

REFERENCE TITLE: vehicle loads; restrictions

State of Arizona  
Senate  
Fifty-sixth Legislature  
Second Regular Session  
2024

## **SB 1376**

Introduced by  
Senators Bolick: Carroll, Fernandez

AN ACT

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

(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 penalties

5 A. For the purpose of highway safety or air pollution prevention, a  
6 person shall not drive or move a vehicle on a highway, STREET OR ROADWAY  
7 unless the vehicle is constructed or loaded in a manner to prevent any of  
8 its load from dropping, sifting, leaking or otherwise escaping from the  
9 vehicle, except the following are ~~permitted~~ ALLOWED:

10 1. Sufficient sand may be dropped for the purpose of securing  
11 traction.

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

14 ~~3. Minor pieces of agricultural materials such as leaves and stems~~  
15 ~~from agricultural loads.~~

16 B. A person shall not operate a vehicle on a highway, STREET OR  
17 ROADWAY with a load unless the load and any covering on the load are  
18 securely fastened in a manner to prevent the covering or load from  
19 becoming loose, detached or in any manner a hazard to other users of the  
20 highway, STREET OR ROADWAY.

21 C. If a person is found in violation of this section and the  
22 violation:

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

24 (a) First violation in a ~~sixty month~~ SIXTY-MONTH period, the person  
25 is subject to a civil penalty of not more than ~~two hundred fifty dollars~~  
26 \$250.

27 (b) Second or subsequent violation in a ~~sixty month~~ SIXTY-MONTH  
28 period, the person is subject to a civil penalty of not more than ~~three~~  
29 ~~hundred fifty dollars~~ \$350.

30 2. Results in an accident causing serious physical injury as  
31 defined in section 13-105 to another person, the person is subject to a  
32 civil penalty of not more than ~~five hundred dollars~~ \$500.

33 3. Results in an accident causing the death of another person, the  
34 person is subject to a civil penalty of not more than ~~one thousand dollars~~  
35 \$1,000.