

HB 178 INTRODUCED BY COBB, ET AL.  
SPLASH APRONS OR FLAPS ON ALL 4-WHEEL OR FRONT-WHEEL  
DRIVE VEHICLES

1/13 INTRODUCED  
1/13 REFERRED TO HIGHWAYS & TRANSPORTATION  
1/27 HEARING  
1/27 TABLED IN COMMITTEE

1 HB BILL NO. 178  
2 INTRODUCED BY Walt, Dasko

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING SPLASH APRONS  
5 OR FLAPS ON ALL FOUR-WHEEL DRIVE AND FRONT-WHEEL DRIVE  
6 VEHICLES; AND AMENDING SECTION 61-9-407, MCA."

7  
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. Section 61-9-407, MCA, is amended to read:

10 "61-9-407. Fenders, splash aprons, or flaps required  
11 on certain vehicles -- dimension and location. (1) It ~~shall~~  
12 be is unlawful for any person to move, or permit to be  
13 moved, any four-wheel drive motor vehicle, front-wheel drive  
14 motor vehicle, truck, bus, truck tractor, trailer, or  
15 semitrailer, as defined in this title, upon the public  
16 highways without having first equipped the rearmost wheels  
17 or set of wheels of such vehicle with fenders, subject to  
18 the provisions of subsection (1)(a), splash aprons, or  
19 flaps. Such fenders, splash aprons, or flaps ~~shall~~ must be  
20 designed, constructed, and attached to the vehicle in such  
21 manner so as to arrest and deflect dirt, mud, water, rocks,  
22 and other substances which may be picked up by the front  
23 wheels or rear wheels of such vehicle and thrown into the  
24 air, as follows:

25 (a) If the vehicle is equipped with fenders, the same

1 ~~shall~~ must extend in full width from a point above and  
2 forward of the center of the tire or tires over and to the  
3 rear thereof and the vehicle must also be equipped with  
4 splash aprons or flaps.

5 (b) If the vehicle is equipped with splash aprons or  
6 flaps, the same ~~shall~~ must extend downward in full width  
7 from a point not lower than halfway between the center of  
8 the tire or tires and the top of said tire or tires and to  
9 the rear thereof.

10 (c) If the vehicle is in excess of 8,000 pounds gross  
11 vehicle weight, such fenders, splash aprons, or flaps ~~shall~~  
12 must extend downward to a point that is not more than 10  
13 inches above the surface of the highway when the vehicle is  
14 empty.

15 (d) If the vehicle is 8,000 pounds or less gross  
16 vehicle weight such fenders, splash aprons, or flaps ~~shall~~  
17 must extend downward to a point that is not more than 20  
18 inches above the surface of the highway when the vehicle is  
19 empty.

20 (2) Fenders, splash aprons, or flaps, as used in  
21 subsection (1) of this section, ~~shall-be-deemed-to-be~~ are of  
22 sufficient size and construction as to comply with the  
23 requirements thereof, if constructed as follows:

24 (a) when measured on the cross-sections of the tread  
25 of the wheel or on the combined cross-sections of the treads



1 of multiple wheels, such fender, splash apron, or flap  
2 extends at least to each side of the width of the tire or of  
3 the combined width of the multiple tires, as the case may  
4 be; and

5 (b) such fender, splash apron, or flap is so  
6 constructed as to be capable at all times of arresting and  
7 deflecting such dirt, mud, water, or other substance as may  
8 be picked up and carried by such wheel or wheels."

9 NEW SECTION. Section 2. Extension of authority. Any  
10 existing authority of the department of justice to make  
11 rules on the subject of the provisions of this act is  
12 extended to the provisions of this act.

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