

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997

# A Bill

HOUSE BILL 1209

4  
5 By: Representative Hendren

## For An Act To Be Entitled

9 "AN ACT TO REQUIRE COMMERCIAL MOTOR VEHICLES WITH OPEN  
10 BEDS TO COVER OR SECURE LOADS OF GRAVEL, ROCK, OR ASPHALT  
11 WHICH MIGHT FALL ON THE PUBLIC HIGHWAY; AND FOR OTHER  
12 PURPOSES."

## Subtitle

15 "TO REQUIRE COMMERCIAL MOTOR VEHICLES  
16 WITH OPEN BEDS TO COVER OR SECURE LOADS  
17 OF GRAVEL, ROCK, OR ASPHALT."

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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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22 SECTION 1. (a) All commercial motor vehicles equipped with an open bed  
23 and hauling or carrying any load of gravel, rock, or asphalt which may  
24 reasonably be expected to become dislodged or fall from the vehicle as a  
25 result of wind pressure or air pressure or by movement of the vehicle shall  
26 have a protective cover over the load or shall sufficiently secure the load so  
27 that no portion of the gravel, rock, or asphalt can become dislodged or fall  
28 from the vehicle while being hauled or carried over the public highways of  
29 Arkansas.

30 (b) Any person who pleads guilty, nolo contendere, or is found guilty  
31 of operating a commercial motor vehicle in violation of this section shall be  
32 guilty of a misdemeanor and shall be fined not less than one hundred dollars  
33 (\$100.00) nor more than five hundred dollars (\$500.00).

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35 SECTION 2. All provisions of this act of a general and permanent nature  
36 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code

1 Revision Commission shall incorporate the same in the Code.

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3 SECTION 3. If any provision of this act or the application thereof to  
4 any person or circumstance is held invalid, such invalidity shall not affect  
5 other provisions or applications of the act which can be given effect without  
6 the invalid provision or application, and to this end the provisions of this  
7 act are declared to be severable.

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9 SECTION 4. All laws and parts of laws in conflict with this act are  
10 hereby repealed.

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