

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

473E0078

SENATE BILL NO. 119

Introduced by: Senators Brosz and Albers and Representatives Konold, Abdallah,
Broderick, Fryslie, and Hanson (Gary)

1 FOR AN ACT ENTITLED, An Act to require certain vehicle loads to be covered.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That § 32-15-18 be amended to read as follows:

4 32-15-18. No person may drive or move any vehicle on any highway unless such vehicle is
5 so constructed or loaded as to prevent its contents from dropping, sifting, leaking, or otherwise
6 escaping therefrom. Any driver of a vehicle transporting sand, gravel, aggregate, dirt, rock, or
7 similar material shall ensure that the cargo compartment of the vehicle is securely covered to
8 prevent its contents from escaping if:

9 (1) The vertical distance from the top of an exterior wall of the cargo compartment to the
10 load, when measured downward along the inside surface of the wall, is less than six
11 inches;

12 (2) The size of the sand, gravel, aggregate, dirt, rock, or similar material is less than six
13 inches is diameter; and

14 (3) The speed of the vehicle is greater than twenty miles per hour.

15 This section does not apply to any vehicle operated by a farmer transporting farm produce,

1 to any vehicle operated within a construction zone, or to any government vehicle used to drop
2 sand for the purpose of securing traction on a highway.

3 A violation of this section is a Class 2 misdemeanor.