

Reporting Form

If you see someone littering our roads and highways, use this form to report this thoughtless act. Fill in the information below and send it to us. Your report will be promptly investigated.

Tag Number _____ State _____ Vehicle Make _____ Color _____

Location: City _____ Street/Road/Highway _____

Date _____ Time _____

What Happened _____

Remember . . . Don't Drop It On Alabama

- (d) No person shall throw litter or allow litter to be thrown from a motor vehicle onto or upon any highway, road, street or public right-of-way.
- (e) The uniform traffic citation (UTC) may be used for any violation of this section.
- (f) "Litter" as used in this section is the same as defined in section 13A-7-29.
- (g) Notwithstanding the provisions of section 32-5A-266, any person violating the provisions of this section shall be guilty of Class C misdemeanor and upon conviction shall be fined not more than \$500.00, pursuant to section 13A-7-29, the criminal littering statute.

32-5-76 Spilling loads or litter; penalty.

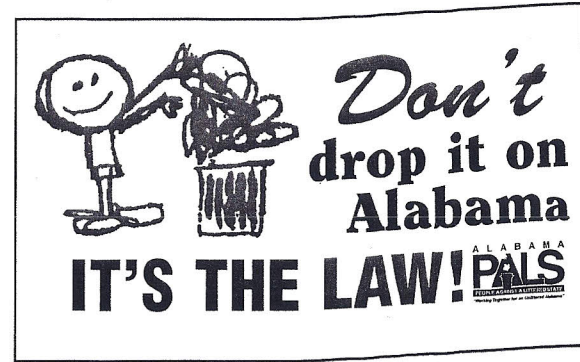
- (a) Whoever willfully and knowingly operates, owns or causes to be operated on any public highway, road, street, or public right-of-way a motor vehicle so loaded with gravel, rock, slag, bricks, in such a manner or in such condition that the contents of the vehicle spill out and cause it to be deposited, upon conviction shall be fined not more than \$500.00, pursuant to section 13A-7-29, the criminal littering statute.
- (b) No vehicle shall be driven or moved on any highway unless such vehicle is so constructed or loaded as to prevent any of its load from dropping, sifting, leaking or otherwise escaping therefrom, except that sand may be dropped for the purpose of securing traction, or water or other substances may be sprinkled on a roadway in cleaning or maintaining such.
- (c) Whoever willfully and knowingly operates, owns or causes to be operated on a public highway, road, street or public right-of-way, a motor vehicle in such a manner or in such condition that litter is caused or allowed to be deposited upon the highway, road or street or public right-of-way, is guilty of a Class C misdemeanor and upon conviction shall be fined not more than \$500.00, pursuant to section 13A-7-29, the criminal littering statute.

Alabama has three primary littering statutes. The criminal littering statute, Section 13A-7-29, Code of Alabama 1975 is a Class C misdemeanor. Criminal littering carries a minimum fine of \$100 and the statute also awards the fines imposed back to the agency/agencies making the arrest.

"The UTC or Uniform Traffic Citation may now be used for incidences of highway littering."

The other two statutes, Sections 32-5-76 and 32-5A-60, Code of Alabama 1975, appear in Title 32 of the Code of Alabama. Violations written under these sections may be written up on the Uniform Traffic Citation (UTC). These two sections are also Class C misdemeanors and carry a \$100 minimum fine. Like the criminal littering statute, the fine imposed under these sections are also awarded back to the arresting agency.

ALABAMA LITTER L A W S



Don't drop it on Alabama.

Alabama PALS
340 North Hull Street
Montgomery, Alabama 36104

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WHO AND WHAT

Who litters our roads and countrysides? According to a 31 state survey conducted by the Institute of Applied Research:

- 1/2 of litter is deliberate and 1/2 is caused by materials being "accidentally" lost from vehicles.
- Males do 72% of deliberate littering and are responsible for 96% of accidental littering.
- 69% of deliberate litterers were accompanied by one or more people.
- 60% of deliberate littering is done by pedestrians and 40% is done by motorist.

Composition of Highway Litter

- 59% paper, 16% cans, 6% bottles, 6% plastic, 13% miscellaneous.
- One mile of highway contains approximately 16,000 pieces of litter (estimated cost of pick up is 30 cents per piece of litter).

CRIMINAL LITTERING

13A-7-29 Criminal Littering

(a) A person commits the crime of criminal littering if he or she engages in any of the following acts:

(1) Knowingly deposits in any manner litter of any public or private property or in any public or private waters, having no permission to do so. For purposes of this subdivision, items found in an accumulation of garbage, trash, or other discarded material including, but not limited to, bank statements, utility bills, bank card bills, and other financial documents, clearly bearing the name of a person shall constitute a rebuttable presumption that the person whose name appears thereon knowingly deposited the litter. Advertising, marketing, and campaign materials and literature shall not be sufficient to constitute a rebuttable presumption of criminal littering under this subsection.

(2) Negligently deposits in any manner glass or other dangerously pointed or edged objects on or adjacent to water to which the public has lawful access for bathing, swimming, or fishing, or on or upon a public highway, or within the right of way thereof.

(3) Discharges sewage, oil products, or litter from a watercraft vessel of more than 25 feet in length into a river, inland lake, or stream within the state or within three miles of the shoreline of the state.

(4) a. Drops or permits to be dropped or thrown upon any highway any destructive or injurious materials and does not immediately remove the same or cause it to be removed; or

b. Removes a wrecked or damaged vehicle from a highway and does not remove glass or other injurious substance dropped upon the highway from such vehicle.

(b) "Litter" means rubbish, refuse, waste material, garbage, dead animals or fowls, offal, paper, glass, cans, bottles, trash, scrap metal, debris, or any foreign substance of whatever kind and description, and whether or not it is of value.

(c) It is no defense under subsections (a) (3) and (a) (4) that the actor did not intend, or was unaware of, the act charge.

(d) Criminal littering is a Class C misdemeanor. The minimum fine for the first conviction shall be two hundred fifty dollars (\$250), and the fine for the second and any subsequent conviction shall be five hundred dollars (\$500) for each conviction.

(e) The fine from such conviction shall be awarded and distributed by the court to the municipal, and/or county, and/or State General Fund, following a determination by the court of whose law enforcement agencies or departments have been a participant in the arrest resulting in the fine. Such award and distribution shall be made on the basis of the percentage as determined by the court, which the respective agency or department contributed to the police work resulting in the arrest, and shall be spent by the governing body on law enforcement purposes only.

(f) No action for criminal littering based on evidence that creates a rebuttable presumption under subsection (a) (1) shall be brought against a person by or on behalf of a county or municipal governing body unless he or she has been given written notice by a designee of the governing body that items found in an accumulation of garbage, trash, or other discarded materials contain his or her name, and that, under subsection (a) (1), there is a rebuttable presumption that he or she knowingly deposited the litter. The notice shall advise the person that criminal littering is a Class C misdemeanor, and shall provide that, unless the person can present satisfactory information or evidence to rebut the presumption to the designee of the governing body within fifteen (15) days from the date of the notice, an action for criminal littering may be filed against him or her in the appropriate court. If the person responds to the notice and presents information or evidence to the designee of the governing body, the designee shall review the information or evidence presented and make a determination as to whether or not an action should be brought against the person for criminal littering. The designee shall provide written notice to the person of its determination, and if the intent is to proceed with an action for criminal littering, the notice shall be sent before any action is filed.

HIGHWAY LITTERING

32-5A-60 Putting glass, etc., on highway, road, street or public right-of-way prohibited; removal; throwing of litter onto highway, etc., prohibited.

(a) No person shall throw or deposit upon the highway, road or street or public right-of-way any glass bottle, glass, nails, tacks, wire, cans or any other substance likely to injure any person, animal or vehicle upon such highway.

(b) Any person who drops or permits to be dropped or thrown, upon any highway any destructive or injurious material shall immediately remove the same or cause it to be removed.

(c) Any person removing a wrecked damaged vehicle from a highway shall remove any glass or other injurious substance dropped upon the highway from such vehicle.