First Regular Session
Sixty-fifth General Assembly
STATE OF COLORADO

REREVISED

This Version Includes All Amendments
Adopted in the Second House

LLS NO. 05-0495.01 Jery Payne

HOUSE BILL 05-1011

HOUSE SPONSORSHIP

Riesberg,

SENATE SPONSORSHIP

Williams,

House Committees	**Senate Committees**
Transportation & Energy	Transportation

SENATE
3rd Reading Unamended
March 7, 2005

SENATE
2nd Reading Unamended
March 4, 2005

HOUSE
3rd Reading Unamended
February 7, 2005

HOUSE
2nd Reading Unamended
February 4, 2005

A BILL FOR AN ACT

CONCERNING THE PROHIBITION ON THE TRANSPORTATION OF CERTAIN LOADS ON THE HIGHWAY WITHOUT APPROPRIATELY SECURING SUCH LOAD FROM ESCAPING THE MOTOR VEHICLE.

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Exempts a transporter of trash and recyclables from covering a load, or utilizing equivalent technology, when the vehicle is loaded in such a manner, or the nature of the load is such, that the contents will not escape from the vehicle.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 42-4-1407 (2.4) (a), Colorado Revised Statutes, is amended to read:

42-4-1407. Spilling loads on highways prohibited - prevention of spilling of aggregate, trash, or recyclables. (2.4) (a) A vehicle shall not be driven or moved on a highway if the vehicle is transporting trash or recyclables unless AT LEAST ONE OF THE FOLLOWING CONDITIONS IS MET:

(I) The load is covered by a tarp or other cover in a manner that prevents the load from blowing, dropping, shifting, leaking, or otherwise escaping from the vehicle;

(II) The vehicle utilizes other technology that prevents the load from blowing, dropping, shifting, leaking, or otherwise escaping from the vehicle; ~~or~~

(III) The load is required to be secured under 49 CFR parts 392 and 393; OR

(IV) THE VEHICLE IS LOADED IN SUCH A MANNER OR THE LOAD ITSELF HAS PHYSICAL CHARACTERISTICS SUCH THAT THE CONTENTS WILL NOT ESCAPE FROM THE VEHICLE. SUCH A LOAD MAY INCLUDE, BUT IS NOT LIMITED TO, HEAVY SCRAP METAL OR HYDRAULICALLY COMPRESSED SCRAP RECYCLABLES.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.