
HOUSE BILL 2294

State of Washington

63rd Legislature

2014 Regular Session

By Representatives Pike, Wylie, Stonier, Vick, Harris, Blake, Farrell, Moeller, Fitzgibbon, Sawyer, Bergquist, and Pollet

Read first time 01/15/14. Referred to Committee on Environment.

1 AN ACT Relating to increasing penalties for littering; amending RCW
2 70.93.060; and prescribing penalties.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 70.93.060 and 2003 c 337 s 3 are each amended to read
5 as follows:

6 (1) It is a violation of this section to abandon a junk vehicle
7 upon any property.

8 (2) In addition, no person shall throw, drop, deposit, discard, or
9 otherwise dispose of litter upon any public property in the state or
10 upon private property in this state not owned by him or her or in the
11 waters of this state whether from a vehicle or otherwise including but
12 not limited to any public highway, public park, beach, campground,
13 forest land, recreational area, trailer park, highway, road, street, or
14 alley except:

15 (a) When the property is designated by the state or its agencies or
16 political subdivisions for the disposal of garbage and refuse, and the
17 person is authorized to use such property for that purpose;

18 (b) Into a litter receptacle in a manner that will prevent litter

1 from being carried away or deposited by the elements upon any part of
2 the private or public property or waters.

3 ~~((+2))~~ (3)(a) Except as provided in subsection ~~((+4))~~ (5) of this
4 section, it is a class ~~((3))~~ 2 civil infraction as provided in RCW
5 7.80.120 for a person to litter in an amount less than or equal to one
6 cubic foot. This penalty is in addition to any penalty imposed for a
7 violation of RCW 46.61.645(1).

8 (b) It is a misdemeanor for a person to litter in an amount greater
9 than one cubic foot but less than one cubic yard. The person shall
10 also pay a litter cleanup restitution payment equal to twice the actual
11 cost of cleanup, or fifty dollars per cubic foot of litter, whichever
12 is greater. The court shall distribute one-half of the restitution
13 payment to the landowner and one-half of the restitution payment to the
14 law enforcement agency investigating the incident. The court may, in
15 addition to or in lieu of part or all of the cleanup restitution
16 payment, order the person to pick up and remove litter from the
17 property, with prior permission of the legal owner or, in the case of
18 public property, of the agency managing the property. The court may
19 suspend or modify the litter cleanup restitution payment for a first-
20 time offender under this section, if the person cleans up and properly
21 disposes of the litter.

22 (c) It is a gross misdemeanor for a person to litter in an amount
23 of one cubic yard or more. The person shall also pay a litter cleanup
24 restitution payment equal to twice the actual cost of cleanup, or one
25 hundred dollars per cubic foot of litter, whichever is greater. The
26 court shall distribute one-half of the restitution payment to the
27 landowner and one-half of the restitution payment to the law
28 enforcement agency investigating the incident. The court may, in
29 addition to or in lieu of part or all of the cleanup restitution
30 payment, order the person to pick up and remove litter from the
31 property, with prior permission of the legal owner or, in the case of
32 public property, of the agency managing the property. The court may
33 suspend or modify the litter cleanup restitution payment for a first-
34 time offender under this section, if the person cleans up and properly
35 disposes of the litter.

36 (d) If a junk vehicle is abandoned in violation of this section,
37 RCW 46.55.230 governs the vehicle's removal, disposal, and sale, and

1 the penalties that may be imposed against the person who abandoned the
2 vehicle.

3 ~~((3))~~ (4) If the violation occurs in a state park, the court
4 shall, in addition to any other penalties assessed, order the person to
5 perform twenty-four hours of community restitution in the state park
6 where the violation occurred if the state park has stated an intent to
7 participate as provided in RCW 79A.05.050.

8 ~~((4))~~ (5) It is a class 1 civil infraction as provided in RCW
9 7.80.120 for a person to discard, in violation of this section,
10 potentially dangerous litter in any amount.

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