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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL**

**No. 2726** Session of  
1994

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INTRODUCED BY GORDNER, BELFANTI, PHILLIPS, TIGUE, REBER, MUNDY,  
BATTISTO, COY, GODSHALL, PISTELLA, STEIL, TRELLO, VAN HORNE,  
EGOLF, CARONE, YANDRISEVITS, FICHTER, CESSAR, KENNEY AND  
HENNESSEY, APRIL 19, 1994

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REFERRED TO COMMITTEE ON JUDICIARY, APRIL 19, 1994

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AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, further providing for scattering  
3 rubbish.

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

6 Section 1. Section 6501(a) and (b) of Title 18 of the  
7 Pennsylvania Consolidated Statutes are amended to read:

8 § 6501. Scattering rubbish.

9 (a) Offense defined.--A person is guilty of an offense if  
10 he:

11 (1) causes any waste paper, sweepings, ashes, household  
12 waste, glass, metal, refuse or rubbish, or any dangerous or  
13 detrimental substance to be deposited into or upon any road,  
14 street, highway, alley or railroad right-of-way, or upon the  
15 land of another or into the waters of this Commonwealth;

16 (2) interferes with, scatters, or disturbs the contents  
17 of any receptacle containing ashes, garbage, household waste,

1 or rubbish; [or]

2 (3) is the owner or operator, or an agent of either, of  
3 a trash, garbage or debris collection vehicle, including  
4 private automobiles and small trucks, or any other type of  
5 vehicles used to collect or transport trash, garbage or  
6 debris, who knowingly causes to be deposited or deposits the  
7 vehicle's load or any part thereof upon any road, street,  
8 highway, alley or railroad right-of-way, or upon the land of  
9 another or into the waters of this Commonwealth[.]; or

10 (4) disposes of any garbage, household waste or rubbish  
11 in a private garbage dumpster or receptacle without  
12 permission.

13 (b) Penalty.--

14 (1) A person who violates subsection (a)(1) [or (2)],  
15 (2) or (4) is guilty of a summary offense for the first  
16 offense and upon conviction thereof shall be sentenced to pay  
17 a fine of not less than \$50 nor more than \$300 or to  
18 imprisonment for not more than 90 days, or both.

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

26 (3) A person who violates subsection (a)(3) is guilty of  
27 a misdemeanor of the second degree for the first offense and  
28 upon conviction thereof shall be sentenced to pay a fine of  
29 not less than \$500 nor more than \$5,000. The person also may  
30 be sentenced to imprisonment or to performing a community

1 service for a period not to exceed two years.

2 (4) A person who violates subsection (a)(3) is guilty of  
3 a misdemeanor of the first degree for the second or  
4 subsequent offense and upon conviction thereof shall be  
5 sentenced to pay a fine of not less than \$1,000 nor more than  
6 \$10,000. The person also may be sentenced to imprisonment or  
7 to performing a community service for a period not to exceed  
8 five years.

9 (5) Any vehicle, equipment or conveyance, including any  
10 private automobile and small truck, used for the  
11 transportation or disposal of trash, garbage or debris in the  
12 commission of a second or subsequent offense under subsection  
13 (a)(3) may be deemed contraband and forfeited in accordance  
14 with the provisions set forth in this section.

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