

By: Straughter

To: Transportation

HOUSE BILL NO. 1275

1 AN ACT TO AMEND SECTION 63-7-83, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE TRUCKS, TRAILERS OR OTHER CARRIERS WITH AN OPEN TOP
3 CARRYING ANY LOAD OF SAND, DIRT, GRAVEL, ROCK OR OTHER SUBSTANCE
4 OR MATERIAL THAT IS LIKELY TO LITTER THE ROADWAY OR CAUSE A
5 TRAFFIC HAZARD OR NUISANCE TO OTHER MOTORISTS OR VEHICLES TO BE
6 EQUIPPED WITH A TARPAULIN, CANVAS OR OTHER SUCH TOP SECURING THE
7 LOAD IN A MANNER THAT WILL PREVENT ACCIDENTAL SPILLAGE; TO AMEND
8 SECTION 63-7-89, MISSISSIPPI CODE OF 1972, IN CONFORMITY WITH THE
9 PROVISIONS OF THIS ACT; TO REPEAL SECTION 63-7-85, MISSISSIPPI
10 CODE OF 1972, WHICH AUTHORIZES VEHICLES HAULING SAND, GRAVEL OR
11 DIRT TO USE SIDEBOARDS IN LIEU OF A TARPAULIN, CANVAS OR OTHER
12 SUCH TOP TO SECURE THE LOAD; AND FOR RELATED PURPOSES.

13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

14 SECTION 1. Section 63-7-83, Mississippi Code of 1972, is
15 amended as follows:[JWB1]

16 63-7-83. Every truck, trailer or other carrier with an open
17 top, while traveling upon any state, United States or interstate
18 highway in the State of Mississippi and while carrying any load of
19 sand, dirt, gravel, rock or other substance or material that is
20 likely to litter the roadway or cause a traffic hazard or nuisance
21 to other motorists or vehicles shall be equipped with a tarpaulin,
22 canvas or other such top which shall be secured over the top of
23 such load in a manner that will prevent accidental spillage.

24 SECTION 2. Section 63-7-89, Mississippi Code of 1972, is
25 amended as follows:[JWB2]

26 63-7-89. Any person, firm or corporation operating a truck,
27 trailer or other carrier on any state, United States or interstate
28 highway not properly covered as set forth in Section 63-7-83,
29 shall be guilty of a misdemeanor and upon conviction shall be
30 fined not less than Twenty-five Dollars (\$25.00) nor more than One
31 Hundred Dollars (\$100.00) for each separate and distinct

32 violation.

33 SECTION 3. Section 63-7-85, Mississippi Code of 1972, which
34 authorizes vehicles hauling sand, gravel or dirt to use sideboards
35 in lieu of a tarpaulin, canvas or other such top to secure the
36 load, is repealed.

37 SECTION 4. This act shall take effect and be in force from
38 and after July 1, 2000.