

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 95 Session of 2023

INTRODUCED BY BULLOCK, BURGOS, GIRAL, CIRESI, HOHENSTEIN, HILL- EVANS, M. MACKENZIE, MADDEN, SANCHEZ, RABB, GALLOWAY, HOWARD, KINSEY, N. NELSON AND WARNER, MARCH 7, 2023

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF REPRESENTATIVES, AS AMENDED, APRIL 21, 2023

AN ACT

1 ~~Amending Titles 18 (Crimes and Offenses) and 75 (Vehicles) of~~ <--
2 ~~the Pennsylvania Consolidated Statutes, in nuisances, further~~
3 ~~providing for the offense of scattering rubbish; in~~
4 ~~registration of vehicles, further providing for~~
5 ~~acknowledgment of littering provisions; in licensing of~~
6 ~~drivers, further providing for acknowledgment of littering~~
7 ~~provisions; and, in miscellaneous provisions, further~~
8 ~~providing for the offense of depositing waste and other~~
9 ~~material on highway, property or waters.~~

10 AMENDING TITLE 18 (CRIMES AND OFFENSES) OF THE PENNSYLVANIA <--
11 CONSOLIDATED STATUTES, IN NUISANCES, FURTHER PROVIDING FOR
12 THE OFFENSE OF SCATTERING RUBBISH.

13 The General Assembly of the Commonwealth of Pennsylvania
14 hereby enacts as follows:

15 Section 1. Section 6501(b) (1), (2), (3) and (4) of Title 18
16 of the Pennsylvania Consolidated Statutes are amended ~~and the~~ <--
17 ~~subsection is amended by adding a paragraph to read:~~

18 § 6501. Scattering rubbish.

19 \* \* \*

20 (b) Penalty.--

21 (1) ~~[A] Except as provided for in paragraph (1.1), a~~ <--
22 person who violates subsection (a) (1) or (2) is guilty of a

1 ~~{summary offense} misdemeanor of the third degree~~ for the <--  
2 first offense and upon conviction thereof shall be sentenced  
3 to pay a fine of not less than ~~[\$50] \$300~~ nor more than <--  
4 ~~[\$300]~~ \$2,000 and be required to pick up litter or illegally  
5 dumped trash for not less than five nor more than 30 hours to  
6 be completed within six months, or to imprisonment for not  
7 more than ~~{90 days} one year~~, or both. <--

8 ~~(1.1) A person who violates subsection (a) (1) or (2), in~~ <--  
9 ~~which the collective total weight of the discarded material~~  
10 ~~is less than one pound, is guilty of a summary offense for~~  
11 ~~the first offense and upon conviction thereof shall be~~  
12 ~~sentenced to pay a fine of not less than \$50 nor more than~~  
13 ~~\$300 or to imprisonment for not more than 90 days, or both.~~

14 (2) A person who violates subsection (a) (1) or (2) is  
15 guilty of a misdemeanor of the ~~{third} second~~ degree for the <--  
16 second and subsequent offense and upon conviction thereof  
17 shall be sentenced to pay a fine of not less than ~~[\$300]~~ <--  
18 ~~\$2,000~~ nor more than ~~[\$1,000]~~ \$5,000. The person also may be  
19 sentenced to imprisonment ~~for not more than one year~~ or be <--  
20 required to pick up litter or illegally dumped trash for not  
21 less than 30 nor more than 100 hours to be completed within  
22 ~~{one year} two years~~. <--

23 (3) A person who violates subsection (a) (3) is guilty of  
24 a misdemeanor of the second degree for the first offense and  
25 upon conviction thereof shall be sentenced to pay a fine of  
26 not less than \$500 nor more than ~~[\$5,000]~~ \$10,000. The person  
27 also may be sentenced to imprisonment or to performing a  
28 community service for a period not to exceed two years.

29 (4) A person who violates subsection (a) (3) is guilty of  
30 a misdemeanor of the first degree for the second or

1 subsequent offense and upon conviction thereof shall be  
2 sentenced to pay a fine of not less than \$1,000 nor more than  
3 ~~[\$10,000]~~ \$20,000. The person also may be sentenced to  
4 imprisonment or to performing a community service for a  
5 period not to exceed five years.

6 \* \* \*

7 ~~Section 2. Sections 1317, 1520 and 3709(d)(1) of Title 75~~ <--  
8 ~~are amended to read:~~

9 ~~§ 1317. Acknowledgment of littering provisions.~~

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

13 ~~I hereby acknowledge this day that I have received notice~~  
14 ~~of the provisions of section 3709 of the Vehicle Code.~~

15 ~~Also printed on the registration card shall be the following:~~

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

25 ~~For any violation of section 3709, I may be subject to a~~  
26 ~~fine of up to ~~[\$300]~~ \$2,000 upon conviction, including~~  
27 ~~any violation resulting from the conduct of any other~~  
28 ~~persons operating, in possession of or present within~~  
29 ~~this vehicle with my permission, if I do not with~~  
30 ~~reasonable certainty identify the driver of the vehicle~~

1 ~~at the time the violation occurred.~~

2 ~~§ 1520. Acknowledgment of littering provisions.~~

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

6 ~~I hereby acknowledge this day that I have received notice~~  
7 ~~of the provisions of section 3709 of the Vehicle Code.~~

8 ~~Also printed on the card shall be the following:~~

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

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

23 ~~§ 3709. Depositing waste and other material on highway,~~  
24 ~~property or waters.~~

25 ~~\* \* \*~~

26 ~~(d) Penalty. Any person violating any of the provisions of~~  
27 ~~subsection (a) or (b) commits a summary offense and shall, upon~~  
28 ~~conviction, be sentenced to either or both of the following:~~

29 ~~(1) To pay a fine of not more than:~~

30 ~~(i) [§900] \$5,000 for a violation which occurs in an~~

1 ~~easement purchased under the program established by~~  
2 ~~section 14.1 of the act of June 30, 1981 (P.L.128,~~  
3 ~~No.43), known as the Agricultural Area Security Law;~~

4 ~~(ii) ~~[\$600] \$3,000~~ for a violation which occurs in~~  
5 ~~an agricultural security area as defined in section 3 of~~  
6 ~~the Agricultural Area Security Law; or~~

7 ~~(iii) ~~[\$300] \$2,000~~ for a violation which occurs~~  
8 ~~anywhere else.~~

9 ~~\* \* \*~~

10 Section 3 2. This act shall take effect in six months.

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