

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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