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## Transportation Committee

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### HB 1007

**Brief Description:** Concerning the covering of loads on public highways.

**Sponsors:** Representatives Kagi, Clibborn, Stanford, Ryu, Moscoso, Hudgins, Reykdal, Fitzgibbon, Appleton, Maxwell, Green and Fey.

#### Brief Summary of Bill

- Requires that from August 1, 2013, through June 30, 2014, any vehicles operating on a paved public highway hauling dirt, sand, rocks, or gravel susceptible to escaping must use a cover if the vehicle is equipped with a load cover.
- Requires that after June 30, 2014, a vehicle operating on a paved public highway hauling dirt, sand, rocks, or gravel susceptible to escaping must use a cover and must not exceed the horizontal freeboard of the bed of the vehicle hauling the load.
- Provides an exemption for the Department of Transportation when applying deicers and sand for snow and ice control, maintenance operations for emergencies, or maintenance on closed roads, but still requires six inches of freeboard.
- Requires the Washington State Patrol to conduct random emphasis patrols to enforce covered load requirements.

**Hearing Date:** 1/17/13

**Staff:** Jerry Long (786-7306).

#### **Background:**

Any vehicle operating on a paved public highway with a load of dirt, sand, or gravel susceptible to being dropped, spilled, leaked, or otherwise escaping must be covered to prevent spillage, except when there is six inches of freeboard is maintained within the bed.

A person is guilty of Failure to Secure a Load in the first degree, which is a gross misdemeanor, if the person, with criminal negligence, fails to secure a load and causes substantial bodily harm

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to another. A person is guilty of Failure to Secure a Load in the second degree, which is a misdemeanor, if the person, with criminal negligence, fails to secure a load and causes damage to the property of another. A person that fails to secure a load or part of a load is guilty of an infraction if such failure does not cause bodily harm to another or does not cause damage to the property of another.

**Summary of Bill:**

From August 1, 2013, through June 30, 2014, if a vehicle hauling dirt, sand, rocks, or gravel, and if the vehicle hauling these types of materials is equipped with a cover, then the cover must be used. After June 30, 2014, any vehicle operating on a paved public highway with a load of dirt, sand, rocks, or gravel susceptible to being dropped, spilled, leaked, or otherwise escaping from the vehicle must be covered to prevent spillage. A load of dirt, sand, rocks, or gravel must not exceed the horizontal freeboard of the bed of the vehicle hauling the load.

The Department of Transportation is exempt from the requirements if the vehicle is: applying sand or deicers for snow and ice control; performing maintenance operations in response to emergency events; and performing maintenance operations within work zones where roads or sections of the roads are closed to the public. The Department of Transportation must continue to maintain the requirement of six inches of freeboard on these loads.

The Washington State Patrol must conduct random emphasis patrols to enforce the covering of load requirements.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect on August 1, 2013.