
ASSEMBLY JOINT RESOLUTION NO. 12—COMMITTEE ON
NATURAL RESOURCES, AGRICULTURE, AND MINING

MARCH 29, 2005

Referred to Committee on Natural Resources,
Agriculture, and Mining

SUMMARY—Urges United States Department of Transportation to
take action regarding federal cargo securement
regulations. (BDR R-1319)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in **bolded italics** is new; matter between brackets ~~omitted material~~ is material to be omitted.

ASSEMBLY JOINT RESOLUTION—Urging the United States
Department of Transportation to take action regarding
federal cargo securement regulations.

1 WHEREAS, The Federal Motor Carrier Safety Administration
2 published new cargo securement regulations on September 27,
3 2002, with the intent of preventing cargo from shifting on or within
4 or falling from commercial motor vehicles, and, as mandated,
5 Nevada's Department of Transportation has adopted the new
6 standards; and

7 WHEREAS, The federal regulations adopted address all cargo
8 loads in a uniform manner, which may be appropriate when
9 transporting most loads but is problematic when transporting bales
10 of hay as the regulations ignore the unique requirements for
11 constraining loads of bales of hay that are presented when
12 transporting such cargo; and

13 WHEREAS, The new federal regulations require the use of
14 tiedowns and v-boards to secure the side of a load, a more costly,
15 time-consuming and dangerous method when used to transport bales
16 of hay; and

17 WHEREAS, The federal cargo securement regulations allow
18 certain optional securement methods such as longitudinal ropes and
19 cross-stacking of bales; and



1 WHEREAS, Transporting bales of hay without the use of
2 longitudinal ropes and cross-stacking can create hazardous
3 conditions for the driver and the public, including the potential for
4 bales of hay to shift or to fall or blow off the vehicle; and

5 WHEREAS, Load and transportation techniques, including the
6 use of longitudinal ropes and cross-stacking of bales, have been
7 used safely in Nevada and other states for decades; and

8 WHEREAS, There is also a need for consistency in the interstate
9 transport of hay, since Nevada has adopted the federal regulations
10 but California has not, thus making the transportation of hay
11 between Nevada and California especially problematic; and

12 WHEREAS, The new cargo securement regulations are subject to
13 varying interpretations by law enforcement officers in different
14 jurisdictions, resulting in different methods of securement being
15 enforced in different areas of this State and in other states; now,
16 therefore, be it

17 RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF
18 NEVADA, JOINTLY, That the members of the 73rd Session of the
19 Nevada Legislature hereby urge the United States Department of
20 Transportation to issue an interpretation of this regulation which,
21 when applied to the transportation of bales of hay, allows the
22 traditional and safer use of longitudinal tiedowns and v-boards at the
23 front and back of a load, rather than the newly required use of
24 v-boards on the sides with tiedowns every 10 feet; and be it further

25 RESOLVED, That the Legislature requests that, if such an
26 interpretation of this regulation cannot be rendered, the United
27 States Department of Transportation remove the transport of bales
28 of hay from the general cargo category and create a regulation for
29 the specific containment and securement of baled hay that takes into
30 consideration the unique requirements for constraining loads of
31 baled hay; and be it further

32 RESOLVED, That the United States Department of
33 Transportation act in consultation with industry experts and local
34 agencies, and consider the safety advantages of using traditional
35 longitudinal straps and cross-stacking standards when reviewing
36 these regulations for amendment; and be it further

37 RESOLVED, That the Chief Clerk of the Assembly prepare and
38 transmit a copy of this resolution to the Secretary of Transportation
39 of the United States Department of Transportation, the
40 Administrator of the Federal Motor Carrier Safety Administration
41 and each member of the Nevada Congressional Delegation; and be it
42 further



1 RESOLVED, That this resolution becomes effective upon
2 passage.



