

## SENATE BILL NO. 359

INTRODUCED BY CROMLEY, BECKER

A BILL FOR AN ACT ENTITLED: "AN ACT EXTENDING TO ALL TYPES OF LOADS AND ALL TYPES OF MOTOR VEHICLES THE REQUIREMENT THAT A LOAD BE SECURED TO PREVENT LITTERING OR CREATING A DANGEROUS OBSTRUCTION ON A HIGHWAY; PROVIDING EXCEPTIONS FOR ROAD MAINTENANCE AND CONSTRUCTION AND CERTAIN COMMERCIAL UNPROCESSED PRODUCTS; AND AMENDING SECTION 61-8-370, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 61-8-370, MCA, is amended to read:

**"61-8-370. Securing of load -- requirement.** (1) A person operating a loaded vehicle on a public highway ~~for the purpose of transporting solid waste as defined in 75-10-203, except a commercial motor vehicle or a vehicle transporting unprocessed agricultural products,~~ shall ~~attach, cover, or otherwise~~ secure the load sufficiently to prevent ~~littering or~~ creating an obstruction dangerous to the public traveling on the highway.

(2) THIS SECTION DOES NOT APPLY TO:

(A) THE TRANSPORT AND SPREADING OF GRAVEL, DIRT, OR A RELATED SUBSTANCE;

(B) THE TRANSPORT OF CONSTRUCTION MATERIALS, MACHINERY, OR OTHER ITEMS WHILE BEING USED IN HIGHWAY MAINTENANCE OR CONSTRUCTION; OR

(C) THE ~~COMMERCIAL~~ TRANSPORT OF UNPROCESSED AGRICULTURAL, TIMBER, OR MINERAL PRODUCTS; OR

(D) COMMERCIAL TRANSPORT THAT COMPLIES WITH FEDERAL REGULATION."

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