

ALABAMA

Department of Public Safety, Montgomery, AL 334-242-4395.

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 manner or in such condition that the contents of the vehicle spill out and cause it to be deposited upon the highway, road, street or public right-of-way is guilty of a Class C misdemeanor and upon conviction shall be fined not more than \$500, 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 substance may be sprinkled on a roadway in cleaning or maintaining such a roadway.
- 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 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, pursuant to section 13A-7-29, the criminal littering statute.
(Acts 1927, No. 347, p. 348; Code 1940, T. 36 ' 39; Acts 1949, No. 517, p. 754, ' 9; Acts 1971, No. 1419, p. 2423; Ats 1989, No. 89-661, ' 1.)

13A-7-29. Criminal littering.

- a. A person commits the crime of criminal littering if he:
 1. Knowingly deposits in any manner litter on any public or private property or in any public or private waters, having no permission to do so; or
 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; or
 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; or

4. Drops or permits to be dropped or thrown upon any highway any destructive or injurious material 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 fowl, 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) of this section that the actor did not intend, or was unaware of, the act charged.
- d. Criminal littering is a Class C misdemeanor. (Acts 1977, No. 607, p.812, '2725.)