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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**SENATE BILL**

**No. 803**      Session of  
2007

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INTRODUCED BY BOSCOLA, WOZNIAK, WAUGH, FONTANA, RAFFERTY AND  
FERLO, APRIL 27, 2007

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REFERRED TO TRANSPORTATION, APRIL 27, 2007

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AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, further providing for depositing waste and other  
3 material on highway, property or waters.

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

6 Section 1. Section 3709(d) of Title 75 of the Pennsylvania  
7 Consolidated Statutes is amended to read:

8 § 3709. Depositing waste and other material on highway,  
9 property or waters.

10 \* \* \*

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

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

15 (i) \$900 for a violation which occurs in an easement  
16 purchased under the program established by section 14.1  
17 of the act of June 30, 1981 (P.L.128, No.43), known as  
18 the Agricultural Area Security Law;

1           (ii) \$600 for a violation which occurs in an  
2           agricultural security area as defined in section 3 of the  
3           Agricultural Area Security Law; or

4           (iii) \$300 for a violation which occurs anywhere  
5           else.] \$1,000.

6           (2) Except where infirmity or age or other circumstance  
7           would create a hardship, be directed by the court in which  
8           conviction is obtained to pick up and remove litter from  
9           public property or private property, or both, with prior  
10          permission of the legal owner. If the person has no prior  
11          record of convictions for violation of this section, he may  
12          be sentenced to pick up and remove litter for not less than  
13          eight hours nor more than 16 hours. Upon a second conviction,  
14          the person may be sentenced to pick up and remove litter for  
15          not less than 16 hours and not more than 32 hours. Upon third  
16          and subsequent convictions, he may be sentenced to pick up  
17          and remove litter for not less than 40 hours and not more  
18          than 80 hours. The court shall schedule the time to be spent  
19          on such activities in such a manner that it does not  
20          interfere with the person's employment and does not interfere  
21          substantially with the person's family responsibilities or  
22          religious obligations.

23          \* \* \*

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