Chapter 70A.200 RCW
WASTE REDUCTION, RECYCLING, AND MODEL LITTER CONTROL ACT

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Reviser's note: Throughout chapter 70A.200 RCW, the term "this 1971 amendatory act" has been changed to "this chapter"; "this 1971 amendatory act" [1971 ex.s. c 307] consists of this chapter, the 1971 amendment to RCW 46.61.655 and the repeal of RCW 9.61.120, 9.66.060, 9.66.070, and 46.61.650.

Local adopt-a-highway programs: RCW 47.40.105.

Solid waste management, recovery and recycling: Chapter 70A.205 RCW.

State parks: RCW 79A.05.045.

RCW 70A.200.010 Legislative findings. (1) The legislature finds:

(a) Washington state is experiencing rapid population growth and its citizens are increasingly mobile;

(b) There is a fundamental need for a healthful, clean, and beautiful environment;

(c) The proliferation and accumulation of litter discarded throughout this state impairs this need and constitutes a public health hazard;

(d) There is a need to conserve energy and natural resources, and the effective litter control and recovery and recycling of litter materials will serve to accomplish such conservation;

(e) In addition to effective litter control, there must be effective programs to accomplish waste reduction, the state's highest waste management priority; and

(f) There must also be effective systems to accomplish all components of recycling, including collection and processing.

(2) Recognizing the multifaceted nature of the state's solid waste management problems, the legislation enacted in 1971 and entitled the "Model Litter Control and Recycling Act" is hereby renamed the "waste reduction, recycling, and model litter control act." [1998 c 257 s 1; 1992 c 175 s 1; 1979 c 94 s 1; 1971 ex.s. c 307 s 1. Formerly RCW 70.93.010.]

Effective date—1992 c 175: See RCW 82.19.900.

RCW 70A.200.020 Declaration of purpose. (1) The purpose of this chapter is to accomplish litter control, increase waste reduction, and stimulate all components of recycling and composting throughout this state by delegating to the department of ecology the authority to:

(a) Conduct a permanent and continuous program to control and remove litter from this state to the maximum practical extent possible;

(b) Recover and recycle waste materials related to litter and littering;

(c) Foster public and private recycling of recyclable materials and composting of compostable materials;

(d) Increase public awareness of the need for waste reduction, recycling, litter control, and composting;

(e) Coordinate the litter collection efforts by other agencies identified in this chapter; and

(f) Coordinate and expend funds collected under chapter 82.19 RCW with priority given to products identified under RCW 82.19.020 and solely for the purposes of waste reduction, recycling, composting, and litter collection and control programs.

(2) It is further the intent and purpose of this chapter to: (a) Create jobs for employment of youth in litter cleanup and related activities; (b) stimulate and encourage recycling; and (c) encourage proper and appropriate composting. This program shall include the compatible goal of recovery of recyclable materials to conserve energy and natural resources wherever practicable. Every other department of state government and all local governmental units and agencies of this state shall cooperate with the department of ecology in the administration and enforcement of this chapter. The intent of this chapter is to add to and to coordinate existing recycling and litter control and removal efforts and not terminate or supplant such efforts. [2015 c 15 s 1; 1998 c 257 s 2; 1992 c 175 s 2; 1991 c 319 s 101; 1979 c 94 s 2; 1975-'76 2nd ex.s. c 41 s 7; 1971 ex.s. c 307 s 2. Formerly RCW 70.93.020.]

Effective date—1992 c 175: See RCW 82.19.900.

Solid waste disposal, recovery and recycling: Chapter 70A.205 RCW.

RCW 70A.200.030 Definitions. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Conveyance" means a boat, airplane, or vehicle.

(2) "Department" means the department of ecology.

(3) "Director" means the director of the department of ecology.

(4) "Disposable package or container" means all packages or containers defined as such by rules adopted by the department of ecology.

(5) "Junk vehicle" has the same meaning as defined in RCW 46.55.010.

(6) "Litter" means all waste material including but not limited to disposable packages or containers thrown or deposited as herein prohibited and solid waste that is illegally dumped, but not including the wastes of the primary processes of mining, logging, sawmilling, farming, or manufacturing. "Litter" includes the material described in subsection (11) of this section as "potentially dangerous litter."

(7) "Litter bag" means a bag, sack, or other container made of any material which is large enough to serve as a receptacle for litter inside the vehicle or watercraft of any person. It is not necessarily limited to the state approved litter bag but must be similar in size and capacity.

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

(9) "Official gathering" means an event where authorization to hold the event is approved, recognized, or issued by a government, public body, or authority, including but not limited to fairs, musical concerts, athletic games, festivals, tournaments, or any other formal or ceremonial event, during which beverages are sold by a vendor or vendors in single-use aluminum, glass, or plastic bottles or cans.

(10) "Person" means any political subdivision, government agency, municipality, industry, public or private corporation, copartnership, association, firm, individual, or other entity whatsoever.

(11) "Potentially dangerous litter" means litter that is likely to injure a person or cause damage to a vehicle or other property. "Potentially dangerous litter" means:

(a) Cigarettes, cigars, or other tobacco products that are capable of starting a fire;

(b) Glass;

(c) A container or other product made predominantly or entirely of glass;

(d) A hypodermic needle or other medical instrument designed to cut or pierce;

(e) Raw human waste, including soiled baby diapers, regardless of whether or not the waste is in a container of any sort; and

(f) Nails or tacks.

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

(13) "Recycling" means transforming or remanufacturing waste materials into a finished product for use other than landfill disposal or incineration.

(14) "Recycling center" means a central collection point for recyclable materials.

(15) "Sports facility" means an outdoor recreational sports facility, including but not limited to athletic fields and ballparks, at which beverages are sold by a vendor or vendors in single-use aluminum, glass, or plastic bottles or cans.

(16) "To litter" means a single or cumulative act of disposing of litter.

(17) "Vehicle" includes every device capable of being moved upon a public highway and in, upon, or by which any persons or property is or may be transported or drawn upon a public highway, excepting devices moved by human or animal power or used exclusively upon stationary rails or tracks.

(18) "Waste reduction" means reducing the amount or toxicity of waste generated or reusing materials.

(19) "Watercraft" means any boat, ship, vessel, barge, or other floating craft. [2007 c 244 s 1; 2003 c 337 s 2; 2000 c 154 s 1; 1998 c 257 s 3; 1991 c 319 s 102; 1979 c 94 s 3; 1971 ex.s. c 307 s 3. Formerly RCW 70.93.030.]

Findings—2003 c 337: See note following RCW 70A.200.060.

Severability—2000 c 154: "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [2000 c 154 s 5.]

RCW 70A.200.040 Administrative procedure act—Application to chapter. In addition to his or her other powers and duties, the director shall have the power to propose and to adopt pursuant to chapter 34.05 RCW rules and regulations necessary to carry out the provisions, purposes, and intent of this chapter. [2012 c 117 s 404; 1971 ex.s. c 307 s 4. Formerly RCW 70.93.040.]

RCW 70A.200.050 Enforcement of chapter. The director shall designate trained employees of the department to be vested with police powers to enforce and administer the provisions of this chapter and all rules adopted thereunder. The director shall also have authority to contract with other state and local governmental agencies having law enforcement capabilities for services and personnel reasonably necessary to carry out the enforcement provisions of this chapter. In addition, state patrol officers, fish and wildlife officers, fire wardens, deputy fire wardens and forest rangers, sheriffs and marshals and their deputies, and police officers, and those employees of the department of ecology and the parks and recreation commission vested with police powers all shall enforce the provisions of this chapter and all rules adopted thereunder and are hereby empowered to issue citations to and/or arrest without warrant, persons violating any provision of this chapter or any of the rules adopted hereunder. All of the foregoing enforcement officers may serve and execute all warrants, citations, and other process issued by the courts in enforcing the provisions of this chapter and rules adopted hereunder. In addition, mailing by registered mail of such warrant, citation, or other process to his or her last known place of residence shall be deemed as personal service upon the person charged. [2001 c 253 s 8;

1980 c 78 s 132; 1979 c 94 s 4; 1971 ex.s. c 307 s 5. Formerly RCW 70.93.050.]

Effective date—Intent, construction—Savings—Severability—1980 c 78: See notes following RCW 77.04.010.

RCW 70A.200.060 Littering prohibited—Penalties—Litter cleanup restitution payment. (1) It is a violation of this section to:

(a) Abandon a junk vehicle upon any property;

(b) Throw, drop, deposit, discard, or otherwise dispose of litter upon any public property in the state or upon private property in this state not owned by him or her or in the waters of this state whether from a vehicle or otherwise including but not limited to any public highway, public park, beach, campground, forestland, recreational area, trailer park, highway, road, street, or alley except:

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

(ii) Into a litter receptacle in a manner that will prevent litter from being carried away or deposited by the elements upon any part of the private or public property or waters.

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

(b) It is a misdemeanor for a person to litter in an amount greater than one cubic foot but less than 10 cubic yards. A violation of this subsection may alternatively be punished with a notice of a natural resource infraction under chapter 7.84 RCW.

(c) It is a gross misdemeanor for a person to litter more than 10 cubic yards.

(d)(i) A person found liable or guilty under this section shall, in addition to the penalties provided for misdemeanors, gross misdemeanors, or for natural resource infractions as provided in RCW 7.84.100, also pay a litter clean-up restitution payment equal to four times the actual cost of cleanup for natural resource infractions and misdemeanors and two times the actual cost of cleanup for gross misdemeanors. The court shall distribute an amount of the litter clean-up restitution payment that equals the actual cost of cleanup to the landowner where the littering incident occurred and the remainder of the restitution payment to the law enforcement agency investigating the incident.

(ii) The court may, in addition to or in lieu of part or all of the cleanup restitution payment, order the person to pick up and remove litter from the property, with prior permission of the legal owner or, in the case of public property, of the agency managing the property.

(iii) The court may suspend or modify the litter cleanup restitution payment for a first-time offender under this section, if the person cleans up and properly disposes of the litter.

(3) If a junk vehicle is abandoned in violation of this section, RCW 46.55.230 governs the vehicle's removal, disposal, and sale, and the penalties that may be imposed against the person who abandoned the vehicle.

(4) If the violation occurs in a state park, the court shall, in addition to any other penalties assessed, order the person to perform 24 hours of community restitution in the state park where the violation occurred if the state park has stated an intent to participate as provided in RCW 79A.05.050.

(5) It is a class 1 civil infraction as provided in RCW 7.80.120 for a person to discard, in violation of this section, potentially dangerous litter in any amount. [2025 c 312 s 2; 2024 c 231 s 2; 2003 c 337 s 3; 2002 c 175 s 45; 2001 c 139 s 1; 2000 c 154 s 2; 1997 c 159 s 1; 1996 c 263 s 1; 1993 c 292 s 1; 1983 c 277 s 1; 1979 ex.s. c 39 s 1; 1971 ex.s. c 307 s 6. Formerly RCW 70.93.060.]

Findings—Intent—2025 c 312: "The legislature finds that litter is a persistent challenge that sullies public spaces, damages natural habitats, and pollutes the environment. Improperly disposing of trash poses significant risks to public health, our environment, and the economy.

The legislature also finds that single-use plastic bags are one of the most commonly found items that litter state roads, beaches, and other public spaces. Plastic bag litter is known to harm animals, particularly aquatic species, and contributes to the proliferation of microplastics, which pose significant threats to human health. Encouraging the adoption of alternatives to plastic bags, such as reusable carryout bags, reduces plastic waste. While thicker plastic bags may be more durable and reusable, initial research has demonstrated that many customers may still use them as single-use bags, and consequently, thicker plastic bags contribute to more plastic waste.

The legislature also finds that when specifically tailored, penalties and fees act as effective deterrents to harmful behaviors, such as littering, and can lead to the adoption of more sustainable practices.

Therefore, the legislature intends to discourage littering and the proliferation of plastic waste by enhancing penalties for littering, delaying requirements relating to increasing the thickness of reusable plastic bags, and imposing new penalties for the sale of thicker plastic bags. The legislature also intends to direct the fees collected from the new penalties to the waste reduction, recycling, and litter control account to address the negative impacts of litter." [2025 c 312 s 1.]

Findings—2024 c 231: "(1) The legislature finds that, despite a modern waste disposal infrastructure, the occurrences of unlawful solid waste dumping are an increasing problem on open spaces such as privately and publicly owned forestlands. This irresponsible waste dumping, which often includes hazardous materials, asbestos, derelict boats, junk vehicles, appliances, furniture, and household garbage not only creates significant costs for the landowner, but also creates immediate, and sometimes lasting, environmental and habitat damage and degradation of recreational and aesthetic opportunities.

(2) The legislature further finds that the current enforcement system, which relies on the criminalization of illegal dumping, may not be the most effective, efficient, or just penalty system. Converting all but the most egregious illegal dumping from a criminal act to a civil infraction creates a system of deterrence and penalties that better reflects the magnitude of the act, avoids criminal records

for individuals who may be unable to afford appropriate waste management options, and reduces the burden on local criminal justice systems and infrastructures." [2024 c 231 s 1.]

Findings—2003 c 337: "(1) The legislature finds that the littering of potentially dangerous products poses a greater danger to the public safety than other classes of litter. Broken glass, human waste, and other dangerous materials along roadways, within parking lots, and on pedestrian, bicycle, and recreation trails elevates the risk to public safety, such as vehicle tire punctures, and the risk to the community volunteers who spend their time gathering and properly disposing of the litter left behind by others. As such, the legislature finds that a higher penalty should be imposed on those who improperly dispose of potentially dangerous products, such as is imposed on those who improperly dispose of tobacco products.

(2) The legislature further finds that litter is a nuisance, and, in order to alleviate such a nuisance, counties must be provided statutory authority to declare what shall be a nuisance, to abate a nuisance, and to impose and collect fines upon parties who may create, cause, or commit a nuisance." [2003 c 337 s 1.]

Effective date—2002 c 175: See note following RCW 7.80.130.

Severability—2000 c 154: See note following RCW 70A.200.030.

Lighted material, etc.—Receptacles in conveyances: RCW 76.04.455.

Throwing materials on highway prohibited—Removal: RCW 46.61.645.

RCW 70A.200.070 Collection of fines and forfeitures. The director may prescribe the procedures for the collection of penalties, costs, and other charges allowed by chapter 7.80 RCW for violations of this chapter. [1996 c 263 s 2; 1993 c 292 s 2; 1983 c 277 s 2; 1971 ex.s. c 307 s 7. Formerly RCW 70.93.070.]

RCW 70A.200.080 Notice to public—Contents of chapter—Required. Pertinent portions of this chapter shall be posted along the public highways of this state and in all campgrounds and trailer parks, at all entrances to state parks, forestlands, and recreational areas, at all public beaches, and at other public places in this state where persons are likely to be informed of the existence and content of this chapter and the penalties for violating its provisions. [1971 ex.s. c 307 s 8. Formerly RCW 70.93.080.]

RCW 70A.200.090 Litter receptacles—Use of anti-litter symbol—Distribution—Placement—Violations—Penalties. The department shall design and the director shall adopt by rule or regulation one or more types of litter receptacles which are reasonably uniform as to size, shape, capacity and color, for wide and extensive distribution throughout the public places of this state. Each such litter receptacle shall bear an anti-litter symbol as designed and adopted by the department. In addition, all litter receptacles shall be designed to attract attention and to encourage the depositing of litter.

Litter receptacles of the uniform design shall be placed along the public highways of this state and at all parks, campgrounds, trailer parks, drive-in restaurants, gasoline service stations, tavern parking lots, shopping centers, grocery store parking lots, parking lots of major industrial firms, marinas, boat launching areas, boat moorage and fueling stations, public and private piers, beaches and bathing areas, and such other public places within this state as specified by rule or regulation of the director adopted pursuant to chapter 34.05 RCW. The number of such receptacles required to be placed as specified herein shall be determined by a formula related to the need for such receptacles.

It shall be the responsibility of any person owning or operating any establishment or public place in which litter receptacles of the uniform design are required by this section to procure and place such receptacles at their own expense on the premises in accord with rules and regulations adopted by the department.

Any person, other than a political subdivision, government agency, or municipality, who fails to place such litter receptacles on the premises in the numbers required by rule or regulation of the department, violating the provisions of this section or rules or regulations adopted thereunder shall be subject to a fine of ten dollars for each day of violation. [1998 c 257 s 4; 1979 c 94 s 5; 1971 ex.s. c 307 s 9. Formerly RCW 70.93.090.]

RCW 70A.200.100 Official gatherings and sports facilities—Recycling. In communities where there is an established curbside service and where recycling service is available to businesses, a recycling program must be provided at every official gathering and at every sports facility by the vendors who sell beverages in single-use aluminum, glass, or plastic bottles or cans. A recycling program includes provision of receptacles or reverse vending machines, and provisions to transport and recycle the collected materials. Facility managers or event coordinators may choose to work with vendors to coordinate the recycling program. The recycling receptacles or reverse vending machines must be clearly marked, and must be provided for the aluminum, glass, or plastic bottles or cans that contain the beverages sold by the vendor. [2007 c 244 s 2. Formerly RCW 70.93.093.]

RCW 70A.200.110 Marinas and airports—Recycling. (1) Each marina with thirty or more slips and each airport providing regularly scheduled commercial passenger service shall provide adequate recycling receptacles on, or adjacent to, its facility. The receptacles shall be clearly marked for the disposal of at least two of the following recyclable materials: Aluminum, glass, newspaper, plastic, and tin.

(2) Marinas and airports subject to this section shall not be required to provide recycling receptacles until the city or county in which it is located adopts a waste reduction and recycling element of a solid waste management plan pursuant to RCW 70A.205.045. [2020 c 20 s 1075; 1991 c 11 s 2. Formerly RCW 70.93.095.]

RCW 70A.200.120 Transported waste must be covered or secured. (1) By January 1, 1994, each county or city with a staffed transfer

station or landfill in its jurisdiction shall adopt an ordinance to reduce litter from vehicles. The ordinance shall require the operator of a vehicle transporting solid waste to a staffed transfer station or landfill to secure or cover the vehicle's waste in a manner that will prevent spillage. The ordinance may provide exemptions for vehicle operators transporting waste that is unlikely to spill from a vehicle.

The ordinance shall, in the absence of an exemption, require a fee, in addition to other landfill charges, for a person arriving at a staffed landfill or transfer station without a cover on the vehicle's waste or without the waste secured.

(2) The fee collected under subsection (1) of this section shall be deposited, no less often than quarterly, with the city or county in which the landfill or transfer station is located.

(3) A vehicle transporting sand, dirt, or gravel in compliance with the provisions of RCW 46.61.655 shall not be required to secure or cover a load pursuant to ordinances adopted under this section. [1993 c 399 s 1. Formerly RCW 70.93.097.]

RCW 70A.200.130 Removal of litter—Responsibility. Responsibility for the removal of litter from receptacles placed at parks, beaches, campgrounds, trailer parks, and other public places shall remain upon those state and local agencies performing litter removal. Removal of litter from litter receptacles placed on private property which is used by the public shall remain the responsibility of the owner of such private property. [1971 ex.s. c 307 s 11. Formerly RCW 70.93.110.]

RCW 70A.200.140 Waste reduction, recycling, and litter control account—Distribution. (1) There is hereby created an account within the state treasury to be known as the waste reduction, recycling, and litter control account. Moneys in the account may be spent only after appropriation. Expenditures from the waste reduction, recycling, and litter control account shall be used as follows:

(a) Forty percent to the department of ecology, primarily for use by the departments of ecology, natural resources, revenue, transportation, and corrections, and the parks and recreation commission, for litter collection programs under RCW 70A.200.170. The amount to the department of ecology shall also be used for a central coordination function for litter control efforts statewide; to support employment of youth in litter cleanup as intended in RCW 70A.200.020, and for litter pick up using other authorized agencies; and for statewide public awareness programs under RCW 70A.200.150(7). The amount to the department shall also be used to defray the costs of administering the funding, coordination, and oversight of local government programs for waste reduction, litter control, recycling, and composting so that local governments can apply one hundred percent of their funding to achieving program goals. The amount to the department of revenue shall be used to enforce compliance with the litter tax imposed in chapter 82.19 RCW;

(b)(i) Twenty percent to the department for local government funding programs for waste reduction, litter control, recycling activities, and composting activities by cities and counties under RCW 70A.200.190, to be administered by the department of ecology; (ii) any unspent funds under (b)(i) of this subsection may be used to create

and pay for a matching fund competitive grant program to be used by local governments for the development and implementation of contamination reduction and outreach plans for inclusion in comprehensive solid waste management plans or by local governments and nonprofit organizations for local or statewide education programs designed to help the public with litter control, waste reduction, recycling, and composting of primarily the products taxed under chapter 82.19 RCW. Recipients under this subsection include programs to reduce wasted food and food waste that are designed to achieve the goals established in RCW 70A.205.715(1) and that are consistent with the plan developed in RCW 70A.205.715(3). Grants must adhere to the following requirements: (A) No grant may exceed sixty thousand dollars; (B) grant recipients shall match the grant funding allocated by the department by an amount equal to twenty-five percent of eligible expenses. A local government's share of these costs may be met by cash or contributed services; (C) the obligation of the department to make grant payments is contingent upon the availability of the amount of money appropriated for this subsection (1)(b); and (D) grants are managed under the guidelines for existing grant programs; and

(c) Forty percent to the department of ecology to: (i) Implement activities under RCW 70A.200.150 for waste reduction, recycling, and composting efforts; (ii) provide technical assistance to local governments and commercial businesses to increase recycling markets and recycling and composting programs primarily for the products taxed under chapter 82.19 RCW designed to educate citizens about waste reduction, litter control, and recyclable and compostable products and programs; (iii) increase access to waste reduction, composting, and recycling programs, particularly for food packaging and plastic bags and appropriate composting techniques; and (iv) for programs to reduce wasted food and food waste that are designed to achieve the goals established in RCW 70A.205.715(1) and that are consistent with the plan developed in RCW 70A.205.715(3).

(2) All taxes imposed in RCW 82.19.010 and fines and bail forfeitures collected or received pursuant to this chapter shall be deposited in the waste reduction, recycling, and litter control account and used for the programs under subsection (1) of this section.

(3) Not less than five percent and no more than ten percent of the amount appropriated into the waste reduction, recycling, and litter control account every biennium shall be reserved for capital needs, including the purchase of vehicles for transporting crews and for collecting litter and solid waste. Capital funds shall be distributed among state agencies and local governments according to the same criteria provided in RCW 70A.200.170 for the remainder of the funds, so that the most effective waste reduction, litter control, recycling, and composting programs receive the most funding. The intent of this subsection is to provide funds for the purchase of equipment that will enable the department to account for the greatest return on investment in terms of reaching a zero litter goal.

(4) Funds in the waste reduction, recycling, and litter control account, collected under chapter 82.19 RCW, must be prioritized for the products identified under RCW 82.19.020 solely for the purposes of recycling, composting, and litter collection, reduction, and control programs.

(5) During the 2021-2023 fiscal biennium, Washington State University may use funds in the waste reduction, recycling, and litter

control account, collected under chapter 82.19 RCW, to conduct an organic waste study.

(6) During the 2021-2023 fiscal biennium, and as an exception to the distribution of expenditures otherwise required in this section, the department of ecology may use funds in the waste reduction, recycling, and litter control account to continue a series of food waste reduction campaigns, to continue to invest in litter prevention campaigns, to conduct a recycling study, and to increase litter control on state highways.

(7) During the 2025-2027 fiscal biennium, the legislature may appropriate funding for general administrative purposes at the department of ecology. In addition, during the 2025-2027 fiscal biennium, subsection (1)(a), (b), and (c) of this section is suspended.

(8) During the 2025-2027 fiscal biennium, the legislature may direct the state treasurer to make transfers of money in the waste reduction, recycling, and litter control account to the general fund. [2026 c 268 s 936; 2025 c 424 s 976; 2022 c 297 s 963; 2021 c 334 s 987; 2020 c 20 s 1076. Prior: 2019 c 255 s 3; 2019 c 166 s 5; 2015 c 15 s 3; (2015 c 15 s 2 expired June 30, 2019); prior: 2013 2nd sp.s. c 15 s 6; 2013 2nd sp.s. c 4 s 989; 2011 1st sp.s. c 50 s 963; 2010 1st sp.s. c 37 s 945; 2009 c 564 s 950; 2005 c 518 s 939; 1998 c 257 s 5; 1992 c 175 s 8; 1991 sp.s. c 13 s 40; 1985 c 57 s 68; 1983 c 277 s 3; 1971 ex.s. c 307 s 18. Formerly RCW 70.93.180.]

Effective date—2026 c 268: See note following RCW 28B.15.210.

Effective date—2025 c 424: See note following RCW 9.46.100.

Effective date—2022 c 297: See note following RCW 43.79.565.

Conflict with federal requirements—Effective date—2021 c 334: See notes following RCW 43.79.555.

Finding—Intent—2019 c 255: See note following RCW 70A.205.715.

Effective date—2019 c 166: See note following RCW 70A.240.010.

Effective date—2017 3rd sp.s. c 1; 2015 c 15 ss 3 and 6: "Sections 3 and 6 of this act take effect June 30, 2019." [2017 3rd sp.s. c 1 s 994; 2015 c 15 s 9.]

Expiration date—2017 3rd sp.s. c 1; 2015 c 15 ss 2 and 5: "Sections 2 and 5 of this act expire June 30, 2019." [2017 3rd sp.s. c 1 s 993; 2015 c 15 s 8.]

Effective date—Expiration date—2013 2nd sp.s. c 15 ss 5-7: See note following RCW 82.19.040.

Effective dates—2013 2nd sp.s. c 4: See note following RCW 2.68.020.

Effective dates—2011 1st sp.s. c 50: See note following RCW 15.76.115.

Effective date—2010 1st sp.s. c 37: See note following RCW 13.06.050.

Effective date—2009 c 564: See note following RCW 2.68.020.

Effective date—2005 c 518: See note following RCW 28A.600.110.

Effective date—1992 c 175: See RCW 82.19.900.

Effective dates—1991 sp.s. c 13: See note following RCW 18.04.105.

Effective date—1985 c 57: See note following RCW 18.04.105.

RCW 70A.200.150 Department of ecology—Administration of anti-litter and recycling programs. In addition to the foregoing, the department of ecology shall use the moneys from RCW 70A.200.140 of the waste reduction, recycling, and litter control account to:

(1) Serve as the coordinating agency between the various industry organizations seeking to aid in the waste reduction, anti-litter, recycling, and composting efforts;

(2) Serve as the coordinating and administrating agency for all state agencies and local governments receiving funds for waste reduction, litter control, recycling, and composting under this chapter;

(3) Recommend to the governing bodies of all local governments that they adopt ordinances similar to the provisions of this chapter;

(4) Cooperate with all local governments to accomplish coordination of local waste reduction, anti-litter, recycling, and composting efforts;

(5) Encourage, organize, and coordinate all voluntary local waste reduction, anti-litter, and recycling campaigns seeking to focus the attention of the public on the programs of this state to reduce waste, control and remove litter, and foster recycling and composting;

(6) Investigate the availability of, and apply for funds available from any private or public source to be used in the program outlined in this chapter;

(7) Develop statewide programs by working with local governments, payers of the waste reduction, recycling, and litter control tax, and industry organizations that are active in waste reduction, anti-litter, recycling, and composting efforts to:

(a) Increase public awareness of and participation in recycling and composting; and

(b) Stimulate and encourage local private recycling and composting centers, public participation in recycling and composting, and research and development in the field of litter control, and recycling, removal, and disposal of litter-related recycling materials, and composting; and

(8) Provide on the department's website a summary of all waste reduction, litter control, recycling, and composting efforts statewide including those of the department and other state agencies and local governments funded for such programs under this chapter. [2020 c 20 s 1077; 2015 c 15 s 4; 2014 c 76 s 2; 1998 c 257 s 8; 1979 c 94 s 7; 1971 ex.s. c 307 s 20. Formerly RCW 70.93.200.]

RCW 70A.200.160 Waste reduction, anti-litter, and recycling campaign—Industrial cooperation requested. To aid in the statewide waste reduction, anti-litter, and recycling campaign, the state legislature requests that the payers of the waste reduction, recycling, and litter control tax and the various industry organizations which are active in waste reduction, anti-litter, and recycling efforts provide active cooperation with the department of ecology so that additional effect may be given to the waste reduction, anti-litter, and recycling campaign of the state of Washington. [1998 c 257 s 9; 1979 c 94 s 8; 1971 ex.s. c 307 s 21. Formerly RCW 70.93.210.]

RCW 70A.200.170 Litter collection programs—Department of ecology—Coordinating agency—Use of funds—Reporting by agencies. (1) The department is the coordinating and administrative agency working with the departments of natural resources, revenue, transportation, and corrections, and the parks and recreation commission in developing a biennial budget request for funds for the various agencies' litter collection programs.

(2) Funds may be used to meet the needs of efficient and effective litter collection and illegal dumping programs identified by the various agencies. The department shall develop criteria for evaluating the effectiveness and efficiency of the waste reduction, litter control, and recycling programs being administered by the various agencies listed in RCW 70A.200.140, and shall distribute funds according to the effectiveness and efficiency of those programs. In addition, the department shall approve funding requests for efficient and effective waste reduction, litter control, and recycling programs, provide funds, and monitor the results of all agency programs.

(3) All agencies are responsible for reporting information on their litter collection programs as requested by the department.

(4) The department shall contract with the department of transportation to schedule litter prevention messaging and coordination of litter emphasis patrols with the Washington state patrol. Additionally, the department of transportation may coordinate with the department to conduct litter pickup during scheduled maintenance closures as situations allow. [2021 c 231 s 1; 2020 c 20 s 1078; 2014 c 76 s 3; 1998 c 257 s 6. Formerly RCW 70.93.220.]

Short title—2021 c 231: "This act may be known and cited as the welcome to Washington act." [2021 c 231 s 3.]

RCW 70A.200.180 Violations of chapter—Penalties. Every person convicted of a violation of this chapter for which no penalty is specially provided for shall be punished by a fine of not more than fifty dollars for each such violation. [1983 c 277 s 4; 1971 ex.s. c 307 s 23. Formerly RCW 70.93.230.]

RCW 70A.200.190 Funding to local governments—Reports. (1) The department shall provide funding to local units of government to establish, conduct, and evaluate community restitution and other programs for waste reduction, litter and illegal dump cleanup, and recycling. Programs eligible for funding under this section shall

include, but not be limited to, programs established pursuant to RCW 72.09.260.

(2) Funds may be offered for costs associated with community waste reduction, litter cleanup and prevention, and recycling activities. The funding program must be flexible, allowing local governments to use funds broadly to meet their needs to reduce waste, control litter and illegal dumping, and promote recycling. Local governments are required to contribute resources or in-kind services. The department shall evaluate funding requests from local government according to the same criteria as those developed in RCW 70A.200.170, provide funds according to the effectiveness and efficiency of local government litter control programs, and monitor the results of all local government programs under this section.

(3) Local governments may initiate and apply to the department for reimbursement of litter clean-up activities on state highway ramps located within the jurisdiction of the local government.

(4) Local governments shall report information as requested by the department in funding agreements entered into by the department and a local government. [2021 c 231 s 2; 2020 c 20 s 1079; 2014 c 76 s 4; 2002 c 175 s 46. Prior: 1998 c 257 s 10; 1998 c 245 s 128; 1990 c 66 s 3. Formerly RCW 70.93.250.]

Short title—2021 c 231: See note following RCW 70A.200.170.

Effective date—2002 c 175: See note following RCW 7.80.130.

Findings—Intent—1990 c 66: See note following RCW 72.09.260.

RCW 70A.200.900 Alternative to Initiative 40—Placement on ballot—Force and effect of chapter. This 1971 amendatory act constitutes an alternative to Initiative 40. The secretary of state is directed to place this 1971 amendatory act on the ballot in conjunction with Initiative 40 at the next general election.

This 1971 amendatory act shall continue in force and effect until the secretary of state certifies the election results on this 1971 amendatory act. If affirmatively approved at the general election, this 1971 amendatory act shall continue in effect thereafter. [1971 ex.s. c 307 s 27. Formerly RCW 70.93.910.]

Reviser's note: Chapter 70.93 RCW [1971 ex.s. c 307] was approved and validated at the November 7, 1972, general election as Alternative Initiative Measure 40B. Chapter 70.93 RCW was recodified as chapter 70A.200 RCW pursuant to 2020 c 20 s 2009.