



# HOUSE BILL 100: Highway Cleanup Act of 2021.

**This Bill Analysis  
reflects the contents  
of the bill as it was  
presented in  
committee.**

2021-2022 General Assembly

<b>Committee:</b>	House Transportation. If favorable, re-refer to Appropriations. If favorable, re-refer to Rules, Calendar, and Operations of the House	<b>Date:</b>	April 27, 2021
<b>Introduced by:</b>	Reps. Bell, B. Jones, Miller, Harrison	<b>Prepared by:</b>	Wendy Ray Staff Attorney
<b>Analysis of:</b>	PCS to First Edition H100-CSSUa-5		

**OVERVIEW:** *The Proposed Committee Substitute for House Bill 100 would address the problem of litter in North Carolina by creating new programs and providing funding for litter cleanup and enforcement of litter laws, by educating the public and raising awareness of litter prevention, and by providing for further study and reporting on litter management.*

[As introduced, this bill was identical to S155, as introduced by Sens. Craven, Proctor, Lazzara, which is currently in Senate Appropriations/Base Budget.]

**BILL ANALYSIS:** The PCS for House Bill 100 would address litter enforcement, education, and evaluation in the following ways:

Enforcement. To improve litter clean up, the PCS would require the Department of Transportation to do all of the following:

- Use \$1,000,000 of funds appropriated for this fiscal year to establish a grant program for sheriffs' offices to provide overtime pay for officers overseeing detainee litter cleanup efforts.
- Coordinate with the Office of State Human Resources to establish a program designating days for roadside litter cleanup by State employees and encouraging use of community service leave time for participation in the program.
- Remove dead animals that are safety hazards from the roadway within two business days of a report from a citizen.
- Schedule litter removal from highway right-of-way prior to mowing and require the same as a term of any contract entered into for mowing of highway right-of-way.

The PCS would also appropriate \$50,000 for use by the Conference of District Attorneys to educate and train district attorneys across the State on the detriments of litter and the need to strengthen enforcement of litter laws.

Education. The PCS would direct the State Board of Education to integrate education on litter prevention and awareness into the school curriculum, including a video appropriate for students in grades 6-8. It would also require the Department of Transportation to use \$250,000 of funds appropriated for this fiscal year to raise awareness of and encourage participation in anti-litter programs.

Evaluation. The PCS would require the following studies and reports related to litter:

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- Inmate litter crews – The Department of Public Safety, in consultation with the Department of Transportation, would be required to study the feasibility of implementing a program for inmate litter pick up and provide a report by March 1, 2022.
- Litter penalties – The Joint Legislative Transportation Oversight Committee would be authorized to study the fines and penalties associated with the criminal offense of littering and report any recommendations to the 2022 Regular Session of the General Assembly.
- Litter Management System report – The Department of Transportation would be required to report on the effectiveness of its Litter Management System website and interactive map no later than November 1, 2021.

**EFFECTIVE DATE:** Except for provisions appropriating funds and affecting contract requirements, which would become effective July 1, 2021, the act would be effective when it becomes law.