
HOUSE BILL 1402

State of Washington 60th Legislature 2007 Regular Session

By Representatives Wallace, Dunn and Orcutt

Read first time 01/18/2007. Referred to Committee on Transportation.

1 AN ACT Relating to private carriers of solid waste; and amending
2 RCW 81.77.010.

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

4 **Sec. 1.** RCW 81.77.010 and 1989 c 431 s 17 are each amended to read
5 as follows:

6 As used in this chapter:

7 (1) "Motor vehicle" means any truck, trailer, semitrailer, tractor
8 or any self-propelled or motor driven vehicle used upon any public
9 highway of this state for the purpose of transporting solid waste, for
10 the collection and/or disposal thereof;

11 (2) "Public highway" means every street, road, or highway in this
12 state;

13 (3) "Common carrier" means any person who undertakes to transport
14 solid waste, for the collection and/or disposal thereof, by motor
15 vehicle for compensation, whether over regular or irregular routes, or
16 regular or irregular schedules;

17 (4) "Contract carrier" means all garbage and refuse transporters
18 not included under the terms "common carrier" and "private carrier," as

1 herein defined, and further, shall include any person who under special
2 and individual contracts or agreements transports solid waste by motor
3 vehicle for compensation;

4 (5) "Private carrier" means a person who, in his or her own
5 vehicle, transports solid waste purely as an incidental adjunct to some
6 other established private business owned or operated by ((him)) the
7 person in good faith(~~(: PROVIDED, That a person who transports solid~~
8 ~~waste from residential sources in a vehicle designed or used primarily~~
9 ~~for the transport of solid waste shall not constitute a private~~
10 ~~carrier)~~). "Private carrier" includes multifamily rental properties
11 and mobile home parks that transport solid waste from residential
12 sources and that are encouraged, but not required, to use equipment
13 originally designed or used primarily for the transport of solid waste;

14 (6) "Vehicle" means every device capable of being moved upon a
15 public highway and in, upon, or by which any solid waste is or may be
16 transported or drawn upon a public highway, excepting devices moved by
17 human or animal power or used exclusively upon stationary rail or
18 tracks;

19 (7) "Solid waste collection company" means every person or his or
20 her lessees, receivers, or trustees, owning, controlling, operating or
21 managing vehicles used in the business of transporting solid waste for
22 collection and/or disposal for compensation, except septic tank
23 pumpers, over any public highway in this state whether as a "common
24 carrier" thereof or as a "contract carrier" thereof;

25 (8) Solid waste collection does not include collecting or
26 transporting recyclable materials from a drop-box or recycling buy-back
27 center, nor collecting or transporting recyclable materials by or on
28 behalf of a commercial or industrial generator of recyclable materials
29 to a recycler for use or reclamation. Transportation of these
30 materials is regulated under chapter 81.80 RCW; and

31 (9) "Solid waste" means the same as defined under RCW 70.95.030,
32 except for the purposes of this chapter solid waste does not include
33 recyclable materials except for source separated recyclable materials
34 collected from residences.

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