

# FINAL BILL REPORT

## SHB 1163

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Synopsis as Enacted

**Brief Description:** Changing provisions relating to disposal of garbage and junk vehicles.

**Sponsors:** By House Committee on Agriculture & Ecology (originally sponsored by Representatives Eickmeyer, Doumit, Rockefeller, Jackley and Haigh).

**House Committee on Agriculture & Ecology**  
**Senate Committee on Natural Resources, Parks & Shorelines**

### **Background:**

A person violating the state litter or vehicle abandonment laws faces different penalties depending on whether the violation occurs in unincorporated or incorporated areas of a county. Littering more than one cubic foot of trash within the incorporated area is a class 1 civil infraction punishable by a \$250 fine. In addition to the civil infraction, a \$25 litter cleanup fee for every cubic foot of litter deposited and a court order to pick up the litter may be entered.

In an unincorporated area, littering in excess of one cubic foot, but less than one cubic yard, is a misdemeanor and littering greater than one cubic yard is a gross misdemeanor. In both cases, the violator must pay a litter restitution payment equal to twice the actual cost of cleanup. This restitution payment may not be less than \$50 for those littering less than one cubic yard or less than \$100 for those littering over one cubic yard. One-half of this restitution payment is distributed to the law enforcement agency investigating the incident, and one-half is distributed to the affected landowner. First-time offenders in an unincorporated area may have restitution payments waived if they agree to clean up the litter.

A similar distinction exists for junk vehicles that are abandoned in incorporated and unincorporated portions of counties. Abandoning a junk vehicle on property located within the incorporated area is class 1 civil infraction. The maximum penalty for this violation is a \$250 fine and reimbursement to the landowner for any costs associated with the vehicle's removal. Abandoning a junk vehicle on property located in the unincorporated county is a gross misdemeanor. The maximum penalty for this violation is a cleanup restitution of twice the costs incurred in the junk vehicle's removal. One half of the restitution payment is distributed to the affected land owner, and one-half is distributed to the state entity investigating the incident.

### **Summary:**

Penalties for littering or abandoning junk vehicles are the same in the unincorporated area and the incorporated portions of a county. The penalties for all littering and junk vehicle violations are modified as follows:

1) Littering:

- Up to one cubic foot is a class 3 civil infraction (\$50 fine).
- Between one cubic foot and one cubic yard is a misdemeanor (litter cleanup restitution of twice the actual cleanup cost, not less than \$50, may also be ordered with one-half to affected landowner and one-half to investigating enforcement agency).
- Over one cubic yard is a gross misdemeanor (litter cleanup restitution of twice the actual cleanup costs, not less than \$100, may also be ordered with one-half to affected landowner and one-half to investigating enforcement agency).

2) Abandoning a junk vehicle:

- Gross misdemeanor (cleanup restitution payment of twice the cost to remove the junk vehicle, may also be ordered with one-half to the affected landowner and one-half to the investigating enforcement agency).

**Votes on Final Passage:**

House 98 0  
Senate 48 0

**Effective:** July 22, 2001