

(ii) Only is crossing a highway.

(2) A vehicle used for carrying loose material may not be operated on any highway unless:

(i) All spillage from loading loose material is removed from the nonload-carrying parts of the vehicle;

(ii) Whether the vehicle is loaded or empty, the tailgate is closed securely to prevent spillage of a load or of any residue;

(iii) The bed does not have any holes, cracks, or openings through which loose material can escape; and

(iv) After unloading loose material, all residue is removed from the nonload-carrying parts of the vehicle.

(g) (1) Upon application by the supervisor of a construction project of the Department, the Department may grant a reasonable extension of the 1-mile limitation established in subsection (e)(1)(iii) of this section if the Department determines that the extension request meets the criteria developed under paragraph (2) of this subsection and the provisions of paragraph (3) of this subsection.

(2) (i) The Department shall adopt regulations establishing criteria for granting an extension under this subsection.

(ii) In adopting regulations under this subsection, the Administration shall consider:

1. The size of the construction project;

2. The likely adverse impact that granting the extension will have on surrounding highways and motorist safety; and

3. The likely adverse impact of the cover requirement on construction costs and timely completion of the project.

(3) An extension granted under this subsection may not exceed the confines of the Department's construction project.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1991.

Approved April 30, 1991.

CHAPTER 96

(Senate Bill 140)

AN ACT concerning