

2018 -- H 7523

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

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A N A C T

RELATING TO PUBLIC PROPERTY AND WORKS - LITTER CONTROL AND  
RECYCLING

Introduced By: Representatives Ucci, Corvese, Cunha, Fellela, and Winfield

Date Introduced: February 09, 2018

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 37-15-3 and 37-15-5 of the General Laws in Chapter 37-15 entitled  
2 "Litter Control and Recycling" are hereby amended to read as follows:

3 **37-15-3. Definitions.**

4 As used in this chapter the following terms shall, where the context permits, be construed  
5 as follows:

6 (1) "Community recycling center" means a central collection point in a community for  
7 recyclable materials, or a point where the materials are taken after being collected to be  
8 processed.

9 (2) "Department" means the department of environmental management.

10 (3) "Director" means the director of the department of environmental management.

11 (4) "Litter" means garbage, trash, waste, rubbish, ashes, cans, bottles, wire, paper,  
12 [commercial signs when placed on state property or telephone poles](#), cartons, boxes, automobile  
13 parts, furniture, glass, or anything else of an unsightly or unsanitary nature thrown, dropped,  
14 discarded, placed, or deposited by a person on public property, on private property not owned by  
15 the person, or in or on waters of the state, unless the person has:

16 (i) Been directed to do so by a public official as part of a litter collection drive;

17 (ii) Discarded, thrown, dropped, placed, or discarded the material in a litter receptacle in  
18 a manner that prevented the material from being carried away by the elements; or

1 (iii) Been issued a license or permit covering the material pursuant to chapters 18.9 and  
2 19.1 of title 23.

3 (5) "Litter bag" means a bag, sack, or other container made of any material which is large  
4 enough to serve as a receptacle for litter inside a vehicle or watercraft.

5 (6) "Litter receptacle" means those containers adopted by the department of  
6 environmental management and which may be standardized as to size, shape, capacity, and color  
7 and which shall bear the state anti litter symbol, as well as any other receptacles suitable for the  
8 depositing of litter.

9 (7) "Person" means any natural person, political subdivision, government agency, public  
10 or private corporation, partnership, joint venture, association, firm, individual proprietorship, or  
11 other entity whatsoever.

12 (8) "Program" means those activities of the department to encourage, manage, and fund  
13 litter control and recycling pursuant to this chapter.

14 (9) "Public place" means any area that is used or held out for use by the public whether  
15 owned or operated by public or private interests.

16 (10) "Recycling" means the reuse of recovered resources in manufacturing, agriculture,  
17 power production, or other processes.

18 **37-15-5. Enforcement.**

19 (a) State police officers, local police officers, forest rangers, park police officers,  
20 conservation officers, all other state and local enforcement officers, and department staff  
21 members as designated by the director are hereby authorized to enforce the provisions of this  
22 chapter.

23 (b) (1) All violations of this chapter shall be heard by the traffic tribunal in accordance  
24 with § 8-8.2-2.

25 (2) Subsection (b)(1) shall not be construed to limit the jurisdiction of any court to hear  
26 violations of other laws, including local ordinances and regulations relating to litter.

27 (c) Cities and towns may, through their chief executive officers, authorize designated  
28 municipal employees in addition to those described in subsection (a) to enforce the provisions of  
29 this chapter. The employees may also be authorized to enforce local ordinances and regulations  
30 relating to litter.

31 [\(d\) No person duly authorized to enforce the provisions of this chapter shall be subject to](#)  
32 [criminal or civil liability for the removal, theft and/or conversion of commercial signs from state](#)  
33 [property or telephone poles.](#)

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1 SECTION 3. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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1           This act would expand the definition of litter to include commercial signs placed on  
2 public property or telephone poles, and would allow law enforcement authorities to remove such  
3 signs without risk of criminal penalties or civil suits. .

4           This act would take effect upon passage.

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