

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 86th General Assembly
3 Regular Session, 2007
4

As Engrossed: S3/6/07

A Bill

SENATE BILL 8

5 By: Senator Hendren
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For An Act To Be Entitled

8 AN ACT TO REQUIRE LOADS CARRYING GRAVEL OR ROCKS
9 TO BE COVERED; AND FOR OTHER PURPOSES.
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Subtitle

11 TO REQUIRE LOADS CARRYING GRAVEL OR
12 ROCKS TO BE COVERED.
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 SECTION 1. Arkansas Code § 27-35-110 is amended to read as follows:

20 27-35-110. Spilling loads on highways prohibited - Covers required for
21 loads of *sand, gravel, and rock* — ~~Exceptions.~~

22 (a) For the purposes of this section:

23 (1) "Cover" means a cloth, rubber, plastic, polymer, or metal
24 device designed or used to cover a load of gravel or rock hauled by a
25 vehicle;

26 (2) "Load" means sand, gravel, or rock that is:

27 (A) Hauled in a vehicle that is not enclosed on all sides
28 of the vehicle; or

29 (B) Hauled by a vehicle in a trailer or towing device that
30 has any unenclosed areas; and

31 (3) "Vehicle" means every device in, upon, or by which any
32 person or property is or may be transported or drawn upon a public highway,
33 excepting devices moved by human power or used exclusively upon stationary
34 rails or tracks.

35 (b) No vehicle shall be driven or moved on any highway unless the
36 vehicle is so constructed, covered, or loaded as to prevent any of its load



1 of sand, gravel, or rocks from dropping, sifting, leaking, or otherwise
2 escaping therefrom.

3 ~~(b)(c)~~ Sand may be Nothing in this section shall prohibit sand from
4 being dropped for the purpose of securing traction, or water or other
5 substance may be sprinkled on a roadway in cleaning or maintaining the
6 roadway.

7 ~~(e)(d)~~ For a motor vehicle or a trailer with an open bed ~~manufactured~~
8 ~~after September 30, 2001~~, no sand, gravel, or rock shall be transported on
9 the paved public streets and highways of this state in a motor vehicle or
10 trailer with an open bed unless the open bed is ~~securely covered with a~~
11 ~~material~~ secured with a cover which will prevent the load from dropping,
12 sifting, leaking, or otherwise escaping therefrom. The cover shall be
13 securely fastened to prevent the ~~covering~~ cover from becoming loose,
14 detached, or in any manner a hazard to other users of the highway.

15 ~~(d)~~ ~~For a motor vehicle or a trailer with an open bed manufactured on~~
16 ~~or before September 30, 2001, a vehicle with an open bed transporting sand,~~
17 ~~gravel, or rock is required to be covered as prescribed in subsection (c) of~~
18 ~~this section unless six (6) inches of freeboard is maintained at the~~
19 ~~perimeter of the load within the open bed of the vehicle or trailer carrying~~
20 ~~the load. Measurements are to be taken at the perimeter of the vehicle's or~~
21 ~~trailer's bed and measured from the top edge of the bed down to the sand,~~
22 ~~gravel, or rock being transported.~~

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24 /s/ Hendren
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