

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.

State of Arkansas  
83rd General Assembly  
Regular Session, 2001

As Engrossed: H2/8/01

## A Bill

HOUSE BILL 1492

By: Representative Hausam

### For An Act To Be Entitled

AN ACT TO AMEND ARKANSAS CODE 27-35-110 TO PROVIDE THAT MOTOR VEHICLES AND TRAILERS WITH OPEN BEDS MANUFACTURED AFTER SEPTEMBER 30, 2001 SHALL COVER THEIR LOADS OF SAND, GRAVEL, OR ROCK; AND FOR OTHER PURPOSES.

### Subtitle

TO REQUIRE MOTOR VEHICLES AND TRAILERS MANUFACTURED AFTER SEPTEMBER 30, 2001 TO COVER THEIR LOADS OF SAND, GRAVEL, OR ROCK TO PREVENT SPILLAGE.

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

SECTION 1. Arkansas Code 27-35-110 is amended to read as follows:

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

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

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

(c) ~~No~~ For a motor vehicle or a trailer with an open bed manufactured after September 30, 2001, no sand, gravel, or rock shall be transported on the paved public streets and highways of this state in a motor vehicle or trailer with an open bed unless the open bed is securely covered with a material which

1 will prevent the load from dropping, sifting, leaking, or otherwise escaping  
2 therefrom. The cover shall be securely fastened to prevent the covering from  
3 becoming loose, detached, or in any manner a hazard to other users of the  
4 highway.

5 (d) ~~The covering of loads of sand, gravel, or rock is not required if~~  
6 For a motor vehicle or a trailer with an open bed manufactured on or before  
7 September 30, 2001, a vehicle with an open bed transporting sand, gravel, or  
8 rock is required to be covered as prescribed in subsection (c) of this section  
9 unless six (6) inches of freeboard is maintained at the perimeter of the load  
10 within the open bed of the vehicle or trailer carrying the load. Measurements  
11 are to be taken at the perimeter of the vehicle's or trailer's bed and  
12 measured from the top edge of the bed down to the sand, gravel, or rock being  
13 transported.

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15 /s/ Hausam  
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