

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

A Bill

HOUSE BILL 2284

5 By: Representative Hendren
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For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE § 27-35-110 TO PROVIDE
10 THAT THE MAXIMUM HEIGHT OF THE LOAD FOR MOTOR VEHICLES
11 WITH UNCOVERED LOADS OF SAND, GRAVEL, OR ROCK SHALL
12 NOT EXCEED THE HIGHEST PART OF THE EDGE OF THE OPEN
13 BED; AND FOR OTHER PURPOSES."

Subtitle

15 "TO LIMIT THE MAXIMUM HEIGHT OF UNCOVERED
16 LOADS OF SAND, GRAVEL AND ROCK TO THE
17 HIGHEST PART OF THE EDGE OF THE OPEN
18 BED."
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code § 27-35-110 is amended to read as follows:

25 "27-35-110. Spilling loads on highways prohibited - Covers required for
26 loads of sand, gravel, and rock - Exceptions.

27 (a) No vehicle shall be driven or moved on any highway unless the
28 vehicle is so constructed or loaded as to prevent any of its load from
29 dropping, sifting, leaking, or otherwise escaping therefrom.

30 (b) Sand may be dropped for the purpose of securing traction, or water
31 or other substance may be sprinkled on a roadway in cleaning or maintaining
32 the roadway.

33 (c) (1) No sand, gravel, or rock shall be transported on the paved
34 public streets and highways of this state in a motor vehicle or trailer with
35 an open bed unless the open bed is securely covered with a material which will
36 prevent the load from dropping, sifting, leaking, or otherwise escaping

1 therefrom. The cover shall be securely fastened to prevent the covering from
 2 becoming loose, detached, or in any manner a hazard to other users of the
 3 highway.

4 ~~(d)(2)~~ The covering of loads of sand, gravel, or rock is not required
 5 if six (6) inches of freeboard is maintained at the perimeter of the load
 6 within the open bed of the vehicle or trailer carrying the load and if the
 7 highest point of the uncovered load does not exceed the height of the edge of
 8 the open bed at its highest point. Measurements of the six (6) inches of
 9 freeboard are to be taken at the perimeter of the vehicle's or trailer's bed
 10 and measured from the top edge of the bed down to the sand, gravel, or rock
 11 being transported."
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13 SECTION 2. All provisions of this act of general and permanent nature
 14 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
 15 Revision Commission shall incorporate the same in the Code.
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17 SECTION 3. If any provisions of this act or the application thereof to
 18 any person or circumstance is held invalid, the invalidity shall not affect
 19 other provisions or applications of the act which can be given effect without
 20 the invalid provisions or application, and to this end the provisions of this
 21 act are declared to be severable.
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23 SECTION 4. All laws and parts of laws in conflict with this act are
 24 hereby repealed.
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