1/6/05

SENATE HIGHWAYS AND TRANSPORTATION

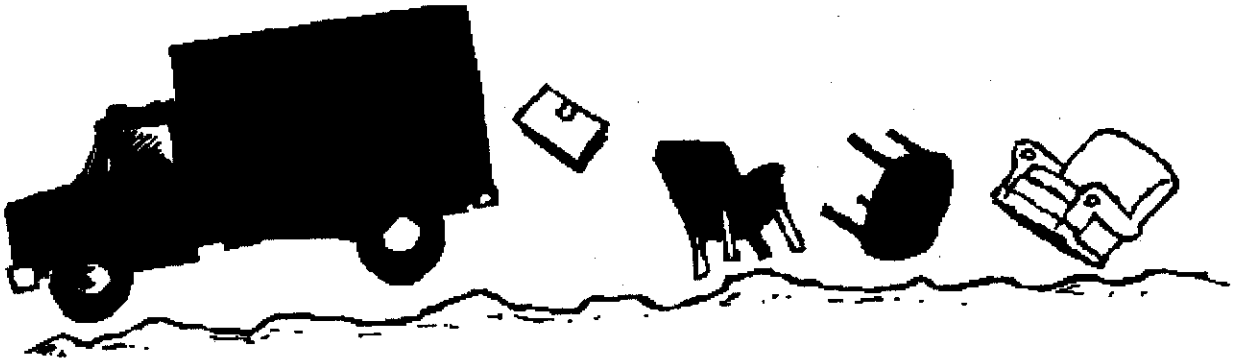
EXHIBIT NO. 2

DATE: 1/6/05

BILL NO. SB 102

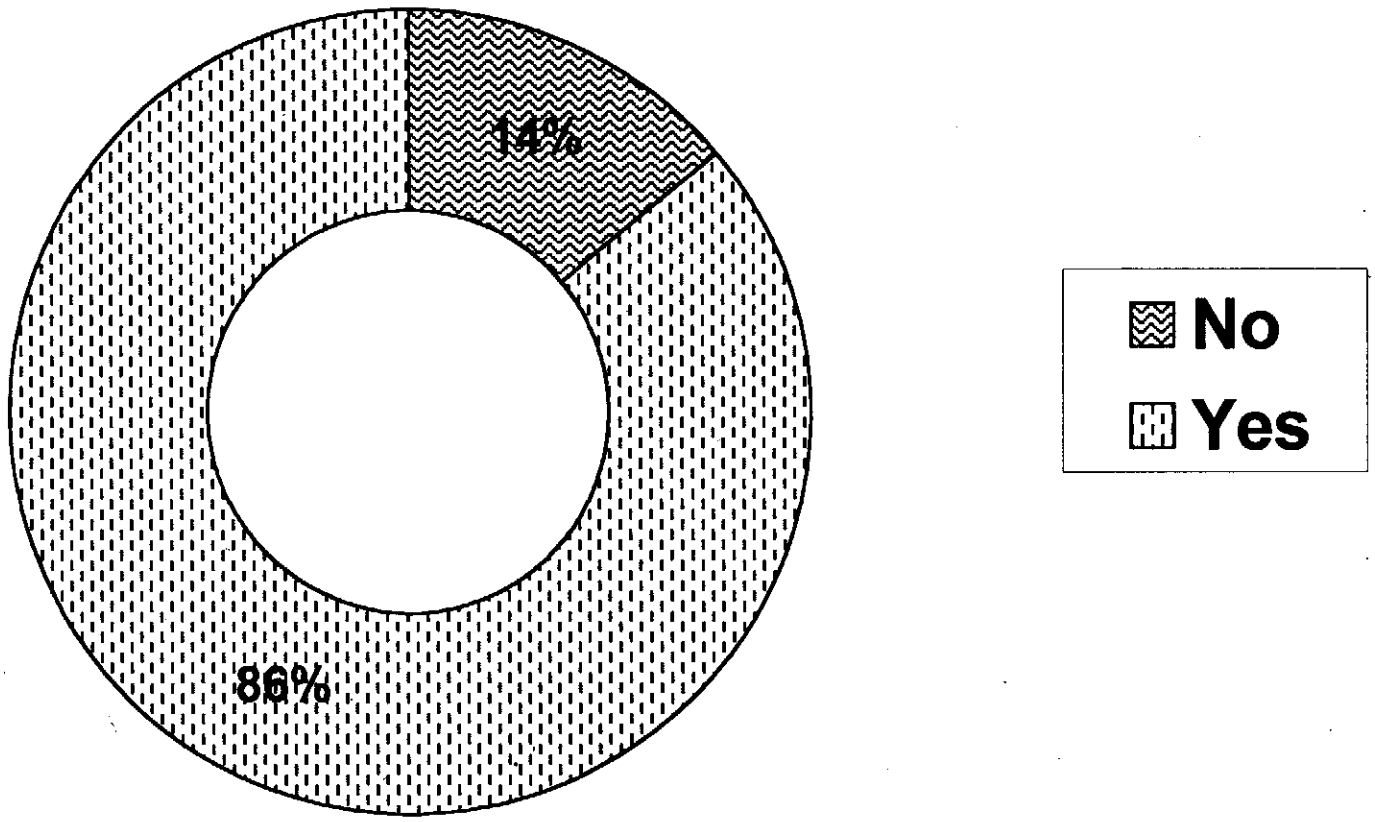
VOTE "YES" ON SB 102

If you lose it . . .



. . . . . Someone will find it!

States that have laws requiring all loads be secure as of January 2005



(FINAL DRAFT OF BILL REQUEST FILED NOVEMBER 11, 2004 BY SENATOR BRENT CROMLEY)

A BILL FOR AN ACT ENTITLED: "AN ACT EXTENDING TO ALL TYPES OF LOADS AND ALL TYPES OF MOTOR VEHICLES, OTHER THAN COMMERCIAL VEHICLES, THE REQUIREMENT THAT A LOAD BE SECURED TO PREVENT LITTERING OR CREATING A DANGEROUS OBSTRUCTION ON A HIGHWAY; 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. 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.

Montana Code Annotated 2003

60-1-101. Legislative findings. The legislature recognizes that safe and efficient highway transportation is of important interest to all of the people of the state and declares that:

(1) inadequate highways, roads, and streets obstruct the free flow of traffic, increase costs of motor vehicle operation, endanger the health and safety of the citizens of the state, depreciate property values, and impede generally the economic progress of the state;

(2) the problems of establishing and maintaining adequate highways, roads, and streets, eliminating congestion, reducing accident frequency, providing parking facilities, and taking all necessary steps to insure safe and convenient transportation are urgent;

(3) adequate and integrated systems of highways, roads, and streets are essential to the general welfare of the state;

(4) providing adequate highway facilities is a proper public use and purpose, and this title is necessary for the preservation of the public peace, health, and safety, for the promotion of the general welfare, and as a contribution to the national defense.

History: En. Sec. 1, Ch. 197, L. 1965; R.C.M. 1947, 32-2201; amd. Sec. 1, Ch. 23, L. 1979.

Provided by Montana Legislative Services