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HB 259 Summary of Changes Version M to L

Section 1:

Subsection (a) and (a)(2) on Page 1, lines 4 through line 9:

A mental state of “criminal negligence” is now applied as a factor to whether a violation of the section will be raised to the level of a Class A misdemeanor. It was previously a strict liability offense.

When the load is secured with criminal negligence, property damage of \$1,000 was added as a factor that would raise the offense to the level of a Class A misdemeanor.

Subsection (d) on Page 2 lines 18 through 20:

Added that in a prosecution under (a), which is failure to secure a load in the first degree, a person being previously convicted of a violation of this section is *prima facie* evidence that the person acted with criminal negligence when securing the load.

Subsection (e)(2)(A), (B), and (D) on Page 2, line 24 through Page 3, line 2:

This subsection specifies that failure to secure a load in the second degree is an infraction punishable by a fine of not more than \$300 on the first offense, \$750 on the second offense, \$1,500 on the third offense, and \$2,500 on the fourth offense. Previously, it was \$300 for the first offense, \$600 for the second offense, a Class B misdemeanor on the third offense, and a Class A misdemeanor on the fourth offense.