

## 2004 SESSION

### HOUSE SUBSTITUTE

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#### HOUSE BILL NO. 55

#### AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Transportation  
on February 12, 2004)

(Patron Prior to Substitute—Delegate Morgan)

*A BILL to amend and reenact § 46.2-1156 of the Code of Virginia, relating to posting of penalties for violations involving transportation of municipal solid waste.*

**Be it enacted by the General Assembly of Virginia:**

**1. That § 46.2-1156 of the Code of Virginia is amended and reenacted as follows:**

§ 46.2-1156. Construction, maintenance and loading must prevent escape of contents; load covers; exemptions.

A. No vehicle shall be operated or moved on any highway unless it is so constructed, maintained, and loaded as to prevent its contents from dropping, sifting, leaking, or otherwise escaping. No provision of this section, however, shall apply to any (i) motor vehicle that is used exclusively for agricultural purposes as provided in § 46.2-698 and is not licensed in any other state; (ii) agricultural vehicle, tractor, or other vehicle exempted from registration and licensing requirements pursuant to Article 6 (§ 46.2-662 et seq.) of Chapter 6 of this title; or (iii) motor vehicle transporting forest products, poultry, or livestock.

B. The loads of all trucks, trailers and semitrailers carrying gravel, sand, coal or other nonagricultural and nonforestry products on interstate, primary, or secondary highways or roads maintained by cities, counties or incorporated towns shall be either (i) secured to the vehicle in which they are being transported or (ii) covered. Covers used to prevent the escape of material from commercial vehicles used to transport solid waste shall be of such design, installation, and construction as to contain the vehicle's cargo within the vehicle, regardless of the vehicle's speed or weather conditions. *All landfills accepting commercial vehicles carrying municipal solid waste, as defined by regulations of the Virginia Department of Environmental Quality, shall post in a conspicuous place a copy of the penalties for violating this subsection.* Public service company vehicles, pickup trucks, and emergency snow removal equipment while engaged in snow removal operations shall be excluded from the provisions of this subsection.

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