AN ACT TO AMEND SECTION 63-7-83, MISSISSIPPI CODE OF 1972, TO REQUIRE EVERY TRUCK HAVING A GROSS VEHICLE WEIGHT OF TEN THOUSAND (10,000) POUNDS OR MORE, EVERY TRAILER AND EVERY OTHER COMMERCIAL CARRIER OF PROPERTY WITH AN OPEN TOP, WHILE TRAVELING UPON ANY PUBLIC HIGHWAY, ROAD OR STREET IN THIS STATE, AND WHILE CARRYING ANY LOAD OF SAND, DIRT, GRAVEL, ROCK, WOOD CHIPS OR OTHER NATURAL, ARTIFICIAL OR SYNTHETIC PRODUCT HAVING A LIKELIHOOD OF FALLING OR DISLODGING FROM OR BLOWING OUT OF THE VEHICLE TO BE EQUIPPED WITH A TARPALIN, CANVAS OR OTHER SUCH TOP SECURED OVER THE TOP OF THE LOAD; TO AMEND SECTION 63-7-89, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; TO REPEAL SECTION 63-7-85, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES OPEN TOP TRUCKS, TRAILERS AND CARRIERS OF VEHICLES HAULING SAND, DIRT, GRAVEL OR ROCKS TO USE SIDEBOARDS IN LIEU OF TARPALINS TO COVER THEIR LOAD WHEN TRAVELING UPON STATE AND FEDERAL HIGHWAYS; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 63-7-83, Mississippi Code of 1972, is amended as follows:

63-7-83. Every truck having a gross vehicle weight of Ten Thousand (10,000) pounds or more, every trailer and every other commercial carrier of property with an open top, while traveling upon any public highway, road or street in this state, * * * and while carrying any load of sand, dirt, gravel, rock, wood chips or other natural, artificial or synthetic product having a likelihood of falling or dislodging from or blowing out of the vehicle shall be equipped with a tarpaulin, canvas or other such top * * * secured over the top of the load * * *.

SECTION 2. Section 63-7-89, Mississippi Code of 1972, is amended as follows:

63-7-89. Any person, firm or corporation convicted for a violation of * * * Section 63-7-85, is guilty of a misdemeanor and, upon conviction, shall be fined not less than Twenty-five
ST: Trucks carrying spillable loads; load must be covered.

Dollars ($25.00) nor more than One Hundred Dollars ($100.00) for each separate and distinct violation.

SECTION 3. Section 63-7-85, Mississippi Code of 1972, which authorizes open top trucks, trailers and carriers of vehicles hauling sand, dirt, gravel or rocks to use sideboards in lieu of tarpaulins to cover their load when traveling upon state and federal highways, is repealed.

SECTION 4. This act shall take effect and be in force from and after July 1, 2002.