

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

House Bill 5500

By Delegates B. Ward, Funkhouser, Horst, Ferrell,

Kyle, Heckert, and Foggin

[Introduced February 13, 2026; referred to the

Committee on Government Organization]

1 A BILL to amend and reenact §17C-17-6 of the Code of West Virginia, 1931, as amended, relating
 2 to providing that the penalty provision of this section does not apply to certain open top
 3 farm trucks, trailers, and other vehicles hauling hay, straw, silage, and other vegetative,
 4 bio-degradable products to other farms needing these products; reducing speed limit for
 5 these vehicles; and requiring special permits.

Be it enacted by the Legislature of West Virginia:

ARTICLE 17. SIZE, WEIGHT AND LOAD.

§17C-17-6. Loads to be securely fastened and not allowed to leak, escape, etc.

1 (a) No vehicle or combination of vehicles ~~shall~~ may be operated on any highway unless
 2 such vehicle or combination of vehicles is so constructed or loaded as to prevent any of its load
 3 from dropping, sifting, leaking, or otherwise escaping therefrom, except that sand may be dropped
 4 for the purpose of securing traction, or water or other substance may be sprinkled on a roadway in
 5 cleaning or maintaining such roadway.

6 (b) It ~~shall be~~ is unlawful to operate on any highway any vehicle or combination of vehicles
 7 with any load unless ~~said~~ the load and any covering thereon is securely fastened so as to prevent
 8 ~~said~~ the covering or load from becoming loose, detached, or in any manner a hazard to other users
 9 of the highway.

10 (c) The Legislature finds that there are certain times of the year farmers gather hay, straw,
 11 silage, and other vegetative, bio-degradable products that are transported, generally on open top
 12 farm trucks, trailers, and other vehicles, to other farms needing these products. And, while these
 13 products pose no more danger than fall foliage and have zero impact on the environment, there
 14 are times when these loads of the farm product escape and are subject to littering or failing to
 15 maintain load violations. Therefore, the penalty provisions of this article for violations of this
 16 section do not apply: Provided, That this exemption does not apply to farm trucks, trailers, and
 17 other vehicles that are full of bales of vegetative products, or portions of bales large enough to
 18 cause injury if the load escapes from the vehicle. The commissioner of the department of

- 19 highways may establish (1) speed limits for these vehicles that do not exceed 45 miles per hour
20 when hauling bio-degradable farm/field products which are inclined to blow away; and (2) require a
21 special permit for the farm trucks, trailers, and other vehicles hauling and transporting bio-
22 degradable farm/field products

NOTE: The purpose of this bill is to provide that the penalty provision for failing to have loads secure does not apply to certain open top farm trucks, trailers, and other vehicles hauling hay, straw, silage, and other vegetative, bio-degradable products to other farms needing these products.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.