**§2263-A. Littering**

**1. Prohibited acts.** A person may not intentionally throw, drop, deposit, discard, dump or otherwise dispose of litter in any manner or amount:

A. In or on public highway, road, street, alley, public right-of-way or other public lands, except in a container or receptacle or on property that is designated for disposal of garbage and refuse by the State or its agencies or political subdivisions; [PL 2003, c. 452, Pt. I, §32 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

B. In freshwater lake, river, stream, tidal or coastal water or on ice over the water. When any litter is thrown or discarded from a watercraft, a person is in violation of this section if that person is:

(1) The operator of the watercraft, unless it is a watercraft being used for the carriage of passengers for hire; or

(2) The person actually disposing of the litter.

This paragraph does not prohibit persons who fish, lobster or otherwise harvest from the water from returning to the water harvested products, bait and similar materials that naturally originate in the water; [PL 2003, c. 452, Pt. I, §32 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

C. In or on any private property, unless:

(1) Prior consent of the owner has been given; and

(2) The litter is not a public nuisance or in violation of any state law or local rule; [PL 2003, c. 452, Pt. I, §32 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

D. From a trailer or vehicle that is constructed, loaded or uncovered in such a way that the load may drop, sift, leak or otherwise escape. This paragraph applies to vehicles or trailers carrying trash, rubbish or other materials that may be construed as "litter"; or [PL 2003, c. 452, Pt. I, §32 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

E. From a vehicle. When any litter is thrown or discarded from a vehicle, a person is in violation of this section if that person is:

(1) The operator of the vehicle, unless it is a vehicle being used for the carriage of passengers for hire; or

(2) The person actually disposing of the litter. [PL 2003, c. 452, Pt. I, §32 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

It is a violation of this chapter for a person to intentionally release outdoors a balloon that is inflated or filled with a gas that is lighter than air, except that it is not a violation of this chapter for a person to intentionally release outdoors a balloon carrying scientific instrumentation, a balloon used for meteorological observation by a governmental or scientific organization or a hot air balloon that is recovered after launching.

In addition to any penalty under section 2264-A, violation of this subsection is a traffic infraction under Title 29-A, chapter 23, subchapter 6.

A record of a violation of this subsection must be forwarded to the Secretary of State who, in accordance with Title 29-A, section 2607, shall add the violation to the department's point system. The violation is counted in determining an individual's total points under the point system of the Department of the Secretary of State, Bureau of Motor Vehicles.
[PL 2025, c. 176, §2 (AMD).]

**2. Commercial purpose presumed.** For the purposes of this chapter, if a person dumps litter from a commercial vehicle, that person is presumed to have dumped the litter for a commercial purpose. [PL 2003, c. 452, Pt. I, §32 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

## SECTION HISTORY

PL 2003, c. 452, §I32 (NEW). PL 2003, c. 452, §X2 (AFF). PL 2021, c. 374, §2 (AMD). PL 2025, c. 176, §2 (AMD).

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