

By: Representative Straughter

To: Transportation

HOUSE BILL NO. 1154

1 AN ACT TO AMEND SECTION 63-7-83, MISSISSIPPI CODE OF 1972, TO
 2 REQUIRE EVERY TRUCK HAVING A GROSS VEHICLE WEIGHT OF 10,000 POUNDS
 3 OR MORE, EVERY TRAILER AND EVERY OTHER COMMERCIAL CARRIER OF
 4 PROPERTY WITH AN OPEN TOP, WHILE TRAVELING UPON ANY PUBLIC
 5 HIGHWAY, ROAD OR STREET IN THIS STATE, AND WHILE CARRYING ANY LOAD
 6 OF SAND, DIRT, GRAVEL, ROCK, WOOD CHIPS OR OTHER NATURAL,
 7 ARTIFICIAL OR SYNTHETIC PRODUCT HAVING A LIKELIHOOD OF FALLING OR
 8 DISLODGING FROM OR BLOWING OUT OF THE VEHICLE TO BE EQUIPPED WITH
 9 A TARPULIN, CANVAS OR OTHER SUCH TOP SECURED OVER THE TOP OF THE
 10 LOAD; TO AMEND SECTION 63-7-89, MISSISSIPPI CODE OF 1972, IN
 11 CONFORMITY TO THE PROVISIONS OF THIS ACT; TO REPEAL SECTION
 12 63-7-85, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES OPEN TOP
 13 TRUCKS, TRAILERS AND CARRIERS OF VEHICLES HAULING SAND, DIRT,
 14 GRAVEL OR ROCKS TO USE SIDEBOARDS IN LIEU OF TARPULINS TO COVER
 15 THEIR LOAD WHEN TRAVELING UPON STATE AND FEDERAL HIGHWAYS; AND FOR
 16 RELATED PURPOSES.

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

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

20 63-7-83. Every truck having a gross vehicle weight of ten
 21 thousand (10,000) pounds or more, every trailer and every other
 22 commercial carrier of property with an open top, while traveling
 23 upon any public highway, road or street in this state, * * * and
 24 while carrying any load of sand, dirt, gravel, rock, wood chips or
 25 other natural, artificial or synthetic product having a likelihood
 26 of falling or dislodging from or blowing out of the vehicle shall
 27 be equipped with a tarpaulin, canvas or other such top * * *
 28 secured over the top of the load * * *.

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

31 63-7-89. Any person, firm or corporation convicted for a
 32 violation of * * * Section 63-7-85, is guilty of a misdemeanor
 33 and, upon conviction, shall be fined not less than Twenty-five



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

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

41 **SECTION 4.** This act shall take effect and be in force from
42 and after July 1, 2003.

