

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 95 Session of 2023

INTRODUCED BY BULLOCK, BURGOS, GIRAL, CIRESI, HOHENSTEIN, HILL-  
EVANS, M. MACKENZIE, MADDEN, SANCHEZ, RABB, GALLOWAY, HOWARD,  
KINSEY, N. NELSON AND WARNER, MARCH 7, 2023

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 7, 2023

AN ACT

1 Amending Titles 18 (Crimes and Offenses) and 75 (Vehicles) of  
2 the Pennsylvania Consolidated Statutes, in nuisances, further  
3 providing for the offense of scattering rubbish; in  
4 registration of vehicles, further providing for  
5 acknowledgment of littering provisions; in licensing of  
6 drivers, further providing for acknowledgment of littering  
7 provisions; and, in miscellaneous provisions, further  
8 providing for the offense of depositing waste and other  
9 material on highway, property or waters.

10 The General Assembly of the Commonwealth of Pennsylvania  
11 hereby enacts as follows:

12 Section 1. Section 6501(b)(1), (2), (3) and (4) of Title 18  
13 of the Pennsylvania Consolidated Statutes are amended and the  
14 subsection is amended by adding a paragraph to read:

15 § 6501. Scattering rubbish.

16 \* \* \*

17 (b) Penalty.--

18 (1) [A] Except as provided for in paragraph (1.1), a  
19 person who violates subsection (a)(1) or (2) is guilty of a  
20 [summary offense] misdemeanor of the third degree for the  
21 first offense and upon conviction thereof shall be sentenced

1 to pay a fine of not less than [~~\$50~~] \$300 nor more than  
2 [~~\$300~~] \$2,000 and be required to pick up litter or illegally  
3 dumped trash for not less than five nor more than 30 hours to  
4 be completed within six months, or to imprisonment for not  
5 more than [~~90 days~~] one year, or both.

6 (1.1) A person who violates subsection (a)(1) or (2), in  
7 which the collective total weight of the discarded material  
8 is less than one pound, is guilty of a summary offense for  
9 the first offense and upon conviction thereof shall be  
10 sentenced to pay a fine of not less than \$50 nor more than  
11 \$300 or to imprisonment for not more than 90 days, or both.

12 (2) A person who violates subsection (a)(1) or (2) is  
13 guilty of a misdemeanor of the [~~third~~] second degree for the  
14 second and subsequent offense and upon conviction thereof  
15 shall be sentenced to pay a fine of not less than [~~\$300~~]  
16 \$2,000 nor more than [~~\$1,000~~] \$5,000. The person also may be  
17 sentenced to imprisonment for not more than one year or be  
18 required to pick up litter or illegally dumped trash for not  
19 less than 30 nor more than 100 hours to be completed within  
20 [~~one year~~] two years.

21 (3) A person who violates subsection (a)(3) is guilty of  
22 a misdemeanor of the second degree for the first offense and  
23 upon conviction thereof shall be sentenced to pay a fine of  
24 not less than \$500 nor more than [~~\$5,000~~] \$10,000. The person  
25 also may be sentenced to imprisonment or to performing a  
26 community service for a period not to exceed two years.

27 (4) A person who violates subsection (a)(3) is guilty of  
28 a misdemeanor of the first degree for the second or  
29 subsequent offense and upon conviction thereof shall be  
30 sentenced to pay a fine of not less than \$1,000 nor more than

1        ~~[\$10,000]~~ \$20,000. The person also may be sentenced to  
2        imprisonment or to performing a community service for a  
3        period not to exceed five years.

4            \* \* \*

5        Section 2. Sections 1317, 1520 and 3709(d)(1) of Title 75  
6        are amended to read:

7        § 1317. Acknowledgment of littering provisions.

8        On every vehicle registration card, the following statement  
9        shall be printed immediately above or below the signature of the  
10       applicant:

11            I hereby acknowledge this day that I have received notice  
12            of the provisions of section 3709 of the Vehicle Code.

13        Also printed on the registration card shall be the following:

14            Section 3709 provides for a fine of up to ~~[\$300]~~ \$2,000  
15            for dropping, throwing or depositing, upon any highway,  
16            or upon any other public or private property without the  
17            consent of the owner thereof or into or on the waters of  
18            this Commonwealth from a vehicle, any waste paper,  
19            sweepings, ashes, household waste, glass, metal, refuse  
20            or rubbish or any dangerous or detrimental substance, or  
21            permitting any of the preceding without immediately  
22            removing such items or causing their removal.

23            For any violation of section 3709, I may be subject to a  
24            fine of up to ~~[\$300]~~ \$2,000 upon conviction, including  
25            any violation resulting from the conduct of any other  
26            persons operating, in possession of or present within  
27            this vehicle with my permission, if I do not with  
28            reasonable certainty identify the driver of the vehicle  
29            at the time the violation occurred.

30        § 1520. Acknowledgment of littering provisions.

1 On every application for a learner's permit or driver's  
2 license, the following statement shall be printed immediately  
3 above or below the signature of the applicant:

4 I hereby acknowledge this day that I have received notice  
5 of the provisions of section 3709 of the Vehicle Code.

6 Also printed on the card shall be the following:

7 Section 3709 provides for a fine of up to [~~\$300~~] \$2,000  
8 for dropping, throwing or depositing, upon any highway,  
9 or upon any other public or private property without the  
10 consent of the owner thereof or into or on the waters of  
11 this Commonwealth from a vehicle, any waste paper,  
12 sweepings, ashes, household waste, glass, metal, refuse  
13 or rubbish or any dangerous or detrimental substance, or  
14 permitting any of the preceding without immediately  
15 removing such items or causing their removal.

16 For any violation of section 3709, I may be subject to a  
17 fine of up to [~~\$300~~] \$2,000 upon conviction, including  
18 any violation resulting from the conduct of any other  
19 persons present within any vehicle of which I am the  
20 driver.

21 § 3709. Depositing waste and other material on highway,  
22 property or waters.

23 \* \* \*

24 (d) Penalty.--Any person violating any of the provisions of  
25 subsection (a) or (b) commits a summary offense and shall, upon  
26 conviction, be sentenced to either or both of the following:

27 (1) To pay a fine of not more than:

28 (i) [~~\$900~~] \$5,000 for a violation which occurs in an  
29 easement purchased under the program established by  
30 section 14.1 of the act of June 30, 1981 (P.L.128,

1           No.43), known as the Agricultural Area Security Law;  
2           (ii) [~~\$600~~] \$3,000 for a violation which occurs in  
3           an agricultural security area as defined in section 3 of  
4           the Agricultural Area Security Law; or  
5           (iii) [~~\$300~~] \$2,000 for a violation which occurs  
6           anywhere else.  
7           \* \* \*  
8           Section 3. This act shall take effect in six months.