

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 AND ARGALL, JANUARY 25, 1989

AS REPORTED FROM COMMITTEE ON TRANSPORTATION, HOUSE OF REPRESENTATIVES, AS AMENDED, APRIL 3, 1989

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for the securing of loads on
3 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 garbage.--Every 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) Washing of garbage trucks. Prior to leaving any~~ <—
8 ~~landfill, the exterior of every garbage truck shall be washed.~~

9 (C.2) LOAD OF BALED GARBAGE.--GARBAGE, WASTE, REFUSE OR <—
10 RUBBISH IN A TIGHTLY COMPACTED AND BALED FORM BEING TRANSPORTED
11 THROUGH OR WITHIN THIS COMMONWEALTH SHALL BE SECURELY FASTENED
12 TO THE VEHICLE AND COVERED OVER ALL EXPOSED AREAS WITH A CANVAS
13 COVER OR COVER OF A COMPARABLE TYPE WHICH SHALL BE SECURELY
14 ATTACHED TO THE UNDERSIDE OF ALL SIDES OF THE TRUCK, TRAILER OR
15 SEMITRAILER TO PREVENT ANY OF THE MATERIAL FROM THE BALES FROM
16 ESCAPING. NO PART OF ANY BALE SHALL BE UNCOVERED AT ANY TIME
17 DURING TRANSPORTATION WITHIN OR THROUGH THIS COMMONWEALTH UNTIL
18 ARRIVAL AT THE DISPOSAL SITE.

19 * * *

20 (f) Penalty.--A person who owns or who operates a vehicle in
21 violation of subsection (c.1) or (c.2) commits a summary offense
22 and shall, upon conviction, be sentenced to pay a fine of not
23 less than \$300 nor more than \$1,000. NOTWITHSTANDING THE <—
24 PROVISIONS OF 42 PA.C.S. §§ 3571 (RELATING TO COMMONWEALTH
25 PORTION OF FINES, ETC.) AND 3573 (RELATING TO MUNICIPAL
26 CORPORATION PORTION OF FINES, ETC.), 50% OF ANY FINE COLLECTED
27 FOR A VIOLATION OF SUBSECTION (C.1) OR (C.2) SHALL BE PAYABLE TO
28 THE COMMONWEALTH FOR USE BY THE DEPARTMENT OF TRANSPORTATION FOR
29 LITTER CONTROL, AND 50% SHALL BE PAYABLE TO THE MUNICIPAL
30 CORPORATION IN WHICH THE OFFENSE WAS COMMITTED FOR USE BY THE

1 MUNICIPAL CORPORATION FOR LITTER CONTROL.

2 Section 2. This act shall take effect immediately.