

**As Introduced**

**133rd General Assembly  
Regular Session  
2019-2020**

**H. B. No. 510**

**Representative Patton**

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**A BILL**

To amend sections 4513.31 and 4513.99 of the 1  
Revised Code to increase the criminal penalties 2  
associated with failing to secure a load on a 3  
vehicle. 4

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 4513.31 and 4513.99 of the 5  
Revised Code be amended to read as follows: 6

**Sec. 4513.31.** (A) No ~~vehicle shall be driven or moved~~ 7  
person shall drive or move a vehicle on any highway unless the 8  
vehicle is so constructed, loaded, or covered as to prevent any 9  
of its load from dropping, sifting, leaking, or otherwise 10  
escaping therefrom, except that sand or other substance may be 11  
dropped for the purpose of securing traction, or water or other 12  
substance may be sprinkled on a roadway in cleaning or 13  
maintaining the roadway. 14

(B) Except ~~for when driving or moving~~ a farm vehicle used 15  
to transport agricultural produce or agricultural production 16  
materials or a rubbish vehicle in the process of acquiring its 17  
load, no person shall drive or move a vehicle loaded with 18  
garbage, swill, cans, bottles, waste paper, ashes, refuse, 19

trash, rubbish, waste, wire, paper, cartons, boxes, glass, solid 20  
waste, or any other material of an unsanitary nature that is 21  
susceptible to blowing or bouncing from a moving vehicle ~~shall~~ 22  
~~be driven or moved~~ on any highway unless the load is covered 23  
with a sufficient cover to prevent the load or any part of the 24  
load from spilling onto the highway. 25

~~(C) Whoever (1) Except as provided in division (C) (2) of~~ 26  
~~this section, whoever violates this section shall be punished as~~ 27  
~~provided in section 4513.99 of the Revised Code is guilty of a~~ 28  
minor misdemeanor. Notwithstanding the fine specified in 29  
division (A) (2) (a) of section 2929.28 of the Revised Code, the 30  
court shall impose upon the offender a fine of five hundred 31  
dollars. 32

(2) Whoever violates this section and, as a proximate 33  
result of the violation, causes physical harm to a person or 34  
property is guilty of a third degree misdemeanor. 35  
Notwithstanding the fine specified in division (A) (2) (a) of 36  
section 2929.28 of the Revised Code, and in addition to any 37  
other penalty that may be imposed, the court shall impose upon 38  
the offender a fine of two thousand five hundred dollars. 39

**Sec. 4513.99.** (A) Any violation of section 4513.10, 40  
4513.182, 4513.20, 4513.201, 4513.202, 4513.25, 4513.26, 41  
4513.27, 4513.29, 4513.30, ~~4513.31,~~ 4513.32, or 4513.34 of the 42  
Revised Code shall be punished under division (B) of this 43  
section. 44

(B) Whoever violates the sections of this chapter that are 45  
specifically required to be punished under this division, or any 46  
provision of sections 4513.03 to 4513.262 or 4513.27 to 4513.37 47  
of the Revised Code for which violation no penalty is otherwise 48  
provided, is guilty of a minor misdemeanor. 49

**Section 2.** That existing sections 4513.31 and 4513.99 of 50  
the Revised Code are hereby repealed. 51