

SENATE BILL REPORT

SHB 1478

As Reported By Senate Committee On:
Judiciary, March 29, 2005

Title: An act relating to securing vehicle loads on public highways.

Brief Description: Increasing penalties for failure to secure a vehicle load on a public highway.

Sponsors: House Committee on Criminal Justice & Corrections (originally sponsored by Representatives Kagi, O'Brien, Simpson, Morrell, Lovick, Kenney, P. Sullivan, Nixon and Chase).

Brief History: Passed House: 3/09/05, 96-0.

Committee Activity: Judiciary: 3/29/05 [DP].

SENATE COMMITTEE ON JUDICIARY

Majority Report: Do pass.

Signed by Senators Kline, Chair; Weinstein, Vice Chair; Johnson, Ranking Minority Member; Esser, McCaslin, Rasmussen and Thibaudeau.

Staff: Lidia Mori (786-7755)

Background: A vehicle driven or moved on a public highway must be loaded in such a manner as to prevent any contents from escaping, except that dropping sand for the purpose of securing traction is permissible. Violations of this requirement are designated as traffic infractions, subject to a monetary penalty not to exceed \$250 per infraction.

Summary of Bill: Failure to secure a load in the first or second degree is a gross misdemeanor and misdemeanor, respectively. Failure to secure a load in the first degree is committed when a person negligently fails to secure all or part of a load to his or her vehicle and, as a result, causes bodily injury to another. Failure to secure a load in the second degree is committed when a person negligently fails to secure all or part of a load to his or her vehicle and, as a result, causes damage to the property of another. Other failures to secure a load to a vehicle that do not rise to the level of first or second degree continue to be designated as traffic infractions and are subject only to monetary penalties.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: None.

Testimony Against: None.

Who Testified: No one.