



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

Senate: TTMC DPA 5-2-0-0 | 3rd Read 21-6-3-0

House: TI DP 10-0-0-1

SB1376: vehicle loads; restrictions

Sponsor: Senator Bolick, LD 2

House Engrossed

Overview

Applies vehicle load restrictions to a street or roadway and restricts a local authority from enacting or enforcing an ordinance or regulation prohibiting cruising.

History

Statute outlines that a person must 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 the following are permitted:

- 1) sufficient sand may be dropped to secure traction;
- 2) water or another substance may be sprinkled on a roadway in cleaning or maintaining the roadway; and
- 3) minor pieces of agricultural materials such as leaves and stems from agricultural loads.

A person must 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.

If a person is found in violation of the outlined vehicle load restrictions but does not cause any damage or injury, for the person's first violation in a 60-month period the person is subject to a civil penalty of no more than \$250. For a second or subsequent violation in a 60-month period, the person is subject to a civil penalty of no more than \$350. If the violation results in an accident-causing serious physical injury to another person, the person is subject to a civil penalty of no more than \$500. If the violation results in an accident causing the death of another person, the person is subject to a civil penalty of no more than \$1,000 ([A.R.S. § 28-1098](#)).

A local authority must adopt ordinances or regulations relating to the control and movement of traffic, including parking or standing ordinances or regulations that provide for the imposition of civil penalties on the violation of the ordinance or regulation. A local authority may adopt additional traffic regulations that are not in conflict with statute.

Unless a local ordinance or regulation provides for the imposition of a criminal penalty, a violation of the ordinance or regulation constitutes a civil traffic violation. ([A.R.S. § 28-626](#)).

Local authority means any county, municipal or other local board or body exercising jurisdiction over highways under the Constitution and laws of this state ([A.R.S. § 28-101](#)).

Provisions

Vehicle Load Restrictions

1. Expands vehicle load restrictions to apply to a *street or roadway*. (Sec. 2)
2. Exempts a vehicle from vehicle load restrictions when the vehicle is being used for agricultural purposes on a farm. (Sec. 2)
3. Broadens the exemption from vehicle load restrictions for a vehicle on a highway, street or roadway that has minor pieces of agricultural material, such as leaves and stems, escaping the vehicle from *agricultural equipment*. (Sec. 2)

Cruising Ordinances

4. Restricts a local authority from enacting or enforcing an ordinance or regulation prohibiting cruising. (Sec. 1)
5. Prohibits a local authority from limiting motor vehicle suspension modifications or bumper heights when the vehicle's operator is engaged in cruising. (Sec. 1)
6. Defines *cruising* as the repetitive driving of a motor vehicle past the same place without a destination or particular purpose within a specified time. (Sec. 1)

Miscellaneous

7. Makes technical and conforming changes. (Sec. 1-2)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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