

STATE OF OKLAHOMA

1st Session of the 56th Legislature (2017)

HOUSE BILL 1451

By: Roberts (Dustin)

AS INTRODUCED

An Act relating to crimes and punishments; amending
21 O.S. 2011, Section 1753.3, which relates to the
littering from a vehicle; updating language;
modifying definition to include exception for certain
activity; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 21 O.S. 2011, Section 1753.3, is
amended to read as follows:

Section 1753.3 A. The operator of a vehicle, unless any other
person in the vehicle admits to or is identified as having committed
the act, shall be liable pursuant to subsection B of this section
for any act of throwing, dropping, depositing, or otherwise placing
any litter from a vehicle upon highways, roads, or public property.

B. Any person convicted of violating the provisions of
subsection A of this section shall be subject to a state traffic
offense punishable by a fine of not more than One Thousand Dollars
(\$1,000.00) and ~~upon conviction~~ shall be sentenced to perform not
less than five (5) nor more than twenty (20) hours of community

1 service in a litter abatement work program as approved by the court,
2 or the violator may be subject to criminal prosecution as provided
3 by the provisions of Section 1761.1 of this title. The penalties
4 collected from the payment of the citations shall, after deduction
5 of court costs, be paid into the reward fund created pursuant to
6 Section 1334 of Title 22 of the Oklahoma Statutes.

7 C. Any person convicted of violating the provisions of
8 subsection A of this section with any flaming or glowing substances
9 except those which by law may be placed upon highway rights-of-way,
10 or any substance which may cause a fire shall be subject to a state
11 traffic offense punishable by a fine of not more than Two Thousand
12 Dollars (\$2,000.00) and, ~~upon conviction,~~ shall be sentenced to
13 perform not less than ten (10) nor more than forty (40) hours of
14 community service in a litter abatement work program as approved by
15 the court, or the violator may be subject to criminal prosecution as
16 provided by the provisions of Section 1761.1 of this title. The
17 penalties collected from the payment of the citations shall, after
18 deduction of court costs, be paid to the fire department of the
19 district in which the flaming or glowing substance was discarded.

20 D. During a declared burn ban by the Governor, any person
21 convicted of violating the provisions of subsection A of this
22 section with any flaming or glowing substances except those which by
23 law may be placed upon highway rights-of-way, or any substance which
24 may cause a fire shall be subject to a state traffic offense

1 punishable by a fine of not more than Four Thousand Dollars
2 (\$4,000.00) and, upon conviction, shall be sentenced to perform not
3 less than twenty (20) nor more than eighty (80) hours of community
4 service in a litter abatement work program as approved by the court,
5 or the violator may be subject to criminal prosecution as provided
6 by the provisions of Section 1761.1 of this title. The penalties
7 collected from the payment of the citations shall, after deduction
8 of court costs, be paid to the fire department of the district in
9 which the flaming or glowing substance was discarded.

10 E. As used in this section, "litter" means any flaming or
11 glowing substances except those which by law may be placed upon
12 highway rights-of-way, any substance which may cause a fire, any
13 bottles, cans, trash, garbage, or debris of any kind. As used in
14 this section, "litter" shall not include candy or other edible
15 objects thrown during a parade, trash, garbage, or debris placed
16 beside a public road for collection by a garbage or collection
17 agency, or deposited upon or within public property designated by
18 the state or by any of its agencies or political subdivisions as an
19 appropriate place for such deposits if the person making the deposit
20 is authorized to use the property for such purpose.

21 SECTION 2. This act shall become effective November 1, 2017.
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