

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001

A Bill

HOUSE BILL 1125

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5 By: Representatives Hendren, Borhauer
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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.
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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 in an open bed unless ~~the open bed is~~ securely covered with a material ~~which~~
36 ~~will prevent~~ preventing the load from dropping, sifting, leaking, or otherwise

1 escaping therefrom.

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

5 ~~(d)(3)~~ (3) The covering of loads of sand, gravel, or rock is not
6 required if six (6) inches of freeboard is maintained at the perimeter of the
7 load within the open bed of the vehicle or trailer carrying the load, and if
8 the highest point of the uncovered load does not exceed the height of the edge
9 of the open bed at its highest point.

10 (4) Measurements of the six (6) inches of freeboard are to be
11 taken at the perimeter of the vehicle's or trailer's bed and measured from the
12 top edge of the bed down to the sand, gravel, or rock being transported.

13 (d)(1) For a first offense under this section, a citation shall be
14 issued. The citation shall be issued as a warning and no court appearance or
15 penalty shall be imposed.

16 (2) A second or subsequent offense is a Class C misdemeanor.

17 (3) Each violation of this section shall constitute a separate
18 offense.

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