and legislation. It is vital to educate our community on how to report this activity and to also ensure that the information that is provided is followed up on. The enforcement piece has been on going and is key in holding persons and/or groups accountable for engaging in this choice of behavior. The third prong, legislation, is what I feel is a missing component that can enhance the education and enforcement component in this approach.

In the past, municipalities may have enacted legislation on the local level to address these concerns, but in review, it should be in my humble opinion legislation that is enacted on the

state level so that the consistency of the law is uniform and equitable. I have seen where a piece of legislation was enacted on the local level such as the City of Allentown banning the use of cell phones while driving. In this instance this local law was overturned because the state law was not consistent with this.

It is important to engage in conversations with police and citizens across the Commonwealth to craft legislation that will not only hold people accountable but also be an effective deterrent for people to choose not to engage in this type of behavior. The dirt bike and atvs do have a legitimate purpose and can be enjoyed on an appropriate venue that is designated for that purpose. I will submit to you that the roadways in Allentown or through out other urban environments in the Commonwealth is clearly not the location for this activity to take place.

I want to take a moment to thank you for this opportunity to speak with you today and I avail myself for further discussion as we work to make the Commonwealth of Pennsylvania a destination to live, work, and play.

Testimony of Daysell Ramirez
Support Services Coordinator, Overlook Park Apartments

Hello, my name is Daysell Ramirez and I am a Supportive Services Coordinator for our community at Overlook Park on 445 Hanover Ave., Allentown, PA 18109.

I am here today to voice the concerns from our residents at Overlook Park about the illegal and reckless driving of motor bikes in our community as this issue has become a safety concern for our residents that is also affecting their quality of life in their homes.

Our residents have voiced concerns about the reckless driving and operations of these motor bikes. They have observed riders using these motor bikes to chase each other down their streets. This is a big safety concern as many residents are afraid that a motor vehicle accident will occur while the residents are driving through their community to and from their homes.

Moreover, the noise generated is a big disturbance to our residents' peace of mind and enjoyment of their homes. We have residents that no longer can enjoy leisure time in their front porches because of the constant noise generated by the motor bikes.

Our community is also a multi-family community where we have children at play, seniors, and residents with physical and cognitive disabilities. We have streets where we have homes with hearing impaired children and seniors who cannot hear these motor bikes approaching so that they can take the necessary precautions for their safety. We also have residents with different cognitive disabilities that can no longer enjoy their time outside their homes because of the noise and commotion caused by the constant reckless driving of these motor bikes.

As a Supportive Services Coordinator, one of my goals is to provide our community with the inclusiveness, safety, and enjoyment that all our residents deserve, and my hope is that our city will address these concerns in a just and timely manner for the better of all.

Thanks.



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

Testimony of
Michael Rebert, District Executive, Engineering District 5-0
Pennsylvania Department of Transportation
Public Hearing on Safe Streets
House Democratic Policy Committee
May 3, 2022

Good afternoon, Chairman Bizzarro, Representative Schweyer, members of the committee and staff. My name is Michael Rebert, and I am the District Executive for Engineering District Five, which is located in the Allentown area. Thank you for the opportunity to testify before all of you today and discuss use of off-road vehicles on state routes as it relates to safe streets.

Pennsylvania is facing many changes and challenges that will require our transportation network to become increasingly more multimodal as we address all types of new devices that are operating on our roadways. One of the Department's biggest challenges is determining how this can be achieved with everyone's safety in mind. The utilization of unregistered motor vehicles on our roadways adds to the complexity of the topic. The issue before us today has existed previously but has become a growing concern since the COVID pandemic.

The National Highway Traffic Safety Administration Traffic Safety Administration does not regulate vehicles manufactured primarily for off-road use (examples include ATVs, snowmobiles, and dirt bikes). Often these types of off-road vehicles are not designed by

manufacturers to have the same safety features or maneuverability characteristics as legal roadway vehicles. Specifically, things like headlight requirements for nighttime operation, aggressive tire treads and short wheelbases are considerations that impact these vehicles operating safely on our roadways. The federal regulation of safety features is what drives standardization for other motorized vehicles that are acceptable for use on roadways. This same federal standardization is also what supports the types of vehicles that can be insured, inspected, and registered. These off-road vehicles, even if their headlights, tires, and other features are changed, do not have Manufacturer's Certificates of Origin for on-road use; the manufacturers do not certify them because they do not meet the Federal Motor Vehicle Safety Standards and are not designed or constructed to be operated on the roadway.

PennDOT data indicates that between 2016 and 2020, there were 15,739 reportable crashes involving motorcycles on public roadways in Pennsylvania, including 917 fatalities. Current data collected from police departments does not allow for the distinction between off-road motorcycles and registered motorcycles. During the same timeframe, there were 1,091 reportable crashes and 110 fatalities involving ATVs in Pennsylvania which present a similar challenge. Both areas have been on the rise since 2019.

In closing, I would offer that, until such a time that the maneuverability characteristics and safety features on these devices can be addressed so that they can be registered, we would continue to struggle to ensure safe operation of them in and around other users of our roadway system. One of the other factors that impacts safety when these off road vehicle are operating at safe speeds, is that a dangerous speed differential is often created between the off road vehicles and passenger

vehicles. Currently, we rely heavily on law enforcement partners to deter unsafe actions like these from occurring on our roadways, but we also realize this topic presents challenges for them. Thank you again for the opportunity to testify on this matter.