

1 AN ACT relating to road safety.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 512.070 is amended to read as follows:

- 4 (1) A person is guilty of criminal littering when he ***or she***:
- 5 (a) Drops or permits to drop on a highway any destructive or injurious material
6 and does not immediately remove it;~~[-or]~~
- 7 (b) Knowingly places or throws litter on any public or private property or in any
8 public or private water without permission;~~[-or]~~
- 9 (c) Negligently places or throws glass or other dangerous pointed or edged
10 substances on or adjacent to water to which the public has access for
11 swimming or wading or on or within fifty (50) feet of a public highway;~~[-or]~~
- 12 (d) Discharges sewage, minerals, oil products, or litter into any public waters or
13 lakes within the state; ***or***
- 14 ***(e) Drops or permits to drop on a highway unsafe amounts of mowed grass,***
15 ***and does not immediately remove it.***
- 16 (2) ***As used in this section, "unsafe amount" means an amount that creates a***
17 ***substantial risk of serious physical injury or death to any person or damage to the***
18 ***person's property.***
- 19 (3) Criminal littering is:
- 20 ***(a) For a violation of subsection (1)(a) to (d) of this section,*** a Class A
21 misdemeanor; ***or***
- 22 ***(b) For a violation of subsection (1)(e) of this section:***
- 23 ***1. A violation for the first offense, except that, KRS Chapter 534 to the***
24 ***contrary notwithstanding, the maximum fine shall be no greater than***
25 ***two hundred dollars (\$200); or***
- 26 ***2. A Class A misdemeanor for the second or subsequent offense, if it was***
27 ***committed within three (3) years of the first conviction.***

1 (4) ~~[(3)]~~ Violators may prepay to the Circuit Court clerk if prepayment is so noted on
2 the citation and if the littering offense is not combined with an offense that is not
3 prepayable.

4 (5)~~[(4)]~~ Notwithstanding any language or provision of this section or KRS 65.8808(3)
5 to the contrary, the legislative body of a local government may, by ordinance,
6 choose to classify the offenses proscribed in subsection (1) of this section as civil
7 offenses in accordance with KRS 65.8808.