

No. 2004-227

AN ACT

HB 2029

Authorizing cities of the first class that have adopted a home rule charter to enforce ordinances, rules and regulations prohibiting dumping or disposal of waste, trash or debris.

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

Section 1. Enforcement of trash laws.

(a) General rule.—Notwithstanding any contrary provision of law set forth in the act of April 21, 1949 (P.L.665, No.155), known as the First Class City Home Rule Act, a city of the first class that has adopted a home rule charter pursuant to that act may enforce ordinances, rules and regulations relating to short dumping by the imposition of a fine or penalty of not more than \$5,000 and by the forfeiture of any property, including any vehicle, used to violate that act, regardless of the value of the property.

(b) Suspension of operating privileges.—A city of the first class that imposes a fine or penalty against a person under subsection (a) shall notify the Department of Transportation. On receipt of such notification, the Department of Transportation shall suspend the operating privileges of the person granted under 75 Pa.C.S. (relating to vehicles) for a period of six months.

(c) Definitions.—As used in this section, “short dumping” means activity by which an owner or operator, or an agent of either, of a trash, garbage or debris collection vehicle, including private automobiles and small trucks, or any other type of vehicles used to collect or transport trash, garbage or debris knowingly causes to be deposited or deposits the vehicle’s load or any part thereof on any road, street, highway, alley or railroad right-of-way or on the land of another or into the waters of this Commonwealth.

Section 2. Effective date.

This act shall take effect in 60 days.

APPROVED—The 1st day of December, A.D. 2004.

EDWARD G. RENDELL