

1 Sec. XX. 23 V.S.A. § 1454 is amended to read:

2 § 1454. SECURING LOADS

3 (a)(1) A person shall not operate a motor vehicle nor draw a trailer or semi-
4 trailer on a highway unless the motor vehicle, trailer, or semi-trailer is ~~so~~
5 constructed and loaded so that it will not create ~~no~~ a hazard to other users of
6 the highway.

7 (2)(A) A person shall not operate a motor vehicle nor draw a trailer or
8 semi-trailer containing any loose substances on a highway unless the motor
9 vehicle or trailer has a cover, tarpaulin, or other device of a type and
10 specification approved by the Commissioner that completely closes in any
11 openings on the motor vehicle, trailer, or semi-trailer while the vehicle is in
12 operation so as to prevent the falling of any loose substances from the vehicle.
13 However, if the load is arranged so that no loose substance can fall from or
14 blow out of the vehicle, then the covering is not necessary.

15 (B) Notwithstanding subdivision (2)(A) of this subsection:

16 (i) sand, salt, brine, water, and other substances may be
17 intentionally dropped for the purpose of securing traction or cleaning and
18 maintaining the highway;

19 (ii) a farmer may transport uncovered farm products or materials
20 incidental to a local farming operation where such transporting requires the use
21 of a highway, provided that such farmer shall not thereby be relieved of the

1 farmer’s duty to exercise reasonable care to prevent hazardous spillage and
2 hazards to other users of the highway; and

3 (iii) construction and maintenance equipment may be operated
4 without a covering, provided that such equipment is used within a properly
5 designated work zone.

6 (b) The Commissioner may, by rule, impose design and load security
7 requirements, consistent with nationally recognized safety standards, upon
8 motor vehicles, trailers, and semi-trailers in order to provide for the safe and
9 secure transport of any loads.

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