

REFERENCE TITLE: vehicle loads; civil penalties; classification

State of Arizona
Senate
Forty-eighth Legislature
First Regular Session
2007

SB 1176

Introduced by
Senator Leff

AN ACT

AMENDING SECTION 28-1098, ARIZONA REVISED STATUTES; RELATING TO VEHICLE LOADS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 28-1098, Arizona Revised Statutes, is amended to
3 read:

4 28-1098. Vehicle loads; restrictions; civil penalty;
5 classification

6 A. A person shall not drive or move a vehicle on a highway unless the
7 vehicle is constructed or loaded in a manner to prevent any of its load from
8 dropping, sifting, leaking or otherwise escaping from the vehicle, except
9 that either:

10 1. Sand may be dropped for the purpose of securing traction.

11 2. Water or another substance may be sprinkled on a roadway in
12 cleaning or maintaining the roadway.

13 B. A person shall not operate a vehicle on a highway with a load
14 unless the load and any covering on the load are securely fastened in a
15 manner to prevent the covering or load from becoming loose, detached or in
16 any manner a hazard to other users of the highway.

17 C. If a person is found in violation of this section and the
18 violation:

19 1. Does not cause any damage or injury and is the person's:

20 (a) First violation in a sixty month period, the person is subject to a
21 civil penalty of up to two hundred fifty dollars.

22 (b) Second or subsequent violation in a sixty month period, the person
23 is subject to a civil penalty of up to ~~three~~ FIVE hundred ~~fifty~~ dollars.

24 2. Results in an accident causing serious physical injury as defined
25 in section 13-105 to another person OR CAUSING THE DEATH OF ANOTHER PERSON,
26 the person is ~~subject to a civil penalty of up to five hundred~~ GUILTY OF A
27 CLASS 3 MISDEMEANOR, EXCEPT THAT THE MAXIMUM FINE IS ONE THOUSAND dollars.

28 ~~3. Results in an accident causing the death of another person, the~~
29 ~~person is subject to a civil penalty of up to one thousand dollars.~~