A BILL TO BE ENTITLED
AN ACT TO ENACT THE HIGHWAY CLEANUP ACT OF 2021.

The General Assembly of North Carolina enacts:

SECTION 1. Title of Act. – This act shall be known as "The Highway Cleanup Act of 2021."

SECTION 2. Increase Penalties for Littering. – G.S. 14-399 reads as rewritten:

"§ 14-399. Littering.

…

(c) Any person who violates subsection (a) of this section in an amount not exceeding 15 pounds and not for commercial purposes is guilty of a Class 3 misdemeanor punishable by a fine of not less than two hundred fifty dollars ($250.00) nor more than one thousand dollars ($1,000) for the first offense.
In addition, the court may require the violator to perform community service of not less than eight hours nor more than 24 hours. The community service required shall be to pick up litter if feasible, and if not feasible, to perform other labor commensurate with the offense committed. Any second or subsequent violation of subsection (a) of this section in an amount not exceeding 15 pounds and not for commercial purposes within three years after the date of a prior violation is a Class 3 misdemeanor punishable by a fine of not less than five hundred dollars ($500.00) nor more than two thousand dollars ($2,000). In addition, the court may require the violator to perform community service of not less than 16 hours nor more than 50 hours. The community service required shall be to pick up litter if feasible, and if not feasible, to perform other labor commensurate with the offense committed.

(c1) Any person who violates subsection (a1) of this section in an amount not exceeding 15 pounds is guilty of an infraction punishable by a fine of not more than one hundred dollars ($100.00). In addition, the court may require the violator to perform community service of not less than four hours nor more than 12 hours. The community service required shall be to pick up litter if feasible, and if not feasible, to perform other labor commensurate with the offense committed. Any second or subsequent violation of subsection (a1) of this section in an amount not exceeding 15 pounds within three years after the date of a prior violation is an infraction punishable by a fine of not more than four hundred dollars ($400.00). In addition, the court may require the violator to perform community service of not less than eight hours nor more than 24 hours. The community service required shall be to pick up litter if feasible, and if not feasible, to perform other labor commensurate with the offense committed. For purposes of this subsection, the term "litter" shall
SECTION 2. Establish "Cops Clean NC" Grant Program for Rural Counties. – Of the funds appropriated in S.L. 2020-91 from the Highway Fund to the Department of Transportation for the 2020-2021 fiscal year, the Department of Transportation shall use five hundred thousand dollars ($500,000) to establish the "Cops Clean NC" grant program. The Department shall award grant funds to sheriffs' offices located in rural counties to provide officers overtime pay for litter cleanup efforts. The maximum grant amount for an eligible county shall be no more than ten thousand dollars ($10,000). The Department shall provide participating sheriffs' offices education materials containing information on the penalties of littering and other relevant information to encourage the public to keep North Carolina roads clean. These materials shall be distributed to first-time offenders. For purposes of this section, the term "rural county" means a county with a population of less than 150,000.

SECTION 3. Raise Awareness of Anti-Litter Programs. – Of the funds appropriated in S.L. 2020-91 from the Highway Fund to the Department of Transportation for the 2020-2021 fiscal year, the Department of Transportation shall use five hundred thousand dollars ($500,000) to raise awareness and program participation, through marketing and advertising, in the following anti-litter programs:

1. Adopt-A-Highway
2. Litter Sweep
5. Cops Clean NC
SECTION 4. Effective Date. – This act is effective when it becomes law.