## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL No. 121 Session of 1989

INTRODUCED BY BATTISTO, CAPPABIANCA, GRUPPO, JAROLIN, BORTNER, MARKOSEK, RYBAK, HASAY, STABACK, J. TAYLOR, J. L. WRIGHT, BIRMELIN, OLASZ, S. H. SMITH, FOX, PISTELLA, YANDRISEVITS, DeLUCA, STUBAN, DAVIES, TIGUE, LEVDANSKY, LUCYK, BLACK, E. Z. TAYLOR, RAYMOND, VROON, VEON, DIETTERICK, FLICK, BELARDI, KOSINSKI, LLOYD, MCHALE, COLAFELLA, PRESSMANN, ARGALL AND DISTLER, JANUARY 25, 1989

SENATOR CORMAN, TRANSPORTATION, IN SENATE, AS AMENDED, JUNE 14, 1989

AN ACT

1 2 3	Amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the securing of loads on vehicles hauling garbage.
4	The General Assembly of the Commonwealth of Pennsylvania
5	hereby enacts as follows:
6	Section 1. Section 4903 of Title 75 of the Pennsylvania
7	Consolidated Statutes is amended by adding subsections to read:
8	§ 4903. Securing loads in vehicles.
9	* * *
10	(c.1) Load of loose garbageEvery load of loose, nonbaled
11	garbage, waste, refuse or rubbish being transported through or
12	within this Commonwealth shall be transported in a vehicle with
13	four solid sides and with a cover or top of a type to prevent
14	any of the load from escaping. The cover or top shall remain in
15	place both going to and coming from a disposal site. The load

1	shall be no higher than the solid sides of the vehicle. No	
2	truck, trailer or semitrailer with an open body or stake body	
3	shall be used for such purposes. This subsection shall not apply	
4	to vehicles engaged in the systematic collection of garbage or	
5	refuse and which are designed to be open in the rear for the	
6	loading of garbage or refuse.	
7	(c.2) Load of baled garbageGarbage, waste, refuse or	
8	rubbish in a tightly compacted and baled form being transported	
9	through or within this Commonwealth shall be securely fastened	
10	to the vehicle and covered over all exposed areas with a canvas	
11	cover or cover of a comparable type which shall be securely	
12	attached to the underside of all sides of the truck, trailer or	
13	semitrailer to prevent any of the material from the bales from	
14	escaping. No part of any bale shall be uncovered at any time	
15	during transportation within or through this Commonwealth until	
16	arrival at the disposal site.	
17	* * *	
18	(f) PenaltyA person who owns or who operates a vehicle in	
19	violation of subsection (c.1) or (c.2) commits a summary offense	
20	and shall, upon conviction, be sentenced to pay a fine of not	
21	<u>less than \$300 nor more than \$1,000. Notwithstanding the</u>	
22	provisions of 42 Pa.C.S. §§ 3571 (relating to Commonwealth	
23	portion of fines, etc.) and 3573 (relating to municipal	
24	corporation portion of fines, etc.), 50% DISPOSITION of any fine	<
25	collected for a violation of subsection (c.1) or (c.2) shall be	
26	payable to the Commonwealth for use by the Department of	<
27	Transportation for litter control, and 50% shall be payable to	
28	the municipal corporation in which the offense was committed for	
29	use by the municipal corporation for litter control. AS FOLLOWS:	<
30	(1) UNLESS PARAGRAPH (2) APPLIES, THE FINE COLLECTED	
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- 1 <u>SHALL BE PAID TO THE COMMONWEALTH FOR DEPOSIT INTO THE MOTOR</u>
- 2 <u>LICENSE FUND.</u>

3 (2) IF THE COUNTY WHERE THE OFFENSE WAS COMMITTED HAS A
4 LITTER CONTROL PROGRAM APPROVED BY THE DEPARTMENT, 50% OF THE
5 FINE COLLECTED SHALL BE PAID TO THE COUNTY FOR EXPENDITURE IN
6 THE APPROVED LITTER CONTROL PROGRAM; AND 50% OF THE FINE
7 COLLECTED SHALL BE PAID TO THE COMMONWEALTH FOR DEPOSIT INTO
8 THE MOTOR LICENSE FUND.
9 Section 2. This act shall take effect immediately.