

FAQs

SC LITTER FINES



In **Act 214 of 2018**, South Carolina General Assembly updated the SC Litter Laws under **16-11-700** to accomplish several goals:

- To add and define litter under the state code.
- To differentiate between dumping and littering and to adjust penalties to fit each crime.
- To add and define illegal dumping as a separate offense.
- To increase mandatory community service hours.
- To update the Community Service requirements allowing for unsupervised litter pickup needs.

Prior to Act 214, the SC Litter Laws had no definition *under Section 16-11-700*. A team of Legislators, state agencies representatives, law enforcement officers and PalmettoPride came together to research what laws neighboring states had in place, and what the challenges were for officers in the field and in the courts.

The consensus among field officers is that fines are currently well-structured and do not need to be increased or decreased. Reasons gathered are as follows:

- Majority of Class 1 officers have stated they will not write a \$450 ticket (*old law*) for a small piece of litter. Since passage of Act 214, field officer awareness of the crime has gone up and tickets for littering violations have increased statewide.
- *Prior to the update in 2018*, field officers experienced judges who disagreed with the

assessment of higher fines for litter offenses than for certain traffic violations.

Across the country, enforcing litter laws is challenging for officers. Catching litterers in the act is difficult. Successful adjudication of the tickets at court is inconsistent. Law enforcement agencies are understaffed and litter is not a priority. Many officers rely on local code enforcement for enforcement efforts.

South Carolina is one of few states

Category	Base Fines	Actual Fines with Assessments & Buyouts
Litter of less than 15 pounds (example: cigarette butt, food wrapper, beverage container)	\$25 - \$100 fine 8 hours community service	\$221.88 - \$377.50
Litter of less than 15 pounds in an illegal dumpsite	\$50 - \$150 fine 16 hours community service Made to pick up	\$393.75 - \$601.25
Illegal Dumping of 15 - 500 pounds	\$200 - \$500 fine 16 - 32 hours community service	\$705 - \$1,327.50
Illegal Dumping of more than 500 pounds	\$500 - \$1,000 fine Must clean up	\$1,567.50 - \$2,605

with a network of litter and code enforcement officers. There are approximately **100 officers** across the state dedicated to litter.

Litter is a global issue. Behavior change and a culture shift are needed to change this.

PalmettoPride is working with SC Litter Control Association members to assess where we are with litter control since the laws were updated. Sampling below. From the SC Litter Commission Legislative Report of 2020 Statewide Littering Citations:

- **FY 2020 – 1,506 tickets**
- **FY 2019 – 1,546 tickets**
- **FY 2018 – 1,422 tickets**

Local Examples: *Spartanburg County*

- **FY 2020 – 272 tickets**
- **FY 2019 – 252 tickets**
- **FY 2018 – 119 tickets**
- **FY 2017 – 99 tickets**

Suggested areas for possible legislation. While litter fines across the board are supported by the law enforcement and judicial communities, there are areas where improvements can be made:

- **Unsecured loads Law 56-5-4100** currently a flat fine of \$100.00 dollars, additional comments would be increasing enforceability of the law not dependent on actual litter flying out, adding language to address commercial vehicles with coverings and attachments that are improperly installed or can come loose during transport.
- Address the language in **Act 180 of 2012** which directly and immediately affected SC Transport Police ability to enforce laws on vehicles (*commercial*) **less than 26,001 lbs.**
- Adjusting the population cap under **4-9-145 (B)** on litter officers since our state population is quickly expanding.
- Legislate that all high school students must complete a litter pickup in their community before graduating from public school.

For more information regarding SC litter laws, fines and community service requirements, contact Sarah Lyles at slyles@palmettopride.org.

