



House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL
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February 11, 2008

Mr. Speaker:

The Transportation Committee recommends **S.B. 44**, PENALTIES FOR FAILING TO SECURE A LOAD OR LITTERING ON A HIGHWAY, by Senator P. Jones, be replaced and reports a favorable recommendation on **1st Sub. S.B. 44**, PENALTIES FOR FAILING TO SECURE A LOAD OR LITTERING ON A HIGHWAY with the following amendments:

1. *Page 5, Line 133 through Page 6, Line 153:*

133 (2) A vehicle may not be operated or moved on any highway unless the vehicle is
134 constructed or loaded to prevent its contents from dropping, sifting, leaking, or otherwise
135 escaping.

136 (3) (a) In addition to the requirements under Subsection (2), a vehicle carrying dirt,
137 sand, gravel, rock fragments, pebbles, crushed base, aggregate, { ~~trash or garbage.~~ }
any other

138 similar material, or scrap metal shall have a covering over the entire load unless:

139 (i) the highest point of the load does not extend above the top of any exterior wall or
140 sideboard of the cargo compartment of the vehicle; and

141 (ii) the outer edges of the load are at least six inches below the top inside edges of the
142 exterior walls or sideboards of the cargo compartment of the vehicle.

143 (b) In addition to the requirements under Subsection (2), a vehicle carrying
trash or garbage shall have a covering over the entire load.

(c) The following material is exempt from the provisions of Subsection (3)(a):

144 (i) hot mix asphalt;

145 (ii) [~~construction debris or~~] scrap metal if the [~~debris or~~] scrap metal is a size and in a
146 form not susceptible to being blown out of the vehicle;

147 (iii) material being transported across a highway between two parcels of property that
148 would be contiguous but for the highway that is being crossed; and

149 (iv) material listed under Subsection (3)(a) that is enclosed on all sides by containers,
150 bags, or packaging.

151 { ~~(c)~~ } (d) A chemical substance capable of coating or bonding a load so that
the load is

152 confined on a vehicle, may be considered a covering for purposes of Subsection (3)(a) so

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long
153 as the chemical substance remains effective at confining the load.

Respectfully,

Todd E. Kiser
Committee Chair

Voting: 10-2-3

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