

AMENDMENTS TO SENATE BILL NO. 431

Sponsor: REPRESENTATIVE TAYLOR

Printer's No. 948

1 Amend Bill, page 1, lines 1 through 8, by striking out all of
2 said lines and inserting

3 Amending Titles 18 (Crimes and Offenses) and 75 (Vehicles) of
4 the Pennsylvania Consolidated Statutes, in nuisances, further
5 providing for the offense of scattering rubbish; in rules of
6 the road in general, providing for duty of driver in litter
7 enforcement corridors; and, in powers of department and local
8 authorities, providing for designation of litter enforcement
9 corridors and further providing for specific powers of
10 department and local authorities.

11 Amend Bill, page 1, lines 11 through 21; pages 2 through 7,
12 lines 1 through 30; page 8, lines 1 through 19; by striking out
13 all of said lines on said pages and inserting

14 Section 1. Section 6501(b)(1) and (2) of Title 18 of the
15 Pennsylvania Consolidated Statutes are amended to read:
16 § 6501. Scattering rubbish.

17 * * *

18 (b) Penalty.--

19 (1) A person who violates subsection (a)(1) or (2) is
20 guilty of a summary offense for the first offense and upon
21 conviction thereof shall be sentenced to pay a fine of not
22 less than \$50 nor more than \$300 and be required to pick up
23 litter or illegally dumped trash for not less than five nor
24 more than 30 hours to be completed within six months, or to
25 imprisonment for not more than 90 days, or both.

26 (2) A person who violates subsection (a)(1) or (2) is
27 guilty of a misdemeanor of the third degree for the second
28 and subsequent offense and upon conviction thereof shall be
29 sentenced to pay a fine of not less than \$300 nor more than
30 \$1,000. The person also may be sentenced to imprisonment or
31 [to performing a community service for a period not to
32 exceed] be required to pick up litter or illegally dumped
33 trash for not less than 30 nor more than 100 hours to be
34 completed within one year.

35 * * *

1 Section 2. Title 75 is amended by adding sections to read:

2 § 3329. Duty of driver in litter enforcement corridors.

3 (a) Areas indicated by traffic-control devices.--The driver
4 of a vehicle shall yield the right-of-way to any authorized
5 vehicle or pedestrian actually engaged in work upon a highway
6 within a litter enforcement corridor indicated by official
7 traffic-control devices placed in accordance with department
8 regulations, including advanced warning signs or a vehicle
9 having flashing or revolving yellow lights.

10 (b) Fines to be doubled.--For any of the following
11 violations, when committed in a litter enforcement corridor
12 designated under section 6105.2 (relating to designation of
13 litter enforcement corridors), the fine shall be double the
14 usual amount:

15 Section 3709 (relating to depositing waste and other
16 material on highway, property or waters).

17 Section 4903 (relating to securing loads in vehicles).

18 18 Pa.C.S. § 6501 (relating to scattering rubbish).

19 (c) Fines to be tripled.--If a person is found to be
20 littering or scattering rubbish under 18 Pa.C.S. § 6501 that
21 originated from a commercial business, the fine shall be triple
22 the usual amount.

23 (d) Notice.--Official traffic control devices shall be
24 appropriately placed to notify motorists that increased
25 penalties apply for littering violations within a litter
26 enforcement corridor.

27 § 6105.2. Designation of litter enforcement corridors.

28 Litter enforcement corridors shall be designated as follows:

29 (1) The department shall have the power to designate a
30 segment of any State highway.

31 (2) A political subdivision shall have the ability to
32 petition the department to designate a segment of any State
33 highway that is located within the political subdivision's
34 physical boundaries.

35 (3) A political subdivision shall have the ability to
36 designate any local road, by authority granted in section
37 6109 (relating to specific powers of department and local
38 authorities).

39 (4) All scenic highways, as designated by 74 Pa.C.S. Ch.
40 83 (relating to scenic highways), shall be deemed litter
41 enforcement corridors.

42 Section 3. Section 6109(a) of Title 75 is amended by adding
43 a paragraph to read:

44 § 6109. Specific powers of department and local authorities.

45 (a) Enumeration of police powers.--The provisions of this
46 title shall not be deemed to prevent the department on State-
47 designated highways and local authorities on streets or highways
48 within their physical boundaries from the reasonable exercise of
49 their police powers. The following are presumed to be reasonable
50 exercises of police power:

51 * * *

1 (24) Designating any local road as a litter enforcement
2 corridor, as described in section 6105.2 (relating to
3 designation of litter enforcement corridors) and enforcing
4 penalties for violations of section 3329 (relating to duty of
5 driver in litter enforcement corridors), provided that the
6 local authority has received written complaints about
7 littering or the scattering of rubbish and demonstrates the
8 need to designate the local road.

9 * * *

10 Section 4. This act shall take effect in six months.