

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2390 Session of
1990

INTRODUCED BY GEORGE, FREEMAN, JAROLIN, LUCYK, MELIO, WOZNIAK,
HAYDEN, REBER, S. H. SMITH, DOMBROWSKI, FEE, YANDRISEVITS,
LAUGHLIN, McCALL, WAMBACH, LESCOVITZ, BORTNER, COY, STABACK,
BOWLEY, BROUJOS, DALEY AND VEON, MARCH 26, 1990

REFERRED TO COMMITTEE ON CONSERVATION, MARCH 26, 1990

AN ACT

1 Amending the act of July 28, 1988 (P.L.556, No.101), entitled
2 "An act providing for planning for the processing and
3 disposal of municipal waste; requiring counties to submit
4 plans for municipal waste management systems within their
5 boundaries; authorizing grants to counties and municipalities
6 for planning, resource recovery and recycling; imposing and
7 collecting fees; establishing certain rights for host
8 municipalities; requiring municipalities to implement
9 recycling programs; requiring Commonwealth agencies to
10 procure recycled materials; imposing duties; granting powers
11 to counties and municipalities; authorizing the Environmental
12 Quality Board to adopt regulations; authorizing the
13 Department of Environmental Resources to implement this act;
14 providing remedies; prescribing penalties; establishing a
15 fund; and making repeals," providing for inspection by police
16 and others; and providing a penalty.

17 The General Assembly of the Commonwealth of Pennsylvania
18 hereby enacts as follows:

19 Section 1. The act of July 28, 1988 (P.L.556, No.101), known
20 as the Municipal Waste Planning, Recycling and Waste Reduction
21 Act, is amended by adding a section to read:

22 Section 105. Inspection by police or Commonwealth personnel.

23 (a) General rule.--Any Pennsylvania State Police officer or
24 qualified Commonwealth employee having probable cause to believe

1 that a vehicle, driver, document, equipment or load is not
2 equipped as required or otherwise is not in compliance with this
3 act, the act of July 7, 1980 (P.L.380, No.97) or the act of
4 March 13, 1990 (P.L. , No.14), entitled "An act amending
5 Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes,
6 further defining 'emergency vehicle'; authorizing certain
7 temporary labels or stickers on school buses; further providing
8 for visible and audible signals on emergency vehicles and for
9 securing loads in vehicles; providing for transporting
10 foodstuffs; and imposing penalties," is authorized to inspect
11 any items of a vehicle's equipment to determine whether they
12 meet the standards established in department regulations.

13 (b) Penalty.--A person who is cited in violation of section
14 109(a) shall, upon conviction, pay a fine of not more than
15 \$1,000. Upon the second or subsequent conviction, a person shall
16 forfeit the vehicle or conveyance cited in the violation to the
17 Department of Environmental Resources. The provisions of law
18 relating to the seizure, summary and judicial forfeiture and
19 condemnation of intoxicating liquor shall apply to seizures and
20 forfeitures under this section. Proceeds from the sale of
21 forfeited vehicles or conveyances shall be deposited in the
22 Solid Waste Abatement Fund.

23 Section 2. This act shall take effect in 60 days.