
ENGROSSED SUBSTITUTE HOUSE BILL 1086

State of Washington

53rd Legislature

1993 Regular Session

By House Committee on Environmental Affairs (originally sponsored by Representatives Valle, Edmondson, Rust and Kremen)

Read first time 02/1/93.

1 AN ACT Relating to penalties for littering; amending RCW 70.93.060,
2 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
15 disposal of garbage and refuse, and ~~((such))~~ the person is authorized
16 to use such property for ~~((such))~~ that purpose;

17 ~~((2))~~ (b) Into a litter receptacle in ~~((such))~~ a manner that
18 ~~((the litter))~~ will ~~((be prevented))~~ prevent litter from being carried

1 away or deposited by the elements upon any part of said private or
2 public property or waters.

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

15 (2)(a) It is a class 3 civil infraction as defined in RCW 7.80.120
16 for a person to litter in an amount less than or equal to one cubic
17 foot.

18 (b) It is a class 1 civil infraction as defined in RCW 7.80.120 for
19 a person to litter in an amount greater than one cubic foot. Unless
20 suspended or modified by a court, the person shall also pay a litter
21 cleanup fee of twenty-five dollars per cubic foot of litter.

22 (3) The notice of infraction for littering shall include a notice
23 to the person alleged to have committed the infraction that the person
24 may be required to pay a twenty-five dollar per cubic foot clean up
25 fee, and that the person will not be required to pay the clean up fee
26 if the person removes the litter within forty-eight hours after the
27 notice of infraction has been issued.

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

30 The director shall prescribe the procedures for the collection of
31 ~~((fines and bail forfeitures including the imposition of additional
32 penalty charges for late payment of fines))~~ penalties, costs, and other
33 charges allowed by chapter 7.80 RCW for violations of this chapter.
34 Included in the procedures shall be provisions requiring ~~((the
35 distribution of))~~ that one-half of the monetary amount ~~((of fines))~~
36 actually collected ~~((under the enforcement))~~ by the state or local
37 government entity enforcing the provisions of this chapter ~~((by a local~~

1 ~~governmental agency to))~~ be distributed to that local governmental
2 ~~((agency))~~ entity.

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

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

17 (2)(a) It is a class 3 civil infraction as defined in RCW 7.80.120
18 for a person to litter in an amount less than or equal to one cubic
19 foot.

20 (b) It is a class 1 civil infraction as defined in RCW 7.80.120 for
21 a person to litter in an amount greater than one cubic foot. Unless
22 suspended or modified by a court, the person shall also pay a litter
23 cleanup fee of twenty-five dollars per cubic foot of litter. The
24 litter clean up fee may be imposed only on a person who has not removed
25 the litter within forty-eight hours after being notified in writing of
26 the amount of the clean up fee that may be imposed.

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