

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 91

BY TRANSPORTATION AND DEFENSE 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 VEHI-
3 CLE SHALL BE OPERATED ON ANY PUBLIC HIGHWAY UNLESS SUCH VEHICLE'S LOAD
4 IS SECURELY FASTENED OR COVERED TO PREVENT THE LOAD FROM BECOMING LOOSE,
5 DETACHED OR BECOMING A HAZARD TO OTHER HIGHWAY USERS, TO PROVIDE FOR
6 EXCEPTIONS, TO PROVIDE THAT NO PERSON MAY OPERATE A VEHICLE ON A PUBLIC
7 HIGHWAY WITH ANY LOAD UNLESS THE LOAD AND CERTAIN COVERING IS SECURELY
8 FASTENED TO PREVENT THE COVERING OR LOAD FROM BECOMING LOOSE, DETACHED
9 OR BECOMING A HAZARD TO OTHER HIGHWAY USERS, TO PROVIDE THAT ANY VEHICLE
10 OPERATING ON A PAVED PUBLIC HIGHWAY WITH A LOAD OF DIRT, SAND OR GRAVEL
11 SUSCEPTIBLE TO BEING DROPPED, SPILLED, LEAKED OR OTHERWISE ESCAPING
12 FROM THE VEHICLE SHALL BE COVERED TO PREVENT SPILLAGE AND TO PROVIDE FOR
13 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 PROHIB-
19 ITED. The following shall apply to persons and vehicles not otherwise ex-
20 empted 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 vehi-
31 cle is so constructed or loaded as to prevent any of its load from dropping or
32 otherwise escaping therefrom. Such load shall be securely fastened or cov-
33 ered to prevent the load from becoming loose, detached or becoming a hazard
34 to other users of the highway. The provisions of this subsection shall not
35 apply to the hauling or transport of any timber, agricultural or livestock
36 product or byproduct raised or grown and offered for sale.

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

1 port 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 oper-
11 ated by the employees or agents of, or owned by canal companies, irrigation
12 districts or their boards of control, lateral ditch associations, water dis-
13 tricts or any other irrigation water delivery or management entities.