

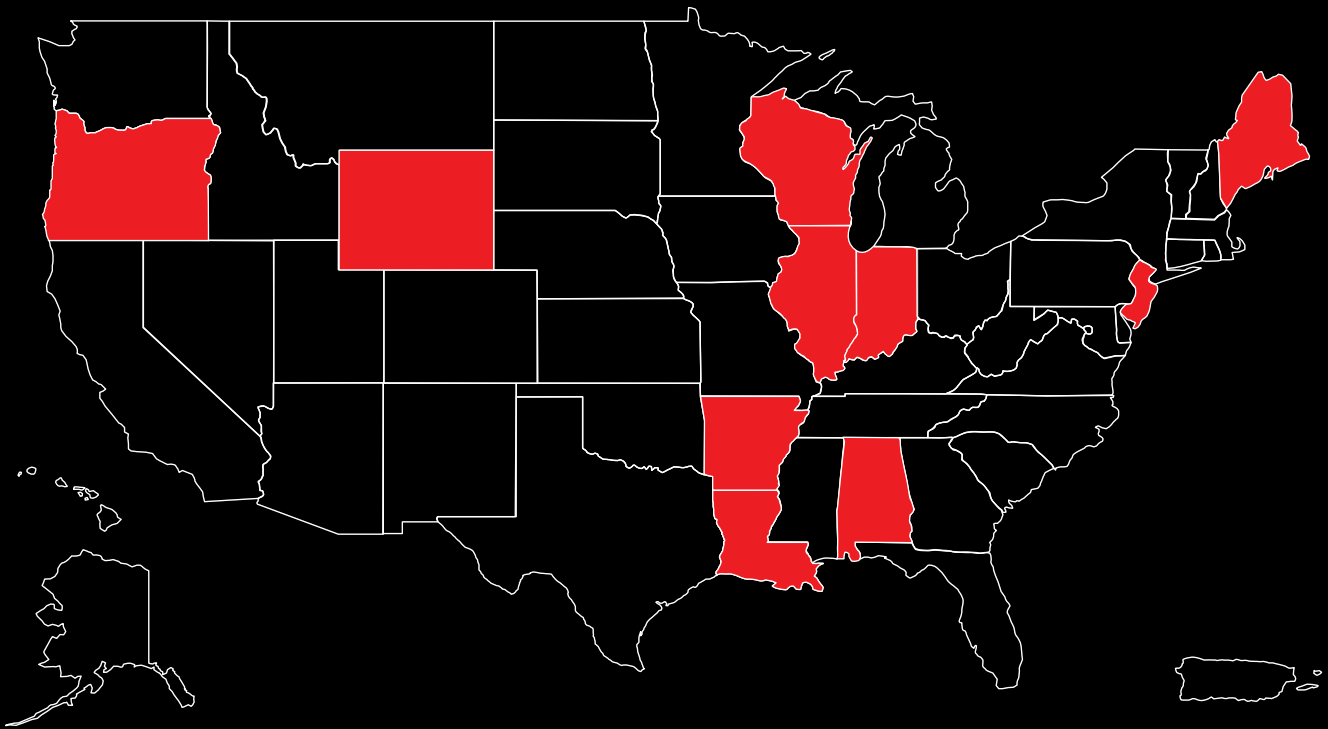
PULLTARPS

®

A Safe Fleet Brand

TARPING LAWS

A GUIDE TO STATE & FEDERAL CARGO CONTROL LAWS



STATE & FEDERAL REGULATIONS

Doc #: 608-0047

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NOTICE & DISCLAIMER







This directory lists the applicable laws of all states, districts and territories that require or don't require the covering of dump trucks and motor vehicles with a tarpaulin or laws to restrict the spillage of loads on highways.

Disclaimer: The information contained in this directory was obtained electronically. These laws are subject to change. Consult local jurisdiction for updated laws and regulations.

All information is © its respective state and provincial authors.

TRUCK & TRAILER CLASSES

QUICK REFERENCE

Truck and Trailer Classes	
	Class 1-3 / Light to Medium Duty Truck
	Class 4-6 / Medium Duty
	Class 7-8 / Heavy Duty
	Class 7-8 / Heavy Duty
	Class 9 / Super Heavy & Special Duty
	Landscaping / Utility Trailer

The Truck and Trailers listed above can utilize a Pulltarps Truck or Trailer Tarping System to adhere to the Cargo Control Laws featured in the following pages.
Find out more at pulltarps.com/truck-classification-1-9/

TARP REQUIRED BY STATE (USA)							
State	Yes	No	Eff./Amd.	State	Yes	No	Eff./Amd.
Alabama	--	✓	2001	Montana	✓	--	2009
Alaska	✓	--	2001	Nebraska	✓	--	2014
Arizona	✓	--	--	Nevada	✓	--	1955
Arkansas	--	✓	2010	New Hampshire	✓	--	2013
California	✓	--	2009	New Jersey	--	✓	1968
Colorado	✓	--	2017	New Mexico	✓	--	1989
Connecticut	✓	--	2012	New York	✓	--	--
Delaware	--	✓	1995	North Carolina	✓	--	2013
Florida	✓	--	2002	North Dakota	✓	--	--
Georgia	✓	--	2002	Ohio	✓	--	2007
Hawaii	✓	--	2017	Oklahoma	✓	--	2010
Idaho	✓	--	2006	Oregon	--	✓	1987
Illinois	--	✓	2001	Pennsylvania	✓	--	2008
Indiana	--	✓	1991	Rhode Island	✓	--	2002
Iowa	✓	--	--	South Carolina	✓	--	2004
Kansas	✓	--	1989	South Dakota	✓	--	1989
Kentucky	✓	--	1988	Tennessee	✓	--	2007
Louisiana	--	✓	2006	Texas	✓	--	2007
Maine	--	✓	2003	Utah	✓	--	2017
Maryland	✓	--	--	Vermont	✓	--	1997
Massachusetts	✓	--	1973	Virginia	✓	--	2001
Michigan	✓	--	2008	Washington	✓	--	2005
Minnesota	✓	--	2015	West Virginia	✓	--	2014
Mississippi	✓	--	2001	Wisconsin	--	✓	2013
Missouri	✓	--	2010	Wyoming	--	✓	2014
TARP REQUIRED BY TERRITORY/DISTRICT (USA)							
Territory/District	Yes	No	Year Passed	Territory/District	Yes	No	Year Passed
Puerto Rico	✓	--	2004	Washington D.C.	✓	--	1988

ALABAMA

Applicable Sections(s) 32-5-76 & 13A-7-29

32-5-76. Spilling Loads or Litter; Penalty

- (a) Whoever willfully and knowingly operates, owns, or causes to be operated on any public highway, road, street, or public right-of-way a motor vehicle so loaded with gravel, rock, slag, bricks, in such manner or in such condition that the contents of the vehicle spill out and cause it to be deposited upon the highway, road, street, or public right-of-way is guilty of a Class C misdemeanor and upon conviction shall be fined not more than \$500.00, pursuant to Section 13A-7-29, the criminal littering statute.
- (b) No vehicle shall be driven or moved on any highway unless such vehicle is so constructed or loaded as to prevent any of its load from dropping, sifting, leaking or otherwise escaping therefrom, except that sand may be dropped for the purpose of securing traction, or water or other substance may be sprinkled on a roadway in cleaning or maintaining such roadway.
- (c) Whoever willfully and knowingly operates, owns, or causes to be operated on a public highway, road, street, or public right-of-way, a motor vehicle in such manner or in such condition that litter is caused or allowed to be deposited upon the highway, road, or street or public right-of-way, is guilty of a Class C misdemeanor and upon conviction shall be fined not more than \$500.00, pursuant to Section 13A-7-29, the criminal littering statute. Any agricultural product in its natural state that is unintentionally deposited upon a highway, road, street, or public right-of-way does not constitute litter for purposes of this section or Section 13A-7-29.

(Acts 1927, No. 347, p. 348; Code 1940, T. 36, §39; Acts 1949, No. 517, p. 754, §9; Acts 1971, No. 1419, p. 2423; Acts 1989, No. 89-661, p. 1314, §1; Act 2001-469, p. 623, §1.)

13A-7-29. Criminal littering.

- (a) A person commits the crime of criminal littering if he or she engages in any of the following acts:
 - (1) Knowingly deposits in any manner litter on any public or private property or in any public or private waters, having no permission to do so. For purposes of this subdivision, items found in an accumulation of garbage, trash, or other discarded material including, but not limited to, bank statements, utility bills, bank card bills, and other financial documents, clearly bearing the name of a person shall constitute a rebuttable presumption that the person whose name appears thereon knowingly deposited the litter. Advertising, marketing, and campaign materials and literature shall not be sufficient to constitute a rebuttable presumption of criminal littering under this subsection.
 - (2) Negligently deposits in any manner glass or other dangerously pointed or edged objects on or adjacent to water to which the public has lawful access for bathing, swimming, or fishing, or on or upon a public highway, or within the right-of-way thereof.
 - (3) Discharges sewage, oil products, or litter from a watercraft vessel of more than 25 feet in length into a river, inland lake, or stream within the state or within three miles of the shoreline of the state.
 - (4) a. Drops or permits to be dropped or thrown upon any highway any destructive or injurious material and does not immediately remove the same or cause it to be removed; or

- b. Removes a wrecked or damaged vehicle from a highway and does not remove glass or other injurious substance dropped upon the highway from such vehicle.
- (b) "Litter" means rubbish, refuse, waste material, garbage, dead animals or fowl, offal, paper, glass, cans, bottles, trash, scrap metal, debris, or any foreign substance of whatever kind and description, and whether or not it is of value. Any agricultural product in its natural state that is unintentionally deposited on a public highway, road, street, or public right-of-way shall not be deemed litter for purposes of this section or Section 32-5-76. Any other law or ordinance to the contrary notwithstanding, the unintentional depositing of an agricultural product in its natural state on a public highway, road, street, or right-of-way shall not constitute unlawful littering or any similarly prohibited activity.
- (c) It is no defense under subsections (a)(3) and (a)(4) that the actor did not intend, or was unaware of, the act charged.
- (d) Criminal littering is a Class C misdemeanor. The minimum fine for the first conviction shall be two hundred fifty dollars (\$250), and the fine for the second and any subsequent conviction shall be five hundred dollars (\$500) for each conviction.
- (e) The fine from such conviction shall be awarded and distributed by the court to the municipal, and/or county, and/or State General Fund, following a determination by the court of whose law enforcement agencies or departments have been a participant in the arrest resulting in the fine. Such award and distribution shall be made on the basis of the percentage as determined by the court, which the respective agency or department contributed to the police work resulting in the arrest, and shall be spent by the governing body on law enforcement purposes only.
- (f) No action for criminal littering based on evidence that creates a rebuttable presumption under subsection (a) (1) shall be brought against a person by or on behalf of a county or municipal governing body unless he or she has been given written notice by a designee of the governing body that items found in an accumulation of garbage, trash, or other discarded materials contain his or her name, and that, under subsection (a)(1), there is a rebuttable presumption that he or she knowingly deposited the litter. The notice shall advise the person that criminal littering is a Class C misdemeanor, and shall provide that, unless the person can present satisfactory information or evidence to rebut the presumption to the designee of the governing body within 15 days from the date of the notice, an action for criminal littering may be filed against him or her in the appropriate court. If the person responds to the notice and presents information or evidence to the designee of the governing body, the designee shall review the information or evidence presented and make a determination as to whether or not an action should be brought against the person for criminal littering. The designee shall provide written notice to the person of its determination, and if the intent is to proceed with an action for criminal littering, the notice shall be sent before any action is filed.

(Acts 1977, No. 607, p. 812, §2725; Acts 1990, No. 90-585, p. 1020; Acts 1997, No. 97-712, p. 1475, §1; Act 98-494, p. 954, §1; Act 2001-469, p. 623, §1.)

Source: alisondb.legislature.state.al.us/acas/ACASLoginFire.asp

ALASKA

Applicable Section(s) 28.35.251

28.35.251. Contained or Confined Loads

- (a) A person may not drive a motor vehicle loaded with sand, gravel, rock, or similar materials on a highway unless
 - (1) The load is contained or confined to prevent the load from dropping, shifting, leaking, or escaping, except that sand or other substances may be dropped, sprinkled, or sprayed for the purpose of cleaning or maintaining the highway or providing traction; and
 - (2) The load is subjected to treatment by methods, approved by the commissioner by regulation, designed to settle the load or remove loose material before the vehicle is driven on the highway.
- (b) If a cover is used to contain or confine a load being driven on a highway, the cover shall be securely fastened to prevent the cover from becoming loose or detached, or from being a hazard to other users of the highway.

Source: <http://www.legis.state.ak.us/basis/folio.asp>

ARIZONA

Applicable Section(s) 28-1098

28-1098. Vehicle loads; restrictions; civil penalties

- (a) A person shall not drive or move a vehicle on a highway unless the vehicle is constructed or loaded in a manner to prevent any of its load from dropping, sifting, leaking or otherwise escaping from the vehicle, except that either:
 - (1) Sand may be dropped for the purpose of securing traction.
 - (2) Water or another substance may be sprinkled on a roadway in cleaning or maintaining the roadway.
- (b) A person shall not operate a vehicle on a highway with a load unless the load and any covering on the load are securely fastened in a manner to prevent the covering or load from becoming loose, detached or in any manner a hazard to other users of the highway.
- (c) If a person is found in violation of this section and the violation:
 - (1) Does not cause any damage or injury and is the person's:
 - (a) First violation in a sixty month period, the person is subject to a civil penalty of up to two hundred fifty dollars.
 - (b) Second or subsequent violation in a sixty month period, the person is subject to a civil penalty of up to three hundred fifty dollars.
 - (2) Results in an accident causing serious physical injury as defined in section 13-105 to another person, the person is subject to a civil penalty of up to five hundred dollars.
 - (3) Results in an accident causing the death of another person, the person is subject to a civil penalty of up to one thousand dollars.

Source: <http://www.azleg.state.az.us/arizonarevisedstatutes.asp>

ARKANSAS REGULATIONS

ARKANSAS

Applicable Section(s) 27-35-110

27-35-110. Spilling loads on highways prohibited - Covers required for loads of sand, gravel, and rock - Exceptions.

- (a) No vehicle shall be driven or moved on any highway unless the vehicle is so constructed or loaded as to prevent any of its load from dropping, sifting, leaking, or otherwise escaping therefrom.
- (b) Sand may be dropped for the purpose of securing traction, or water or other substance may be sprinkled on a roadway in cleaning or maintaining the roadway.
- (c) For a motor vehicle or a trailer with an open bed manufactured after September 30, 2001, no sand, gravel, or rock shall be transported on the paved public streets and highways of this state in a motor vehicle or trailer with an open bed unless the open bed is securely covered with a material which will prevent the load from dropping, sifting, leaking, or otherwise escaping therefrom. The cover shall be securely fastened to prevent the covering from becoming loose, detached, or in any manner a hazard to other users of the highway.
- (d) For a motor vehicle or a trailer with an open bed manufactured on or before September 30, 2001, a vehicle with an open bed transporting sand, gravel, or rock is required to be covered as prescribed in subsection (c) of this section unless six inches (6") of freeboard is maintained at the perimeter of the load within the open bed of the vehicle or trailer carrying the load. Measurements are to be taken at the perimeter of the vehicle's or trailer's bed and measured from the top edge of the bed down to the sand, gravel, or rock being transported.

Source: <http://www.arkleg.state.ar.us/assembly/2009/2010F/Pages/Home.aspx>

CALIFORNIA REGULATIONS

CALIFORNIA

Applicable Section(s) 23114 & 23115

23114.

- (a) No vehicle shall be driven or moved on any highway unless the vehicle is so constructed, covered, or loaded as to prevent any of its contents or load other than clear water or feathers from live birds from dropping, sifting, leaking, blowing, spilling, or otherwise escaping from the vehicle.
- (b) (1) Aggregate material shall only be carried in the cargo area of a vehicle. The cargo area shall not contain any holes, cracks, or openings through which that material may escape, regardless of the degree to which the vehicle is loaded, except as provided in paragraph
- (2) Every vehicle used to transport aggregate materials, regardless of the degree to which the vehicle is loaded, shall be equipped with all of the following:
 - (A) Properly functioning seals on any openings used to empty the load, including, but not limited to, bottom dump release gates and tailgates.
 - (B) Splash flaps behind every tire, or set of tires, regardless of position on the truck, truck tractor, or trailer.
 - (C) Center flaps at a location to the rear of each bottom dump release gate as to trucks or trailers equipped with bottom dump release gates. The center flap may be positioned directly behind the bottom dump release gate and in front of the rear axle of the vehicle, or it may be positioned to the rear of the rear axle in line with the splash flaps required behind the tires. The width of the center flap shall extend not more than one inch from one sidewall to the opposite sidewall of the inside tires and shall extend to within five inches of the pavement surface, and shall be not less than 24 inches from the bottom edge to the top edge of that center flap.
 - (D) Fenders starting at the splash flap with the leading edge of the fenders extending forward at least six inches beyond the center of the axle which cover the tops of tires not already covered by the truck, truck tractor, or trailer body.
 - (E) Complete enclosures on all vertical sides of the cargo area, including, but not limited to, tailgates.
 - (F) Shed boards designed to prevent aggregate materials from being deposited on the vehicle body during top loading.
- (c) Vehicles comprised of full rigid enclosures are exempt only from subparagraphs (C) and (F) of paragraph (2) of subdivision (b).
- (d) For purposes of this section, "aggregate material" means rock fragments, pebbles, sand, dirt, gravel, cobbles, crushed base, asphalt, and other similar materials.
- (e)
 - (1) On and after September 1, 1990, in addition to subdivisions (a) and (b), no vehicle shall transport any aggregate material upon a highway unless the material is covered
 - (2) Vehicles transporting loads composed entirely of asphalt material are exempt only from the provisions of this section requiring that loads be covered.
 - (3) Vehicles transporting loads composed entirely of petroleum coke material shall not be required to cover their loads if they are loaded using safety procedures, specialized equipment, and a chemical surfactant designed to prevent materials from blowing, spilling, or otherwise escaping from the vehicle.

(4) Vehicles transporting loads of aggregate materials shall not be required to cover their loads if the load, where it contacts the sides, front, and back of the cargo container area, remains six inches from the upper edge of the container area, and if the load does not extend, at its peak, above any part of the upper edge of the cargo container area.

(5) The requirements of this subdivision shall become operative on September 1, 1990.

(f) Any person who provides a location for vehicles to be loaded with any aggregate material or any other material shall provide a location for vehicle operators to comply with this section before entering a highway.

(1) A person shall be exempt from the requirements of this subdivision if the location that he or she provides for vehicles to be loaded with the materials described in this subdivision has 100 yards or less between the scale houses where the trucks carrying aggregate material are weighed and the point of egress to a public road.

(2) Drivers of vehicles loaded with aggregate material leaving locations exempted from the requirements of this subdivision are authorized to operate on public roads only until they are able to safely cover the load at a site near the location's point of egress to the public road, however, an uncovered vehicle shall not be operated more than 200 yards from the point of egress to the public road.

23115.

(a) No vehicle transporting garbage, swill, used cans or bottles, wastepapers, waste cardboard, ashes, refuse, trash, or rubbish, or any noisome, nauseous, or offensive matter, or anything being transported for disposal or recycling shall be driven or moved upon any highway unless the load is totally covered in a manner that will prevent the load or any part of the load from spilling or falling from the vehicle.

(b) Subdivision (a) does not prohibit a rubbish vehicle from being without cover while in the process of acquiring its load if no law, administrative regulation, or local ordinance requires that it be covered in those circumstances.

(c) Vehicles transporting wastepaper, waste cardboard, or used cans or bottles, are in compliance with subdivision (a) if appropriate binders including, but not limited to, bands, wires, straps, or netting are used to prevent the load, or any part of the load, from spilling or falling from the vehicle.

(d) This section does not apply to any vehicle engaged in transporting wet waste fruit or vegetable matter, or waste products to or from a food processing establishment.

Source: <http://www.leginfo.ca.gov/calaw.html>

COLORADO

Applicable Section(s) 42-4-1407

42-4-1407. Spilling loads on highways prohibited - prevention of spilling of aggregate, trash, or recyclables.

(1) No vehicle shall be driven or moved on any highway unless such vehicle is constructed or loaded or the load thereof securely covered to prevent any of its load from blowing, dropping, sifting, leaking, or otherwise escaping therefrom; except that material may be dropped for the purpose of securing traction or water or other substance may be sprinkled on a roadway in cleaning or maintaining such roadway.

(2) (Deleted by amendment, L. 99, p. 295, § 1, effective July 1, 1999.)

(2.4)

(a) A vehicle shall not be driven or moved on a highway if the vehicle is transporting trash or recyclables unless at least one of the following conditions is met:

(I) The load is covered by a tarp or other cover in a manner that prevents the load from blowing, dropping, shifting, leaking, or otherwise escaping from the vehicle;

(II) The vehicle utilizes other technology that prevents the load from blowing, dropping, shifting, leaking, or otherwise escaping from the vehicle;

(III) The load is required to be secured under and complies with 49 CFR parts 392 and 393; or

(IV) The vehicle is loaded in such a manner or the load itself has physical characteristics such that the contents will not escape from the vehicle. Such a load may include, but is not limited to, heavy scrap metal or hydraulically compressed scrap recyclables.

(b) Paragraph (a) of this subsection (2.4) shall not apply to a motor vehicle in the process of collecting trash or recyclables within a one-mile radius of the motor vehicle's last collection point.

(2.5)

(a) No vehicle shall be driven or moved on any highway for a distance of more than two miles if the vehicle is transporting aggregate material with a diameter of one inch or less unless:

(I) The load is covered by a tarp or other cover in a manner that prevents the aggregate material from blowing, dropping, sifting, leaking, or otherwise escaping from the vehicle; or

(II) The vehicle utilizes other technology that prevents the aggregate material from blowing, dropping, sifting, leaking, or otherwise escaping from the vehicle.

(b) Nothing in this subsection (2.5) shall apply to a vehicle:

(I) Operating entirely within a marked construction zone;

(II) Involved in maintenance of public roads during snow or ice removal operations; or

(III) Involved in emergency operations when requested by a law enforcement agency or an emergency response authority designated in or pursuant to section 29-22-102, C.R.S.

(2.7) For the purposes of this section:

- (a) “Aggregate material” means any rock, clay, silts, gravel, limestone, dimension stone, marble, and shale; except that “aggregate material” does not include hot asphalt, including asphalt patching material, wet concrete, or other materials not susceptible to blowing.
- (b) “Recyclables” means material or objects that can be reused, reprocessed, remanufactured, reclaimed, or recycled.
- (c) “Trash” means material or objects that have been or are in the process of being discarded or transported.

(3)

- (a) Except as otherwise provided in paragraph (b) or (c) of this subsection (3), any person who violates any provision of this section commits a class B traffic infraction.
- (b) Any person who violates any provision of this section while driving or moving a car or pickup truck without causing bodily injury to another person commits a class A traffic infraction.
- (c) Any person who violates any provision of this section while driving or moving a car or pickup truck and thereby proximately causes bodily injury to another person commits a class 2 misdemeanor traffic offense.

Source: L. 94: Entire title amended with relocations, p. 2393, § 1, effective January 1, 1995. L. 98: Entire section amended, p. 1101, § 22, effective June 1; entire section amended, p. 4252, § 2, effective June 4. L. 99: Entire section amended, p. 295, § 1, effective July 1. L. 2004: (3) amended, p. 241, § 1, effective July 1; (2.4) added and (2.7) amended, p. 412, § 1, effective August 4. L. 2005: (2.4)(a) amended, p. 104, § 1, effective April 5.

Source: leg.state.co.us/clics/cslFrontPages.nsf/HomeSplash?

CONNECTICUT

Applicable Section(s) 14-271 & 14-262

Sec. 14-271. Securing of loads.

- (a) No vehicle shall be driven or moved on any highway unless such vehicle is so constructed or loaded as to prevent any of its load from dropping, sifting, leaking or otherwise escaping there from in such manner or quantity as to constitute a hazard or nuisance to other users of the highway, except that sand may be dropped for the purpose of securing traction, or water or other substance may be sprinkled on a roadway in cleaning or maintaining such roadway.
- (b) No person shall operate on any highway any vehicle with any load unless such load and any covering thereon is securely fastened so as to prevent such covering or load from becoming loose, detached or in any manner a hazard to other users of the highway.
- (c) No person shall operate on any highway any vehicle having a gross weight of five thousand pounds or more which is designed and used exclusively for the collection and transportation of refuse and which has a separable container with an open top unless the contents of such container are secured by the use of a screen or other material having perforations of a size not greater than two square inches when such container is attached to such vehicle.
- (d) The provisions of this section shall not apply to motor vehicles registered as farm motor vehicles or vehicles used for farming purposes.
- (e) Violation of any provision of this section shall be an infraction for each offense.

Sec. 14-262. Width and length of vehicles. Exceptions. Permits.

- (a) The following vehicles shall not be operated upon any highway or bridge without a special written permit from the Commissioner of Transportation, as provided in section 14-270, specifying the conditions under which they may be so operated:
 - (1) A vehicle, combination of vehicle and trailer or commercial vehicle combination, including each such vehicle's load, which is wider than one hundred two inches or its approximate metric equivalent of two and six-tenths meters or one hundred two and thirty- six-hundredths inches, including its load, but not including the following safety devices: Reasonably sized rear view mirrors, turn signals, steps and handholds for entry and egress, spray and splash suppressant devices, load-induced tire bulge and any other state-approved safety device which the Commissioner of Transportation determines is necessary for the safe and efficient operation of such a vehicle or combination, provided no such state-approved safety device protrudes more than three inches from each side of the vehicle or provided no such device has by its design or use the capability to carry cargo. Such permit shall not be required in the case of (A) farm equipment, (B) a vehicle or combination of vehicle and trailer loaded with hay or straw, (C) a school bus equipped with a folding stop sign or exterior mirror, as approved by the Commissioner of Motor Vehicles, which results in a combined width of bus and sign or bus and mirror in excess of that established by this subsection, or (D) a trailer designed and used exclusively for transporting boats when the gross weight of such boats does not exceed four thousand pounds; and

(2) A combination of truck and trailer which is longer than sixty-five feet except (A) a combination of truck and trailer or tractor and semitrailer loaded with utility poles, both trailer and semitrailer having a maximum length of forty-eight feet, utility poles having a maximum length of fifty feet and the overall length not to exceed eighty feet, (B) a trailer designed and used exclusively for transporting boats when the gross weight of such boats does not exceed four thousand pounds, (C) a tractor-trailer unit, (D) a commercial vehicle combination, (E) combinations of vehicles considered as specialized equipment in 23 CFR 658.13(e), as amended, or (F) a tractor equipped with a dromedary box operated in combination with a semitrailer which tractor and semitrailer do not exceed seventy-five feet in overall length.

(b) A special written permit may not be issued by the Commissioner of Transportation for a combination of vehicles consisting of a vehicle drawing a combination of three or more trailers or semitrailers, except any such combination engaged in the transportation of an indivisible load.

(c) The maximum length of a single unit vehicle shall be forty-five feet and the maximum length of the semi-trailer portion of a tractor-trailer unit shall be forty-eight feet. A trailer greater than forty-eight feet and less than or equal to fifty-three feet in length, that has a distance of no more than forty-three feet between the kingpin and the center of the rearmost axle with wheels in contact with the road surface, may be operated on (1) unless posted otherwise, United States and Connecticut routes numbered from 1 to 399, inclusive, 450, 476, 508, 693 and 695 and the national system of interstate and defense highways, and (2) state and local roads for up to one mile from the routes and system specified in subdivision (1) of this subsection for access to terminals, facilities for food, fuel, repair and rest, and points of loading and unloading. The Commissioner of Transportation shall permit additional routes upon application of carriers or shippers provided the proposed additional routes meet the permit criteria of the Department of Transportation. Such length limitation shall be exclusive of safety and energy conservation devices, such as refrigeration units, air compressors or air shields and other devices, which the Secretary of the federal Department of Transportation may interpret as necessary for the safe and efficient operation of such vehicles, provided no such device has by its design or use the capability to carry cargo.

(d) Violation of any provision of this section shall be subject to a fine of five hundred dollars.

Source: <http://www.jud.ct.gov/lawlib/state.htm>

DELAWARE

Applicable Section(s) 4371

4371. Constructions of Vehicles to Prevent Escape of Contents; Penalty

- a. No vehicle shall be driven or moved on any highway unless it is so constructed or loaded as to prevent its contents from dropping, sifting, leaking, or otherwise escaping therefrom.
- b. Whoever violates subsection (a) of this section shall, for the first offense be fined not less than \$10, nor more than \$28.75. For each s subsequent like offense the person shall be fined not less than \$28.75 nor more than \$100.

Source: <http://delcode.delaware.gov>

DISTRICT OF COLUMBIA
Applicable Section(s) 50-2101

§ 50-2101. Vehicle cover requirement; penalty [Formerly § 40-499.1]

- (a) No person shall operate any vehicle on the public roadways of the District of Columbia carrying loose debris or loose cargo that could be dislodged from the vehicle without covering and restraining the loose debris or loose cargo so as to render the material immobile. The provisions of this section shall not apply when loose debris or loose cargo is loaded so that the height of the cargo against the sides of the vehicle container does not extend above a point 6 inches below the top of the vehicle container and no portion of the load extends above the top of the vehicle container.
- (b) The penalty for violating this section shall be a civil fine not to exceed \$500.
- (c) Nothing in this section shall be construed to repeal the requirements or penalties provided in 18 DCMR 2503.2, 20 DCMR 605.1(c), and 24 DCMR 1007.

(1981 Ed., § 40-499.1; May 10, 1988, D.C. Law 7-108, § 2, 35 DCR 2179.)

Source: <http://dc.gov>

FLORIDA

Applicable Section(s) 316.520 & 316.525

316.520. Loads on Vehicles

- (1) A vehicle may not be driven or moved on any highway unless the vehicle is so constructed or loaded as to prevent any of its load from dropping, shifting, leaking, blowing, or otherwise escaping therefrom, except that sand may be dropped only for the purpose of securing traction or water or other substance may be sprinkled on a roadway in cleaning or maintaining the roadway.
- (2) It is the duty of every owner and driver, severally, of any vehicle hauling, upon any public road or highway open to the public, dirt, sand, lime rock, gravel, silica, or other similar aggregate or trash, garbage, any inanimate object or objects, or any similar material that could fall or blow from such vehicle, to prevent such materials from falling, blowing, or in any way escaping from such vehicle. Covering and securing the load with a close-fitting tarpaulin or other appropriate cover or a load securing device meeting the requirements of 49 C.F.R. s. 393.100 or a device designed to reasonably ensure that cargo will not shift upon or fall from the vehicle is required and shall constitute compliance with this section.
- (3)(a) Except as provided in paragraph (b), a violation of this section is a noncriminal traffic infraction, punishable as a nonmoving violation as provided in chapter 318.
- (b) Any person who willfully violates the provisions of this section which offense results in serious bodily injury or death to an individual and which offense occurs as a result of failing to comply with subsections (1) and (2) commits a criminal traffic offense and a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.
- (4) The provision of subsection (2) requiring covering and securing the load with a close-fitting tarpaulin or other appropriate cover does not apply to vehicles carrying agricultural products locally from a harvest site or to or from a farm on roads where the posted speed limit is 65 miles per hour or less and the distance driven on public roads is less than 20 miles.

History.—s. 1, ch. 71-135; s. 1, ch. 73-174; s. 1, ch. 74-111; s. 1, ch. 76-31; ss. 5, 235, ch. 99-248; ss. 70, 106, ch. 2002-20; s. 4, ch. 2002-235.

Note.—Former s. 316.198.

316.525 Requirements for vehicles hauling loads.

- (1) It is the duty of every owner, licensee, and driver, severally, of any truck, trailer, semitrailer, or pole trailer to use such stanchions, standards, stays, supports, or other equipment, appliances, or contrivances, together with one or more lock chains, when lock chains are the most suitable means of fastening the load, or together with nylon strapping, when nylon strapping is the most suitable means of securing the load, so as to fasten the load securely to the vehicle.
- (2) The Department of Transportation shall promulgate rules with respect to the type and suitability of nylon strapping to be used in compliance with this section.
- (3) A violation of this section is a noncriminal traffic infraction, punishable as a nonmoving violation as provided in chapter 318.

History.—s. 1, ch. 71-135; s. 1, ch. 76-31; ss. 1, 2, ch. 80-229; s. 190, ch. 81-259; s. 236, ch. 99-248.

Note.—Former s. 316.280.

Source: <http://flsenate.gov/Statutes/Index.cfm?Mode=View+Statutes&Submenu=1&Tab=statutes>

GEORGIA

Applicable Section(s) 40-6-248.1 & 40-6-254

40-6-248.1. Securing loads on vehicles

- (a) As used in this Code section, the term “litter” has the meaning provided by paragraph (1) of Code Section 16-7-42.
- (a.1) No vehicle shall be driven or moved on any public road unless such vehicle is constructed or loaded or covered so as to prevent any of its load from dropping, escaping, or shifting in such a manner as to:
- (1) Create a safety hazard; or
 - (2) Deposit litter on public or private property while such vehicle is on a public road.
- However, this Code section shall not prohibit the necessary spreading of any substance in public road maintenance or construction operations.
- (b) No person shall operate or load for operation, on any public road, any vehicle with any load unless such load and any covering thereon is securely fastened so as to prevent such covering or load from:
- (1) Becoming loose, detached, or in any manner becoming a hazard to other users of the public road; or
 - (2) Depositing litter on public or private property while such vehicle is on a public road.
- (c) No motor carrier shall allow a commercial motor vehicle to be driven and no person shall operate a commercial motor vehicle with a load that is not secure. Loads shall be secured as required by state and federal law, rule, and regulation. As used in this subsection, the term “load” shall include loads consisting of liquids and gases as well as solid materials.
- (d) Nothing in this Code section nor any regulations based thereon shall conflict with federal, Department of Public Safety, or Board of Public Safety regulations applying to the securing of loads on motor vehicles.
- (e) The provisions of paragraph (2) of subsection (a) and paragraph (2) of subsection (b) of this Code section and regulations based thereon shall not apply to organic debris that escapes during the transportation of silage from field or farm to storage and storage to feedlot or during the transportation of agricultural or farm products or silvicultural products from farm or forest to a processing plant or point of sale or use.

HISTORY: Code 1933, § 95A-955, enacted by Ga. L. 1973, p. 947, § 1; Ga. L. 1981, p. 705, § 1; Ga. L. 2002, p. 1270, § 1; Code 1981, § 32-6-21; Code 1981, § 40-6-248.1, as redesignated by Ga. L. 2006, p. 275, § 3-9/HB 1320; Ga. L. 2012, p. 580, § 10/HB 865; Ga. L. 2013, p. 141, §

40/HB 79; Ga. L. 2013, p. 838, § 18/HB 323.

40-6-254. Operating vehicle without adequately securing load

No person shall operate any motor vehicle with a load on or in such vehicle unless the load on or in such vehicle is adequately secured to prevent the dropping or shifting of such load onto the roadway in such a manner as to create a safety hazard. Any person who operates a vehicle in violation of this Code section shall be guilty of a misdemeanor.

HISTORY: Code 1981, § 40-6-254, enacted by Ga. L. 1992, p. 1967, § 2; Ga. L. 2002, p. 1270, § 2.

Source: <http://www.legis.ga.gov/en-US/default.aspx>

HAWAII

Applicable Section(s) 291C-131

§291C-131. Spilling Loads on Highways, penalties.

- (a) No vehicle shall be moved on any highway, unless the vehicle is so constructed, covered, or loaded as to prevent any of its load other than clear water or feathers from live birds from dropping, sifting, leaking, blowing, spilling, or otherwise escaping therefrom, except that sand may be dropped for the purpose of securing traction, or water or other substances may be sprinkled on a highway in cleaning or maintaining the highway.
- (b) No vehicle shall be driven or moved on any highway when any load thereon is not entirely within the body of the vehicle; provided that this prohibition shall not apply if the load is securely fastened by means of clamps, ropes, straps, cargo nets, or other suitable mechanical device to prevent such load from dropping onto the highway or from shifting in any manner and, further, no vehicle shall be operated on any highway with any load thereon projecting beyond the extreme width of the vehicle.
- (c) Vehicles carrying agricultural produce from fields during harvesting shall be exempt from the requirements of this section but the owner of the vehicle must provide for the reasonable removal of all such produce spilled or dropped on the highway.
- (d) No vehicle shall be driven or moved on any highway with any load if the load is not entirely covered by a cargo net, tarpaulin, canopy, or other material designed to cover the load to prevent the load from escaping from the vehicle, where the load consists partially or entirely of loose paper, loose rubbish, plastics, empty cartons, dirt, sand or gravel.
- (e) Vehicles transporting a granular load consisting of dirt, sand or gravel on any highway shall not be required to cover their granular load if the granular load does not extend, at its peak, above any point on a horizontal plane equal in height to the top of the side, front, or rear part of the cargo container area that is the least in height.
- (f) No vehicle shall be driven or moved on any highway with a load consisting of rocks, stones or boulders if the load, at its peak, extends above any point on a horizontal plane equal in height to the top of the side, front, or rear part of the cargo container area that is the least in height.
- (g) Violation of this section shall be considered an offense as defined in section 701-107 (5), shall not be subject to the provisions of chapter 291D, and shall subject the owner or driver of the vehicle, or both, to the following penalties without possibility of probation or suspension of sentence:
- (1) For a first violation, by a fine of not less than \$250 and not more than \$500.
 - (2) For a second violation involving a vehicle or driver previously cited under this section within one year:
 - (A) Suspension of the vehicle registration or suspension of the license of the driver, or both, for not less than five working days but not more than ten working days; and
 - (B) A fine of not less than \$500 and not more than \$750.
 - (3) For a third or subsequent violation involving a vehicle or driver previously cited under this section within one year:

(A) Suspension of the vehicle registration or suspension of the license of the driver, or both, for a period of thirty calendar days; and

(B) A fine of not less than \$750 and not more than \$1,000.

In imposing a fine under this subsection, the court, in this discretion, may apportion payment of the fine between the driver of the vehicle and the owner of the vehicle according to the court's determination of the degree of fault for the violation.

For the purposes of this subsection, a truck-trailer combination and tractor-semi trailer combination, as they are defined in section 286-2, shall be considered as one vehicle. [L 1976, c 137, §1; am L 1986, c 175, §1; am L 189, c 301, §1; am L 1990, c 121, §1; am L 2000, c 100, §1]

Source: <http://www.capitol.hawaii.gov>

IDAHO

Applicable Section(s) 393.100-114

393.100 Which types of commercial motor vehicles are subject to the cargo securement standards of this subpart, and what general requirements apply?

- (a) Applicability. The rules in this subpart are applicable to trucks, truck tractors, semitrailers, full trailers, and pole trailers.
- (b) Prevention against loss of load. Each commercial motor vehicle must, when transporting cargo on public roads, be loaded and equipped, and the cargo secured, in accordance with this subpart to prevent the cargo from leaking, spilling, blowing or falling from the motor vehicle.
- (c) Prevention against shifting of load. Cargo must be contained, immobilized or secured in accordance with this subpart to prevent shifting upon or within the vehicle to such an extent that the vehicle's stability or maneuverability is adversely affected.

393.102 What are the minimum performance criteria for cargo securement devices and systems?

- (a) Performance criteria—
 - (1) Breaking strength. Tiedown assemblies (including chains, wire rope, steel strapping, synthetic webbing, and cordage) and other attachment or fastening devices used to secure articles of cargo to, or in, commercial motor vehicles must be designed, installed, and maintained to ensure that the maximum forces acting on the devices or systems do not exceed the manufacturer's breaking strength rating under the following conditions, applied separately:
 - (i) 0.8 g deceleration in the forward direction;
 - (ii) 0.5 g acceleration in the rearward direction; and
 - (iii) 0.5 g acceleration in a lateral direction.
 - (2) Working Load limit. Tiedown assemblies (including chains, wire rope, steel strapping, synthetic webbing, and cordage) and other attachment or fastening devices used to secure articles of cargo to, or in, commercial motor vehicles must be designed, installed, and maintained to ensure that the forces acting on the devices or systems do not exceed the working load limit for the devices under the following conditions, applied separately:
 - (i) 0.435 g deceleration in the forward direction;
 - (ii) 0.5 g acceleration in the rearward direction; and
 - (iii) 0.25 g acceleration in a lateral direction.
- (b) Performance criteria for devices to prevent vertical movement of loads that are not contained within the structure of the vehicle. Securement systems must provide a downward force equivalent to at least 20 percent of the weight of the article of cargo if the article is not fully contained within the structure of the vehicle. If the article is fully contained within the structure of the vehicle, it may be secured in accordance with Sec.393.106(b).
- © Equivalent means of securement. The means of securing articles of cargo are considered to meet the performance requirements of this section if the cargo is "
 - (1) Immobilized, such so that it cannot shift or tip to the extent that the vehicle's stability or maneuverability is adversely affected; or
 - (2) Transported in a sided vehicle that has walls of adequate strength, such that each article of cargo within the vehicle is in contact with, or sufficiently close to a wall or other articles, so that it cannot shift or tip to the extent that the vehicle's stability or maneuverability is adversely affected; or
 - (3) Secured in accordance with the applicable requirements of §§ 393.104 through 393.136. [71 FR 35832, June 22, 2006]

393.104 What standards must cargo securement devices and systems meet in order to satisfy the requirements of this subpart?

- (a) General. All devices and systems used to secure cargo to or within a vehicle must be capable of meeting the requirements of § 393.102.
- (b) Prohibition on the use of damaged securement devices. All tiedowns, cargo securement systems, parts and components used to secure cargo must be in proper working order when used to perform that function with no damaged or weakened components, such as, but not limited to, cracks or cuts that will adversely affect their performance for cargo securement purposes, including reducing the working load limit.
- (c) Vehicle structures and anchor points. Vehicle structures, floors, walls, decks, tiedown anchor points, head-erboards, bulkheads, stakes, posts, and associated mounting pockets used to contain or secure articles of cargo must be strong enough to meet the performance criteria of § 393.102, with no damaged or weak-ened components, such as, but not limited to, cracks or cuts that will adversely affect their performance for cargo securement purposes, including reducing the working load limit.
- (d) Material for dunnage, chocks, cradles, shoring bars, blocking and bracing. Material used as dunnage or dunnage bags, chocks, cradles, shoring bars, or used for blocking and bracing, must not have damage or defects which would compromise the effectiveness of the securement system.
- (e) Manufacturing standards for tiedown assemblies. Tiedown assemblies (including chains, wire rope, steel strapping, synthetic webbing, and cordage) and other attachment or fastening devices used to secure arti-cles of cargo to, or in, commercial motor vehicles must conform to the following applicable standards:

An assembly
component of . . . Must conform to . . .

1 Steel strapping not marked by the manufacturer with a working load limit will be considered to have a work-ing load limit equal to one-fourth of the breaking strength listed in ASTM D3953-97.

2 Steel strapping 25.4 mm (1 inch) or wider must have at least two pairs of crimps in each seal and, when an

An assembly
component of . . . Must conform to . . .

end-over-end lap joint is formed, must be sealed with at least two seals.

3 Wire rope which is not marked by the manufacturer with a working load limit shall be considered to have a working load limit equal to one-fourth of the nominal strength listed in the manual.

4 See § 393.7 for information on the incorporation by reference and availability of this document.

- (1) Steel strapping 1,2
Standard Specification for Strapping, Flat Steel and Seals, American Society for Testing and Materials (ASTM) D3953-97, February 1998. 4
- (2) Chain
National Association of Chain Manufacturers' Welded Steel Chain Specifications, dated September 28, 2005. 4
- (3) Webbing
Web Sling and Tiedown Association's Recommended Standard Specification for Synthetic Web Tiedowns, WSTDA-T1, 1998. 4
- (4) Wire rope 3
Wire Rope Technical Board's Wire Rope Users Manual, 2nd Edition, November 1985. 4
- (5) Cordage
Cordage Institute rope standard:
 - (i) PETRS-2, Polyester Fiber Rope, three-Strand and eight-Strand Constructions,

- January 1993; 4
 - (ii) PPRS-2, Polypropylene Fiber Rope, three-Strand and eight-Strand Constructions, August 1992; 4
 - (iii) CRS-1, Polyester/Polypropylene Composite Rope Specifications, three-Strand and eight-Strand Standard Construction, May 1979; 4
 - (iv) NRS-1, Nylon Rope Specifications, three-Strand and eight-Strand Standard Construction, May 1979; 4 and
 - (v) C-1, Double Braided Nylon Rope Specifications DBN, January 1984. 4
 - (f) Use of tiedowns.
 - (1) Tiedowns and securing devices must not contain knots.
 - (2) If a tiedown is repaired, it must be repaired in accordance with the applicable standards in paragraph (e) of this section, or the manufacturer's instructions.
 - (3) Each tiedown must be attached and secured in a manner that prevents it from becoming loose, unfasten-ing, opening or releasing while the vehicle is in transit.
 - (4) Edge protection must be used whenever a tiedown would be subject to abrasion or cutting at the point where it touches an article of cargo. The edge protection must resist abrasion, cutting and crushing.
- [67 FR 61225, Sept. 27, 2002, as amended at 71 FR 35833, June 22, 2006]

393.106 What are the general requirements for securing articles of cargo?

- (a) Applicability. The rules in this section are applicable to the transportation of all types of articles of cargo, except commodities in bulk that lack structure or fixed shape (e.g., liquids, gases, grain, liquid concrete, sand, gravel, aggregates) and are transported in a tank, hopper, box, or similar device that forms part of the structure of a commercial motor vehicle. The rules in this section apply to the cargo types covered by the commodity-specific rules of § 393.116 through § 393.136. The commodity-specific rules take prece-dence over the general requirements of this section when additional requirements are given for a commod-ity listed in those sections.
 - (b) General. Cargo must be firmly immobilized or secured on or within a vehicle by structures of adequate strength, dunnage or dunnage bags, shoring bars, tiedowns or a combination of these.
 - (c) Cargo placement and restraint.
 - (1) Articles of cargo that are likely to roll must be restrained by chocks, wedges, a cradle or other equivalent means to prevent rolling. The means of preventing rolling must not be capable of becoming unintentionally unfastened or loose while the vehicle is in transit.
 - (2) Articles or cargo placed beside each other and secured by transverse tiedowns must either:
 - (i) Be placed in direct contact with each other, or
 - (ii) Be prevented from shifting towards each other while in transit.
 - (d) Aggregate working load limit for tiedowns. The aggregate working load limit of tiedowns used to secure an article or group of articles against movement must be at least one-half times the weight of the article or group of articles. The aggregate working load limit is the sum of:
 - (1) One-half the working load limit of each tiedown that goes from an anchor point on the vehicle to an anchor point on an article of cargo;
 - (2) One-half the working load limit of each tiedown that is attached to an anchor point on the vehicle, passes through, over, or around the article of cargo, and is then attached to an anchor point on the same side of the vehicle.
 - (3) The working load limit for each tiedown that goes from an anchor point on the vehicle, through, over, or around the article of cargo, and then attaches to another anchor point on the other side of the vehicle.
- [67 FR 61225, Sept. 27, 2002, as amended at 68 FR 56208, Sept. 30, 2003; 71 FR 35833, June 22, 2006]

393.108 How is the working load limit of a tiedown, or the load restraining value of a friction mat, determined?

- (a) The working load limit (WLL) of a tiedown, associated connector or attachment mechanism is the lowest working load limit of any of its components (including tensioner), or the working load limit of the anchor points to which it is attached, whichever is less.
- (b) The working load limits of tiedowns may be determined by using either the tiedown manufacturer's markings or by using the tables in this section. The working load limits listed in the tables are to be used when the tiedown material is not marked by the manufacturer with the working load limit. Tiedown materials which are marked by the manufacturer with working load limits that differ from the tables, shall be considered to have a working load limit equal to the value for which they are marked.
- (c) Synthetic cordage (e.g., nylon, polypropylene, polyester) which is not marked or labeled to enable identification of its composition or working load limit shall be considered to have a working load limit equal to that for polypropylene fiber rope.
- (d) Welded steel chain which is not marked or labeled to enable identification of its grade or working load limit shall be considered to have a working load limit equal to that for grade 30 proof coil chain.
- (e)(1) Wire rope which is not marked by the manufacturer with a working load limit shall be considered to have a working load limit equal to one-fourth of the nominal strength listed in the Wire Rope Users Manual.
- (2) Wire which is not marked or labeled to enable identification of its construction type shall be considered to have a working load limit equal to that for 6 × 37, fiber core wire rope.
- (f) Manila rope which is not marked by the manufacturer with a working load limit shall be considered to have a working load limit based on its diameter as provided in the tables of working load limits.
- (g) Friction mats which are not marked or rated by the manufacturer shall be considered to provide resistance to horizontal movement equal to 50 percent of the weight placed on the mat.

Tables to § 393.108 [Working Load Limits (WLL), Chain]					
	WLL in kg (pounds)				
Size mm (inches)	Grade 30 proof coil	Grade 43 proof test	Grade 70 trans-port	Grade 80 alloy	Grade 100 alloy
1. 7 (1/4)	580 (1,300)	1,180 (2,600)	1,430 (3,150)	1,570 (3,500)	1,950 (4,300)
2. 8 (5/16)	860 (1,900)	1,770 (3,900)	2,130 (4,700)	2,000 (4,500)	2,600 (5,700)
3. 10 (3/8)	1,200 (2,650)	2,450 (5,400)	2,990 (6,600)	3,200 (7,100)	4,000 (8,800)
4. 11 (7/16)	1,680 (3,700)	3,270 (7,200)	3,970 (8,750)	---	---
5. 13 (1/2)	2,030 (4,500)	4,170 (9,200)	5,130 (11,300)	5,400 (12,000)	6,800 (15,000)
6. 16 (5/8)	3,130 (6,900)	5,910 (13,000)	7,170 (15,800)	8,200 (18,100)	10,300 (22,600)
Chain Mark Examples:					
Example 1	3	4	7	8	10
Example 2	30	43	70	80	100
Example 3	300	430	700	800	1000

Synthetic Webbing	
Width mm (inches)	WLL kg (pounds)
45 (13/4)	790 (1,750)
50 (2)	910 (2,000)
75 (3)	1,360 (3,000)
100 (4)	1,810 (4,000)

Wire Rope (6 × 37, Fiber Core)	
Diameter mm (inches)	WLL kg (pounds)
7 (1/4)	640 (1,400)
8 (5/16)	950 (2,100)
10 (3/8)	1,360 (3,000)
11 (7/16)	1,860 (4,100)
13 (1/2)	2,400 (5,300)
16 (5/8)	3,770 (8,300)
20 (3/4)	4,940 (10,900)
22 (7/8)	7,300 (16,100)
25 (1)	9,480 (20,900)

Manila Rope	
Diameter mm (inches)	WLL kg (pounds)
10 (3/8)	90 (205)
11 (7/16)	120 (265)
13 (1/2)	150 (315)
16 (5/8)	210 (465)
20 (3/4)	290 (640)
25 (1)	480 (1,050)

Polypropylene Fiber Rope WLL (3-Strand and 8-Strand Constructions)	
Diameter mm (inches)	WLL kg (pounds)
10 (3/8)	180 (400)
11 (7/16)	240 (525)
13 (1/2)	280 (625)
16 (5/8)	420 (925)
20 (3/4)	580 (1,275)
25 (1)	950 (2,100)

Polypropylene Fiber Rope WLL (3-Strand and 8-Strand Constructions)	
Diameter mm (inches)	WLL kg (pounds)
10 (3/8)	250 (555)
11 (7/16)	340 (750)
13 (1/2)	440 (960)
16 (5/8)	680 (1,500)
20 (3/4)	850 (1,880)
25 (1)	1,500 (3,300)

Nylon Rope	
Diameter mm (inches)	WLL kg (pounds)
10 (3/8)	130 (278)
11 (7/16)	190 (410)
13 (1/2)	240 (525)
16 (5/8)	420 (935)
20 (3/4)	640 (1,420)
25 (1)	1,140 (2,520)

Double Braided Nylon Rope	
Diameter mm (inches)	WLL kg (pounds)
10 (3/8)	150 (336)
11 (7/16)	230 (502)
13 (1/2)	300 (655)
16 (5/8)	510 (1,130)
20 (3/4)	830 (1,840)
25 (1)	1,470 (3,250)

Steel Strapping	
Width × thickness mm (inches)	WLL kg (pounds)
31.7 × .74 (11/4 × 0.029)	540 (1,190)
31.7 × .79 (11/4 × 0.031)	540 (1,190)
31.7 × .89 (11/4 × 0.035)	540 (1,190)
31.7 × 1.12 (11/4 × 0.044)	770 (1,690)
31.7 × 1.27 (11/4 × 0.05)	770 (1,690)
31.7 × 1.5 (11/4 × 0.057)	870 (1,925)
50.8 × 1.12 (2 × 0.044)	1,200 (2,650)
50.8 × 1.27 (2 × 0.05)	1,200 (2,650)

393.110 What else do I have to do to determine the minimum number of tiedowns?

- (a) When tiedowns are used as part of a cargo securement system, the minimum number of tiedowns required to secure an article or group of articles against movement depends on the length of the article(s) being secured, and the requirements of paragraphs (b) and (c) of this section. These requirements are in addition to the rules under §393.106.
- (b) When an article is not blocked or positioned to prevent movement in the forward direction by a header-board, bulkhead, other cargo that is positioned to prevent movement, or other appropriate blocking devices, it must be secured by at least:
 - (1) One tiedown for articles 5 feet (1.52 meters) or less in length, and 1,100 pounds (500 kg) or less in weight;
 - (2) Two tiedowns if the article is:
 - (i) 5 feet (1.52 meters) or less in length and more than 1,100 pounds (500 kg) in weight; or
 - (ii) Longer than 5 feet (1.52 meters) but less than or equal to 10 feet (3.04 meters) in length, irrespective of the weight.
 - (3) Two tiedowns if the article is longer than 10 feet (3.04 meters), and one additional tiedown for every 10 feet (3.04 meters) of article length, or fraction thereof, beyond the first 10 feet (3.04 meters) of length.
- (c) If an individual article is blocked, braced, or immobilized to prevent movement in the forward direction by a headerboard, bulkhead, other articles which are adequately secured or by an appropriate blocking or immobilization method, it must be secured by at least one tiedown for every 3.04 meters (10 feet) of article length, or fraction thereof.
- (d) Special rule for special purpose vehicles. The rules in this section do not apply to a vehicle transporting one or more articles of cargo such as, but not limited to, machinery or fabricated structural items (e.g., steel or concrete beams, crane booms, girders, and trusses, etc.) which, because of their design, size, shape, or weight, must be fastened by special methods. However, any article of cargo carried on that vehicle must be securely and adequately fastened to the vehicle. [67 FR 61225, Sept. 27, 2002, as amended at 71 FR 35833, June 22, 2006]

393.112 Must a tiedown be adjustable?

Each tiedown, or its associated connectors, or its attachment mechanisms must be designed, constructed, and maintained so the driver of an in-transit commercial motor vehicle can tighten them. However, this requirement does not apply to the use of steel strapping.

393.114 What are the requirements for front end structures used as part of a cargo securement system?

- (a) Applicability. The rules in this section are applicable to commercial motor vehicles transporting articles of cargo that are in contact with the front end structure of the vehicle. The front end structure on these cargo-carrying vehicles must meet the performance requirements of this section.
- (b) Height and width.
 - (1) The front end structure must extend either to a height of 4 feet above the floor of the vehicle or to a height at which it blocks forward movement of any item or article of cargo being carried on the vehicle, whichever is lower.
 - (2) The front end structure must have a width which is at least equal to the width of the vehicle or which blocks forward movement of any article of cargo being transported on the vehicle, whichever is narrower.
- (c) Strength. The front end structure must be capable of withstanding the following horizontal forward static load:
 - (1) For a front end structure less than 6 feet in height, a horizontal forward static load equal to one-half (0.5) of the weight of the articles of cargo being transported on the vehicle uniformly distributed over the entire

- portion of the front end structure that is within 4 feet above the vehicle's floor or that is at or below a height above the vehicle's floor at which it blocks forward movement of any article of the vehicle's cargo, whichever is less; or
- (2) For a front end structure 6 feet in height or higher, a horizontal forward static load equal to four-tenths (0.4) of the weight of the articles of cargo being transported on the vehicle uniformly distributed over the entire front end structure.
- (d) Penetration resistance. The front end structure must be designed, constructed, and maintained so that it is capable of resisting penetration by any article of cargo that contacts it when the vehicle decelerates at a rate of 20 feet per second, per second. The front end structure must have no aperture large enough to permit any article of cargo in contact with the structure to pass through it.
- (e) Substitute devices. The requirements of this section may be met by the use of devices performing the same functions as a front end structure, if the devices are at least as strong as, and provide protection against shifting articles of cargo at least equal to, a front end structure which conforms to those requirements.

[67 FR 61225, Sept. 27, 2002, as amended at 71 FR 35833, June 22, 2006]

393.114 What are the requirements for front end structures used as part of a cargo securement system?

- (a) Applicability. The rules in this section are applicable to commercial motor vehicles transporting articles of cargo that are in contact with the front end structure of the vehicle. The front end structure on these cargo-carrying vehicles must meet the performance requirements of this section.
- (b) Height and width.
- (1) The front end structure must extend either to a height of 4 feet above the floor of the vehicle or to a height at which it blocks forward movement of any item or article of cargo being carried on the vehicle, whichever is lower.
- (2) The front end structure must have a width which is at least equal to the width of the vehicle or which blocks forward movement of any article of cargo being transported on the vehicle, whichever is narrower.
- (c) Strength. The front end structure must be capable of withstanding the following horizontal forward static load:
- (1) For a front end structure less than 6 feet in height, a horizontal forward static load equal to one-half (0.5) of the weight of the articles of cargo being transported on the vehicle uniformly distributed over the entire portion of the front end structure that is within 4 feet above the vehicle's floor or that is at or below a height above the vehicle's floor at which it blocks forward movement of any article of the vehicle's cargo, whichever is less; or
- (2) For a front end structure 6 feet in height or higher, a horizontal forward static load equal to four-tenths (0.4) of the weight of the articles of cargo being transported on the vehicle uniformly distributed over the entire front end structure.
- (d) Penetration resistance. The front end structure must be designed, constructed, and maintained so that it is capable of resisting penetration by any article of cargo that contacts it when the vehicle decelerates at a rate of 20 feet per second, per second. The front end structure must have no aperture large enough to permit any article of cargo in contact with the structure to pass through it.
- (e) Substitute devices. The requirements of this section may be met by the use of devices performing the same functions as a front end structure, if the devices are at least as strong as, and provide protection against shifting articles of cargo at least equal to, a front end structure which conforms to those requirements.

[67 FR 61225, Sept. 27, 2002, as amended at 71 FR 35833, June 22, 2006]

Source: <http://www.legislature.idaho.gov/idstat/TOC/IDStatutesTOC.htm>

ILLINOIS

Applicable Section(s) 15-109.1

15-109.1. Covers or Tarpaulins Required for Certain Loads

- (a) No person shall operate or cause to be operated, on a highway, any second division vehicle loaded with dirt, aggregate, garbage, refuse, or other similar material, when any portion of the load is falling, sifting, blowing, dropping or in any way escaping from the vehicle.
- (b) No person shall operate or cause to be operated, on a highway, any second division vehicle having a gross vehicle weight rating of 8,000 pounds or more loaded with dirt, aggregate, garbage, refuse, or other similar material in or on any part of the vehicle other than in the cargo area. In addition, no person shall operate on any highway, such vehicle unless the tailgate on the vehicle is in good repair and operating condition and closes securely so as to prevent any load, residue, or other material from escaping.
- (c) This Section shall not apply to the operation of highway maintenance vehicles engaged in removing snow and ice from the roadway, nor to implements of husbandry or other farm vehicles while transporting agricultural products to or from the original place of production.
- (d) For the purpose of this Section "aggregate" shall include all ores, minerals, sand, gravel, shale, coal, clay, limestone or any other ore or mineral which may be mined.
- (e) Notwithstanding any other penalty, whenever a police officer determines that the operator of a vehicle is in violation of this Section, as evidenced by the issuance of a citation for a violation of Section 15-109.1 of this Code, or where a police officer determines that a dangerous condition exists whereby any portion of the load may fall, sift, blow, drop, or in any way escape or fall from the vehicle, the police officer shall require the operator to stop the vehicle in a suitable place and keep such vehicle stationary until the load has either been reduced, secured, or covered with a cover or tarpaulin of sufficient size to prevent any further violation of this Section.
- (f) Any violation of the provisions of this Section shall be a petty offense punishable by a fine not to exceed \$250.

(Source: P.A. 91-858, eff. 1-1-01.)

Source: <http://www.ilga.gov/legislation/ilcs/ilcs.asp>

INDIANA

Applicable Section(s) IC 8-2.1-24-18 & IC 9-21-8-48

IC 8-2.1-24-18
Compliance with federal motor carrier safety regulations

Sec. 18. (a) 49 CFR Parts 40, 375, 380, 382 through 387, 390 through 393, and 395 through 398 are incorporated into Indiana law by reference, and, except as provided in subsections (d), (e), (f), (g), (j), (k), and (l), must be complied with by an interstate and intrastate motor carrier of persons or property throughout Indiana. Intrastate motor carriers subject to compliance reviews under 49 CFR 385 shall be selected according to criteria determined by the superintendent which must include but are not limited to factors such as previous history of violations found in roadside compliance checks and other recorded violations. However, the provisions of 49 CFR 395 that regulate the hours of service of drivers, including requirements for the maintenance of logs, do not apply to a driver of a truck that is registered by the bureau of motor vehicles and used as a farm truck under IC 9-18, or a vehicle operated in intrastate construction or construction related service, or the restoration of public utility services interrupted by an emergency. Except as provided in subsection (i) and (j):

- (1) intrastate motor carriers not operating under authority issued by the United States Department of Transportation shall comply with the requirements of 49 CFR 390.21(b)(3) by registering with the department of state revenue as an intrastate motor carrier and displaying the certification number issued by the department of state revenue preceded by the letters "IN"; and
 - (2) all other requirements of 49 CFR 390.21 apply equally to interstate and intrastate motor carriers.
- (b) 49 CFR 107 subpart (F) and subpart (G), 171 through 173, 177 through 178, and 180, are incorporated into Indiana law by reference, and every:
- (1) private carrier;
 - (2) common carrier;
 - (3) contract carrier;
 - (4) motor carrier of property, intrastate;
 - (5) hazardous material shipper; and
 - (6) carrier otherwise exempt under section 3 of this chapter; must comply with the federal regulations incorporated under this subsection, whether engaged in interstate or intrastate commerce.
- (c) Notwithstanding subsection (b), nonspecification bulk and nonbulk packaging, including cargo tank motor vehicles, may be used only if all the following conditions exist:
- (1) The maximum capacity of the vehicle is less than three thousand five hundred (3,500) gallons.
 - (2) The shipment of goods is limited to intrastate commerce.
 - (3) The vehicle is used only for the purpose of transporting fuel oil, kerosene, diesel fuel, gasoline, gasohol, or any combination of these substances.
- Maintenance, inspection, and marking requirements of 49 CFR 173.8 and Part 180 are applicable. In accordance with federal hazardous materials regulations, new or additional nonspecification cargo tank motor vehicles may not be placed in service under this subsection.
- (d) For the purpose of enforcing this section, only:
- (1) a state police officer or state police motor carrier inspector who:
 - (A) has successfully completed a course of instruction approved by the United States Department of Transportation; and
 - (B) maintains an acceptable competency level as established by the state police department; or

- (2) an employee of a law enforcement agency who:
 - (A) before January 1, 1991, has successfully completed a course of instruction approved by the United States Department of Transportation; and
 - (B) maintains an acceptable competency level as established by the state police department;
- on the enforcement of 49 CFR, may, upon demand, inspect the books, accounts, papers, records, memoranda, equipment, and premises of any carrier, including a carrier exempt under section 3 of this chapter.

(e) A person hired before September 1, 1985, who operates a motor vehicle intrastate incidentally to the person's normal employment duties and who is not employed as a chauffeur (as defined in IC 9-13-2-21(a)) is exempt from 49 CFR 391 as incorporated by this section.

(f) Notwithstanding any provision of 49 CFR 391 to the contrary, a person at least eighteen (18) years of age and less than twenty-one (21) years of age may be employed as a driver to operate a commercial motor vehicle intrastate. However, a person employed under this subsection is not exempt from any other provision of 49 CFR 391.

(g) Notwithstanding subsection (a) or (b), the following provisions of 49 CFR do not apply to private carriers of property operated only in intrastate commerce or any carriers of property operated only in intrastate commerce while employed in construction or construction related service:

- (1) Subpart 391.41(b)(3) as it applies to physical qualifications of a driver who has been diagnosed as an insulin dependent diabetic, if the driver has applied for and been granted an intrastate medical waiver by the bureau of motor vehicles pursuant to this subsection. The same standards and the following procedures shall apply for this waiver whether or not the driver is required to hold a commercial driver's license. An application for the waiver shall be submitted by the driver and completed and signed by a certified endocrinologist or the driver's treating physician attesting that the driver:
 - (A) is not otherwise physically disqualified under Subpart 391.41 to operate a motor vehicle, whether or not any additional disqualifying condition results from the diabetic condition, and is not likely to suffer any diminution in driving ability due to the driver's diabetic condition;
 - (B) is free of severe hypoglycemia or hypoglycemia unawareness and has had less than one (1) documented, symptomatic hypoglycemic reaction per month;
 - (C) has demonstrated the ability and willingness to properly monitor and manage the driver's diabetic condition;
 - (D) has agreed to and, to the endocrinologist's or treating physician's knowledge, has carried a source of rapidly absorbable glucose at all times while driving a motor vehicle, has self monitored blood glucose levels one (1) hour before driving and at least once every four (4) hours while driving or on duty before driving using a portable glucose monitoring device equipped with a computerized memory;

IC 9-21-8-48 Vehicles with contents escaping; prohibition from operation; exceptions
Sec. 48. A vehicle, except:

- (1) a vehicle containing poultry or livestock being transported to market; or
 - (2) a highway maintenance vehicle engaged in spreading sand or deicing chemicals; may not be driven or moved on a highway if the vehicle's contents are dripping, sifting, leaking, or otherwise escaping from the vehicle.
- As added by P.L.2-1991, SEC.9. Amended by P.L.79-1991, SEC.4.

Source: <https://iga.in.gov/legislative/laws/2014/ic>

IOWA

Applicable Section(s) 321.460

321.460. Spilling Loads on Highways.

A vehicle shall not be driven or moved on any highway by any person unless such vehicle is so constructed or loaded or the load securely covered as to prevent any of its load from dropping, sifting, leaking, or otherwise escaping or its load covering from dropping from the vehicle, except that sand may be dropped for the purpose of securing traction, or water or other substance may be sprinkled on a roadway in cleaning or maintaining such roadway. The provisions of this section shall not apply to vehicles loaded with hay or stover or the products listed in section 321.466, subsections 5 and 6.

[C39, §5035.09; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §321.460]
For applicable scheduled fine, see §805.8A, subsection 13, paragraph c.

Source: <http://www.legis.iowa.gov/law/administrativeRules/agencies>

KANSAS

Applicable Section(s) 8-1906

8-1906. Securing Loads on Vehicles; Requirements for Hauling Livestock

- (a) No vehicle shall be driven or moved on any highway unless such vehicle is so constructed or loaded as to prevent any of its load from dropping, sifting, leaking or otherwise escaping therefrom, except that:
- (1) This section shall not prohibit the necessary spreading of any substance in highway maintenance or construction operations; and
 - (2) Subsections (a) and (c) shall not apply to trailers or semi-trailers when hauling livestock if such trailers or semi-trailers are properly equipped with a cleanout trap and such trap is operated in a closed position unless material is intentionally spilled when the trap is in a closed position. Paragraph (2) shall not apply to trailers or semi-trailers used for hauling livestock when livestock are not being hauled in such trailers or semi-trailers.
- (b) All trailers or semi-trailers used for hauling livestock shall be cleaned out periodically.
- (c) No person shall operate on any highway any vehicle with any load unless such load and any covering thereon is securely fastened so as to prevent the covering of load from becoming loose, detached or in any manner a hazard to other users of the highway.

History: L. 1974, ch 33, &8-1906; L. 1984, ch. 41, & 1; 1989, ch.45, &1; July 1

Source: http://www.kslegislature.org/li/b2015_16/statute/008_000_0000_chapter/008_019_0000_article/

KENTUCKY

Applicable Section(s) 177.305 & 189.150

177.305 Prevention of spillage from trucks hauling coal.

All trucks hauling coal on a fully controlled limited access highway shall be covered by a tarp or equivalent cover to prevent spillage.

Effective: July 15, 1988 History: Created 1988 Ky. Acts ch. 415, sec. 3, effective July 15, 1988.

189.150 Escaping Contents - Shifting or Spilling Loads

(1) No vehicle shall be operated upon any highway unless it is so constructed as to prevent its contents from escaping.

(2) No vehicle shall be operated upon any public highway for a distance of over one (1) mile whose load is susceptible to shifting or spillage unless said load is covered with a device suitable for prevention of spillage.

Effective: July 15, 1982 History: Amended 1982 Ky. Acts ch. 203, sec. 14, effective July 15, 1982. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 2739g-49.

Source: <http://www.lrc.ky.gov/statutes/index.aspx>

LOUISIANA

Applicable Section(s) 32:383-383.1

§383. Loads on vehicles; care required thereto; penalties; definition

A.

(1) The load on a vehicle shall not drop, sift, leak, or otherwise escape therefrom, except that sand may be dropped on a highway to secure traction or a liquid substance may be dropped on a highway to clean or maintain such highway.

(2) Any load of garbage, refuse, sludge, and other discarded material being transported by a commercial hauler shall be covered while being transported in such a manner as to prevent the load from spilling or dropping from the vehicle.

(3) Any violation of Paragraph (2) of this Subsection for failure to cover any load of garbage, refuse, sludge, and other discarded material shall be punishable by a fine of not more than five hundred dollars or by imprisonment for not more than six months, or both.

(4) The penalty provisions of Paragraph (3) of this Subsection shall not apply when the load was properly covered and subsequently became uncovered as the result of an accident or circumstances beyond the control of the operator of the vehicle.

B.

(1) The load on any vehicle shall be securely fastened so as to prevent the covering or load from becoming loose, detached, or in any manner a hazard to other users of the highway.

(2) Freight containers, as defined in 49 CFR 171.8, used in both the waterborne transport of cargo and in the overland transport of cargo shall be properly secured so as to prevent the container from becoming loose, detached, or in any manner a hazard to other users of the highway.

(3) Any violation of Paragraph (2) of this Subsection shall be punishable by a fine of not more than five hundred dollars or by imprisonment for not more than six months, or both.

(4) The penalty provisions of R.S. 32:383(B)(3) shall not apply when the freight container was properly secured and subsequently became loose or detached as the result of an accident or circumstances beyond the control of the operator of the vehicle.

C. "Loose material" means dirt, sand, gravel, or other material that is capable of blowing or spilling from a vehicle as a result of movement or exposure to air, wind currents, or weather, but shall not include agricultural products in their natural state or wood chips.

Acts 1977, No. 113, §1, eff. June 22, 1977. Amended by Acts 1982, No. 257, §1; Acts 1985, No. 936, §1; Acts 1990, No. 928, §1; Acts 2006, No. 302, §1.

§383.1. Loads of loose materials on vehicles; care required thereto; penalties

A. Any load of loose material as defined in R.S. 32:383(C) being transported by a commercial hauler, or in a vehicle purchased by the state or any political subdivision of this state after August 15, 1999, shall be covered in such a manner as to prevent the load from blowing, spilling, or dropping from the vehicle. However, a load of dirt or sand shall be exempt from the provisions of this Section if the load is being transported within a municipality with a population of not less than ten thousand five hundred nor more than eleven thousand two hundred in a parish with a population of no less than thirty-one thousand two hundred fifty nor no more than thirty-two thousand five hundred all according to the latest decennial census, and the speed of the vehicle transporting the load does not exceed twenty-five miles per hour.

B. Any violation of this Section for failure to cover a load of loose material while being transported shall be punishable by a fine of not less than one hundred dollars or more than two hundred dollars.

Acts 1991, No. 555, §1; Acts 1995, No. 544, §1; Acts 1999, No. 258, §1; Acts 2001, No. 787, §1; Acts 2001, No. 1205, §1.

Source: <http://www.legis.la.gov/legis/home.aspx>

MAINE

Applicable Section(s) §2396 & 2397

§2396. Certain substances on public ways

- 1. Injurious substances. A person may not place on a way a tack, nail, wire, scrap metal, glass, crockery or other substance that may injure feet, tires or wheels. If a person accidentally places such substance on a way, that person shall immediately make al reasonable efforts to clear the way of that substance.
- 2. Unsecured load. A person may not operate on a public way a vehicle with a load that is not fastened, se-cured, confined or loaded to reasonably prevent a portion from falling off.

For the purposes of this section “load” includes, but is not limited to, firewood, pulpwood, logs, bolts or oth-er material, but does not include loose hay, pea vines, straw, grain or cornstalks.

When the load consists of sawdust, shavings or wood chips, and a reasonable effort has been made to completely cover the load, minor amounts blown from the vehicle while in transit do not constitute a viola-tion.

A violation of this section is a traffic infraction subject to a forfeiture of not less than \$150 nor more than \$500.
- 3. Gravel. A load of gravel, sand, crushed stone, rubbish, building debris or trash must be covered or otherwise secured or confined to prevent any portion of the load from falling from or spilling out of the vehicle.
- 4. Snow. A person may not place and allow to remain on a public way snow or slush that has not accumulated there naturally.

SECTION HISTORY

1993, c. 683, §A2 (NEW). 1993, c. 683, §B5 (AFF). 2001, c. 144, §2 (AMD). 2001, c. 360, §16 (AMD). 2003, c. 452, §§Q75,76 (AMD). 2003, c. 452, §X2 (AFF)

§2397 Menacing or damaging vehicles

The Secretary of State may revoke or suspend the certificate of registration of a vehicle that is:

- 1. Menace. So constructed that when in operation the vehicle is a menace to the safety of its occupants or to the public; or
- 2. Damage. So constructed or operated as to cause unreasonable damage to public ways or bridges.

[1993, c. 683, Pt. A, §2 (NEW); 1993, c. 683, Pt. B, §5 (AFF) .]

SECTION HISTORY

1993, c. 683, §A2 (NEW). 1993, c. 683, §B5 (AFF).

Source: <http://www.mainelegislature.org/legis/statutes/search.htm>

MARYLAND

Applicable Section(s) 24-106 - 24-106.2

§ 24–106.

- (a) This section and § 24-106.1 of this subtitle do not prohibit:
 - (1) Dropping sand, abrasives, chemicals, or other materials to improve traction;
 - (2) Spreading water or other substance to construct, clean or maintain a highway;or
 - (3) Dropping asphalt or other materials for highway, bridge, storm drain, or utility construction or repair.
- (b) A vehicle with any load may not be driven on any highway unless the vehicle is constructed or loaded to prevent any of its load from dropping, sifting, leaking, or otherwise escaping.
- (c) A vehicle with any load may not be driven on any highway unless the load and any covering on the load are fastened securely to prevent the load or covering from becoming loose or detached or from in any way endan-gering other users of the highway.
- (d) This section does not apply to agricultural products in their natural state or residue developed from pro-cessing vegetable agricultural products that can be used as feed for animals and that are being transported to a farm. This provision, however, does not prevent the enforcement of any rule or regulation promulgated by the Department of the Environment for the control of air pollution.
- (e) The owner of a vehicle from which dirt, debris, or agricultural products has fallen on any highway is respon-sible for removing that dirt, debris, or agricultural products within a reasonable time.

§ 24–106.1.

- (a) In this section:
 - (1) “Loose material” includes:
 - (i) Dirt, sand, gravel, wood chips, or other material that can blow, fall, or spill from a vehicle as a result of movement or of exposure to air, wind, or weather; and
 - (ii) Any other kind of material that can blow, fall, or spill, as specified in rules and regulations adopted by the Administrator; and
 - (2) “Loose material” does not include agricultural products, including sod, in their natural state.
- (b) A person may not, in violation of this section, carry any loose material in any vehicle on or across any high-way in this State.
- (c) A person may not, in violation of this section, load any loose material for carrying in any vehicle on or across any highway in this State.
- (d)
 - (1) Subject to the provisions of subsection (e) of this section, the bed of the vehicle carrying a load of loose material shall be fully enclosed:
 - (i) On both sides, by sideboards or sidepanels;
 - (ii) On the front, by a board or panel or by the cab of the vehicle; and
 - (iii) On the rear, by a tailgate, board, or panel.
 - (2)
 - (i) The enclosures required by paragraph (1) of this subsection shall be constructed so as to prevent any part of the load from blowing, falling, or spilling out of the vehicle.
 - (ii) No part of the load touching any of these enclosures may be within 6 inches of the top of the part of the enclosure that it touches, unless the load is covered with a firmly secured canvas or similar type covering.
 - (iii) If the vehicle manufacturer’s original design specifications for bed enclosures have been altered to increase the vehicle’s load capacity, no part of the load touching any of these enclosures may be within

6 inches of the top of the part of the enclosure that it touches and the highest point of the load may not be higher than any of these enclosures, unless the load is covered with a canvas or other type cover approved by the Administration that is secured as provided in subsection (e)(3) of this section.

- (3) This subsection does not apply to:
- (i) Any load-carrying vehicle with a compartment that fully encloses the load; or
 - (ii) A vehicle in which the load is suitably covered or secured by other means that prevent the escape of the loose material.
- (e)
- (1) The provisions of this subsection do not apply to:
- (i) Any Class K (farm area) vehicle as defined in § 13-935 of this article;
 - (ii) Any Class E (truck) vehicle registered or capable of being registered under § 13-917 of this article if the vehicle manufacturer's original design specifications for bed enclosures have not been altered to increase the vehicle's load capacity;
 - (iii) Any construction vehicle working within the confines of a public works construction project site as outlined in the construction project's plans and specifications, provided the distance traveled does not exceed 1 mile or the distance specified in an extension granted under subsection (g) of this section;
 - (iv) Any construction vehicle or mining equipment while crossing a highway between construction or mining sites;
 - (v) Any Class G (trailer) vehicle registered or capable of being registered under § 13-927 of this article, provided no part of the load is higher than 6 inches below the top of any of the enclosures required under subsection (d)(1) of this section; or
 - (vi) Within the Port of Baltimore for a distance not to exceed 1 mile, any vehicle carrying a load of loose material between a stockpile or storage facility and a vessel docked at the port.
- (2) A vehicle carrying a load of loose material shall have its bed fully enclosed on the top by a canvas or other type cover approved by the Administration.
- (3) Any cover required under this section shall be secured in a manner to prevent:
- (i) Any part of the load from blowing, falling, or spilling out of the vehicle;
- and
- (ii) The cover from blowing off the vehicle.
- (f)
- (1) This subsection does not apply to any construction vehicle or mining equipment that:
- or
- (i) Is moving between construction barricades on a public works project;
 - (ii) Only is crossing a highway.
- (2) A vehicle used for carrying loose material may not be operated on any highway unless:
- (i) All spillage from loading loose material is removed from the nonload-carrying parts of the vehicle;
 - (ii) Whether the vehicle is loaded or empty, the tailgate is closed securely to prevent spillage of a load or of any residue;
 - (iii) The bed does not have any holes, cracks, or openings through which loose material can escape; and
 - (iv) After unloading loose material, all residue is removed from the nonload-carrying parts of the vehicle.
- (g)
- (1) Upon application by the supervisor of a construction project of the Department, the Department may grant a reasonable extension of the 1-mile limitation established in subsection (e)(1)(iii) of this section if the

Department determines that the extension request meets the criteria developed under paragraph (2) of this subsection and the provisions of paragraph (3) of this subsection.

- (2)
- (i) The Department shall adopt regulations establishing criteria for granting an extension under this subsection.
 - (ii) In adopting regulations under this subsection, the Administration shall consider:
- 1. The size of the construction project;
 - 2. The likely adverse impact that granting the extension will have on surrounding highways and motorist safety; and
 - 3. The likely adverse impact of the cover requirement on construction costs and timely completion of the project.
- (3) An extension granted under this subsection may not exceed the confines of the Department's construction project.

- § 24–106.2.
- (a) A vehicle or combination of vehicles used to carry piling, poles, mill logs, unfinished or unfabricated lumber, pipe, steel, or other materials of a similar kind, size, shape, or characteristic may not be driven on any highway unless its load is fastened securely to both the front and rear of the vehicle at both the front and rear of the load, as provided in this section.
- (b) The fastening of a load to a vehicle shall be:
- (1) By two separate common coil B.B. chains, the links of which may not be less than:
 - (i) 3/8 of an inch in diameter for loads of 3 tons or less; or
 - (ii) 1/2 of an inch in diameter for loads over 3 tons;
 - (2) If they have at least as much tensile strength as the chains, by:
 - (i) Wire rope not less than 5/16 of an inch in diameter;
 - (ii) Steel strapping; or
 - (iii) Logistic webbing of synthetic fibers; or
 - (3) As specified in Part 393 of the federal Motor Carrier Safety Regulations and adopted jointly by the Administration and the Department of State Police.

Source: <http://mgaleg.maryland.gov/webmga/frm1st.aspx?tab=home>

MASSACHUSETTS

Applicable Section(s) C.85 Sec. 36 & C. 265 Sec. 35

C.85 Section 36. Construction and loading of vehicles to prevent dropping of load on way; penalty

“No person shall drive or move a motor vehicle on any way, as defined in section one of chapter ninety, nor shall the owner or bailee of any vehicle require or permit the same to be driven or moved on any such way, unless such vehicle is constructed or loaded so as to prevent any of its load from dropping, sifting, leaking or otherwise escaping therefrom, and, if it is loaded with sand, gravel, loam, dirt, stone, rubbish or debris that could fall on other vehicles or on the highway and create litter or potential hazards to other vehicles, unless its load is fully and adequately covered.
This section shall not prohibit the dropping of sand for the purpose of securing traction, or the sprinkling of water or other substance on such a way in cleaning or maintaining the same. Whoever violates the provisions of this section shall be punished by a fine of not less than fifty nor more than two hundred dollars.”

C. 265, Sec. 35. Throwing or dropping objects onto public way; punishment

Whoever willfully or negligently drops, throws or otherwise releases any object, missile or other article onto any way as defined in section one of chapter ninety, the turnpike as defined in clause (b) of section four of chapter three hundred and fifty-four of the acts of nineteen hundred and fifty- two or the tunnels as defined in clause (d) of section one of chapter five hundred and ninety-eight of the acts of nineteen hundred and fifty-eight so that the lives or safety of the public might be endangered shall be punished by a fine of not more than one hundred dollars, or by imprisonment for not more than one year, or both.
Added by St.1968, c. 139. Amended by St. 1973, c. 432.

Source: <https://malegislature.gov>

MICHIGAN

Applicable Section(s) 257-720

257.720 Construction or loading of vehicles to prevent contents from escaping; exception; closing tail-gates, faucets, and taps; exemption; proof of violation; loading of vehicles not completely enclosed; prima facie liability; exceptions; front end loading device; violation; penalty; “logs” defined.

Sec. 720.

- (1) A person shall not drive or move a vehicle on a highway unless the vehicle is so constructed or loaded as to prevent its contents from dropping, sifting, leaking, blowing off, or otherwise escaping from the vehicle. This requirement does not apply to a vehicle transporting agricultural or horticultural products when hay, straw, silage, or residue from a product, but not including the product itself, or when materials such as water used to preserve and handle agricultural or horticultural products while in transportation, escape from the vehicle in an amount that does not interfere with other traffic on the highway. The tailgate, faucets, and taps on a vehicle shall be securely closed to prevent spillage during transportation whether the vehicle is loaded or empty, and the vehicle shall not have any holes or cracks through which material can escape. Any highway maintenance vehicle engaged in either ice or snow removal shall be exempt from this section.
- (2) Actual spillage of material on the highway or proof of that spillage is not necessary to prove a violation of this section.
- (3) Except as provided in this section, a vehicle carrying a load, other than logs or tubular products, which is not completely enclosed shall meet either of the following requirements:
 - (a) Have the load covered with firmly secured canvas or a similar type of covering. A device used to comply with the requirement of this subdivision shall not exceed a width of 108 inches nor by design or use have the capability to carry cargo by itself.
 - (b) Have the load securely fastened to the body or the frame of the vehicle with binders of adequate number and of adequate breaking strength to prevent the dropping off or shifting of the load.
- (4) A company or individual who loads or unloads a vehicle or causes it to be loaded or unloaded, with knowledge that it is to be driven on a public highway, in a manner so as to cause a violation of subsection (1) shall be prima facie liable for a violation of this section.
- (5) Subsection (3) does not apply to a person operating a vehicle to transport agricultural commodities or to a person operating a farm truck or implement of husbandry transporting sand, gravel, and dirt necessary in the normal operation of a farm. However, a person operating a vehicle to transport agricultural commodities or sand, gravel, and dirt in the normal operation of the farm who violates subsection (1) or (4) is guilty of a misdemeanor and is subject to the penalties prescribed in subsection (9).
- (6) Subsection (3)(a) does not apply to a motor vehicle transporting items of a load that because of their weight will not fall off the moving vehicle and that have their centers of gravity located at least 6 inches below the top of the enclosure nor to a motor vehicle carrying metal that because of its weight and density is so loaded as to prevent it from dropping or falling off the moving vehicle.
- (7) Subsection (3)(a) does not apply to motor vehicles and other equipment engaged in work upon the surface of a highway or street in a designated work area.

(8) A person shall not drive or move on a highway a vehicle equipped with a front end loading device with a tine protruding parallel to the highway beyond the front bumper of the vehicle unless the tine is carrying a load designed to be carried by the front end loading device. This subsection does not apply to a vehicle designed to be used or being used to transport agricultural commodities, to a vehicle en route to a repair facility, or to a vehicle engaged in construction activity. As used in this subsection, "agricultural commodities" means that term as defined in section 722.

(9) A person who violates this section is guilty of a misdemeanor punishable by a fine of not more than \$500.00 or imprisonment for not more than 90 days, or both.

(10) As used in this section, "logs" means sawlogs, pulpwood, or tree length poles.

History: 1949, Act 300, Eff. Sept. 23, 1949 ;-- Am. 1959, Act 215, Imd. Eff. July 30, 1959 ;-- Am. 1976, Act 301, Eff. Mar. 31, 1977 ;-- Am. 1977, Act 111, Imd. Eff. Oct. 6, 1977 ;-- Am. 1987, Act 41, Eff. July 1, 1987 ;-- Am. 1988, Act 354, Eff. Apr. 1, 1989 ;-- Am. 1989, Act 37, Imd. Eff. June 5, 1989 ;-- Am. 1990, Act 67, Imd. Eff. Apr. 27, 1990 ;-- Am. 1994, Act 50, Imd. Eff. Mar. 25, 1994 ;-- Am. 1996, Act 136, Imd. Eff. Mar. 21, 1996 ;-- Am. 2002, Act 535, Imd. Eff. July 26, 2002 ;-- Am. 2003, Act 142, Imd. Eff. Aug. 5, 2003 ;-- Am. 2008, Act 131, Imd. Eff. May 21, 2008

Source: [http://www.legislature.mi.gov/\(S\(vtcrum45k5huxo45jvsnnmac\)\)/mileg.aspx?page=home](http://www.legislature.mi.gov/(S(vtcrum45k5huxo45jvsnnmac))/mileg.aspx?page=home)

MINNESOTA

Applicable Section(s) 169.81 Subd. 5

169.81, Subd. 5. Manner of Loading.

No vehicle shall be driven or moved on any highway unless such vehicle is so constructed, loaded, or the load securely covered as to prevent any of its load from dropping, sifting, leaking, blowing, or otherwise escaping therefrom, except that sand may be dropped for the purpose of securing traction, or water or other substances may be sprinkled on a roadway in cleaning or maintaining such roadway. This subdivision shall not apply to motor vehicles operated by a farmer or the farmer's agent when transporting produce such as small grains, shelled corn, soybeans, or other farm produce of a size and density not likely to cause injury to persons or damage to property on escaping in small amounts from a vehicle. Violation of this subdivision by a vehicle that is carrying farm produce and that is not exempted by the preceding sentence is a petty misdemeanor.

Subd. 5b. Securing load; exceptions.

- (a) The driver of a vehicle transporting sand, gravel, aggregate, dirt, lime rock, silica, or similar material shall ensure that the cargo compartment of the vehicle is securely covered if:
- (1) the vertical distance from the top of an exterior wall of the cargo compartment to the load, when measured downward along the inside surface of the wall, is less than six inches; or
 - (2) the horizontal distance from the top of an exterior wall of the cargo compartment to the load is less than two feet.
- (b) The driver shall not operate a vehicle to transport sand, gravel, aggregate, dirt, lime rock, silica, or similar material in or on any part of the vehicle other than in the cargo container. The driver shall clean the vehicle of loose sand, gravel, aggregate, dirt, lime rock, silica, or similar material before the vehicle is moved on a road, street, or highway following loading or unloading.
- (c) A driver of a vehicle used to transport garbage, rubbish, trash, debris, or similar material is not required to cover the transported material as long as
- (1) the vehicle is being operated at a speed less than 30 miles per hour,
 - (2) the vehicle is not being operated on an interstate highway, and
 - (3) no part of the load escapes from the vehicle. A driver shall immediately retrieve material that escapes from the vehicle, when safe to do so. A driver shall immediately retrieve material that escapes from the vehicle, when safe to do so.

Source: <http://www.leg.state.mn.us>

MISSISSIPPI

Applicable Section(s) 63-5-55, 63-7-83, 63-7-85, 63-7-87 & 63-7-89

63-5-55. Spilling loads on highways prohibited.

No vehicle shall be driven or moved on any highway unless such vehicle is so constructed or loaded as to prevent any of its load from dropping, sifting, leaking or otherwise escaping therefrom, except that sand may be dropped for the purpose of securing traction or, water or other substance may be sprinkled on a roadway in cleaning or maintaining such roadway.

63-7-83. Cover required for open top vehicles carrying sand, dirt, gravel or rock.

Every truck, trailer or other carrier with an open top, while traveling upon any state, United States or interstate highway in the State of Mississippi and while carrying any load of sand, dirt, gravel or rock shall be equipped with a tarpaulin, canvas or other such top and same to be secured over the top of any load of sand, dirt, gravel or rock.

63-7-85. Use of sideboards on open top vehicles carrying sand, dirt, gravel or rock.

In lieu of the tarpaulin provided in section 63-7-83, a truck, trailer or other carrier with an open top while traveling upon any state, United States or interstate highway in the State of Mississippi and while carrying any load of sand, dirt, gravel or rock shall be in full compliance with sections 63-7-83 through 63-7-89 provided same is not loaded within six (6) inches of the top of the bed or is equipped with four (4) six-inch (6") sideboards, which sideboards shall be attached one (1) each to the front, back and two (2) sides of the carrier body, and shall remain lowered while the body is being loaded, provided that no part of the load shall extend above the body of the carrier. After loading, the sideboards shall be raised and secured to remain raised during travel, and the space between the top of the sideboards and the top of the load making contact with the sideboards shall not be less than six (6) inches.

Enforcement of Secs. 63-7-83 and 63-7-85.

The State Tax Commission, Mississippi Highway Patrol and other law enforcement agencies are hereby charged with enforcement of Sections 63-7-83 through 63-7-89.

Sources: Laws, 1974, ch. 521, § 3; Laws, 2001, ch. 596, § 64, SB 2699, eff from and after July 1, 2001.

63-7-89. Penalties

Any person, firm or corporation operating a truck, trailer or other carrier on any state, United States or interstate highway not properly covered as set forth in section 63-7-83 or without sideboards as set forth in section 63-7-85 or in violation of any of the other provisions of said section 63-7-85 shall be guilty of a misdemeanor and upon conviction shall be fined not less than twenty-five dollars (\$25) nor more than one hundred dollars (\$100) for each separate and distinct violation.

Source: <http://www.legislature.ms.gov/Pages/default.aspx>

MISSOURI

Applicable Section(s) 307.010

Section 307.010. Loads which might become dislodged to be secured--failure, penalty.

1. All motor vehicles, and every trailer and semitrailer operating upon the public highways of this state and carrying goods or material or farm products which may reasonably be expected to become dislodged and fall from the vehicle, trailer or semitrailer as a result of wind pressure or air pressure and/or by the movement of the vehicle, trailer or semitrailer shall have a protective cover or be sufficiently secured so that no portion of such goods or material can become dislodged and fall from the vehicle, trailer or semitrailer while being transported or carried.

2. Operation of a motor vehicle, trailer or semitrailer in violation of this section shall be a class C misdemeanor, and any person convicted thereof shall be punished as provided by law.
(L. 1967 p. 417 §§ 1, 2, A.L. 1996 H.B. 1047, A.L. 2009 H.B. 683, A.L. 2010 H.B. 1540)

Source: <http://www.moga.mo.gov>

MONTANA

Applicable Section(s) 61-8-370 Securing Loads

61-8-370 Securing of load – requirement -- exemptions

- (1) A person operating a loaded vehicle on a public highway shall load the vehicle or secure the load sufficiently to prevent littering or creating an obstruction dangerous to the public traveling on the highway.
 - (2) The following vehicles are exempt from the provisions in subsection (1):
 - (a) a commercial motor vehicle that is operating in compliance with state and federal laws and requirements governing the securing of loads;
 - (b) a vehicle transporting processed or unprocessed agricultural products or inputs, including but not limited to fertilizer, manure, and pesticides;
 - (c) a vehicle performing road maintenance; and
 - (d) a vehicle in a marked construction zone.
- History: En. Sec. 1, Ch. 374, L. 1991; amd. Sec. 1, Ch. 428, L. 2009.

Local ordinances:
Each city or county may impose and enforce regulations concerning the tarping of a load.

Source: <http://leg.mt.gov/css/default.asp>

NEBRASKA

Applicable Section(s) 60-6.304

60-6,304. Load; contents; requirements; vehicle that contained livestock; spill prohibited; violation; penalty.

- (1)(a) Except as provided in subsection (2) of this section for a vehicle that contained livestock, but still contains the manure or urine of such livestock, no vehicle shall be driven or moved on any highway unless the vehicle is so constructed or loaded as to prevent its contents from dropping, sifting, leaking, or otherwise escaping from the vehicle.
 - (b) Except as provided in subsection (2) of this section for a vehicle that contained livestock, but still contains the manure or urine of such livestock, no person shall transport any sand, gravel, rock less than two inches in diameter, or refuse in any vehicle on any hard-surfaced state highway if such material protrudes above the sides of that part of the vehicle in which it is being transported unless such material is enclosed or completely covered with canvas or similar covering.
 - (c) No person shall drive or move a motor vehicle, trailer, or semitrailer upon any highway unless the cargo or contents carried by the motor vehicle, trailer, or semitrailer are properly distributed and adequately secured to prevent the falling of cargo or contents from the vehicle. The tailgate, doors, tarpaulins, and any other equipment used in the operation of the motor vehicle, trailer, or semitrailer or in the distributing or securing of the cargo or contents carried by the motor vehicle, trailer, or semitrailer shall be secured to prevent cargo or contents falling from the vehicle. The means of securement to the motor vehicle, trailer, or semitrailer must be either tiedowns and tiedown assemblies of adequate strength or sides, sideboards, or stakes and a rear endgate, endboard, or stakes strong enough and high enough to assure that cargo or contents will not fall from the vehicle.
 - (d) Any person who violates any provision of this subsection is guilty of a Class IV misdemeanor.
- (2)(a) No person operating any vehicle that contained livestock, but still contains the manure or urine of livestock, on any highway located within the corporate limits of a city of the metropolitan class, shall spill manure or urine from the vehicle.
- (b) Any person who violates this subsection is guilty of a Class IV misdemeanor and shall be assessed a minimum fine of at least two hundred fifty dollars.

Laws 1969, c. 304, § 1, p. 1095; C.S.Supp.,1972, § 39-735.02; Laws 1974, LB 593, § 7; Laws 1977, LB 41, § 21; R.S.1943, (1988), § 39-6,129; Laws 1993, LB 370, § 400; Laws 1993, LB 575, § 28; Laws 2002, LB 1105, § 463; Laws 2007, LB147, § 1; Laws 2014, LB174, § 2. Effective Date: July 18, 2014

Source: <http://nebraskalegislature.gov>

NEVADA

Applicable Section(s) 484D.850

NRS 484D.850 Load on vehicle.

1. No vehicle shall be driven or moved on any highway unless such vehicle is so constructed or loaded as to prevent any of its load from dropping, sifting, leaking or otherwise escaping therefrom, except that sand may be dropped for the purpose of securing traction, or water or other substance may be sprinkled on a roadway in cleaning or maintaining such roadway.
 2. No person shall operate on any highway any vehicle with any load unless the load and any covering thereon is securely fastened so as to prevent the covering or load from becoming loose, detached or in any manner a hazard to other users of the highway.
- [20.1:166:1925; added 1955, 186]—(Substituted in revision for NRS 484.771)

Source: <http://www.leg.state.nv.us>

NEW HAMPSHIRE

Applicable Section(s) 266:72, 266:72-a

266:72 Spillage of Material. –

- I. No vehicle shall be driven or moved on any way unless such vehicle is so constructed or loaded as to prevent any of its load from dropping, sifting, leaking or otherwise escaping therefrom, except that sand may be dropped for the purpose of securing traction, or water or other substance may be sprinkled on a way in cleaning or maintaining such way.
- II. No person shall operate on any way any vehicle with any load unless said load and any covering thereon is securely fastened so as to prevent said covering or load from becoming loose, detached, or in any manner a hazard to other users of the way. Without limiting the foregoing provision, no person shall drive on any way any open vehicle loaded with earth, sand, asphalt, stone, gravel, or other particulate substance unless said vehicle is equipped with and said load is entirely covered and secured by a tarpaulin or similar covering which prevents the escape of any substance from said load onto the way.
- II-a. No person shall operate on any way any open vehicle loaded with light scrap metal, unless the load is covered with and secured by a close-fitting tarpaulin which prevents the escape of any light scrap metal from the load onto the way. For the purposes of this paragraph “light scrap metal” means any fragments less than 8 inches wide and no more than 1/8 inch thick of manufactured metal articles or shredded metal parts rejected or discarded and useful only as material for reprocessing. The provisions of this paragraph shall not apply to truck operators transporting crushed vehicles to shredding facilities or to transporters of heavy scrap metals to or from metal scrap dealers or remelting facilities.
- III. Any person who violates the provisions of this section shall be guilty of a violation if a natural person, or guilty of a misdemeanor if any other person. Any person shall be liable to the state or town for any damage done to the way by spillage.
- IV. The provisions of paragraphs I, II, II-a, and III of this section shall not apply to a local farmer transporting his or her own farm products or materials incidental to a local farming operation where such transporting requires incidental use of a way, provided that such farmer shall not thereby be relieved of his or her duty to exercise reasonable care to prevent hazardous spillage.
- V. The provisions of paragraphs II and II-a shall not apply to:
 - (a) The operation of construction equipment as defined in RSA 259:42 and motor vehicles used in the construction of highways provided that such equipment or motor vehicle is used within a highway construction zone as prescribed by the commissioner of transportation, provided that the driver of any such vehicle shall not thereby be relieved of the duty to exercise reasonable care;
 - (b) The operation of municipal and state highway maintenance equipment;
 - (c) The driving of any vehicle on a way at speeds of less than 30 miles per hour.

Source. RSA 249:51. 1965, 178:1. 1973, 530:32; 573:1, 2. 1981, 146:1. 1994, 373:1-3. 1995, 232:1. 2004, 257:33. 2006, 317:7. 2010, 251:5, eff. Sept. 4, 2010.

266:72-a Motor Carriers; Equipment; Roadside Inspections. –

- I. The commissioner may adopt as rules, under RSA 541-A, the current version of the federal motor carrier safety regulations promulgated by the U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration and Federal Motor Carrier Safety Administration, contained in 49 C.F.R. parts 107, 382, and 385-397. Notwithstanding the provisions of RSA 541-A, any amendments or additions by the respective federal agencies or their successor agencies shall also amend or supplement the rules adopted by the commissioner of safety without further action on the part of the commissioner. The commissioner shall be authorized to exempt vehicles and drivers operating exclusively in intrastate commerce from such rules which the commissioner determines impose an unnecessary regulatory burden without providing a corresponding safety benefit.
- II. Whenever the commissioner finds that a motor carrier safety regulation in 49 C.F.R. sections 390-397, provides an equal or greater degree of safety the commissioner may, pursuant to RSA 260:5, adopt the federal regulation as a rule, and the rule shall take precedence over the conflicting provisions of this title. No person

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who is in compliance with the corresponding rule adopted by the commissioner shall be convicted of violating a conflicting provision of this title. The commissioner shall request the introduction, at the next annual session of the legislature following adoption of such a rule, of legislation amending or repealing the conflicting provision of this title and, if the legislation is not enacted, any rule so adopted shall be automatically repealed 60 days after the last day of the legislative session.

III. The drivers of all vehicles subject to the motor carrier rules who operate exclusively in intrastate commerce shall be subject to the medical examination, written tests, and road tests required by 49 C.F.R. sections 391.31-391.49, as amended, provided, however, that the commissioner may waive specific requirements or standards of the medical examination for any such driver who has a valid commercial driver's license issued by this state on or after January 1, 1990, if it would not jeopardize public safety to grant such a waiver. The commissioner may adopt rules pursuant to RSA 541-A relative to standards for the granting of such waivers. The department shall make interested parties aware of the provisions of this paragraph. Once a waiver is granted under this paragraph, the waiver shall be placed on the medical examination card required by federal regulation.

III-a. Paragraph III shall not apply to intrastate transportation performed by the state, or any political subdivision of the state. However, nothing in this section shall prevent or inhibit any public employer from establishing internal policies making the motor carrier safety rules applicable to its vehicles and drivers.

IV. Utility service vehicle drivers providing intrastate service shall be exempt from the provisions of 49 C.F.R. 395 as adopted pursuant to this section.

V. (a) A driver of a motor carrier shall stop the vehicle on the request of any enforcement officer of the department of safety or other law enforcement agent certified to conduct truck inspections or by command of roadside signs so that the officer may:

(1) Examine:

- (A) Vehicle components.
- (B) Driver's physical condition.
- (C) Cargo condition.
- (D) Documents.

(2) Enter the cab or cargo area as necessary to determine that:

- (A) The vehicle is in safe operating condition.
- (B) The cargo is properly secured.

(b) Every owner/operator of a motor carrier, or his or her authorized agent, shall submit accounts, books, records, memoranda, correspondence, and other documents for inspection, upon demand by any enforcement officer of the department of safety or other law enforcement agent certified to conduct truck inspections who in the course of enforcing the motor carrier rules is acting within the scope of his or her duties and authority, at the motor carrier's principal place of business during regular business hours.

(c) Any operator who fails to stop or allow inspection as described in subparagraph (a) shall be guilty of a misdemeanor. A second violation of subparagraph (a) shall result in suspension of the person's license or privilege to drive in New Hampshire and notification of such suspension to national motor vehicle license databases.

VI. The driver of any vehicle operating intrastate and registered with New Hampshire farm or agricultural plates and with a gross vehicle weight, gross vehicle weight rating, or gross combination weight rating of 26,000 pounds or less; designed or used to transport fewer than 16 passengers, including the driver; and which does not transport materials required to be placarded pursuant to 49 C.F.R. part 172, subpart F, shall be exempt from the provisions of 49 C.F.R. parts 391, 392, 393, 395, and 396, as adopted as rules pursuant to this section, except that such exemption shall not apply to the requirements of 49 C.F.R. section 392.3, operating while fatigued or ill, 49

C.F.R. section 392.4, use of illegal drugs or substances, 49 C.F.R. section 392.5, driver use of alcohol, 49 C.F.R. part 393, subpart C, brakes, and 49 C.F.R. section 396.7, unsafe operations forbidden.

Source. 1985, 213:24. 1989, 139:1. 1997, 252:2, 3. 2008, 187:1, 2. 2012, 172:2. 2013, 180:9, eff. Jan. 1, 2014; 185:1, eff. July 2, 2013.

Source: <http://www.gencourt.state.nh.us>

NEW JERSEY REGULATIONS

NEW JERSEY

Applicable Section(s) 39:4-77

Section 39:4-77. Loading so as to spill prohibited; minimum safety standards; penalty.

No person shall cause or permit a vehicle to be so loaded or operate a vehicle so loaded that the contents or any part thereof may be scattered in any street. Whenever the load of any vehicle is of material other than farm products susceptible to scattering on a street and such load extends above the height of the sides or tailgate or rear of the body of the vehicle, such load shall be securely covered by a tarpaulin or other cover. The director, where public safety so warrants, shall, after a public hearing, prescribe by rule or regulation minimum safety standards for fastening loads on and fix loading procedures for any commercial type flatbed motor vehicle or motor-drawn vehicle. Any rule or regulation so promulgated by the director shall be filed in the Secretary of State's office and copies thereof shall be available, upon request, in the director's office.

The owner, lessee, bailee, or operator of any vehicle described above found on a highway in violation of any such safety standard or procedure that may be prescribed by the director shall be fined not more than \$500 for each violation.

Amended by L.1951, c. 23, p. 80, ' 38; L. 1966, c. 251, ' 1; L.1968, c. 272, ' 1, eff. Sept. 4, 1968.

Source: <http://www.njleg.state.nj.us>

NEW MEXICO

Section 66-7-407. Loads on vehicles.

- a. No vehicle shall be driven or moved on any highway unless the vehicle is so constructed, loaded secured or covered as to prevent any of its load from dropping, sifting, leaking or otherwise escaping, except that sand may be dropped for the purpose of securing traction or water or other substance may be sprinkled on a road-way in cleaning or maintaining the roadway.
- b. No person shall operate on any highway any vehicle or combination of vehicles with any load unless the load and any covering thereon is securely fastened so as to prevent the covering or load from becoming loose, detached or in any manner a hazard to other users of the highway. (Amendment effective July 1, 1989.)

Source: <http://www.nmlegis.gov/lcs>

NEW YORK

Applicable Section(s) 380-a

S 380-a. Certain vehicles engaged in the transportation of loose cargo.

- 1. It shall be unlawful to operate on any public highway any open truck or trailer being utilized for the trans- portation of any loose substances, unless said truck or trailer has a cover, tarpaulin or other device of a type and specification approved by the commissioner of transportation which completely closes in the opening on the said truck or trailer while said truck or trailer shall be so operated, so as to prevent the falling of any such substances therefrom. However, if the load is arranged so that no loose substance can fall from or blow out of such truck, the covering is not necessary.
- 2. The commissioner of transportation is authorized to make necessary rules and regulations to carry into effect the provisions of this section, applying such provisions to specific conditions and loads and prescribing means, methods and practices to effectuate such provisions.
- 3. The provisions of this section shall not apply to motor vehicles, trailers and semi trailers conveying “farm products” as defined in section two of the agriculture and markets law.

STATUTORY AUTHORITY AND REGULATIONS

Sections 14f, 140(2), 211 and 212(a) of the State Transportation Law and Article 19-B of the State Vehicle and Traffic Law provides the statutory authority for the Commissioner of the Department of Transportation to pro- mulgate regulations that apply to the operation of commercial vehicles on the public highways of the state. In general, these regulations have adopted the Federal Motor Carrier Safety Regulations found in Title 49 of the Code of Federal Regulations (49 CFR), Parts 390, 391, 392, 393, 396, and 397 and the Hazardous Materials Transportation Regulations found in 49 CFR, Parts 100 through 199 as they apply to interstate highway trans- portation. There are specific exceptions to some of these regulations for vehicles operated strictly in intrastate com- merce. Some of those exceptions are discussed in the following pages. Refer to the Title 17, New York State Code of Rules and Regulations (NYCRR17) Parts 819, 820, 821, 822, 824 and 507 for specific requirements.

SAFETY INSPECTIONS ARE CONDUCTED BY NYSDOT AND THE NEW YORK STATE POLICE AT ROAD- SIDE SITES

The New York State Department of Transportation (NYSDOT) is the Motor Carrier Safety Assistance Program (MCSAP) lead agency. The New York State Police is the primary participating police agency. A number of local police agencies also participate on a periodic basis. When a vehicle has been selected for a safety inspection, the driver must help by staying behind the wheel and following the inspector’s instructions. Inspectors will follow an inspection procedure established by the Commercial Vehicle Safety Alliance (CVSA) to inspect the driver and vehicle. These procedures are used throughout North America. Please follow the instructions of the inspector so that no unnecessary delays will be experienced. After the inspection, the inspector will explain the defects, if any, and provide the driver with a copy of the safety inspection report.

Source: <http://public.leginfo.state.ny.us/navigate.cgi>

NORTH CAROLINA Applicable Section(s) 20-116

§ 20-116. Size of vehicles and loads.

- (a) The total outside width of any vehicle or the load thereon shall not exceed 102 inches, except as otherwise provided in this section. When hogsheads of tobacco are being transported, a tolerance of six inches is allowed. When sheet or bale tobacco is being transported the load must not exceed a width of 114 inches at the top of the load and the bottom of the load at the truck bed must not exceed the width of 102 inches inclusive of allowance for load shifting or settling. Vehicles (other than passenger buses) that do not exceed the overall width of 102 inches and otherwise provided in this section may be operated in accordance with G.S. 20-115.1(c), (f), and (g).
- (b) No passenger-type vehicle or recreational vehicle shall be operated on any highway with any load carried thereon extending beyond the line of the fenders on the left side of such vehicle nor extending more than six inches beyond the line of the fenders on the right side thereof.
- (c) No vehicle, unladen or with load, shall exceed a height of 13 feet, six inches. Provided, however, that neither the State of North Carolina nor any agency or subdivision thereof, nor any person, firm or corporation, shall be required to raise, alter, construct or reconstruct any underpass, wire, pole, trestle, or other structure to permit the passage of any vehicle having a height, unladen or with load, in excess of 12 feet, six inches. Provided further, that the operator or owner of any vehicle having an overall height, whether unladen or with load, in excess of 12 feet, six inches, shall be liable for damage to any structure caused by such vehicle having a height in excess of 12 feet, six inches.
- (d) Maximum Length. - The following maximum lengths apply to vehicles. A truck-tractor and semitrailer shall be regarded as two vehicles for the purpose of determining lawful length and license taxes.
- (1) Except as otherwise provided in this subsection, a single vehicle having two or more axles shall not exceed 40 feet in length overall of dimensions inclusive of front and rear bumpers.
 - (2) Trucks transporting unprocessed cotton from farm to gin, or unprocessed sage from farm to market shall not exceed 50 feet in length overall of dimensions inclusive of front and rear bumpers.
 - (3) Recreational vehicles shall not exceed 45 feet in length overall, excluding bumpers and mirrors.
 - (4) Vehicles owned or leased by State, local, or federal government, when used for official law enforcement or emergency management purposes, shall not exceed 45 feet in length overall, excluding bumpers and mirrors.
- (e) Except as provided by G.S. 20-115.1, no combination of vehicles coupled together shall consist of more than two units and no such combination of vehicles shall exceed a total length of 60 feet inclusive of front and rear bumpers, subject to the following exceptions: Motor vehicle combinations of one semitrailer of not more than 53 feet in length and a truck tractor (power unit) may exceed the 60-foot maximum length. Said maximum overall length limitation shall not apply to vehicles operated in the daytime when transporting poles, pipe, machinery or other objects of a structural nature which cannot readily be dismembered, nor to such vehicles transporting such objects operated at nighttime by a public utility when required for emergency repair of public service facilities or properties, provided the trailer length does not exceed 53 feet in length, but in respect to such night transportation every such vehicle and the load thereon shall be equipped with a sufficient number of clearance lamps on both sides and marker lamps upon the extreme ends of said projecting load to clearly mark the dimensions of such load: Provided that vehicles designed and used exclusively for the transportation of motor vehicles shall be permitted an overhang tolerance front or rear not to exceed five feet. Provided, that wreckers may tow a truck, combination tractor and trailer, trailer, or any other disabled vehicle or combination of vehicles to a place for repair, parking, or storage within 50 miles of the point where the vehicle was disabled and may tow a truck, tractor, or other replacement vehicle to the site of the disabled vehicle. Provided further, that the said limitation that no combination of vehicles coupled together shall consist of more than two units shall not apply to trailers not exceeding three in number drawn by a motor vehicle used by municipalities for the removal of domestic and commercial refuse and street rubbish, but such combination of vehicles shall not exceed a total length of 50 feet inclusive of front and rear bumpers. Provided further, that the said limitation that no combination of vehicles coupled together shall consist of more than two units shall not apply to a combination of vehicles coupled together by a saddle mount device used to transport motor vehicles in a driveway service when no more than three saddle mounts are used and provided further, that equipment used in said

combination is approved by the safety regulations of the Federal Highway Administration and the safety rules of the Department of Public Safety.

(f) The load upon any vehicle operated alone, or the load upon the front vehicle of a combination of vehicles, shall not extend more than three feet beyond the foremost part of the vehicle. Under this subsection "load" shall include the boom on a self-propelled vehicle.

A utility pole carried by a self-propelled pole carrier may extend beyond the front overhang limit set in this subsection if the pole cannot be dismembered, the pole is less than 80 feet in length and does not extend more than 10 feet beyond the front bumper of the vehicle, and either of the following circumstances apply:

- (1) It is daytime and the front of the extending load of poles is marked by a flag of the type required by G.S. 20-117 for certain rear overhangs.
- (2) It is nighttime, operation of the vehicle is required to make emergency repairs to utility service, and the front of the extending load of poles is marked by a light of the type required by G.S. 20-117 for certain rear overhangs.

As used in this subsection, a "self-propelled pole carrier" is a vehicle designed to carry a pole on the side of the vehicle at a height of at least five feet when measured from the bottom of the brace used to carry the pole. A self-propelled pole carrier may not tow another vehicle when carrying a pole that extends beyond the front overhang limit set in this subsection.

- (g)
- (1) No vehicle shall be driven or moved on any highway unless the vehicle is constructed and loaded to prevent any of its load from falling, blowing, dropping, sifting, leaking, or otherwise escaping therefrom, and the vehicle shall not contain any holes, cracks, or openings through which any of its load may escape. However, sand may be dropped for the purpose of securing traction, or water or other substance may be sprinkled, dumped, or spread on a roadway in cleaning or maintaining the roadway. For purposes of this subsection, the terms "load" and "leaking" do not include water accumulated from precipitation.
 - (2) A truck, trailer, or other vehicle licensed for more than 7,500 pounds gross vehicle weight that is loaded with rock, gravel, stone, or any other similar substance, other than sand, that could fall, blow, leak, sift, or drop shall not be driven or moved on any highway unless:
 - a. The height of the load against all four walls does not extend above a horizontal line six inches below their tops when loaded at the loading point; and
 - b. The load is securely covered by tarpaulin or some other suitable covering to prevent any of its load from falling, dropping, sifting, leaking, blowing, or otherwise escaping therefrom.
 - (3) A truck, trailer, or other vehicle:
 - a. Licensed for any gross vehicle weight and loaded with sand; or
 - b. Licensed for 7,500 pounds or less gross vehicle weight and loaded with rock, gravel, stone, or any other similar substance that could fall, blow, leak, sift, or drop; shall not be driven or moved on any highway unless:
 - a. The height of the load against all four walls does not extend above a horizontal line six inches below the top when loaded at the loading point;
 - b. The load is securely covered by tarpaulin or some other suitable covering; or
 - c. The vehicle is constructed to prevent any of its load from falling, dropping, sifting, leaking, blowing, or otherwise escaping therefrom.
 - (4) This section shall not be applicable to or in any manner restrict the transportation of seed cotton, poultry or livestock, or silage or other feed grain used in the feeding of poultry or livestock.

(h) Whenever there exist two highways of the State highway system of approximately the same distance between two or more points, the Department of Transportation may, when in the opinion of the Department of Transportation, based upon engineering and traffic investigation, safety will be promoted or the public interest will be served, designate one of the highways the "truck route" between those points, and to prohibit the use of the other highway by heavy trucks or other vehicles of a gross vehicle weight or axle load limit in excess of a designated maximum. In such instances the highways selected for heavy vehicle traffic shall be designated as "truck routes" by signs conspicuously posted, and the highways upon which heavy vehicle traffic is prohibited shall likewise be designated by signs conspicuously posted showing the maximum gross vehicle weight or axle load limits authorized for those highways. The operation of any vehicle whose gross vehicle weight or axle load exceeds the maximum limits shown on signs over the posted highway shall constitute a Class 2 misdemeanor.

or: Provided, that nothing in this subsection shall prohibit a truck or other motor vehicle whose gross vehicle weight or axle load exceeds that prescribed for those highways from using them when its destination is located solely upon that highway, road or street: Provided, further, that nothing in this subsection shall prohibit passenger vehicles or other light vehicles from using any highways designated for heavy truck traffic.

(i) Repealed by Session Laws 1973, c. 1330, s. 39.

(j) Nothing in this section shall be construed to prevent the operation of self-propelled grain combines or other self-propelled farm equipment with or without implements, not exceeding 25 feet in width on any highway, unless the operation violates a provision of this subsection. Farm equipment includes a vehicle that is designed exclusively to transport compressed seed cotton from a farm to a gin and has a self-loading bed. Combines or equipment which exceed 10 feet in width may be operated only if they meet all of the conditions listed in this subsection. A violation of one or more of these conditions does not constitute negligence per se.

(1) The equipment may only be operated during daylight hours.

(2) The equipment must display a red flag on front and rear ends or a flashing warning light. The flags or lights shall be attached to the equipment as to be visible from both directions at all times while being operated on the public highway for not less than 300 feet.

(3) the terrain or obstacles the flags or lights referred to in subdivision (2) of this subsection are not visible from both directions for 300 feet at any point along the proposed route, must be preceded at a distance of 300 feet and followed at a distance of 300 feet by a flagman in a vehicle having mounted thereon an appropriate warning light or flag. No flagman in a vehicle shall be required pursuant to this subdivision if the equipment is being moved under its own power or on a trailer from any field to another field, or from the normal place of storage of the vehicle to any field, for no more than ten miles and if visible from both directions for 300 feet at any point along the proposed route.

(4) Every piece of equipment so operated shall operate to the right of the center line when meeting traffic coming from the opposite direction and at all other times when possible and practical.

(5) Repealed by Session Laws 2008-221, s. 6, effective September 1, 2008.

(6) When the equipment is causing a delay in traffic, the operator of the equipment shall move the equipment off the paved portion of the highway at the nearest practical location until the vehicles following the equipment have passed.

(7) The equipment shall be operated in the designed transport position that minimizes equipment width. No removal of equipment or appurtenances is required under this subdivision.

(8) Equipment covered by this subsection shall not be operated on a highway or section of highway that is a fully controlled access highway or is a part of the National System of Interstate and Defense Highways without authorization from the North Carolina Department of Transportation. The Department shall develop an authorization process and approve routes under the following conditions:

a. Persons shall submit an application to the Department requesting authorization to operate equipment covered by this subsection on a particular route that is part of a highway or section of highway that is a fully controlled access highway or is a part of the National System of Interstate and Defense Highways.

b. The Department shall have a period of 30 days from receipt of a complete application to approve or reject the application. A complete application shall be deemed approved if the Department does not take action within 30 days of receipt by the Department; such a route may then be used by the original applicant.

c. The Department shall approve an application upon a showing that the route is necessary to accomplish one or more of the following:

1. Prevent farming operations from traveling more than five miles longer than the requested route during the normal course of business.

2. Prevent excess traffic delays on local or secondary roads.

3. Allow farm equipment access due to dimension restrictions on local or secondary roads.

d. For applications that do not meet the requirements of sub-subdivision c. of this subdivision, the Department may also approve an application upon review of relevant safety factors.

e. The Department may consult with the North Carolina State Highway Patrol, the North Carolina Department of Agriculture and Consumer Services, or other parties concerning an application.

f. Any approved route may be subject to any of the following additional conditions:

1. A requirement that the subject equipment be followed by a flag vehicle with flashing lights that

shall be operated at all times on the route so as to be visible from a distance of at least 300 feet.

2. Restrictions on maximum and minimum speeds of the equipment.

3. Restrictions on the maximum dimensions of the equipment.

4. Restrictions on the time of day that the equipment may be operated on the approved route.

g. The Department shall publish all approved routes, including any conditions on the routes' use, and shall notify appropriate State and local law enforcement officers of any approved route.

h. Once approved for use and published by the Department, a route may be used by any person who adheres to the route, including any conditions on the route's use imposed by the Department.

i. The Department may revise published routes as road conditions on the routes change.

(k) Nothing in this section shall be construed to prevent the operation of passenger buses having an overall width of 102 inches, exclusive of safety equipment, upon the highways of this State which are 20 feet or wider and that are designated as the State primary system, or as municipal streets, when, and not until, the federal law and regulations thereunder permit the operation of passenger buses having a width of 102 inches or wider on the National System of Interstate and Defense Highways.

(l) Nothing in this section shall be construed to prevent the operation of passenger buses that are owned and operated by units of local government, operated as a single vehicle only and having an overall length of 45 feet or less, on public streets or highways. The Department of Transportation may prevent the operation of buses that are authorized under this subsection if the operation of such buses on a street or highway presents a hazard to passengers of the buses or to the motoring public.

(m) Notwithstanding subsection (a) of this section, a boat or boat trailer with an outside width of less than 120 inches may be towed without a permit. The towing of a boat or boat trailer 102 inches to 114 inches in width may take place on any day of the week, including weekends and holidays, and may take place at night. The towing of a boat or boat trailer 114 inches to 120 inches in width may take place on any day of the week, including weekends and holidays from sun up to sun down. A boat or boat trailer in excess of 102 inches but less than 120 inches must be equipped with a minimum of two operable amber lamps on the widest point of the boat and the boat trailer such that the dimensions of the boat and the boat trailer are clearly marked and visible.

(n) Vehicle combinations used in connection with motorsports competition events that include a cab or other motorized vehicle unit with living quarters, and an attached enclosed specialty trailer, the combination of which does not exceed 90 feet in length, may be operated on the highways of this State, provided that such operation takes place for one or more of the following purposes:

(1) Driving to or from a motorsports competition event.

(2) For trips conducted for the purpose of purchasing fuel or conducting repairs or other maintenance on the competition vehicle.

(3) For other activities related to motorsports purposes, including, but not limited to, performance testing of the competition vehicle.

The Department of Transportation may prohibit combinations authorized by this subsection from specific routes, pursuant to G.S. 20-115.1(b). (1937, c. 246; c. 407, s. 80; 1943, c. 213, s. 1; 1945, c. 242, s. 1; 1947, c. 844; 1951, c. 495, s. 1; c. 733; 1953, cc. 682, 1107; 1955, c. 296, s. 2; c. 729; 1957, c. 65, s. 11; cc. 493, 1183, 1190; 1959, c. 559; 1963, c. 356, s. 1; c. 610, ss. 1, 2; c. 702, s. 4; c. 1027, s. 1; 1965, c. 471; 1967, c. 24, s. 4; c. 710; 1969, cc. 128, 880; 1971, cc. 128, 680, 688, 1079; 1973, c. 507, s. 5; c. 546; c. 1330, s. 39; 1975, c. 148, ss. 1-5; c. 716, s. 5; 1977, c. 464, s. 34; 1979, cc. 21, 218; 1981, c. 169, s. 1; 1983, c. 724, s. 2; 1985, c. 587; 1987, c. 272; 1989, c. 277, s. 1; c. 790, s. 2; 1991, c. 112, s. 1; c. 449, ss. 1, 2.1; 1993, c. 539, s. 355; 1994, Ex. Sess., c. 24, s. 14(c); 1995 (Reg. Sess., 1996), c. 573, s. 1; c. 756, s. 14; 1998-149, s. 7; 1999-438, s. 28; 2000-185, s. 2; 2001-341, ss. 3, 4; 2001-512, s. 2; 2002-72, s. 19(c); 2002-159, s. 31.5(b); 2002-190, s. 2; 2003-383, s. 8; 2005-248, s. 2; 2007-77, s. 1; 2007-194, ss. 2, 3; 2007-484, s. 5; 2007-499, s. 1; 2008-221, ss. 5, 6; 2008-229, s. 1; 2009-7, s. 1; 2009-127, s. 1; 2009-128, s. 1; 2011-145, s. 19.1(g); 2012-33, s. 1; 2012-78, s. 5; 2013-413, s. 59.2(f).)

Source: ncga.state.nc.us

NORTH DAKOTA

Applicable Section(s) 39-21-44.1

39-21-44.1. Vehicle to be constructed to prevent sifting or leaking loads.

No vehicle may be driven or moved on any highway unless it is so constructed or loaded as to prevent its contents from dropping, sifting, leaking or otherwise escaping therefrom, except that sand may be dropped for the purpose of securing traction, or water or other substance may be sprinkled on a roadway in cleaning or maintaining the roadway. No person may operate on any highway any vehicle with any load unless the load and any covering thereon is securely fastened so as to prevent said covering of load from becoming loose, detached or in any manner a hazard to other users of the highway.

Source: <http://www.legis.nd.gov>

OHIO

Applicable Section(s) 4513.31, 4513.99

§4513.31 All loads to be properly secured.

No vehicle shall be driven or moved on any highway unless the vehicle is so constructed, loaded, or covered as to prevent any of its load from dropping, sifting, leaking or otherwise escaping therefrom, except that sand or other substances may be dropped for the purpose of securing traction, or water or other substance may be sprinkled on a roadway in cleaning or maintaining the roadway.

Except for a farm vehicle used to transport agricultural produce or agricultural production materials or a rubbish vehicle in the process of acquiring its load, no vehicle loaded with garbage, swill, cans, bottles, waste paper, ashes, refuse, trash, rubbish, waste, wire, paper, cartons, boxes, glass, solid waste or any other material of an unsanitary nature that is susceptible to blowing or bouncing from a moving vehicle shall be driven or moved on any highway unless the load is covered with a sufficient cover to prevent the load or any part of the load from spilling onto the highway.

Whoever violates this section shall be punished as provided in section 4513.99 of the Revised Code.

§ 4513.99. Penalties.

(A) Any violation of section 4513.03, 4513.04, 4513.05, 4513.06, 4513.07, 4513.071, 4513.09, 4513.10, 4513.11, 4513.111, 4513.12, 4513.13, 4513.14, 4513.15, 4513.16, 4513.17, 4513.171, 4513.18, 4513.182, 4513.19, 4513.20, 4513.201, 4513.202, 4513.21, 4513.22, 4513.23, 4513.24, 4513.242, 4513.25, 4513.26, 4513.27, 4513.28, 4513.29, 4513.30, 4513.31, 4513.32, or 4513.34 of the Revised Code shall be punished under division (B) of this section.
(B) Whoever violates the sections of this chapter that are specifically required to be punished under this division, or any provision of sections 4513.03 to 4513.262 or 4513.27 to 4513.37 of the Revised Code for which violation no penalty is otherwise provided, is guilty of a minor misdemeanor on a first offense; on a second offense within one year after the first offense, the person is guilty of a misdemeanor of the fourth degree; on each subsequent offense within one year after the first offense, the person is guilty of a misdemeanor of the third degree.

Source: <http://www.legislature.ohio.gov>

OKLAHOMA

Applicable Section(s) 47-14-105

47-14-105

- (a) No vehicle shall be driven or moved on any highway unless such vehicle is so constructed or loaded as to prevent any of its load from dropping, sifting, leaking, blowing or otherwise escaping therefrom, except that sand may be dropped for the purpose of securing traction, or water or other substances may be sprinkled on a roadway in cleaning or maintaining such roadway.
- (b) No person shall operate on any highway any vehicle with any load unless said load and any covering thereon is securely fastened so as to prevent said covering or load from becoming loose, detached or in any manner a hazard to other users of the highway. Any vehicle loaded with sand, cinders, or other loose material susceptible to blowing or otherwise escaping shall have such load covered so as to prevent the blowing or escaping of said load from the vehicle.
- (c) This section shall not apply to trucks loaded with livestock, poultry or agricultural products only except baled agricultural products, provided that any such truck shall be so constructed or loaded as to prevent such livestock or poultry from escaping therefrom.

Source: <http://www.oklegislature.gov>

OREGON

Applicable Section(s) 818.300 & 818.31

Section 818.300. Operating with sifting or leaking load; civil liability; penalty.

- (1) A person commits the offense of operating with a sifting or leaking load if the person does any of the following:
 - (a) Drives or moves on a highway any vehicle or combination of vehicles that is so constructed or loaded so as to allow its contents to drop, sift, leak or otherwise escape therefrom.
 - (b) Owns a vehicle or combination of vehicles and causes or permits the vehicle or combination of vehicles to be driven or moved on a highway when the vehicle or combination of vehicles is so constructed or loaded so as to allow its contents to drop, sift, leak or otherwise escape therefrom.
- (2) The application of this section is subject to the exemptions from this section established under ORS 818.310 (Exemptions from prohibition on sifting and leaking load).
- (3) Violation of the offense described in this section is subject to civil liability under ORS 818.410 (Civil liability for certain violations).
- (4) The offense described in this section, operating with a sifting or leaking load, is a Class B traffic violation. [1983 c.338 §524; 1985 c.393 §31]

Section 818.310 Exemptions from prohibition on sifting and leaking load.

This section establishes exemptions from ORS 818.300 (Operating with sifting or leaking load). The exemptions under this section are in addition to any exemptions under ORS 801.026 (General exemptions). Exemptions are partial or complete as described in the following:

- (1) ORS 818.300 (Operating with sifting or leaking load) does not apply on any way, thoroughfare or place owned by a district formed under ORS chapters 545, 547, 551 or a corporation formed under ORS chapter 554.
- (2) ORS 818.300 (Operating with sifting or leaking load) does not apply on any road or thoroughfare or property in private ownership or any road or thoroughfare, other than a state highway or county road, used pursuant to any agreement with any agency of the United States or with a licensee of such agency or both.
- (3) Operations authorized under the terms of a permit issued under ORS 818.230 (Sifting or leaking load permit) are subject to the terms of the permit. It is a defense to any charge of violation of ORS 818.300 (Operating with sifting or leaking load) if the person so charged produces a permit issued under ORS 818.230 (Sifting or leaking load permit) authorizing the operation of the vehicle or combination of vehicles issued prior to and valid at the time of the offense. [1983 c.338 §525; 1985 c.16 §270; 1987 c.158 §173]

Source: <http://www.oregonlegislature.gov>

PENNSYLVANIA

Applicable Section(s) 4903, 3716

§ 4903. Securing loads in vehicles.

- (a) General rule.--No vehicle shall be driven or moved on any highway unless the vehicle is so constructed or loaded as to prevent any of its load from dropping, sifting, leaking or otherwise escaping.
- (b) Fastening load.--Every load on a vehicle shall be fastened so as to prevent the load or covering from becoming loose, detached or in any manner a hazard to other users of the highway.
- (c) Load of logs.--
- (1) Every load of logs on a vehicle shall be securely fastened with binders, chains or straps and, in the case of an open-body or stake-body vehicle, trailer or semitrailer there shall be a sufficient number of vertical metal stakes or posts securely attached on each side of the vehicle, trailer or semitrailer at least as high as the top of the load to secure such load in the event of a failure of the binders, chains or straps.
- (2) A load of logs which are greater than six feet in length must be secured by three binders for each stack of logs, except that, if the stacks are tiered so that one stack rests upon the bottom stack or stacks, a total of three binders is necessary for that tiered combination.
- (3) A load of logs which are six feet or less in length must be secured by two binders for each stack of logs, except that, if the stacks are tiered so that one stack rests upon the bottom stack or stacks, a total of three binders is necessary for that tiered combination.
- (4) A tiered combination which includes logs which are greater than six feet and logs which are six feet or less shall be governed by paragraph (2).
- (c.1) Load of loose garbage.--Every load of loose, nonbaled garbage, waste, refuse or rubbish being transported through or within this Commonwealth shall be transported in a vehicle with four solid sides and with a cover or top of a type to prevent any of the load from escaping. The cover or top shall remain tightly in place going to a disposal site. The load shall be no higher than the solid sides of the vehicle. It is imperative that all garbage, waste, refuse or rubbish be removed from the vehicle at the disposal site to prevent any scattering of litter on the highway during the return trip. No truck, trailer or semitrailer with an open body or stake body shall be used for such purposes.
- This subsection shall not apply to vehicles engaged in the systematic collection of garbage or refuse and which are designed to be open in the rear for the loading of garbage or refuse.
- (c.2) Load of baled garbage.--Garbage, waste, refuse or rubbish in a tightly compacted and baled form being transported through or within this Commonwealth shall be securely fastened to the vehicle and covered over all exposed areas with a canvas cover or cover of a comparable type which shall be securely attached to the underside of all sides of the truck, trailer or semitrailer to prevent any of the material from the bales from escaping. No part of any bale shall be uncovered, except for inspection, at any time during transportation within or through this Commonwealth until arrival at the disposal site.
- (d) Establishment of standards for fastening devices.--The department may promulgate regulations establishing minimum standards governing types and numbers of devices to be used in securing loads to prevent spillage and leakage of a load while in transit.
- (e) Exceptions.--This section does not prohibit:
- (1) the necessary spreading of any substance in highway maintenance or construction operations; or
- (2) the shedding or dropping of feathers or other matter from vehicles hauling live or slaughtered birds or animals.
- (f) Penalty for violation of subsection (a), (b) or (c).--A person who owns or who operates a vehicle in violation of subsection (a), (b) or (c) and, as a result of the violation, any item, piece, fragment or part of the load escapes and causes injury to a person or damage to another vehicle or other property commits a summary offense and shall, upon conviction, be sentenced to pay a fine of not less than \$300 nor more than \$1,000. A violation of subsection (a), (b) or (c) which does not result in injury to a person or damage to another vehicle or other property constitutes a summary offense, punishable by a fine of not less than \$100 nor more than \$300.

(g) Penalty for violation of subsection (c.1) or (c.2).--A person who owns or who operates a vehicle in violation of subsection (c.1) or (c.2) commits a summary offense and shall, upon conviction, be sentenced to pay a fine of not less than \$300 nor more than \$1,000. Notwithstanding the provisions of 42 Pa.C.S. §§ 3571 (relating to Commonwealth portion of fines, etc.) and 3573 (relating to municipal corporation portion of fines, etc.), disposition of any fine collected for a violation of subsection (c.1) or (c.2) shall be as follows:

(1) Unless paragraph (2) applies, the fine collected shall be paid to the Commonwealth for deposit into the Motor License Fund.

(2) If the county where the offense was committed has a litter control program approved by the department, 50% of the fine collected shall be paid to the county for expenditure in the approved litter control program; and 50% of the fine collected shall be paid to the Commonwealth for deposit into the Motor License Fund.

(Mar. 13, 1990, P.L.69, No.14, eff. imd.; July 11, 1996, P.L.660, No.115, eff. 60 days)

2008 Amendment. Act 133 added subsec. (c.3).

1996 Amendment. Act 115 amended subsec. (c).

1990 Amendment. Act 14 added subsecs. (c.1), (c.2), (f) and (g). See section 6 of Act 14 in the appendix to this title for special provisions relating to construction of Act 14.

Cross References. Section 4903 is referred to in section 3716 of this title.

§ 3716. Costs.

In addition to any fines, fees or other penalties levied or imposed under this chapter or any other statute, a cost of \$50 shall be imposed upon conviction for any violation of 18 Pa.C.S.

§ 5511 (relating to cruelty to animals) other than a summary offense. Costs collected under this section shall be disposed of in accordance with section 3717 (relating to disposition of moneys).

Source: <http://www.legis.state.pa.us>

RHODE ISLAND

Applicable Section(s) 31-25-9 & 31-25-10

§ 31-25-9 Prevention of leakage of load.

No vehicles shall be driven or moved on any highway unless the vehicle is so constructed or loaded as to prevent any of its load from dropping, sifting, leaking, or otherwise escaping from it. However, sand may be dropped for the purpose of securing traction, or water or another substance may be sprinkled on a roadway in cleaning or maintaining the roadway. Violations of this section are subject to fines enumerated in § 31-41.1-4. History of Section.

(P.L. 1950, ch. 2595, art. 35, § 5; G.L. 1956, § 31-25-9; P.L. 2002, ch. 292, § 122.)

§ 31-25-10 Fastening of load and covering.

(a) No person shall operate on any highway any vehicle with any load unless the load and any covering on it is securely fastened so as to prevent the covering or load from becoming loose, detached, or in any manner a hazard to other users of the highway.

(b) No motor truck trailer or semitrailer which is used for the purpose of hauling logs, pulpwood, lumber, or other materials which by their very nature may shift or roll so as to be likely to fall from the vehicle, shall be operated or moved over any highway unless its load is securely fastened to the vehicle by chains, cables, or other approved devices as will effectively prevent the shifting of the load or any part of it falling from the vehicle. The ends of the chains, cables, or other devices and any tire chains shall be tied securely, whether the vehicle is loaded or unloaded, so that loose ends shall not endanger pedestrians or other vehicles encountered on the highway.

(c) This section shall not be construed to include a truck transporting lumber, wood, or sawmill wastes, when transported in a box type body with solid sides, provided that the truck is not loaded higher than its side-boards.

(d) A person who violates the provisions of this section shall be fined:

(1) Not more than one hundred dollars (\$100) for the first violation; and

(2) Not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500) for any subsequent violations.

(e) No person shall operate a motor truck or other vehicle carrying or transporting any rubbish, refuse, or other debris on any highway without first securely fastening a covering on it to prevent the contents from falling to the highway. No person shall operate on any highway any vehicle with any load unless the load and any covering on it is securely fastened so as to prevent that covering or load from becoming loose, detached, or in any manner a hazard to other users of the highway.

(f) No person shall operate an open motor truck or other similar vehicle while carrying or transporting any child under sixteen (16) years of age without securely fastening the child to prevent them from becoming loose or detached in any manner.

History of Section.(P.L. 1950, ch. 2595, art. 35, § 5; G.L. 1956, § 31-25-10; P.L. 1966, ch. 270, § 1; P.L. 1973, ch. 119, § 1; P.L. 1974, ch. 31, § 1; P.L. 1975, ch. 17, § 1; P.L. 1986, ch. 271, § 1; P.L. 1988, ch. 410, § 1.)

Source: <http://www.rilin.state.ri.us/Pages/Default.aspx>

SOUTH CAROLINA

Applicable Section(s) 56-5-4100

SECTION 56-5-4100. Preventing escape of materials loaded on vehicles; cleaning the highways of escaped substances or cargo.

(A) No vehicle may be driven or moved on any public highway unless the vehicle is so constructed or loaded as to prevent any of its load from dropping, sifting, leaking, or otherwise escaping from the vehicle, except that sand, salt, or other chemicals may be dropped for the purpose of securing traction, and water or other substance may be sprinkled on a roadway in the cleaning or maintaining of the roadway by the public authority having jurisdiction.

(B) Trucks, trailers, or other vehicles when loaded with rock, gravel, stone, or other similar substances which could blow, leak, sift, or drop must not be driven or moved on any highway unless the height of the load against all four walls does not extend above a horizontal line six inches below their tops when loaded at the loading point; or, if the load is not level, unless the height of the sides of the load against all four walls does not extend above a horizontal line six inches below their tops, and the highest point of the load does not extend above their tops, when loaded at the loading point; or, if not so loaded, unless the load is securely covered by tarpaulin or some other suitable covering; or unless it is otherwise constructed so as to prevent any of its load from dropping, sifting, leaking, blowing, or otherwise escaping from the vehicle. This subsection also includes the transportation of garbage or waste materials to locations for refuse in this State.

(C) The loader of the vehicle and the driver of the vehicle, in addition to complying with the other provisions of this section, shall sweep or otherwise remove any loose gravel or similar material from the running boards, fenders, bumpers, or other similar exterior portions of the vehicle before it is moved on a public highway.

(D) Any person operating a vehicle from which any substances or cargo, excluding water, have fallen or escaped, which would constitute an obstruction or injure a vehicle or otherwise endanger travel upon the public highway, shall make every reasonable effort to immediately cause the public highway to be cleaned of all substances and shall pay any costs for the cleaning.

If the person does not make every reasonable effort to clean the public highway promptly, the Department of Transportation or any law enforcement officer may, without the consent of the owner or carrier of the substance or cargo, remove or have removed the substance from the public highway if the substance or cargo is blocking the public highway or endangering public safety. The State, its political subdivisions, and their officers and employees are not liable for any damages to the substance or cargo that may result from the removal or the disposal of the substance or cargo unless the removal or disposal was carried out recklessly or in a grossly negligent manner. The State, its political subdivisions, and their officers and employees are not liable for any damages or claims of damages that may result from the failure to exercise any authority granted under this section. The owner, driver of the vehicle, or motor carrier of the substance or cargo removed under this subsection shall bear all reasonable costs of its removal and subsequent storage or disposition.

Nothing in this section bars a claim for damages.

(E) Any person who violates the provisions of subsections (B), (C), or (D), is guilty of a misdemeanor and, upon conviction, must be fined one hundred dollars.

(F) The provisions contained in subsections (A), (B), and (C) are not applicable to and do not restrict the transportation of seed cotton, soybeans, tobacco, poultry, livestock or silage, or other feed grain used in the feeding

of poultry or livestock or of paper, wastepaper utilized for the manufacture of industrial products, paper products, forest products, or textile products.

HISTORY: 1962 Code Section 46-660; 1952 Code Section 46-660; 1949 (46) 466; 1978 Act No. 496 Section 18; 1988 Act No. 532, Section 10; 2004 Act No. 286, Section 3. SECTION 56-5-4110. Loads and covers thereon shall be firmly attached.

No person shall operate on any highway any vehicle with any load unless such load and any covering thereon is securely fastened so as to prevent such covering or load from becoming loose, detached or in any manner a hazard to other users of the highway.

Source: <http://www.llsdc.org/state-legislation#MT>

SOUTH DAKOTA
Applicable Section(s) SDCL 32-15-18

32-15-18. Improperly loaded vehicle unlawful--Violation as misdemeanor. No person may drive or move any vehicle on any highway unless such vehicle is so constructed or loaded as to prevent its contents from dropping, sifting, leaking, or otherwise escaping therefrom. A violation of this section is a Class 2 misdemeanor.

Source: SDC 1939, § 44.0350; SL 1989, ch 255, § 34.

Source: <http://legis.sd.gov>

TENNESSEE

Applicable Section(s) 39-14-501, 39-14-502 & 39-14-503

Section 39-14-501. 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(9) 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 non- combustible waste.

Section 39-14-502. (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 thereon in such a manner as to indicate that the article belongs or belonged to such person, the trier of fact may, in its discretion and in consideration of the totality of the circumstances, infer that such person has committed littering.

Section 39-14-503.

- (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 C misdemeanor punishable by a fine of fifty dollars (\$50.00) 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 fifty dollar (\$50.00) fine to the clerk of the court that has jurisdiction of such 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 the provisions of 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 part 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.

Source: <http://www.legislature.state.tn.us>

TEXAS

Applicable Section(s) 725.001-725.003 & 725.021-725.

Sec. 725.001. DEFINITIONS. In this chapter:

- (1) "Load" means a load of loose material.
- (2) "Loose material" means material that can be blown or spilled from a vehicle because of movement or exposure to air, wind currents, or other weather. The term includes dirt, sand, gravel, and wood chips but excludes an agricultural product in its natural state.
- (3) "Motor vehicle" has the meaning assigned by Section 621.001.
- (4) "Public highway" includes a public road or street.
- (5) "Semitrailer" has the meaning assigned by Section 621.001.
- (6) "Trailer" has the meaning assigned by Section 621.001.
- (7) "Vehicle" has the meaning assigned by Section 621.001. Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Sec. 725.002. APPLICABILITY. This chapter applies to any motor vehicle, trailer, or semitrailer operated on a public highway except:

- (1) a vehicle or construction or mining equipment that is:
 - (A) moving between construction barricades on a public works project; or
 - (B) crossing a public highway; or
- (2) a vehicle that is operated at a speed less than 30 miles per hour. Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Sec. 725.003. OFFENSE; PENALTY.

- (a) A person or the person's agent or employee may not load or transport loose material in violation of this chapter.
- (b) A person, excluding this state or a political subdivision of this state but including an agent or employee of this state or a political subdivision of this state, commits an offense if the person violates Subsection (a).
- (c) An offense under this section is a misdemeanor punishable by a fine of:
 - (1) not less than \$25 or more than \$200 for a first conviction; and
 - (2) not less than \$200 or more than \$500 for a second or subsequent conviction. Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

SUBCHAPTER B. REQUIREMENTS FOR TRANSPORTING LOOSE MATERIALS Sec. 725.021. CONTAINING LOOSE MATERIALS.

- (a) A vehicle subject to this chapter shall be equipped and maintained as required by this section to prevent loose material from escaping by blowing or spilling.
 - (b) A vehicle bed carrying a load:
 - (1) may not have a hole, crack, or other opening through which loose material can escape;
- and
- (2) shall be enclosed:
 - (A) on both sides by side panels;
 - (B) on the front by a panel or the vehicle cab; and
 - (C) on the rear by a tailgate or panel.

- (c) The load shall be covered and the covering firmly secured at the front and back, unless the load:
 - (1) is completely enclosed by the load-carrying compartment; or

(2) does not blow or spill over the top of the load-carrying compartment.

(d) The tailgate of the vehicle shall be securely closed to prevent spillage during transportation. Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Sec. 725.022. MAINTAINING NON-LOAD-CARRYING VEHICLE PARTS.

(a) Loose material that is spilled because of loading on a vehicle part that does not carry the load shall be removed before the vehicle is operated on a public highway.

(b) After the vehicle is unloaded and before the vehicle is operated on a public highway, residue of transported loose material on a vehicle part that does not carry the load shall be removed from the vehicle part.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Source: <http://www.capitol.state.tx.u>

UTAH

Applicable Section(s) 72-7-409

72-7-409. Loads on vehicles -- Limitations -- Confining, securing, and fastening load required -- Penalty.

(1) As used in this section:

(a) "Agricultural product" means any raw product which is derived from agriculture, including silage, hay, straw, grain, manure, and other similar product.

(b) "Vehicle" has the same meaning set forth in Section 41-1a-102.

(2) A vehicle may not be operated or moved on any highway unless the vehicle is constructed or loaded to prevent its contents from dropping, sifting, leaking, or otherwise escaping.

(3)

(a) In addition to the requirements under Subsection (2), a vehicle carrying dirt, sand, gravel, rock fragments, pebbles, crushed base, aggregate, any other similar material, or scrap metal shall have a covering over the entire load unless:

(i) the highest point of the load does not extend above the top of any exterior wall or sideboard of the cargo compartment of the vehicle; and

(ii) the outer edges of the load are at least six inches below the top inside edges of the exterior walls or sideboards of the cargo compartment of the vehicle.

(b) In addition to the requirements under Subsection (2), a vehicle carrying trash or garbage shall have a covering over the entire load.

(c) The following material is exempt from the provisions of Subsection (3)(a):

(i) hot mix asphalt;

(ii) construction debris or scrap metal if the debris or scrap metal is a size and in a form not susceptible to being blown out of the vehicle;

(iii) material being transported across a highway between two parcels of property that would be contiguous but for the highway that is being crossed; and

(iv) material listed under Subsection (3)(a) that is enclosed on all sides by containers, bags, or packaging.

(d) A chemical substance capable of coating or bonding a load so that the load is confined on a vehicle, may be considered a covering for purposes of Subsection (3)(a) so long as the chemical substance remains effective at confining the load.

(4) Subsections (2) and (3) do not apply to a vehicle or implement of husbandry carrying an agricultural product, if the agricultural product is:

(a) being transported in a manner which is not a hazard or a potential hazard to the safe operation of the vehicle or to other highway users; and

(b) loaded in a manner that only allows minimal spillage.

(5)

(a) An authorized vehicle performing snow removal services on a highway is exempt from the requirements of this section.

(b) This section does not prohibit the necessary spreading of any substance connected with highway maintenance, construction, securing traction, or snow removal.

(6) A person may not operate a vehicle with a load on any highway unless the load and any load covering is fastened, secured, and confined to prevent the covering or load from becoming loose, detached, or in any manner a hazard to the safe operation of the vehicle, or to other highway users.

(7) Before entering a highway, the operator of a vehicle carrying any material listed under Subsection (3), shall remove all loose material on any portion of the vehicle not designed to carry the material.

- (8)
- (a) Any person who violates this section is guilty of a class B misdemeanor.
 - (b) A person who violates a provision of this section shall be fined not less than:
 - (i) \$200 for a violation; or
 - (ii) \$500 for a second or subsequent violation within three years of a previous violation of this section.
 - (c) A person who violates a provision of this section while operating a commercial vehicle as defined in Section 72-9-102 shall be fined:
 - (i) not less than \$500 for a violation; or
 - (ii) \$1,000 for a second or subsequent violation within three years of a previous violation of this section.

Amended by Chapter 365, 2013 General Session

Source: <http://le.utah.gov>

VERMONT

Applicable Section(s) T. 23, Sec. 1454

§ 1454. Securing loads

- (a) A person shall not operate a motor vehicle nor draw a trailer, or semi-trailer on a highway unless the motor vehicle, trailer or semi-trailer is so constructed and loaded that it will create no hazard to other users of the highway.
- (b) The commissioner may, by rule, impose design and load security requirements, consistent with nationally recognized safety standards, upon motor vehicles, trailers, and semi-trailers in order to provide for the safe and secure transport of any loads. (1961, No. 62, §§ 1, 2; amended 1971, No. 228 (Adj. Sess.), § 32; 1997, No. 46, § 7.)

Version: 2013-07-01 - 2099-12-31

Source: <http://legislature.vermont.gov>

VIRGINIA

Applicable Section(s) 46.2-1156

§ 46.2-1156. Construction, maintenance and loading must prevent escape of contents; load covers; exemptions.

A. No vehicle shall be operated or moved on any highway unless it is so constructed, maintained, and loaded as to prevent its contents from dropping, sifting, leaking, or otherwise escaping. No provision of this section, however, shall apply to any (i) motor vehicle that is used exclusively for agricultural purposes as provided in § 46.2-698 and is not licensed in any other state; (ii) agricultural vehicle, tractor, or other vehicle exempted from registration and licensing requirements pursuant to Article 6 (§ 46.2-662 et seq.) of Chapter 6 of this title; or (iii) motor vehicle transporting forest products, poultry, or livestock.

B. The loads of all trucks, trailers and semitrailers carrying gravel, sand, coal or other nonagricultural and nonforestry products on interstate, primary, or secondary highways or roads maintained by cities, counties or incorporated towns shall be either (i) secured to the vehicle in which they are being transported or (ii) covered. Covers used to prevent the escape of material from commercial vehicles used to transport solid waste shall be of such design, installation, and construction as to contain the vehicle's cargo within the vehicle, regardless of the vehicle's speed or weather conditions. Public service company vehicles, pickup trucks, and emergency snow removal equipment while engaged in snow removal operations shall be excluded from the provisions of this subsection.

(Code 1950, § 46-307; 1958, c. 541, §§ 46.1-303, 46.1-401; 1975, c. 553; 1979, c. 213; 1980, c. 21; 1986, c. 639; 1988, cc. 662, 897; 1989, cc. 526, 727; 1992, c. 149; 1997, c. 283; 2001, c. 180.)

Source: <http://virginiageneralassembly.gov>

WASHINGTON

Applicable Section(s) 46.61.665

RCW 46.61.655 Dropping load, other materials — Covering.

(1) No vehicle shall be driven or moved on any public highway unless such vehicle is so constructed or loaded as to prevent any of its load from dropping, sifting, leaking, or otherwise escaping therefrom, except that sand may be dropped for the purpose of securing traction.

(2) No person may operate on any public highway any vehicle with any load unless the load and such covering as required thereon by subsection (3) of this section is securely fastened to prevent the covering or load from becoming loose, detached, or in any manner a hazard to other users of the highway.

(3) Any vehicle operating on a paved public highway with a load of dirt, sand, or gravel susceptible to being dropped, spilled, leaked, or otherwise escaping therefrom shall be covered so as to prevent spillage. Covering of such loads is not required if six inches of freeboard is maintained within the bed.

(4)(a) Any person operating a vehicle from which any glass or objects have fallen or escaped, which would constitute an obstruction or injure a vehicle or otherwise endanger travel upon such public highway shall immediately cause the public highway to be cleaned of all such glass or objects and shall pay any costs therefor.

(b) Any vehicle with deposits of mud, rocks, or other debris on the vehicle's body, fenders, frame, undercarriage, wheels, or tires shall be cleaned of such material before the operation of the vehicle on a paved public highway.

(5) The state patrol may make necessary rules to carry into effect the provisions of this section, applying such provisions to specific conditions and loads and prescribing means, methods, and practices to effectuate such provisions.

(6) Nothing in this section may be construed to prohibit a public maintenance vehicle from dropping sand on a highway to enhance traction, or sprinkling water or other substances to clean or maintain a highway.

(7)(a)(i) A person is guilty of failure to secure a load in the first degree if he or she, with criminal negligence, fails to secure a load or part of a load to his or her vehicle in compliance with subsection (1), (2), or (3) of this section and causes substantial bodily harm to another.

(ii) Failure to secure a load in the first degree is a gross misdemeanor.

(b)(i) A person is guilty of failure to secure a load in the second degree if he or she, with criminal negligence, fails to secure a load or part of a load to his or her vehicle in compliance with subsection (1) or (2) of this section and causes damage to property of another.

(ii) Failure to secure a load in the second degree is a misdemeanor.

(c) A person who fails to secure a load or part of a load to his or her vehicle in compliance with subsection (1), (2), or (3) of this section is guilty of an infraction if such failure does not amount to a violation of (a) or (b) of this subsection.

[2005 c 431 § 1; 1990 c 250 § 56; 1986 c 89 § 1; 1971 ex.s. c 307 § 22; 1965 ex.s. c 52 § 1; 1961 c 12 § 46.56.135. Prior: 1947 c 200 § 3, part; 1937 c 189 § 44, part; Rem. Supp. 1947 § 6360-44, part. Formerly RCW 46.56.135.]

Source: <http://apps.leg.wa.gov/rcw>

WEST VIRGINIA

Applicable Section(s) 17C-17-6

§17C-17-6. Loads to be securely fastened and not allowed to leak, escape, etc.

- a. No vehicle or combination of vehicles shall be operated on any highway unless such vehicle or combination of vehicles is so constructed or loaded as to prevent any of its load from dropping, sifting, leaking or otherwise escaping therefrom, except that sand may be dropped for the purpose of securing traction, or water or other substance may be sprinkled on a roadway in cleaning or maintaining such roadway.
- b. It shall be unlawful to operate on any highway any vehicle or combination of vehicles with any load unless said load and any covering thereon is securely fastened so as to prevent said covering or load from becoming loose, detached or in any manner a hazard to other users of the highway.

§17C-17A-5(i)

- (i) Any vehicle or combination of vehicles transporting coal pursuant to the provisions of this article shall be securely covered to prevent the escape of the load on any trip exceeding a total distance of one mile on any public highway.

Note: WV Code updated with legislation passed through the 2014 1st Special Session

Source: <http://www.legis.state.wv.us>

WISCONSIN

Applicable Section(s) 348.10, Section 2 & 346.94, Section 7

348.10 Special limitations on load.

- (1) No person, without a permit therefor, may operate on a highway any vehicle or combination of vehicles with any load thereon extending more than 3 feet beyond the front of the foremost vehicle, except as provided in s. 348.07 (2) (j) and (k), and except that a vehicle carrying another vehicle equipped with a crane or boom which extends more than 3 feet beyond the front of the foremost vehicle may be operated without permit if the total length of the vehicle or combination of vehicles, measuring from the end of the foremost projection of the load to the rear of the rearmost vehicle, does not exceed statutory length limitations.
- (2) No person shall operate a vehicle on a highway unless such vehicle is so constructed and loaded as to prevent its contents from dropping, sifting, leaking or otherwise escaping therefrom.
- (3) No person may operate on a highway any motor vehicle, trailer or semitrailer carrying logs unless the logs are transported within a cargo body or are securely fastened to the vehicle by chains, steel cables or other attachment devices of equivalent strength whose safety is approved by the department.
- (3m) No person may operate on a highway any motor vehicle, trailer or semitrailer carrying junk or scrapped vehicles unless one of the following conditions is satisfied:
 - (a) Each junk or scrapped vehicle is securely fastened to the vehicle carrying the load by chains, steel cables or other attachment devices of equivalent strength whose safety is approved by the department. In this paragraph, "securely fastened" means that each tier of junk or scrapped vehicles is secured by at least 2 chains, steel cables or other attachment devices across the axis of its width.
 - (b) The vehicle carrying the load is equipped with stakes which are securely fastened by chains, steel cables or other attachment devices of equivalent strength whose safety is approved by the department and the top of the load is lower than the top of the stakes.
 - (c) The vehicle carrying the load is equipped with sides, sideboards or side stakes and with a rear endgate, endboard or rear stakes. These devices shall be of sufficient strength and height to prevent the cargo from shifting upon or falling from the vehicle. No device may have any aperture large enough to permit cargo in contact with one or more of the devices to pass through the aperture.
- (4) All other provisions notwithstanding, no person shall operate on a highway any trailer or semitrailer when the gross weight of the trailer or semitrailer exceeds the empty weight of the towing vehicle, unless the trailer or semitrailer is equipped with brakes as provided in s. 347.35 (3)
 - (a) and (b).
- (5) The load imposed upon trailers, semitrailers, recreational vehicles, or mobile homes shall be distributed in a manner that will prevent side sway under all conditions of operation:
 - (a) All items of load carried by any trailer, semitrailer, recreational vehicle, or mobile home, except bulk material such as sand, gravel, dirt not in containers, shall be secured to, on or in the trailer, semitrailer, recreational vehicle, or mobile home in such manner as to prevent shifting of the load while the trailer, semitrailer, recreational vehicle, or mobile home is being drawn by a towing vehicle.

- (b) Boats of any type transported on a trailer or semitrailer being drawn by a towing vehicle shall be secured in position at bow and stern by attachments of such strength and design as to prevent the boat from shifting its position on the trailer or becoming separated from the trailer while being transported thereon.
- (c) The load carried by any trailer, semitrailer, recreational vehicle, or mobile home shall be so positioned that a weight of not less than 35 pounds is imposed at the center of the point of attachment to the towing vehicle when parked on a level surface.

History: 1983 a. 78; 1983 a. 192 s. 304; 1985 a. 161; 1991 a. 249; 1993 a. 401; 2007 a. 11; 2013 a. 369.

346.94, Section 7.

- (7) Spilling loads of waste or foreign matter. The operator of every vehicle transporting waste or foreign matter on the highways of this state shall provide adequate facilities to prevent such waste or foreign matter from spilling on or along the highways.

Source: <http://legis.wisconsin.gov>

WYOMING

Applicable Section(s) 31-5-228

31-5-228. Loads on Vehicles.

No vehicle shall be driven or moved on any highway unless the vehicle is so constructed or loaded as to prevent any of its load from dropping, sifting, leaking or otherwise escaping therefrom. This section does not prohibit the necessary spreading of any substance in highway maintenance or construction operations.

Source: <http://legisweb.state.wy.us/lsoweb/session/SessionHome.aspx>

PUERTO RICO REGULATIONS

TARPING SYSTEM PHOTOS

PUERTO RICO

Applicable Section(s) 15.02 (a) (10)

When a truck's cargo consists of sand, cement trash or any other product similar to this, a cover or tarp is mandatory. It must cover the complete cargo area so that it does not spill through the air in prejudice to public and health safety.

Penalties arising from violations to Section 15.02 (a)(10) are specified in Section 15.05, which states a \$250.00 fine. This amendment is pursuant to Law 132 of June 3, 2004.



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