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SB 1464, SD 2  
RELATING TO LITTER CONTROL

Statement for  
House Committee on Ecology and Environmental Protection  
Public Hearing 22, March 1977

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SB 1464, SD 2 would add a new chapter to Hawaii Revised Statutes dealing with litter control and delete Sec. 708-828 that makes littering a criminal offense. This statement has been submitted for review to the Legislative Subcommittee of the Environmental Center of the University of Hawaii. It does not represent an institutional position of the University.

SB 1464, SD 2, addresses the problem of littering in several ways:

1) It would provide general powers to the Director of Environmental Quality Control to enforce litter control laws.

2) It would make the Director responsible for investigating means for litter control and for material recycling, for public education on the litter problem, and for the provision of litter bags.

3) It would substitute the present anti-litter criminal provisions, a prohibition against littering with provisions for broadly placed enforcement powers and for penalties.

4) It would require that litter bags be carried in vehicles and watercraft.

5) It would require that litter containers be maintained in places used by the public.

6) It would prohibit the sale of pop-top or plastic beverage containers.

These provisions are appropriate. Experience in Washington State indicates that significant abatement of the litter problem may result if the provisions are fully utilized.

We call attention, however, to the fact that the term "motor vehicle", which is defined in Subsec. 2 (7) is used nowhere else in the bill. The broader

term "vehicle" is used in Subsec. 2 (5), Sec. 5, and Subsec. 7(b). Requiring that litter bags be provided is appropriate for motor vehicles, as defined, but doubtfully appropriate for motorcycles or bicycles, or for that matter such watercraft as surfboards, or boats of very small size such as dingies or small catamarans, if the use of such vehicles or watercraft does not result in the generation of litter.

SB 1464, SD 2 addresses the problem of litter through an anti-litter educational campaign and through requirements placed upon individual property, motor vehicle, and watercraft owners. The "public awareness" approach to the control of litter, used in conjunction with increased enforcement practices, has apparently led to a reduction in litter along Washington's roadways.

Two facts should be addressed, however, in consideration of this bill. The first is that the "bottle bill" approach to litter which is used by Oregon (and other states) has been equally effective in reducing litter. The second is that while a bill such as SB 1464 addresses the problem of disposal of waste substances (i.e. improper disposal constitutes litter), it might be important to reduce the waste at its source and therefore reduce its potential of becoming litter.

Because of our awareness that alternative approaches to the control of litter exist, we suggest that any anti-litter legislation adopted contain provision for assessment of its effects within a year of its implementation.