

2010 -- H 7171

=====
LC00101
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2010

—————
A N A C T

RELATING TO PUBLIC PROPERTY AND WORKS -- LITTER CONTROL AND
RECYCLING

Introduced By: Representatives McNamara, Malik, Azzinaro, M Rice, and Vaudreuil

Date Introduced: January 21, 2010

Referred To: House Environment and Natural Resources

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 37-15 of the General Laws entitled "Litter Control and Recycling"
2 is hereby amended by adding thereto the following section:

3 **37-15-7.2. Penalties-coastline.** – No person shall deposit, discard, or otherwise dispose
4 of litter in violation of section 37-15-6 or abandon or discard a vessel, as defined in subdivision
5 46-22.1-2(23).

6 (1) Any person convicted of a first violation of this section shall, except where a penalty
7 is specifically set forth, be subject to a fine of not less than one hundred dollars (\$100) nor more
8 than five hundred dollars (\$500). In addition to or in lieu of the fine imposed hereunder, the
9 person so convicted may be ordered to pick up litter for not less than ten (10), nor more than
10 twenty-five (25) hours. The penalty for unlawfully abandoning or discarding a vessel shall be a
11 fine of one thousand dollars (\$1,000), and in addition, the cost of disposal of the vessel shall be
12 awarded the disposing entity as restitution.

13 (2) Any person convicted of a second or subsequent violation of this section shall, except
14 where a penalty is specifically set forth, be subject to a fine of not less than six hundred dollars
15 (\$600) nor more than one thousand dollars (\$1,000). In addition to or in lieu of the fine imposed
16 upon a second or subsequent violation of this section, the person so convicted may be ordered to
17 pick up litter for not less than twenty (20), nor more than fifty (50) hours.

18 (3) Jurisdiction to punish violators of the provisions of this section is conferred on the

1 administrative adjudication court of the department of transportation.

2 (4) Any person convicted of a violation of this section shall, in addition to all other
3 penalties, be liable for the removal or cost of removal of all litter illegally disposed of by that
4 person. The administrative adjudication court may hold the registration of any vehicle owned by
5 the violator and used in the act of littering until the aforementioned liability is satisfied.

6 (5) The funds received by a state law enforcement agency shall be deposited as general
7 revenues.

8 (6) Penalties of one hundred dollars (\$100) for violations of section 37-15-7.2 may be
9 disposed of without the necessity of personally appearing before the administrative adjudication
10 court. Said penalty may be handled administratively by mailing a check or money order, together
11 with a properly executed form provided to the appropriate address as set forth in the summons
12 issued by the enforcing agent.

13 (7) Any person selling a vessel within the state shall obtain and retain a bill of sale for
14 three (3) years subsequent to the transaction.

15 SECTION 2. This act shall take effect upon passage.

=====
LC00101
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T
RELATING TO PUBLIC PROPERTY AND WORKS -- LITTER CONTROL AND
RECYCLING

- 1 This act would increase the penalties for littering along the coastline.
- 2 This act would take effect upon passage.

=====
LC00101
=====