
ENGROSSED SUBSTITUTE HOUSE BILL 1153

State of Washington

52nd Legislature

1991 Regular Session

By House Committee on Judiciary (originally sponsored by Representatives Winsley, Rust, Horn, Valle, Edmondson, Neher, Cole, Anderson, Ferguson, Jacobsen, Rasmussen, R. Johnson, Paris, Scott, Betrozoff, Nealey and Sprenkle).

Read first time February 28, 1991.

1 AN ACT Relating to the penalty for littering; amending RCW
2 70.93.060, 70.93.070, and 70.95.240; and prescribing penalties.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 70.93.060 and 1983 c 277 s 1 are each amended to read
5 as follows:

6 (1) No person shall throw, drop, deposit, discard, or otherwise
7 dispose of litter upon any public property in the state or upon private
8 property in this state not owned by him or in the waters of this state
9 whether from a vehicle or otherwise including but not limited to any
10 public highway, public park, beach, campground, forest land,
11 recreational area, trailer park, highway, road, street, or alley
12 except:

13 ~~((1))~~ (a) When ~~((such))~~ the property is designated by the state
14 or ~~((by any of))~~ its agencies or political subdivisions for the

1 disposal of garbage and refuse, and ~~((such))~~ the person is authorized
2 to use such property for ~~((such))~~ that purpose;

3 ~~((2))~~ (b) Into a litter receptacle in ~~((such))~~ a manner that
4 ~~((the litter))~~ will ~~((be prevented))~~ prevent litter from being carried
5 away or deposited by the elements upon any part of said private or
6 public property or waters.

7 ~~((Any person violating the provisions of this section shall be
8 guilty of a misdemeanor and the fine for such violation shall not be
9 less than fifty dollars for each offense. In addition thereto, except
10 where infirmity or age or other circumstance would create a hardship,
11 such person shall be directed by the court in which conviction is
12 obtained to pick up and remove litter from public property and/or
13 private property, with prior permission of the legal owner, for not
14 less than eight hours nor more than sixteen hours for each separate
15 offense. The court shall schedule the time to be spent on such
16 activities in such a manner that it does not interfere with the
17 person's employment and does not interfere substantially with the
18 person's family responsibilities))~~

19 (2)(a) It is a class 4 civil infraction as defined in RCW 7.80.120
20 for a person to litter in an amount less than or equal to one cubic
21 foot.

22 (b) It is a class 1 civil infraction as defined in RCW 7.80.120 for
23 a person to litter in an amount greater than one cubic foot. Unless
24 waived, reduced, or suspended by a court, the person shall also pay a
25 litter cleanup fee of fifty dollars per cubic foot of litter. If the
26 court determines that a person has insufficient funds to pay the
27 monetary penalty or clean-up fee, the court may order a person to pick
28 up and remove litter as provided in RCW 7.80.130.

1 **Sec. 2.** RCW 70.93.070 and 1983 c 277 s 2 are each amended to read
2 as follows:

3 The director shall prescribe the procedures for the collection of
4 ~~((fines and bail forfeitures including the imposition of additional~~
5 ~~penalty charges for late payment of fines))~~ penalties, costs, and other
6 charges allowed by chapter 7.80 RCW for violations of this chapter.
7 Included in the procedures shall be provisions requiring ~~((the~~
8 ~~distribution of))~~ that one-half of the monetary amount ~~((of fines))~~
9 ~~actually collected ((under the enforcement))~~ by the state or local
10 government entity enforcing the provisions of this chapter ~~((by a local~~
11 ~~governmental agency to))~~ be distributed to that local governmental
12 ~~((agency))~~ entity.

13 **Sec. 3.** RCW 70.95.240 and 1969 ex.s. c 134 s 24 are each amended
14 to read as follows:

15 After the adoption of regulations or ordinances by any county,
16 city, or jurisdictional board of health providing for the issuance of
17 permits as provided in RCW 70.95.160, it shall be unlawful for any
18 person to ~~((dump or deposit or))~~ permit the dumping or depositing of
19 any solid waste onto or under the surface of the ground or into the
20 waters of this state except at a solid waste disposal site for which
21 there is a valid permit~~((:—PROVIDED, That nothing herein))~~. This
22 section shall not prohibit a person from dumping or depositing solid
23 waste resulting from his own activities onto or under the surface of
24 ground owned or leased by him when such action does not violate
25 statutes or ordinances, or create a nuisance. Any person violating
26 this section shall be guilty of a misdemeanor.