

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 1704

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)(1) All commercial motor vehicles equipped with an open
23 bed 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 (2) A vehicle not equipped with a protective cover shall comply
31 with this section by January 1, 1998. A vehicle equipped with a protective
32 cover shall comply with this section beginning on the effective date of this
33 act.

34 (3) This section shall not apply to county vehicles unless the
35 quorum court of the county adopts an ordinance to make county vehicles subject
36 to the requirements of subdivision (a)(1).

1 (b) Any person who pleads guilty, nolo contendere, or is found guilty
2 of operating a commercial motor vehicle in violation of this section shall be
3 guilty of a misdemeanor and shall be fined not less than one hundred dollars
4 (\$100.00) nor more than five hundred dollars (\$500.00).

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6 SECTION 2. All provisions of this act of a general and permanent nature
7 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
8 Revision Commission shall incorporate the same in the Code.

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

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17 hereby repealed.

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