

# Alaska State Legislature

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**REPRESENTATIVE LOUISE STUTES**

**District 32**

**Kodiak-Cordova-Yakutat-Seldovia**

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## Sponsor Statement HB 259 Version S

Whether someone overflows the bed of their truck with rocks and gravel, plywood, scrap metal, loose debris on their way to the dump, or simply fails to tie down large objects in a flatbed, unsecured loads are an undisputed hazard to other users of the roadway and pedestrians. Improperly secured loads can cause serious injuries, property damage, and fatalities. The AAA Foundation for Traffic Safety concluded that from 2011- 2014, road debris was a factor in more than 200,000 police-reported crashes. Those crashes resulted in approximately 39,000 injuries and 500 deaths. Additionally, the report found that about two-thirds of these accidents were the result of items falling from a vehicle due to unsecured loads and improper maintenance. In another study by the U.S Government Accountability Office, it was found that there were approximately 440 fatalities caused by roadway debris in 2010; that data was gathered by the National Highway Traffic Safety Administration.

All 50 states have laws that require drivers to properly secure loads in any vehicle or trailer and impose fees that range from \$10 to \$5,000. In most states, failing to properly secure a load is a traffic violation. In Alaska, even if it results in the serious physical injury of another person, it is an infraction punishable by a fine not to exceed \$300. However, 15 states have instituted possible criminal penalties for failing to properly secure loads.

Last year, the State of Alaska, the Mayor of Anchorage, the Anchorage Assembly, the Mayor of the Mat-Su Borough, and the Mat-Su Borough Assembly officially declared June 6th as Secure Your Load Day by issuing proclamations and resolutions recognizing the hazards of failing to take the simple steps of securely affixing every load.

It is important to note that Alaska's current confined load statute only applies to sand, gravel, rock, or similar materials, leaving out a litany of materials that are hazards to roadway users. HB 259 establishes standards for load securement of all types of materials. It also requires covering or maintaining six inches of freeboard with loads consisting of sand, dirt, gravel, rock, or similar materials. It raises a violation to the level of a Class A misdemeanor if a person fails to secure a load with a mental state of criminal negligence and it results in the serious physical injury of another person. Likewise, a violation is a Class B misdemeanor if a person fails to secure a load with criminal negligence and it results in \$5,000 or more in damage to another person's property. A violation under any other circumstance is a traffic infraction.

The legislation will decrease roadway litter, property damage, injuries, and fatalities on Alaska's highways. It is a responsible measure to protect the safety of Alaskan drivers and avoid costly repairs that result from the actions or inactions of others.

Thank you for your support. If you have any questions, please contact my staff, Matt Gruening, at 465-3271.