

§2264-A. Penalties

Unless otherwise indicated, a person who disposes of litter in violation of this chapter commits a civil violation for which the following fines apply. [PL 2011, c. 208, §4 (AMD).]

1. Disposal of 15 pounds or less or 27 cubic feet or less of litter; intentional release of 16 to 24 balloons. A person who intentionally releases 16 to 24 balloons at one time in violation of this chapter or who disposes of 15 pounds or less or 27 cubic feet or less of litter commits a civil violation for which a fine of not less than \$100 and not more than \$500 may be adjudged. [RR 2021, c. 2, Pt. A, §34 (COR).]

1-A. Disposal of 15 pounds or less or 27 cubic feet or less of litter; intentional release of 16 to 24 balloons; subsequent offenses. A person who violates subsection 1 after having previously violated subsection 1 commits a civil violation for which a fine of not less than \$500 and not more than \$1,000 may be adjudged. [PL 2021, c. 374, §3 (AMD).]

2. Disposal of more than 15 pounds or more than 27 cubic feet of litter; intentional release of more than 24 balloons. A person who intentionally releases more than 24 balloons at one time in violation of this chapter or who disposes of more than 15 pounds or more than 27 cubic feet of litter commits a civil violation for which the court:

A. Shall impose a fine of not less than \$500; [PL 2011, c. 208, §4 (NEW).]

B. Shall require the person to pay a party sustaining damages arising out of a violation of this subsection treble the actual damages or \$200, whichever amount is greater, plus the injured party's court costs and attorney's fees if action results in a civil proceeding; [PL 2011, c. 208, §4 (NEW).]

C. Shall require the person to perform not less than 100 hours of public service relating to the removal of litter or to the restoration of an area polluted by litter disposed of in violation of this section. The court shall consult with the Commissioner of Inland Fisheries and Wildlife to determine if there is an opportunity for public service that may improve landowner and sportsman relations; [PL 2011, c. 208, §4 (NEW).]

D. When practical, shall require the person to remove the litter dumped in violation of this subsection; [PL 2011, c. 208, §4 (NEW).]

E. May suspend the person's motor vehicle operator's license for a period of not less than 30 days or more than one year, except as provided in paragraph F. Notwithstanding paragraph F, the court shall suspend all licenses and permits issued under Title 12, Part 13, subpart 4 and recreational vehicle registrations and certificates issued to that person under Title 12, Part 13, subpart 6 for a period of not less than 30 days or more than one year; and [PL 2011, c. 208, §4 (NEW).]

F. May suspend any license, permit, registration or certification issued by a state agency or municipality to the person. A professional license, permit, registration or certification required for that person to operate or establish a business or necessary for the person's primary source of employment may not be suspended unless the items dumped were related to the person's profession or occupation. [PL 2011, c. 208, §4 (NEW).]

[PL 2021, c. 374, §3 (AMD).]

2-A. Disposal of more than 15 pounds or more than 27 cubic feet of litter; intentional release of more than 24 balloons; subsequent offenses. A person who violates subsection 2 after having previously violated subsection 2 commits a civil violation for which the penalty provisions under subsection 2 apply except for subsection 2, paragraph A, and a fine of not less than \$2,000 must be adjudged.

[PL 2021, c. 374, §3 (AMD).]

3. Disposal of more than 500 pounds or more than 100 cubic feet of litter for a commercial purpose. A person who disposes of more than 500 pounds or more than 100 cubic feet of litter for a commercial purpose is subject to the penalties under Title 38, section 349.
[PL 1989, c. 820, §5 (NEW).]

SECTION HISTORY

PL 1989, c. 820, §5 (NEW). PL 1993, c. 140, §1 (AMD). PL 2003, c. 452, §§134-37 (AMD). PL 2003, c. 452, §X2 (AFF). PL 2011, c. 208, §4 (AMD). PL 2021, c. 374, §3 (AMD). RR 2021, c. 2, Pt. A, §34 (COR).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 131st Maine Legislature and is current through January 1, 2025. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.