

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1095 Session of
1987

INTRODUCED BY GANNON, HALUSKA, ANGSTADT, HAGARTY, BOWSER, RYBAK,
E. Z. TAYLOR, CIVERA, FISCHER, FARGO, HASAY, STAIRS,
SIRIANNI, JACKSON, TIGUE, GEIST, LEVDANSKY, FARMER, CESSAR,
J. L. WRIGHT, HERSHEY, WASS, NAHILL, OLASZ, ITKIN, RAYMOND,
BUSH, DISTLER, KENNEY, GRUPPO, MERRY, HAYDEN, J. TAYLOR,
BROUJOS, MARKOSEK, REBER, DORR, TRELLO, ARTY, MICOZZIE,
BOYES, COLAFELLA, JOHNSON, SEMMEL, VROON, KOSINSKI, STABACK,
SERAFINI, BUNT, SEVENTY, McHALE, BATTISTO, MORRIS, SCHULER,
NOYE, KASUNIC, GLADECK AND FOX, APRIL 22, 1987

REFERRED TO COMMITTEE ON CONSERVATION, APRIL 22, 1987

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, providing for solid waste transporters.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Section 3709(d) of Title 75 of the Pennsylvania
6 Consolidated Statutes is amended and the section is amended by
7 adding a subsection to read:

8 § 3709. Depositing waste and other material on highway,
9 property or waters.

10 * * *

11 (a.1) Solid waste transporters.--It is unlawful for any
12 commercial, industrial or municipal transporter of solid waste
13 to deposit or dump waste along or on any highway. Solid waste
14 shall mean any waste, including, but not limited to, municipal,

1 residual or hazardous, including solid, liquid, semisolid or
2 contained gaseous materials. Any person or municipality that
3 violates this subsection commits a misdemeanor of the third
4 degree and shall, upon conviction, be sentenced to pay a fine of
5 \$1,000 for each violation, or to imprisonment for not more than
6 one year, or both.

7 * * *

8 (d) Penalty.--Any person violating any of the provisions of
9 subsection (a), (a.1) or (b) is guilty of a summary offense and
10 shall, upon conviction, be sentenced to either or both of the
11 following:

12 (1) To pay a fine of not more than \$300.

13 (2) Except where infirmity or age or other circumstance
14 would create a hardship, be directed by the court in which
15 conviction is obtained to pick up and remove litter from
16 public property or private property, or both, with prior
17 permission of the legal owner. If the person has no prior
18 record of convictions for violation of this section, he may
19 be sentenced to pick up and remove litter for not less than
20 eight hours nor more than 16 hours. Upon a second conviction,
21 the person may be sentenced to pick up and remove litter for
22 not less than 16 hours and not more than 32 hours. Upon third
23 and subsequent convictions, he may be sentenced to pick up
24 and remove litter for not less than 40 hours and not more
25 than 80 hours. The court shall schedule the time to be spent
26 on such activities in such a manner that it does not
27 interfere with the person's employment and does not interfere
28 substantially with the person's family responsibilities or
29 religious obligations.

30 * * *

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