

(VI) PUBLIC SERVICE COMPANY PROPERTY OR TRANSMISSION LINE RIGHT-OF-WAY;

(VII) A BUILDING;

(VIII) A REFUGE OR CONSERVATION OR RECREATION AREA;

(IX) RESIDENTIAL OR FARM PROPERTY; OR

(X) TIMBERLANDS OR A FOREST.

(B) DECLARATION OF INTENT.

THE GENERAL ASSEMBLY INTENDS TO:

(1) PROHIBIT UNIFORMLY THROUGHOUT THE STATE THE IMPROPER DISPOSAL OF LITTER ON PUBLIC OR PRIVATE PROPERTY; AND

(2) CURB THE DESECRATION OF THE BEAUTY OF THE STATE AND HARM TO THE HEALTH, WELFARE, AND SAFETY OF ITS CITIZENS CAUSED BY THE IMPROPER DISPOSAL OF LITTER.

(C) PROHIBITED.

A PERSON MAY NOT:

(1) DISPOSE OF LITTER ON A HIGHWAY OR PERFORM AN ACT THAT VIOLATES THE STATE VEHICLE LAWS REGARDING DISPOSAL OF LITTER, GLASS, AND OTHER PROHIBITED SUBSTANCES ON HIGHWAYS; OR

(2) DISPOSE OR CAUSE OR ALLOW THE DISPOSAL OF LITTER ON PUBLIC OR PRIVATE PROPERTY UNLESS:

(I) THE PROPERTY IS DESIGNATED BY THE STATE, A UNIT OF THE STATE, OR A POLITICAL SUBDIVISION OF THE STATE FOR THE DISPOSAL OF LITTER AND THE PERSON IS AUTHORIZED BY THE PROPER PUBLIC AUTHORITY TO USE THE PROPERTY; OR

(II) THE LITTER IS PLACED INTO A LITTER RECEPTACLE OR CONTAINER INSTALLED ON THE PROPERTY.

(D) PRESUMPTION OF RESPONSIBILITY.

IF TWO OR MORE INDIVIDUALS ARE OCCUPYING A MOTOR VEHICLE, BOAT, AIRPLANE, OR OTHER CONVEYANCE FROM WHICH LITTER IS DISPOSED IN VIOLATION OF SUBSECTION (C) OF THIS SECTION, AND IT CANNOT BE DETERMINED WHICH OCCUPANT IS THE VIOLATOR:

(1) IF PRESENT, THE OWNER OF THE CONVEYANCE IS PRESUMED TO BE RESPONSIBLE FOR THE VIOLATION; OR

(2) IF THE OWNER OF THE CONVEYANCE IS NOT PRESENT, THE OPERATOR IS PRESUMED TO BE RESPONSIBLE FOR THE VIOLATION.

(E) PROPERTY OWNER NOT IN COURT.