

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1319 Session of
2007

INTRODUCED BY SIPTROTH, SCAVELLO, GEORGE, STABACK, BELFANTI,
BRENNAN, CARROLL, DALEY, DeLUCA, EVERETT, GEIST, GRUCELA,
HARHAI, KIRKLAND, KORTZ, MAHONEY, MANN, MILNE, MURT, MYERS,
M. O'BRIEN, O'NEILL, PALLONE, PASHINSKI, PEIFER, PHILLIPS,
READSHAW, RUBLEY, SAINATO, SANTONI, SEIP, K. SMITH, STEIL,
WALKO, WATSON, WOJNAROSKI, YOUNGBLOOD, YUDICHAK AND MUNDY,
MAY 18, 2007

REFERRED TO COMMITTEE ON JUDICIARY, MAY 18, 2007

AN ACT

1 Amending Titles 18 (Crimes and Offenses) and 75 (Vehicles) of
2 the Pennsylvania Consolidated Statutes, further providing for
3 the offense of scattering rubbish, for the acknowledgment of
4 littering provisions at time of application for learner's
5 permit or driver's license and for the offense of depositing
6 of waste and other material on highway, property or waters.

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

9 Section 1. Section 6501(b)(1) and (2) of Title 18 of the
10 Pennsylvania Consolidated Statutes are amended and the
11 subsection is amended by adding a paragraph to read:

12 § 6501. Scattering rubbish.

13 * * *

14 (b) Penalty.--

15 (1) A person who violates subsection (a)(1) or (2) is
16 guilty of a summary offense for the first offense and upon
17 conviction thereof shall be sentenced to pay a fine of not

1 less than [\$50] \$750 nor more than [\$300] \$1,000 or to
2 imprisonment for not more than 90 days, or both.

3 (2) A person who violates subsection (a)(1) or (2) is
4 guilty of a misdemeanor of the third degree for the second
5 and subsequent offense and upon conviction thereof shall be
6 sentenced to pay a fine of not less than [\$300] \$1,000 nor
7 more than [\$1,000] \$1,700. The person also may be sentenced
8 to imprisonment or to performing a community service for a
9 period not to exceed one year.

10 * * *

11 (6) Seven hundred dollars of any fine collected under
12 paragraph (1) or (2) for an offense that occurred in a county
13 that has established a litter board or authority shall be
14 transmitted to the litter board or authority of the county.

15 * * *

16 Section 2. Section 1520 of Title 75 is amended to read:

17 § 1520. Acknowledgment of littering provisions.

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

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

23 Also printed on the card shall be the following:

24 Section 3709 provides for a fine of up to [\$300] \$1,000
25 for dropping, throwing or depositing, upon any highway,
26 or upon any other public or private property without the
27 consent of the owner thereof or into or on the waters of
28 this Commonwealth from a vehicle, any waste paper,
29 sweepings, ashes, household waste, glass, metal, refuse
30 or rubbish or any dangerous or detrimental substance, or

permitting any of the preceding without immediately removing such items or causing their removal.

For any violation of section 3709, I may be subject to a fine of up to [\$300] \$1,000 upon conviction, including any violation resulting from the conduct of any other persons present within any vehicle of which I am the driver.

Section 3. Section 3709(d)(1) and (e) of Title 75 are amended and the section is amended by adding a subsection to read:

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

* * *

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

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

(i) [\$900] \$1,600 for a violation which occurs in an easement purchased under the program established by section 14.1 of the act of June 30, 1981 (P.L.128, No.43), known as the Agricultural Area Security Law;

(ii) [\$600] \$1,300 for a violation which occurs in an agricultural security area as defined in section 3 of the Agricultural Area Security Law; or

(iii) [\$300] \$1,000 for a violation which occurs anywhere else.

* * *

(e) Disposition of fines, etc.--[Revenue] Except as otherwise provided under subsection (f), revenue from the collection of fines and bail forfeitures in the course of

1 enforcement of this section shall be distributed in the
2 following manner:

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

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

12 (f) Alternate disposition.--Seven hundred dollars of any
13 fine collected under subsection (d)(1) for an offense that
14 occurred in a county that has established a litter board or
15 authority shall be transmitted to the litter board or authority
16 of the county.

17 Section 4. This act shall take effect in 60 days.