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**SUBSTITUTE HOUSE BILL 1947**

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**State of Washington                      52nd Legislature                      1991 Regular Session**

**By** House Committee on Environmental Affairs (originally sponsored by Representatives G. Fisher and Sprenkle).

Read first time March 6, 1991.

1            AN ACT Relating to recyclable materials; amending RCW 46.61.560;  
2 adding new sections to chapter 70.95 RCW; adding a new section to  
3 chapter 36.58 RCW; adding a new section to chapter 35.21 RCW; and  
4 prescribing penalties.

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

6            NEW SECTION.    **Sec. 1.** A new section is added to chapter 70.95 RCW  
7 to read as follows:

8            (1) Each local solid waste advisory committee shall conduct one or  
9 more meetings with recycling businesses and solid waste collection  
10 companies operating within such committee's jurisdiction for the  
11 purpose of determining how local recycling businesses may participate  
12 in the processing of materials collected for recycling.

13            (2) In advising a local government on the contents of a waste  
14 reduction and recycling element, each local solid waste advisory  
15 committee shall consider a recommendation to utilize the existing

1 private recyclers, located within the jurisdiction, to process and  
2 market materials collected for recycling.

3 (3) The planning requirement under subsection (1) of this section  
4 shall apply whenever a city or county develops or amends the waste  
5 reduction and recycling element required under this chapter.

6 NEW SECTION. **Sec. 2.** A new section is added to chapter 36.58 RCW  
7 to read as follows:

8 Each legislative authority of a county providing a reduced solid  
9 waste disposal rate to citizens participating in a curbside recycling  
10 program, shall offer a similar reduced rate to residents participating  
11 in any other recycling program recognized in that county's local solid  
12 waste management plan.

13 NEW SECTION. **Sec. 3.** A new section is added to chapter 35.21 RCW  
14 to read as follows:

15 (1) Each city or town providing, by ordinance or resolution, a  
16 reduced solid waste collection rate to citizens participating in a  
17 curbside recycling program, shall provide a similar reduced rate to  
18 residents participating in any other recycling program, if such program  
19 operates within its jurisdiction and is recognized in the applicable  
20 local solid waste management plan.

21 (2) For the purposes of this section, "reduced rate" means a  
22 residential solid waste collection rate incorporating a rebate, refund,  
23 or discount. Reduced rate shall not include a residential solid waste  
24 collection rate based on the volume or weight of solid waste set out  
25 for collection.

26 **Sec. 4.** RCW 46.61.560 and 1984 c 7 s 72 are each amended to read  
27 as follows:

1 (1) Outside of incorporated cities and towns no person may stop,  
2 park, or leave standing any vehicle, whether attended or unattended,  
3 upon the roadway.

4 (2) Subsection (1) of this section and RCW 46.61.570 and 46.61.575  
5 do not apply to the driver of any vehicle that is disabled in such  
6 manner and to such extent that it is impossible to avoid stopping and  
7 temporarily leaving the vehicle in such position. The driver shall  
8 nonetheless arrange for the prompt removal of the vehicle as required  
9 by RCW 46.61.590.

10 (3) Subsection (1) of this section does not apply to the driver of  
11 a public transit vehicle who temporarily stops the vehicle upon the  
12 roadway for the purpose of and while actually engaged in receiving or  
13 discharging passengers at a marked transit vehicle stop zone approved  
14 by the state department of transportation or a county upon highways  
15 under their respective jurisdictions.

16 (4) Subsection (1) of this section does not apply to the driver of  
17 a vehicle licensed or certified to collect solid waste or recyclables  
18 who temporarily stops such vehicle as close as practical to the right-  
19 hand shoulder of the roadway for the purpose of collecting solid waste  
20 or recyclable materials.

21 NEW SECTION. Sec. 5. A new section is added to chapter 70.95 RCW  
22 to read as follows:

23 (1) No person may divert to personal use any recyclable material  
24 placed in a container as part of a recycling program, without the  
25 consent of the person owning or operating such container. No person,  
26 other than persons operating under the authority of a town, city,  
27 county, or the utilities and transportation commission, may divert to  
28 commercial use any recyclable material placed in a container as part of

1 a recycling program, without the consent of the person owning or  
2 operating such container.

3 (2) A violation of subsection (1) of this section is a class 1  
4 civil infraction under chapter 7.80 RCW. Each violation of this  
5 section shall be a separate infraction.