

Tennessee Litter and dumping laws effective July 1, 2022

**Title 39 - Criminal Offenses**  
**Chapter 14 - Offenses Against Property**  
**Part 5 - Litter Control**

**Section 39-14-501 - Part definitions:**

As used in this part, unless the context otherwise requires:

- (1) "**Commercial purpose**" means litter discarded by a business, corporation, association, partnership, sole proprietorship, or any other entity conducting business for economic gain, or by an employee or agent of the entity;
- (2) "**Garbage**" includes putrescible animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food;
- (3) "**Litter**" includes garbage, refuse, rubbish and all other waste material, including a tobacco product as defined in § 39-17-1503 and any other item primarily designed to hold or filter a tobacco product while the tobacco is being smoked;
- (4) "**Refuse**" includes all putrescible and nonputrescible solid waste; and
- (5) "**Rubbish**" includes nonputrescible solid waste consisting of both combustible and noncombustible waste.
- (6) "**Tire**" means the continuous solid or pneumatic rubber covering encircling the wheel of a motor vehicle and includes a waste tire as defined in § 68-211-802;

*"T.C.A. § 39-14-501*  
*Amended by 2022 Tenn. Acts, ch. 1105, s 1, eff. 7/1/2022.*  
*Acts 2007, ch. 595, § 1."*

**Section 39-14-502 - Offense of littering:**

**(a) A person commits littering who:**

- (1) Knowingly places, drops or throws litter on any public or private property without permission and does not immediately remove it;
- (2) Negligently places or throws glass or other dangerous substances on or adjacent to water to which the public has access for swimming or wading, or on or within fifty feet (50') of a public highway; or
- (3) Negligently discharges sewage, minerals, oil products or litter into any public waters or lakes within this state.

**(b)** Whenever litter is placed, dropped, or thrown from any motor vehicle, boat, airplane, or other conveyance in violation of this section, the trier of fact may, in its discretion and in consideration of the totality of the circumstances, infer that the operator of the conveyance has committed littering.

**(c)** Whenever litter discovered on public or private property is found to contain any article or articles, including, but not limited to, letters, bills, publications, or other writings that display the name of a person in such a manner as to indicate that the article belongs or belonged to that person, the trier of fact may, in its discretion and in consideration of the totality of the circumstances, infer that the person has committed littering.

*T.C.A. § 39-14-502*  
*Acts 2007, ch. 595, § 1.*

**Section 39-14-503 - Offense of mitigated criminal littering:**

- (a) Mitigated criminal littering is littering in an amount less than or equal to five pounds (5 lbs.) in weight or seven and one-half (7.5) cubic feet in volume

- (b) Mitigated criminal littering is a Class B misdemeanor punishable by a fine of five hundred dollars (\$500) and as provided in subsections (c) and (d).
- (c) A person charged with a violation of this section may, in lieu of appearance in court, submit the applicable five hundred dollar (\$500) fine to the clerk of the court that has jurisdiction of the offense within the county in which the offense charged is alleged to have been committed. A person paying in this manner is not subject to subsection (d), and, in the discretion of the judge, may be excused from paying court costs for the offense.
- (d) In addition to the penalties established in this section, the court shall require a person convicted under this section to remove litter from the state or local highway system, public playgrounds, public parks, or other appropriate public locations for not more than forty (40) hours. The court, in its discretion, may also require a person convicted under this section to work in a recycling center or other appropriate location for any stated period of time not to exceed eight (8) hours.

*T.C.A. § 39-14-503*  
*Amended by 2022 Tenn. Acts, ch. 899, s 2, eff. 7/1/2022.*  
*Amended by 2022 Tenn. Acts, ch. 899, s 1, eff. 7/1/2022.*  
*Acts 2007, ch. 595, § 1.*

**Section 39-14-504 - Offense of criminal littering:**

- (a) Criminal littering is littering in an amount more than five pounds (5 lbs.) in weight or seven and one-half (7.5) cubic feet in volume and less than or equal to ten pounds (10 lbs.) in weight or fifteen (15) cubic feet in volume.
- (b) Criminal littering is a Class B misdemeanor.
- (c) In addition to the penalties established in this section, the court shall require a person convicted under this section to remove litter from the state or local highway system, public playgrounds, public parks, or other appropriate public locations for not more than eighty (80) hours. The court, in its discretion, may also require a person convicted under this section to work in a recycling center or other appropriate location for any stated period of time not to exceed eight (8) hours.

*T.C.A. § 39-14-504*  
*Acts 2007, ch. 595, § 1.*

**Section 39-14-505 - Offense of aggravated criminal littering:**

- (a) Aggravated criminal littering is littering:
  - (1) In an amount exceeding ten pounds (10 lbs.) in weight or fifteen (15) cubic feet in volume; or
  - (2) In any amount for any commercial purpose, including knowingly placing, dropping, or throwing two (2) or more tires on any public or private property without permission and without immediately removing it.
- (b)
  - (1) Except as provided in subdivision (b)(2), aggravated criminal littering is a Class A misdemeanor. If the amount of litter exceeds one hundred pounds (100 lbs.) in weight or thirty (30) cubic feet in volume, then the defendant is subject to imprisonment as provided by law or a fine of not less than two thousand five hundred dollars (\$2,500), nor more than four thousand dollars (\$4,000), or both.

(2) Aggravated criminal littering is a Class E felony upon:

- (A) The third conviction in any amount exceeding ten pounds (10 lbs.) in weight or fifteen (15) cubic feet in volume;
- (B) The second conviction in any amount exceeding one thousand pounds (1,000 lbs.) in weight or two hundred (200) cubic feet in volume or in any amount for a commercial purpose; or
- (C) The first conviction involving more than eight (8) tires that were placed, dropped, or thrown for a commercial purpose.

Note: The penalties for a Class E Felony are, a possible jail sentence of 1 to 6 years in prison and fines up to \$3,000.

- (c) In addition to the penalties established in this section, the court shall require a person convicted under subsection (a) to remove litter from the state or local highway system, public playgrounds, public parks, or other appropriate public locations for not more than one hundred sixty (160) hours. The court, in its discretion, may also require a person convicted under this section to work in a recycling center or other appropriate location for any stated period of time not to exceed eight (8) hours.

*T.C.A. § 39-14-505*

*Amended by 2022 Tenn. Acts, ch. 1105, s 2, eff. 7/1/2022. Amended by 2014 Tenn. Acts, ch. 797, s 1, eff. 7/1/2014. Acts 2007, ch. 595, § 1.*

**Section 39-14-506 - Additional penalties:**

In addition to the penalties established in this part, the court may, in its discretion, require a person convicted under this part to remove any substance listed under § 39-14-501 that was dropped, placed, or discharged by the person and restore the property or waters damaged by the littering to its former condition at the person's expense.

*T.C.A. § 39-14-506*

*Acts 2007, ch. 595, § 1.*

**Section 39-14-507 - Motor vehicles transporting litter:**

(a)

- (1) Any motor vehicle that transports litter or any material likely to fall or be blown off onto the highways, shall be required to have such material either in an enclosed space or fully covered by a tarpaulin.
- (2) If the motor vehicle is a noncommercial, not-for-hire pickup truck, this subsection (a) shall be construed to be complied with if the material on the noncommercial, not-for-hire pickup truck is secured in such a way as to reasonably ensure it will not fall or be blown off the vehicle.
- (3) All other pickup trucks and other motor vehicles are required to comply with subdivision (a)(1).
- (4) Any motor vehicle having a gross weight of less than sixteen thousand pounds (16,000 lbs.) that is transporting litter to an energy recovery facility, as defined in § 68-211-501, shall be required to have the material in an enclosed space, unless it is a motor vehicle with a factory installed hydraulic lift system that lifts the entire bed of the truck.
- (5) This subsection (a) does not apply to motor vehicles transporting recovered materials to a convenience center or scrap dealer for recycling.
- (6) This section shall not apply to motor vehicles that transport crushed stone, fill dirt and rock, soil, bulk sand, coal, phosphate muck, asphalt, concrete, other building materials, forest products, unfinished lumber, agricultural lime and agricultural products, and that are loaded in compliance with the four inch (4") requirement of § 55-7-109. This exemption shall not apply to any load if any law enforcement officer sees any part of the material blowing off the vehicle. This section shall also not apply to motor vehicles that transport farm produce going to market, or from field to field, or from field to storage.

**(b)** A violation of this section is a Class B misdemeanor. A Class B misdemeanor is punishable by a fine of five hundred dollars (\$500). In addition to the penalties for a Class B misdemeanor, the court may, in its discretion, impose any of the penalties set forth in § 39-14-503(d).

*T.C.A. § 39-14-507  
Acts 2007, ch. 595, § 1.*

**Section 39-14-508 - County legislative resolutions for litter control - Regulations - Litter removal by property owners - Publication of resolution - Construction with other laws:**

**(a)**

**(1)** County legislative bodies may, by resolution, impose regulations for litter control, including the placing, dropping, throwing, collection and storage of garbage, litter, refuse and rubbish on public or private property. The definitions of commercial purposes, garbage, litter, refuse, and rubbish found in § 39-14-501 may be included by reference in the resolution. The county legislative body is authorized to include in the resolution that a violation occurs if a person:

**(A)** Knowingly places, drops or throws litter on any public or private property without permission and does not immediately remove it; or

**(B)** Negligently places or throws glass, litter or other dangerous substances on or adjacent to water to which the public has access for swimming or wading, or on or within fifty feet (50') of a public highway.

**(2)** The regulations in subdivision (a)(1) shall be at least as stringent as this part.

**(b)**

**(1)** The regulations promulgated in accordance with subsection (a) may grant authority for the county to require property owners to conform their property to the regulations by removal of garbage, litter, refuse or rubbish. The county shall send a statement to the owner itemizing the cost of the removal. If the owner fails to reimburse the county for the cost of the removal within sixty (60) days, the statement shall constitute a lien upon the property. The statement shall constitute a lien upon the property as of the date the notice is filed and shall have priority from the date of the filing of notice, but shall not affect, or have priority over, any valid lien, right, or interest in the property duly recorded, or duly perfected by filing, prior to the filing of the notice and shall not have priority over any real estate tax liens, whether attaching on the property before or after the filing of the notice.

**(2)** If the property owner is aggrieved by the amount of the lien filed, the owner may submit the matter to the chancery court of the county in which the property is located to determine the appropriate amount of the lien. A decision of that court may be appealed according to the Tennessee Rules of Appellate Procedure.

**(3)** The lien provided in this subsection (b) shall be entered in the records of the register of deeds of the county in which the property lies. The lien shall be satisfied to the extent of the value of the consideration received at the time of the transfer of ownership, and if the lien is not fully satisfied at the time of transfer, it shall remain a lien upon the property until it is fully satisfied.

**(c)** Each resolution adopted in accordance with subsection (a), or the caption and a complete summary of the resolution, shall be published after its final passage in a newspaper of general circulation in the county. No such resolution shall take effect until the publication.

**(d)** Any violation of the provisions of or regulations adopted pursuant to subsection (a) shall be punished by imposing a monetary penalty in accordance with § 5-1-121.

**(e)** This section shall not be construed as applying to any activity regulated pursuant to title 68, chapters 211 or 212 or title 69, chapter 3.

*T.C.A. § 39-14-508  
Acts 2007, ch. 595, § 1.*

**Section 39-14-509 – Enforcement:**

All law enforcement agencies, officers, and officials of this state or any political subdivision of this state, or any enforcement agency, officer, or any official of any commission or authority of this state or any political subdivision of this state is authorized, empowered, and directed to enforce compliance with this part.

T.C.A. § 39-14-509  
Acts 2007, ch. 595, § 1.

**Section 39-14-510 - Proceeds from fines - Rewards - Role of county mayor:**

(a) All proceeds from the fines imposed by this part shall be deposited in the general fund of the county where the offense occurred and designated for county operating costs with preference given to litter prevention programs and education such as those conducted by Keep America Beautiful.

(b) Any person who reports information to a law enforcement officer that leads to the apprehension and conviction of a person for mitigated criminal littering shall receive a reward of fifty dollars (\$50.00). Any person who reports information to a law enforcement officer that leads to the apprehension and conviction of a person for criminal littering or aggravated criminal littering shall receive a reward of two hundred fifty dollars (\$250). The county where the offense occurred shall provide the reward money from the proceeds of the mandatory fines collected under this section.

(c)

- (1) The mayor of each county shall be the administrative official for this part, with the exception of the exclusions set out in § 39-14-511. The county mayor shall ensure that the program is administered according to this part.
- (2) The county mayor shall be empowered to authorize disbursements from the county's general fund from the proceeds deposited under subsection (a) for enforcement of this part covering all litter prevention, control and education programs to be funded.
- (3) The county mayor shall be further empowered to enter into agreements with city mayors or city managers within the mayor's county as to disbursements of moneys for violations of litter control and prevention laws that occur within municipal boundaries.

(d) Each county shall establish the necessary fiscal structure within its accounting system to provide for proper monitoring and auditing of its receipts and disbursements under subsection (c).

T.C.A. § 39-14-510  
Acts 2007, ch. 595, § 1; 2009, ch. 382, § 1.

**Section 39-14-511 – Jurisdiction:**

In counties with an environmental court designated pursuant to Acts 1991, chapter 426, the courts shall exercise exclusive general sessions jurisdiction, over this part, pursuant to title 40.

T.C.A. § 39-14-511  
Acts 2007, ch. 595, § 1.

### Tennessee Criminal Classifications, fines, and punishments

<b>Class</b>	<b>Prison</b>	<b>Fine</b>
Class A Felony	15 to 60 years	Up to \$50,000
Class B Felony	8 to 30 years	Up to \$25,000
Class C Felony	3 to 15 years	U to \$10,000
Class C Misdemeanor	up to 30 days	Up to \$50
Class D Felony	2 to 12 years	Up to \$5,000
Class E Felony	1 to 6 years	Up to \$3,000
Class A Misdemeanor	Up to 11 months	Up to \$2,500
Class B Misdemeanor	Up to 6 months	Up to \$500