

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1004

S.P. 293

In Senate, February 20, 2001

An Act to Amend the Covered Load Laws.

Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator PENDLETON of Cumberland.
Cosponsored by Representative COLWELL of Gardiner and
Senators: GAGNON of Kennebec, O'GARA of Cumberland, SAVAGE of Knox.

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Be it enacted by the People of the State of Maine as follows:

Sec. 1. 29-A MRS §2358, sub-§11 is enacted to read:

11. Unsecured load. If a state police officer requires a vehicle to stop and submit to weighing pursuant to this section and that vehicle is carrying a load, the officer shall check to ensure that the load is secure pursuant to section 2396, subsection 2.

Sec. 2. 29-A MRS §2396, sub-§2, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

2. Unsecured load. A person may not operate on a public way a vehicle with a load that is not fastened, secured, confined or loaded to reasonably prevent a portion from falling off.

For the purposes of this section, "load" includes, but is not limited to, firewood, pulpwood, logs, bolts or other material, but does not include loose hay, pea vines, straw, grain or cornstalks.

When the load consists of sawdust, shavings or wood chips, and a reasonable effort has been made to completely cover the load, minor amounts blown from the vehicle while in transit do not constitute a violation.

If a state police officer requires a vehicle to stop and submit to weighing pursuant to section 2358 and that vehicle is carrying a load, the officer shall check to ensure that the load is secured.

A violation of this section is a traffic infraction subject to a forfeiture of \$500 for a first offense and a forfeiture of \$1,000 for a 2nd or subsequent offense.

SUMMARY

This bill requires a state police officer to check the load on a vehicle to ensure that it is secure at the same time that the officer checks the weight of that motor vehicle. This bill also makes a violation of the unsecured load law an infraction subject to a forfeiture of \$500 for the first offense and a forfeiture of \$1,000 for the 2nd or subsequent offense.