

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001

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HOUSE BILL 970

Short Title: Litter Infraction/Car Owner Is Responsible. (Public)

Sponsors: Representatives Capps; Barnhart, Davis, Gulley, Hilton, Johnson, Rayfield, Setzer, and Shubert.

Referred to: Judiciary III.

April 4, 2001

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE THAT THE OWNER OF A VEHICLE IS PRESUMED  
3 RESPONSIBLE FOR AN INFRACTION FOR A LITTER VIOLATION THAT  
4 INVOLVES THE OWNER'S MOTOR VEHICLE.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. Article 52 of Chapter 14 of the General Statutes is amended by  
7 adding a new section to read:

8 "**§ 14-399.3. Owner of vehicle involved in littering violation is responsible for an**  
9 **infraction.**

10 (a) The owner of a vehicle as defined in G.S. 14-399 is presumed responsible for  
11 an infraction when litter is blown, scattered, spilled, thrown, or placed from a vehicle in  
12 violation of G.S. 14-399, unless the owner can furnish evidence that the vehicle was, at  
13 the time of the violation, in the care, custody, or control of another person. Therefore, in  
14 addition to the criminal penalties that may be imposed for a violation under G.S. 14-  
15 399, a law enforcement officer may also issue a citation to the owner of a vehicle  
16 involved in a litter violation for an infraction as defined in G.S. 14-3.1.

17 (b) A violation reported under this section is deemed a noncriminal violation for  
18 which a penalty of one hundred dollars (\$100.00) shall be assessed, and for which no  
19 points authorized by G.S. 20-16 shall be assigned to the owner of the vehicle nor  
20 insurance points as authorized by G.S. 58-36-65.

21 (c) The citation issued to the owner of the vehicle shall clearly state the manner  
22 in which the violation may be challenged, and the owner shall comply with the  
23 directions on the citation.

24 (d) It shall be the duty of all law enforcement officers to enforce the provisions of  
25 this section."

26 SECTION 3. This act becomes effective December 1, 2001, and applies to  
27 offenses committed on or after that date.