

THE GENERAL ASSEMBLY OF PENNSYLVANIA

**HOUSE BILL**  
**No. 1073** Session of  
1985

INTRODUCED BY WILSON, D. R. WRIGHT, KUKOVICH, J. L. WRIGHT,  
DISTLER, BURD, GREENWOOD, FARGO, VROON, AFFLERBACH, SAURMAN,  
NAHILL, SHOWERS, JOHNSON, CORNELL, E. Z. TAYLOR, DAWIDA,  
REBER, BARLEY, BOOK, MAYERNIK, PETRONE, FOX, SEVENTY, SEMMEL,  
BRANDT, BUSH, MICOZZIE, MORRIS, COY, YANDRISEVITS,  
J. J. TAYLOR, KENNEY, JAROLIN, BURNS, BOYES, B. SMITH,  
A. C. FOSTER, JR., BATTISTO, MAIALE, WIGGINS, VAN HORNE,  
DALEY, JOSEPHS, LINTON, DIETZ, HALUSKA, PRESSMANN, RYBAK,  
MERRY, CARN, HUTCHINSON, GEIST, TRELLO, DININNI, MICHLOVIC,  
STEIGHNER, NOYE, McVERRY, POTT, BLACK, BUNT, PETRARCA AND  
EVANS, APRIL 29, 1985

REFERRED TO COMMITTEE ON TRANSPORTATION, APRIL 29, 1985

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, further providing for the registration of vehicles,  
3 for the suspension of registration, for the depositing of  
4 waste from vehicles upon highways, property and waters, and  
5 for the disposition of certain fines and bail forfeitures.

6 The General Assembly of the Commonwealth of Pennsylvania  
7 hereby enacts as follows:

8 Section 1. Title 75 of the Pennsylvania Consolidated  
9 Statutes is amended by adding a section to read:

10 § 1317. Acknowledgment of littering provisions.

11 On every application for registration of a motor vehicle, the  
12 following statement shall be printed immediately above the  
13 signature of the applicant:

14 I hereby acknowledge this day that I have received notice  
15 of the provisions of section 3709 of the Vehicle Code,

1       which provides for a \$300 fine for dropping, throwing,  
2       depositing upon any highway, or upon any other public or  
3       private property without the consent of the owner thereof  
4       or into or on the waters of this Commonwealth from a  
5       vehicle, any waste paper, sweepings, ashes, household  
6       waste, glass, metal, refuse or rubbish or any dangerous  
7       or detrimental substance, or permitting any of the  
8       preceding without immediately removing such items or  
9       causing their removal.

10       I further acknowledge that I am bound by this provision  
11       and that I may be prosecuted for any violation of section  
12       3709, and that the registration of this vehicle may be  
13       suspended if two violations from my vehicle occur within  
14       a 12-month period including violations resulting from the  
15       conduct of any other persons operating, in possession of  
16       or present within this vehicle with my permission.

17       Section 2. Section 1373 of Title 75 is amended by adding a  
18 paragraph to read:

19       § 1373. Suspension of registration.

20       The department may suspend any registration after providing  
21 opportunity for a hearing in any of the following cases when the  
22 department finds upon sufficient evidence that:

23       \* \* \*

24       (8) The registrant has violated section 3709 (relating  
25       to depositing waste and other material on highway, property  
26       or waters) or permitted a violation of that section from his  
27       vehicle twice during the preceding 12 months, regardless of  
28       the registrant's lack of knowledge relating to the violation  
29       of section 3709.

30       Section 3. Section 3709(a) and (b) of Title 75 are amended

1 and the section is amended by adding a subsection to read:

2 § 3709. Depositing waste and other material on highway,  
3 property or waters.

4 (a) General rule.--No person shall throw or deposit upon any  
5 highway, or upon any other public or private property without  
6 the consent of the owner thereof or into or on the waters of  
7 this Commonwealth from a vehicle, any waste paper, sweepings,  
8 ashes, household waste, glass, metal, refuse or rubbish, or any  
9 dangerous or detrimental substance.

10 (b) Removal of deposited material.--

11 (1) Any person who drops, or permits to be dropped or  
12 thrown, upon any highway, or upon any other public or private  
13 property without the consent of the owner thereof or into or  
14 on any waters of this Commonwealth from a vehicle, any waste  
15 paper, sweepings, ashes, household waste, glass, metal,  
16 refuse or rubbish, or any dangerous or detrimental substance  
17 shall immediately remove the same or cause it to be removed.

18 (2) For the purposes of this subsection, a "person who  
19 permits to be dropped or thrown" any of the items described  
20 in paragraph (1) shall include the registrant of any vehicle  
21 registered in this Commonwealth from which any of the items  
22 are dropped or thrown, either by the registrant or any person  
23 operating, in possession of, or present within the vehicle  
24 with the permission of the registrant, regardless of the  
25 registrant's intent or lack of knowledge with respect to the  
26 disposal of such items in violation of this section.

27 \* \* \*

28 (e) Disposition of fines, etc.--Revenue from the collection  
29 of fines and bail forfeitures in the course of enforcement of  
30 this section shall be distributed in the following manner:

1       (1) One-half shall be distributed to the agency or local  
2       government unit which brought the action to enforce this  
3       section and may be used to defray the expenses of enforcing  
4       this section, at the option of the agency or local government  
5       unit.

6       (2) One-half shall be allocated to the department for  
7       Statewide public education and awareness programs to promote  
8       litter control and recycling and awareness of the provisions  
9       of this section.

10      Section 4. The provisions of this act are severable. If any  
11      provision of this act or its application to any person or  
12      circumstance is held invalid, the invalidity shall not affect  
13      other provisions or applications of this act which can be given  
14      effect without the invalid provision or application.

15      Section 5. This act shall take effect on July 1 next  
16      following 60 days from the date of final enactment.