

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 20

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

1
2 RELATING TO RULES OF THE ROAD; AMENDING SECTION 49-613, IDAHO CODE, TO REVISE
3 PROVISIONS REGARDING SECURED LOADS, TO PROVIDE FOR A PENALTY, AND TO
4 PROVIDE FOR CERTAIN NOTIFICATION REQUIREMENTS; AND DECLARING AN EMER-
5 GENCY.

6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Section 49-613, Idaho Code, be, and the same is hereby
8 amended to read as follows:

9 49-613. PUTTING GLASS OR OTHER INJURIOUS MATERIALS ON HIGHWAY PROHIB-
10 ITED -- SECURED LOADS. (1) The following provisions of this section shall ap-
11 ply to persons and vehicles not otherwise exempted from the application of
12 this section by federal or state law.

13 ~~(1) (a) No person shall throw or deposit upon any highway any glass bot-~~
14 ~~tle, glass, nails, tacks, wire, cans, or any other substance likely to~~
15 ~~injure any person, animal or vehicle upon the highway.~~

16 ~~(2) (b) Any person who drops, or permits to be dropped or thrown, upon~~
17 ~~any highway any destructive or injurious material shall immediately re-~~
18 ~~move that material or cause it to be removed.~~

19 ~~(3) (c) Any person removing a wrecked or damaged vehicle from a high-~~
20 ~~way shall remove any glass or other injurious substance dropped upon the~~
21 ~~highway from that vehicle.~~

22 ~~(4) (2) No vehicle shall be operated on any public highway unless such~~
23 ~~vehicle's load is secured to prevent the load from becoming loose, detached~~
24 ~~or a hazard to other users of the highway.~~

25 ~~(5) (a) No person may operate on any public highway any vehicle with any~~
26 ~~load unless the load is secured and such covering as required thereon~~
27 ~~by this subsection (6) of this section is securely fastened to prevent~~
28 ~~the covering or load from becoming loose, detached or a hazard to other~~
29 ~~users of the highway.~~

30 ~~(6) (b) Any vehicle operating on a paved public highway with a load of~~
31 ~~dirt, sand, or gravel susceptible to being dropped, blown, spilled,~~
32 ~~leaked or otherwise escaping therefrom shall be covered so as to prevent~~
33 ~~spillage. Covering of such loads is not required if six (6) inches of~~
34 ~~freeboard is maintained.~~

35 ~~(7) (c) The provisions of subsections (5) and (6) of this section this~~
36 ~~subsection shall not apply to a:~~

37 (i) A government, quasi-government, their agents or employees or
38 contractors thereof, in performance of maintenance or construc-
39 tion of, snow removal, or spreading sand on a highway; or

40 (ii) A vehicle hauling hot mix or cold mix asphalt.

41 ~~(8) (d) The provisions of subsections (4), (5) and (6) of this section~~
42 ~~this subsection shall not apply to vehicles owned by canal companies,~~

1 irrigation districts, drainage districts or their boards of control,
2 lateral ditch associations, water districts or other irrigation water
3 delivery or management entities, or operated by any employee or agent
4 of such an entity, performing construction, operation or maintenance of
5 facilities.

6 ~~(9) (e) The provisions of subsections (4), (5) and (6) of this section~~
7 ~~this subsection shall not apply to vehicles transporting unprocessed~~
8 ~~agricultural products, agricultural by-products by-products, agricul-~~
9 ~~tural materials, or agricultural inputs.~~

10 (f) The driver of any vehicle found to be in violation of the provi-
11 sions of paragraph (b) of this subsection shall be guilty of an infrac-
12 tion punishable by a fixed penalty of two hundred dollars (\$200).

13 (3) By no later than October 1, 2025:

14 (a) The Idaho transportation department shall notify all law enforce-
15 ment agencies in Idaho regarding the provisions of subsection (2) of
16 this section; and

17 (b) The Idaho transportation department and the Idaho trucking asso-
18 ciation shall notify and provide educational materials to the trucking
19 industry regarding the provisions of subsection (2) of this section.

20 SECTION 2. An emergency existing therefor, which emergency is hereby
21 declared to exist, this act shall be in full force and effect on and after its
22 passage and approval.