

ACT 137

H.B. NO. 626

A Bill for an Act Relating to Preventing Litter from Trucks.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Chapter 291C, part XII, Hawaii Revised Statutes, is amend-

ed by adding a new section to be appropriately designated and to read as follows:

“Sec. 291C- Spilling loads on highways. (1) No vehicle shall be moved on any highway, unless such vehicle is so constructed or loaded as to prevent any of its load other than clear water or feathers from live birds from dropping, sifting, leaking, blowing, spilling, or otherwise escaping therefrom, except that sand may be dropped for the purpose of securing traction, or water or other substance may be sprinkled on a highway in cleaning or maintaining the highway.

(2) No vehicle shall be driven or moved on any highway when any load thereon is not entirely within the body of the vehicle; provided, however, that this prohibition shall not apply if the load is securely fastened by means of clamps, ropes, straps, cargo nets, or other suitable mechanical device to prevent such load from dropping onto the highway or from shifting in any manner and, further, no vehicle shall be operated on any highway with any load thereon projecting beyond the extreme width of the vehicle.

(3) No vehicle shall be driven or moved on any highway with any load consisting partially or entirely of loose paper, empty cartons, crates, sand, dirt, or any other material susceptible of being blown or carried by the wind, unless such load is entirely covered by tarpaulin, net, canopy or other suitable material, effectively preventing any part of such load from being blown or carried by the wind. Vehicles carrying agricultural produce from fields during harvesting shall be exempt from the requirements of this section but the owner of the vehicle must provide for the reasonable removal of all such produce spilled or dropped on the highway.

SECTION 2. New statutory material is underscored. In printing this Act, the revisor of statutes need not include the underscoring.*

SECTION 3. This Act shall take effect upon its approval.

(Approved May 27, 1976.)

*Edited accordingly.