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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1153 Session of  
2023

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INTRODUCED BY SCOTT, HILL-EVANS, PARKER, MADDEN, SOLOMON,  
PROBST, SANCHEZ, DELLOSO AND NEILSON, MAY 18, 2023

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REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,  
MAY 18, 2023

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AN ACT

1 Providing for disposal of waste tires, trash and debris, for  
2 rules and regulations and for penalties.

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

5 Section 1. Short title.

6 This act shall be known and may be cited as the Disposal of  
7 Waste Tires, Trash and Debris Act.

8 Section 2. Definitions.

9 The following words and phrases when used in this act shall  
10 have the meanings given to them in this section unless the  
11 context clearly indicates otherwise:

12 "Disposal." The dumping, spilling or placing of whole used  
13 or waste tires into or on the land or water in a manner that the  
14 tires or a constituent of the tires enters the environment.

15 "Municipality." A city of the second class, a city of the  
16 third class, a borough, or a home rule municipality that is a  
17 city or a borough.

1 "Short dumping." Activity by which an owner or operator, or  
2 an agent of the owner or operator, of a trash, garbage or debris  
3 collection vehicle, including private automobiles and small  
4 trucks or any other type of vehicle used to collect or transport  
5 trash, garbage or debris, knowingly causes to be deposited or  
6 deposits the vehicle's load, or any part of the load, on any  
7 road, street, highway, alley or railroad right-of-way, on the  
8 land of another or into the waters of this Commonwealth.

9 "Waste tire." A tire that is no longer used for the purpose  
10 for which it was originally intended. The term includes a tire  
11 that has been discarded by an owner or user, and is not resold  
12 for use or recycled, though the tire may have some remaining  
13 useful life. A tire becomes a waste tire when it is discarded by  
14 an owner or user and is not resold for use or recycled.

15 "Waste tire recycling facility." As defined in section 104  
16 of the act of December 19, 1996 (P.L.1478, No.190), entitled "An  
17 act relating to the recycling and reuse of waste tires;  
18 providing for the proper disposal of waste tires and the cleanup  
19 of stockpiled tires; authorizing investment tax credits for  
20 utilizing waste tires; providing remediation grants for the  
21 cleanup of tire piles and for pollution prevention programs for  
22 small business and households; establishing the Small Business  
23 and Household Pollution Prevention Program and management  
24 standards for small business hazardous waste; providing for a  
25 household hazardous waste program and for grant programs; making  
26 appropriations; and making repeals."

27 Section 3. Enforcement of trash laws.

28 (a) General rule.--Notwithstanding any contrary provision of  
29 the act of July 28, 1988 (P.L.556, No.101), known as the  
30 Municipal Waste Planning, Recycling and Waste Reduction Act, a

1 municipality pursuant to that act may enforce ordinances, rules  
2 and regulations relating to:

3 (1) short dumping by the imposition of a fine or penalty  
4 of not more than \$5,000, and by the forfeiture of any  
5 property, including any vehicle, used to violate the act,  
6 regardless of the value of the property; and

7 (2) disposal of waste tires by the imposition of a fine  
8 or penalty of not more than \$500 per tire.

9 (b) Suspension of operating privileges.--A municipality that  
10 imposes a fine or penalty against a person under subsection (a)  
11 (1) shall notify the Department of Transportation. On receipt of  
12 the notification, the Department of Transportation shall suspend  
13 the operating privileges of the person granted under 75 Pa.C.S.  
14 (relating to vehicles) for a period of six months.

15 (c) Records to be retained by businesses that dispose of  
16 waste tires.--A business entity in a municipality that accepts  
17 used tires for disposal shall maintain a list of how many tires  
18 the business entity accepted and retain proof of disposal in the  
19 form of a receipt from an authorized waste tire recycling  
20 facility, as evidence of proper disposal of any tires accepted  
21 by the business entity. The business entity shall maintain all  
22 records for a minimum of five years and make the records  
23 available to the municipality at the municipality's request. The  
24 business entity shall retain the records electronically.

25 (d) Record review.--A municipality may review the records of  
26 a business entity that accepts waste tires for disposal. The  
27 municipality may request that the business entity submit a copy  
28 of the business entity's records electronically or provide the  
29 municipality with a hard copy of the records as proof that the  
30 business entity complied with this act through the proper

1 disposal of all waste tires received by the business entity.

2 (e) Appeal.--A business entity fined by a municipality under  
3 this section shall have the right to appeal a fine levied by the  
4 municipality to the court of common pleas.

5 (f) Waste tire enforcement.--A municipality that imposes a  
6 fine or penalty under subsection (a)(2) shall utilize the money  
7 collected to:

8 (1) encourage recycling;

9 (2) expand waste tire disposal programs within a  
10 municipality in accordance with Chapter 1 of the act of  
11 December 19, 1996 (P.L.1478, No.190), known as the Waste Tire  
12 Recycling Act; and

13 (3) enforce compliance with this act.

14 Section 4. Effective date.

15 This act shall take effect in 120 days.