

(1) "LOOSE MATERIAL" INCLUDES:

(I) DIRT, SAND, GRAVEL, WOOD CHIPS, OR OTHER MATERIAL THAT CAN BLOW, FALL, OR SPILL FROM A VEHICLE AS A RESULT OF MOVEMENT OR OF EXPOSURE TO AIR, WIND, OR WEATHER; AND

(II) ANY OTHER KIND OF MATERIAL THAT CAN BLOW, FALL, OR SPILL, AS SPECIFIED IN RULES AND REGULATIONS ADOPTED BY THE ADMINISTRATOR; AND

(2) "LOOSE MATERIAL" DOES NOT INCLUDE AGRICULTURAL PRODUCTS IN THEIR NATURAL STATE.

(B) IN GENERAL.

A PERSON MAY NOT, IN VIOLATION OF THIS SECTION, CARRY ANY LOOSE MATERIAL OR LOAD ANY LOOSE MATERIAL FOR CARRYING IN ANY VEHICLE ON OR ACROSS ANY ~~PUBLICLY MAINTAINED~~ HIGHWAY IN THIS STATE.

(C) ENCLOSURES REQUIRED.

(1) THE BED OF THE VEHICLE CARRYING A LOAD OF LOOSE MATERIAL SHALL BE FULLY ENCLOSED:

(I) ON BOTH SIDES, BY SIDEBOARDS OR SIDEPANELS;

(II) ON THE FRONT, BY A BOARD OR PANEL OR BY THE CAB OF THE VEHICLE; AND

(III) ON THE REAR, BY A TAILGATE, BOARD, OR PANEL.

(2) THE ENCLOSURES REQUIRED BY PARAGRAPH (1) OF THIS SUBSECTION SHALL BE CONSTRUCTED SO AS TO PREVENT ANY PART OF THE LOAD FROM BLOWING, FALLING, OR SPILLING OUT OF THE VEHICLE. NO PART OF THE LOAD TOUCHING ANY OF THESE ENCLOSURES MAY BE WITHIN 6 INCHES OF THE TOP OF THE PART OF THE ENCLOSURE THAT IT TOUCHES, UNLESS THE LOAD IS COVERED WITH A FIRMLY SECURED CANVAS OR SIMILAR TYPE COVERING.

(3) THIS SUBSECTION DOES NOT APPLY TO:

(I) ANY LOAD-CARRYING VEHICLE WITH A COMPARTMENT THAT FULLY ENCLOSES THE LOAD; OR

(II) A VEHICLE IN WHICH THE LOAD IS SUITABLY COVERED OR SECURED BY OTHER MEANS THAT PREVENT THE ESCAPE OF THE LOOSE MATERIAL.

(D) REMOVAL OF SPILLAGE; SECURING TAILGATE; MAINTENANCE OF BED.

(1) THIS SUBSECTION DOES NOT APPLY TO ANY CONSTRUCTION VEHICLE OR MINING EQUIPMENT THAT: