

LEGISLATIVE BILL 147

Approved by the Governor May 16, 2007

Introduced by McDonald, 41

FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-6,304, Reissue Revised Statutes of Nebraska; to change a penalty provision with respect to vehicle loads; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 60-6,304, Reissue Revised Statutes of Nebraska, is amended to read:

60-6,304 (1) No vehicle shall be driven or moved on any highway unless the vehicle is so constructed or loaded as to prevent its contents from dropping, sifting, leaking, or otherwise escaping from the vehicle.

(2) No person shall transport any sand, gravel, rock less than two inches in diameter, or refuse in any vehicle on any hard-surfaced state highway if such material protrudes above the sides of that part of the vehicle in which it is being transported unless such material is enclosed or completely covered with canvas or similar covering.

(3) No person shall drive or move a motor vehicle, trailer, or semitrailer upon any highway unless the cargo or contents carried by the motor vehicle, trailer, or semitrailer are properly distributed and adequately secured to prevent the falling of cargo or contents from the vehicle. The tailgate, doors, tarpaulins, and any other equipment used in the operation of the motor vehicle, trailer, or semitrailer or in the distributing or securing of the cargo or contents carried by the motor vehicle, trailer, or semitrailer shall be secured to prevent cargo or contents falling from the vehicle. The means of securement to the motor vehicle, trailer, or semitrailer must be either tiedowns and tiedown assemblies of adequate strength or sides, sideboards, or stakes and a rear endgate, endboard, or stakes strong enough and high enough to assure that cargo or contents will not fall from the vehicle.

(4) Any person who violates any provision of ~~subsection (2) or (3)~~ of this section shall be guilty of a Class IV misdemeanor.

Sec. 2. Original section 60-6,304, Reissue Revised Statutes of Nebraska, is repealed.