

# HOUSE BILL REPORT

## HB 1100

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As Reported By House Committee On:  
Environmental Affairs

**Title:** An act relating to the containment of waste materials.

**Brief Description:** Imposing a fee on waste transported without a cover.

**Sponsors:** Representatives Bray, J. Kohl, Rust and Leonard.

**Brief History:**

Reported by House Committee on:  
Environmental Affairs, January 28, 1993, DPS.

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### HOUSE COMMITTEE ON ENVIRONMENTAL AFFAIRS

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 12 members: Representatives Rust, Chair; J. Kohl, Vice Chair; Horn, Ranking Minority Member; Van Luven, Assistant Ranking Minority Member; Bray; Edmondson; Hansen; Holm; L. Johnson; Linville; Roland; and Sheahan.

**Staff:** Rick Anderson (786-7114).

**Background:** Litter surveys from 1982 to 1987 show that the amount of litter from vehicles with unsecured loads has remained steady at around 40 percent of all litter. A 1990 litter survey shows that this type of "non-deliberate" littering has increased to nearly 50 percent of all litter. The cause for the increase in this type of littering appears to be that the number of pickup trucks has nearly doubled since 1982.

Current state law prohibits littering which is punishable as a misdemeanor with a fine of not less than \$50 and eight to 16 hours of litter pickup duty. State law governing the "rules of the road" requires trucks carrying dirt, sand, or gravel to have a cover or to maintain at least six inches of space between the material and the side of the vehicle. State law does not require a cover for vehicles transporting any other waste materials.

Yakima County and the city of Richland have adopted ordinances requiring a person arriving at the landfill without a cover on their waste to pay a surcharge. Both

local governments report the measure has reduced litter, especially on the roads leading to the landfill.

**Summary of Substitute Bill:** A city or county with a transfer station or landfill in its jurisdiction must adopt an ordinance establishing fees for a person arriving at a transfer station or landfill without adequately covering or securing a vehicle's waste. The bill establishes the following minimum fee schedule: \$3 for loads of 0.1 to 3 cubic yards; \$5 for loads of 3.1 to 10 cubic yards; and \$10 for loads over 10 cubic yards.

The ordinance adopted by cities and counties may adopt higher fees. The ordinance may also provide exemptions for waste that is unlikely to spill from a vehicle. Vehicles transporting dirt, sand, or gravel are not subject to local covered load ordinances.

**Substitute Bill Compared to Original Bill:** The substitute bill deletes provisions allowing local ordinances to require the sale of tarps at landfills or transfer stations. The substitute bill clarifies that a load can be secured without using a cover and that vehicles carrying dirt, sand, or gravel are exempt from the local ordinances.

**Fiscal Note:** Requested January 19, 1993.

**Effective Date of Substitute Bill:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** Requiring a secured load for vehicles travelling to landfills and transfer stations will reduce litter. Vehicles carrying dirt, sand, or gravel under the "rules of the road" statute should be exempt from local covered load ordinances.

**Testimony Against:** None.

**Witnesses:** Larry Kegg, Washington State Department of Transportation; Brad Everson, Department of Ecology; John Woodring, Washington Trucking; Bill Fritz, Anheuser Busch Association; Rick Wickman, Waste Management; Duke Schaub, Associated General Contractors of Washington; John Paul Jones, Washington Refuse and Recycling; Elizabeth Schrag, Washington Citizens for Recycling; and Kathleen Collins, Association of Washington Cities.