

## **IC 35-45-3**

### **Chapter 3. Littering and Pollution**

#### **IC 35-45-3-1**

##### **Repealed**

*(As added by Acts 1976, P.L.148, SEC.5. Amended by Acts 1977, P.L.340, SEC.74. Repealed by P.L.137-2007, SEC.37.)*

#### **IC 35-45-3-2**

##### **Littering a Class B infraction; littering as a Class A infraction when certain bodies of water involved; "refuse" defined; littering from a moving vehicle**

Sec. 2. (a) A person who recklessly, knowingly, or intentionally places or leaves refuse on property of another person, except in a container provided for refuse, commits littering, a Class B infraction. However, the offense is a Class A infraction if the refuse is placed or left in, on, or within one hundred (100) feet of a body of water that is under the jurisdiction of the:

- (1) department of natural resources; or
- (2) United States Army Corps of Engineers.

Notwithstanding IC 34-28-5-4(a), a judgment of not more than one thousand dollars (\$1,000) shall be imposed for each Class A infraction committed under this section.

(b) "Refuse" includes solid and semisolid wastes, dead animals, and offal.

(c) Evidence that littering was committed from a moving vehicle other than a public conveyance constitutes prima facie evidence that it was committed by the operator of that vehicle.

*As added by Acts 1976, P.L.148, SEC.5. Amended by Acts 1977, P.L.340, SEC.75; P.L.155-1985, SEC.2; P.L.137-2007, SEC.36; P.L.231-2007, SEC.4.*

#### **IC 35-45-3-3**

##### **Throwing burning material from a moving motor vehicle**

Sec. 3. A person who throws from a moving motor vehicle:

- (1) a lighted cigarette, cigar, or match; or
- (2) other burning material;

commits a Class A infraction.

*As added by P.L.35-2002, SEC.1.*