

1409-S

Sponsor(s): House Committee on Fisheries, Ecology & Parks  
(originally sponsored by Representatives Upthegrove, Hunt and  
Clibborn)

Brief Description: Defining "potentially dangerous litter" and making it a civil infraction to improperly dispose of potentially dangerous litter. Revised for 1st Substitute: Defining "potentially dangerous litter" and making it a civil infraction to improperly dispose of potentially dangerous litter. (REVISED FOR PASSED LEGISLATURE: Making litter that is likely to injure a person or damage property "potentially dangerous litter," making improper disposal a civil infraction, and authorizing counties to abate a nuisance at the expense of the responsible party.)

**HB 1409-S - DIGEST**

(DIGEST AS ENACTED)

Finds that the littering of potentially dangerous products poses a greater danger to the public safety than other classes of litter. Broken glass, human waste, and other dangerous materials along roadways, within parking lots, and on pedestrian, bicycle, and recreation trails elevates the risk to public safety, such as vehicle tire punctures, and the risk to the community volunteers who spend their time gathering and properly disposing of the litter left behind by others.

Finds that a higher penalty should be imposed on those who improperly dispose of potentially dangerous products, such as is imposed on those who improperly dispose of tobacco products.

Finds that litter is a nuisance, and, in order to alleviate such a nuisance, counties must be provided statutory authority to declare what shall be a nuisance, to abate a nuisance, and to impose and collect fines upon parties who may create, cause, or commit a nuisance.

Declares that "potentially dangerous litter" means litter that is likely to injure a person or cause damage to a vehicle or other property. "Potentially dangerous litter" includes, but is not limited to: (1) Cigarettes, cigars, or other tobacco products that are capable of starting a fire;

(2) Glass;

(3) A container or other product made predominantly or entirely of glass;

(4) A hypodermic needle or other medical instrument designed to cut or pierce;

(5) Raw human waste, including soiled baby diapers, regardless of whether or not the waste is in a container of any sort; and

(6) Nails or tacks.

Declares that it is a class 1 civil infraction as provided in RCW 7.80.120 for a person to discard, in violation of this act, potentially dangerous litter in any amount.

Repeals RCW 70.93.100.