The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Margaret M. Corley.

## DIGEST 2016 Regular Session

Peacock

<u>Present law</u> requires loads on vehicles, including garbage and other discarded material and freight containers, to be covered or secured so that the load does not spill or become loose, detached, or present a safety hazard to others on the highway.

<u>Present law</u> provides for a \$500 fine or six months' imprisonment, or both, for failure to cover a load or to secure freight containers.

<u>Present law</u> defines "loose material" as dirt, sand, gravel, nails, or other materials capable of blowing or spilling from a vehicle, but excludes agricultural products in their natural state or wood chips.

<u>Proposed law</u> retains <u>present law</u> but requires any load of agricultural products in their natural state or wood chips on a vehicle to be securely covered while being transported on any highway of this state with a maximum speed limit of 65 miles per hour or greater in such a manner so as to prevent the covering or load from spilling or dropping from the vehicle or becoming loose, detached, or in any manner a hazard to other users of the highway.

<u>Proposed law</u> provides for a fine of not less than \$100 or more than \$300 but provides that the penalty does not apply when the load was securely covered and subsequently became loose or detached as the result of an accident or circumstances beyond the control of the operator of the vehicle.

<u>Proposed law</u> requires the deputy secretary of the Department of Public Safety and Corrections, public safety services, and the secretary of the Department of Agriculture and Forestry to work cooperatively with industry to develop a process to secure the load of agricultural products in their natural state or wood chips on a vehicle subject to the provisions of <u>proposed law</u>.

Effective January 1, 2018.

SB 105 Original

(Amends R.S. 32:383(C); adds R.S. 32:383(D))