



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

SENATE BILL NO. 431

PRINTERS NO. 1872

PRIME SPONSOR: Scavello

COST / (SAVINGS)

FUND	FY 2017/18	FY 2018/19
Motor License Fund	\$0	See "Fiscal Impact"
Judicial Computer System Augmentation Account	\$0	See "Fiscal Impact"
Political Subdivision Funds	\$0	See "Fiscal Impact"

SUMMARY: Mandates community service hours for scattering rubbish violations and provides for the designation of litter enforcement corridors. This legislation would take effect in six months.

ANALYSIS: This legislation amends Titles 18 (Crimes Code) to mandate community service for scattering rubbish violations; and amends Title 75 (Vehicle Code) to create 'litter enforcement corridors' and increase the penalties for littering within those corridors.

The legislation amends section 6501 of the Crimes Code to state that for a first offense of scattering rubbish, a person is required to pick up litter or illegally dumped trash for between five and 30 hours within six months, in addition to the \$50-\$300 fine. For a second or subsequent offense, the offender may also be required to pick up litter or illegally dumped trash for 30-100 hours to be completed within one year, in addition to the \$300-\$1,000 fine.

Section 3329 (related to duty of driver in litter enforcement corridors) is created under the Vehicle Code to state that a vehicle must yield the right-of-way to any authorized vehicle or pedestrian actually engaged in work upon a highway within a litter enforcement corridor indicated by official traffic control devices, including advanced warning signs or a vehicle having flashing or revolving yellow lights.

For any of the following offenses, the fines are doubled when committed in a litter enforcement corridor:

- Scattering rubbish (6501 of Title 18);
- Depositing waste and other material on highway, property or waters (3709 of Title 75); and
- Failure to secure loads in vehicles (4903 of Title 75).

For the offense of scattering rubbish (6501 of Title 18) that originated from a commercial business within a litter enforcement corridor, the fine is tripled.

Official traffic control devices must be appropriately placed to notify motorists that increased penalties apply within a litter enforcement corridor.

A litter enforcement corridor can be designated as follows:

- PennDOT may designate a segment of any state highway;
- A political subdivision may petition PennDOT to designate a segment of any state highway within their boundaries;
- A political subdivision may designate any local road provided that the local authority has received written complaints about littering or the scattering of rubbish and demonstrates the need to designate the local road.
- All scenic highways shall be deemed litter enforcement corridors.

FISCAL IMPACT: According to PennDOT, costs would likely be around \$75,000 in the first full year after the enactment of the legislation and \$50,000 in the second year. These costs include the fabrication and installation of new litter enforcement corridor signage. These costs would likely be absorbed within existing appropriations.

This legislation would have no adverse fiscal impact on political subdivision funds but would allow for some additional fine revenue for municipalities that levy fines within a newly designated litter enforcement corridor.

The Commonwealth portion of fine revenue generated from a litter enforcement corridor violation would be additional revenue for the Judicial Computer System Augmentation Account. Any estimate of such revenue is impossible at this point.

PREPARED BY: Tim Rodrigo
House Appropriations Committee (R)

DATE: June 21, 2018

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.