

IN THE SENATE

SENATE BILL NO. 1336

BY TRANSPORTATION COMMITTEE

AN ACT

1 RELATING TO MOTOR VEHICLES AND RULES OF THE ROAD; AMENDING SECTION 49-613,
2 IDAHO CODE, TO PROVIDE FOR APPLICATION OF LAW, TO PROVIDE THAT NO
3 VEHICLE SHALL BE OPERATED ON ANY PUBLIC HIGHWAY UNLESS SUCH VEHICLE'S
4 LOAD IS SECURELY FASTENED OR COVERED TO PREVENT THE LOAD FROM BECOMING
5 LOOSE, DETACHED OR BECOMING A HAZARD TO OTHER HIGHWAY USERS, TO PROVIDE
6 FOR EXCEPTIONS, TO PROVIDE THAT NO PERSON MAY OPERATE A VEHICLE ON A
7 PUBLIC HIGHWAY WITH ANY LOAD UNLESS THE LOAD AND CERTAIN COVERING IS
8 SECURELY FASTENED TO PREVENT THE COVERING OR LOAD FROM BECOMING LOOSE,
9 DETACHED OR BECOMING A HAZARD TO OTHER HIGHWAY USERS, TO PROVIDE THAT
10 ANY VEHICLE OPERATING ON A PAVED PUBLIC HIGHWAY WITH A LOAD OF DIRT, SAND
11 OR GRAVEL SUSCEPTIBLE TO BEING DROPPED, SPILLED, LEAKED OR OTHERWISE
12 ESCAPING FROM THE VEHICLE SHALL BE COVERED TO PREVENT SPILLAGE AND TO
13 PROVIDE FOR EXCEPTIONS.
14

15 Be It Enacted by the Legislature of the State of Idaho:

16 SECTION 1. That Section 49-613, Idaho Code, be, and the same is hereby
17 amended to read as follows:

18 49-613. PUTTING GLASS OR OTHER INJURIOUS MATERIALS ON HIGHWAY
19 PROHIBITED. The following shall apply to persons and vehicles not otherwise
20 exempted from the application of this section by federal or state law:

21 (1) No person shall throw or deposit upon any highway any glass bottle,
22 glass, nails, tacks, wire, cans, or any other substance likely to injure any
23 person, animal or vehicle upon the highway.

24 (2) Any person who drops, or permits to be dropped or thrown, upon any
25 highway any destructive or injurious material shall immediately remove that
26 material or cause it to be removed.

27 (3) Any person removing a wrecked or damaged vehicle from a highway
28 shall remove any glass or other injurious substance dropped upon the highway
29 from that vehicle.

30 (4) No vehicle shall be operated on any public highway unless such
31 vehicle is so constructed or loaded as to prevent any of its load from
32 dropping or otherwise escaping therefrom. Such load shall be securely
33 fastened or covered to prevent the load from becoming loose, detached or
34 becoming a hazard to other users of the highway. The provisions of this
35 subsection shall not apply to the hauling or transport of any timber,
36 agricultural or livestock product or byproduct raised or grown and offered
37 for sale.

38 (5) No person may operate on any public highway any vehicle with any
39 load unless the load and such covering as required thereon by subsection (6)
40 of this section is securely fastened to prevent the covering or load from
41 becoming loose, detached or becoming a hazard to other users of the highway.
42 The provisions of this subsection shall not apply to the hauling or transport

1 of any timber, agricultural or livestock product or byproduct raised or
2 grown and offered for sale.

3 (6) Any vehicle operating on a paved public highway with a load of dirt,
4 sand or gravel susceptible to being dropped, spilled, leaked or otherwise
5 escaping therefrom shall be covered so as to prevent spillage. Covering
6 of such loads is not required if six (6) inches of freeboard is maintained
7 within the load bed. The provisions of this subsection shall not apply to
8 the hauling or transport of any timber, agricultural or livestock product or
9 byproduct raised or grown and offered for sale.

10 (7) The provisions of this section shall not apply to vehicles operated
11 by the employees or agents of, or owned by canal companies, irrigation
12 districts or their boards of control, lateral ditch associations, water
13 districts or any other irrigation water delivery or management entities.