

AN ACT

1 Amending Titles 18 (Crimes and Offenses) and 75 (Vehicles) of
2 the Pennsylvania Consolidated Statutes, further providing for
3 the offense of scattering rubbish, for the acknowledgment of
4 littering provisions and for the offense of depositing of
5 waste and other material on highway, property or waters.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Section 6501(b)(1) and (2) of Title 18 of the
9 Pennsylvania Consolidated Statutes are amended and the
10 subsection is amended by adding paragraphs to read:

11 § 6501. Scattering rubbish.

12 * * *

13 (b) Penalty.--

14 (1) A person who violates subsection (a)(1) or (2) is
15 guilty of a summary offense for the first offense and upon
16 conviction thereof shall be sentenced to pay a fine of not
17 less than \$50 nor more than [~~\$300~~] \$1,000 or to imprisonment
18 for not more than 90 days, or both, as provided in paragraph
19 (6).

1 (2) A person who violates subsection (a) (1) or (2) is
2 guilty of a misdemeanor of the third degree for the second
3 and subsequent offense and upon conviction thereof shall be
4 sentenced to pay a fine of not less than [~~\$300~~] \$100 nor more
5 than [~~\$1,000~~] \$2,000, as provided in paragraph (6). The
6 person also may be sentenced to imprisonment or to performing
7 a community service for a period not to exceed one year.

8 * * *

9 (6) Fines are to be imposed according to the following
10 schedule:

11 (i) For littering of five pounds or less for the
12 first offense, the fine shall be not less than \$50 nor
13 more than \$300.

14 (ii) For littering of more than five pounds but less
15 than 100 pounds or 25 cubic feet for the first offense,
16 the fine shall be not less than \$300 nor more than \$500.

17 (iii) For littering of more than 100 pounds or 25
18 cubic feet or more for the first offense, the fine shall
19 be not less than \$500 nor more than \$1,000.

20 (iv) For littering of less than five pounds for the
21 second and subsequent offense, the fine shall be not less
22 than \$100 nor more than \$500.

23 (v) For littering of more than five pounds but less
24 than 100 pounds or 25 cubic feet for the second and
25 subsequent offense, the fine shall be not less than \$500
26 nor more than \$1,000.

27 (vi) For littering of more than 100 pounds or 25
28 cubic feet for the second and subsequent offense, the
29 fine shall be not less than \$1,000 nor more than \$2,000.

30 (7) Two-thirds of any fine over \$300 collected under

1 paragraph (1) or (2) for an offense that occurred in a county
2 that has established a litter board or any other authority,
3 organization, department, bureau or board established by the
4 county to administer solid waste management as designated by
5 the county commissioners shall be transmitted to the litter
6 board or the other authority, organization, department,
7 bureau or board.

8 * * *

9 Section 2. Sections 1317 and 1520 of Title 75 are amended to
10 read:

11 § 1317. Acknowledgment of littering provisions.

12 On every vehicle registration card, the following statement
13 shall be printed immediately above or below the signature of the
14 applicant:

15 I hereby acknowledge this day that I have received notice
16 of the provisions of section 3709 of the Vehicle Code.

17 Also printed on the registration card shall be the following:

18 Section 3709 provides for a fine of up to [\$300] \$2,000
19 for dropping, throwing or depositing, upon any highway,
20 or upon any other public or private property without the
21 consent of the owner thereof or into or on the waters of
22 this Commonwealth from a vehicle, any waste paper,
23 sweepings, ashes, household waste, glass, metal, refuse
24 or rubbish or any dangerous or detrimental substance, or
25 permitting any of the preceding without immediately
26 removing such items or causing their removal.

27 For any violation of section 3709, I may be subject to a
28 fine of up to [\$300] \$2,000 upon conviction, including
29 any violation resulting from the conduct of any other
30 persons operating, in possession of or present within

1 this vehicle with my permission, if I do not with
2 reasonable certainty identify the driver of the vehicle
3 at the time the violation occurred.

4 § 1520. Acknowledgment of littering provisions.

5 On every application for a learner's permit or driver's
6 license, the following statement shall be printed immediately
7 above or below the signature of the applicant:

8 I hereby acknowledge this day that I have received notice
9 of the provisions of section 3709 of the Vehicle Code.

10 Also printed on the card shall be the following:

11 Section 3709 provides for a fine of up to [\$300] \$2,000
12 for dropping, throwing or depositing, upon any highway,
13 or upon any other public or private property without the
14 consent of the owner thereof or into or on the waters of
15 this Commonwealth from a vehicle, any waste paper,
16 sweepings, ashes, household waste, glass, metal, refuse
17 or rubbish or any dangerous or detrimental substance, or
18 permitting any of the preceding without immediately
19 removing such items or causing their removal.

20 For any violation of section 3709, I may be subject to a
21 fine of up to [\$300] \$2,000 upon conviction, including
22 any violation resulting from the conduct of any other
23 persons present within any vehicle of which I am the
24 driver.

25 Section 3. Section 3709(d)(1) and (e) of Title 75 are
26 amended and the section is amended by adding a subsection to
27 read:

28 § 3709. Depositing waste and other material on highway,
29 property or waters.

30 * * *

1 (d) Penalty.--Any person violating any of the provisions of
2 subsection (a) or (b) commits a summary offense and shall, upon
3 conviction, be sentenced to either or both of the following:

4 (1) To pay [a fine of not more than]:

5 (i) [\$900] for a violation which occurs in an
6 easement purchased under the program established by
7 section 14.1 of the act of June 30, 1981 (P.L.128,
8 No.43), known as the Agricultural Area Security Law, a
9 fine of not less than \$900 nor more than \$1,500;

10 (ii) [\$600] for a violation which occurs in an
11 agricultural security area as defined in section 3 of the
12 Agricultural Area Security Law, a fine of not less than
13 \$600 nor more than \$1,200; or

14 (iii) [\$300] for a violation which occurs anywhere
15 else[.]:

16 (A) For littering of five pounds or less for the
17 first offense, a fine of \$100.

18 (B) For littering of more than five pounds but
19 less than 100 pounds or 25 cubic feet for the first
20 offense, a fine of \$500.

21 (C) For littering of more than 100 pounds or 25
22 cubic feet or more for the first offense, a fine of
23 \$1,000.

24 (D) For littering of less than five pounds for
25 the second and subsequent offense, a fine of \$500.

26 (E) For littering of more than five pounds but
27 less than 100 pounds or 25 cubic feet for the second
28 and subsequent offense, a fine of \$1,000.

29 (F) For littering of more than 100 pounds or 25
30 cubic feet for the second and subsequent offense, a

1 fine of \$2,000.

2 * * *

3 (e) Disposition of fines, etc.--[Revenue] Except as
4 otherwise provided under subsection (f), revenue from the
5 collection of fines and bail forfeitures in the course of
6 enforcement of this section shall be distributed in the
7 following manner:

8 (1) One-half shall be distributed to the agency or local
9 government unit which brought the action to enforce this
10 section and may be used to defray the expenses of enforcing
11 this section, at the option of the agency or local government
12 unit.

13 (2) One-half shall be allocated to the department for
14 Statewide public education and awareness programs to promote
15 litter control and recycling and awareness of the provisions
16 of this section.

17 (f) Alternate disposition.--Two-thirds of any fine over \$300
18 collected under subsection (d)(1) for an offense that occurred
19 in a county that has established a litter board or any other
20 authority, organization, department, bureau or board established
21 by the county to administer solid waste management as designated
22 by the county commissioners shall be transmitted to the litter
23 board or the other authority, organization, department, bureau
24 or board.

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