

CHAPTER 437—S. F. No. 430

[Coded in Part]

An act relating to the powers and duties of the state fire marshal; amending Minnesota Statutes 1961, Section 73.171, Subdivisions 1, 2, and 4, and adding a new subdivision thereto.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1961, Section 73.171, Subdivision 1, is amended to read:

73.171 State fire marshal; regulations on flammable liquids and explosives. Subdivision 1. The state fire marshal shall make, promulgate, and enforce reasonable rules and regulations for the safekeeping, storage, handling, use, transportation, or other disposition of flammable liquids, *flammable gases, blasting agents,* and explosives except transportation by petroleum carriers as covered in ~~Laws 1947, Chapter 281~~ *Minnesota Statutes, Chapter 221*; ~~but the size and weight of loads of and but loads carried in or on vehicles~~ transporting such products upon public highways within this state shall be governed by the uniform *vehicle size and weights* provisions in Minnesota Statutes, Sections 169.80 to 169.88. *The rules and regulations for flammable liquids and flammable gases shall be distinguished from each other and from the rules and regulations covering other materials subject to regulation under this subdivision.*

Sec. 2. Minnesota Statutes 1961, Section 73.171, Subdivision 2, is amended to read:

Subd. 2. For the purposes of this section, and the rules and regulations adopted pursuant thereto, *the term flammable liquids shall be divided into three classes according to flash point: mean any liquid having a flash point below 200 degrees Fahrenheit and having a vapor pressure not exceeding 40 pounds per square inch, absolute, at 100 degrees Fahrenheit. The term flammable gases includes flammable materials which do not exist as a liquid or solid at a temperature of 60 degrees Fahrenheit and a pressure of 14.7 pounds per square inch absolute.*

For the purposes of this section, and the rules and regulations adopted pursuant thereto, the term blasting agent shall mean any material or mixture, consisting of a fuel and oxidizer, intended for blasting, not otherwise classified as an explosive and in which none of the ingredients is classified as an explosive, providing that the finished product, as mixed and packaged for use or shipment, cannot be detonated by means of a Number 8 test blasting cap when

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unconfined. The term blasting agent does not include flammable liquids or flammable gases.

(1) Liquids with a flash point at or below 25 degree Fahrenheit (minus four degrees Centigrade) closed cup tester;

(2) Liquids with a flash point above that for class (1); and at or below 80 degrees Fahrenheit (27 degrees Centigrade) closed cup tester;

(3) Liquids with a flash point above that for class (2); and at or below 187 degrees Fahrenheit (86 degrees centigrade) closed cup tester;

The term "flammable liquids" includes liquified gases which exist as liquids at a temperature of 60 degrees Fahrenheit and a pressure of 14.7 pounds per square inch absolute:

For the purposes of this section, and the rules and regulations adopted pursuant thereto, explosives shall be divided into three classes *and are defined as follows:*

(1) Class A explosives: Possessing detonating or otherwise maximum hazard, such as dynamite, nitroglycerin, ~~picric acid~~, lead azide, fulminate of mercury, black powder, blasting caps, *and* detonating primers; fuses; *including military ammunition and jet thrust units for aircraft;*

(2) Class B explosives: Possessing flammable hazard, such as ~~rocket ammunition; certain ammunition for cannon;~~ propellant explosives (including some smokeless powders) photographic flash powders, ~~some pyrotechnic signaling devices; and some special fire-works.~~

(3) Class C explosives: ~~possessing minimum hazard such as~~ *Includes* certain types of manufactured articles which contain Class A, or Class B explosives, or both, as components but in restricted quantities; *and certain types of fire works;*

The term explosive or explosives shall mean any chemical compound, mixture or device, the primary or common purpose of which is to function by explosion; that is, with substantially instantaneous release of gas and heat, unless such compound, mixture, or device is otherwise specifically classified by the interstate commerce commission. The term explosives shall include all material which is classified as Class A, Class B, and Class C explosives by the interstate commerce commission, and includes, but is not limited to dynamite, black powder, pellet powder, initiating explosives, blasting caps, electric blasting caps, safety fuse, fuse lighters, fuse

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igniters, squips, cordeau detonate fuse, instantaneous fuse, igniter cord, igniters, and some special fireworks. Commercial explosives are those explosives which are intended to be used in commercial or industrial operation. The term explosives does not include flammable liquids or flammable gases.

Sec. 3. Minnesota Statutes 1961, Section 73.171, Subdivision 4, is amended to read:

Subd. 4. The fire marshal of each city of the first class, the chief of the fire department of each other city or village in which a fire department is established, the mayor of each city in which no fire department exists, the president of the village board of each village in which no fire department exists, and the town clerk of each town without the limits of any city or village shall, upon direction of the state fire marshal, *or assistant fire marshal*, enforce within their respective jurisdictions all rules and regulations adopted pursuant to this section and shall render such other assistance as may be requested.

Sec. 4. Minnesota Statutes 1961, Section 73.171, is amended by adding a subdivision to read:

Subd. 6. Filing of code and amendments. The code and all amendments thereto shall be filed with the secretary of state and published in accordance with Minnesota Statutes, Sections 15.046 to 15.049.

Approved May 1, 1963.

CHAPTER 438—S. F. No. 1074

[Not Coded]

An act authorizing the county of Pine to levy tax for county road and bridge fund.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. **County of Pine, road and bridge tax levy.** The board of county commissioners of the county of Pine may levy a tax not to exceed 30 mills on the dollar of the taxable valuation of the county for the county road and bridge fund.

Sec. 2. **Effective date.** This act shall become effective only after its approval by a majority of the board of county com-

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