# Chapter MVD 6

## TRANSPORTATION OF EXPLOSIVES BY MOTOR VEHICLE

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**MVD 6.01 Minimum driver requirements.** No person shall drive, nor shall any motor carrier require or permit any person to drive, any motor vehicle used in the transportation of explosives unless such person possesses the following minimum qualifications:

(1) MENTAL AND PHYSICAL CONDITION.

(a) No loss of foot, leg, hand or arm.

(b) No mental, nervous, organic, or functional disease, likely to interfere with safe driving.

(c) No loss of fingers, impairment of use of foot, leg, fingers, hand or arm or other structural defect or limitation, likely to interfere with safe driving.

(2) EYESIGHT. Visual acuity of at least 20/40 (Snellen) in each eye either without glasses or by correction with glasses; form field of vision in the horizontal meridian shall not be less than a total of 140 degrees; ability to distinguish colors red, green and yellow; drivers requiring correction by glasses shall wear properly prescribed glasses at all times when driving.

(3) HEARING. Hearing shall not be less than 10/20 in the better ear, for conversational tones, without a hearing aid.

(4) LIQUOR, NARCOTICS AND DRUGS. Shall not be addicted to the use of narcotics or habit-forming drugs, or the excessive use of alcoholic beverages or liquors.

(5) AGE. Every driver shall be not less than 21 years of age.

(6) DRIVING EXPERIENCE. Every driver shall be experienced in driving some type of motor vehicle (including private automobiles) for not less than one year, including experience throughout the four seasons.

(7) DRIVING RECORD MUST BE CHECKED. In addition to the other qualifications required by this part, motor carriers shall in the employment and use of drivers and from time to time thereafter in continuing drivers in their service give due consideration to the following factors where they exist:

(a) Violations of laws or regulations governing the operation of motor vehicles of which the driver is guilty, especially as to those violations which tend to establish a disregard for regulatory requirements and for the public safety.

(b) The driver's accident record insofar as it tends to establish a lack of concern for or indifference to his own or the public's safety.

(c) Violations of criminal laws of which the driver is guilty, especially with respect to those offenses which tend to demonstrate his unfitness in the public interest to be a driver of a motor vehicle.

(d) Motor carriers shall maintain and preserve as a part of each driver's personnel record a summary of all driver acts and offenses which are within the purview of this section. In addition to the periodic review of such records as contemplated by this regulation, motor carriers shall specifically review the individual record of a driver when he is involved in a serious accident to the end that reckless or accident-prone drivers may not continue to drive vehicles as a hazard to the public safety.

(8) DRIVING SKILL. Every driver shall be competent by reason of experience or training to operate safely the type of motor vehicle or motor vehicles which he drives.

(9) KNOWLEDGE OF ENGLISH. Every driver shall be able to read and speak the English language.

(10) KNOWLEDGE OF REGULATIONS. Every driver shall be familiar with the rules and regulations hereby established pertaining to the driving of motor vehicles.

**MVD 6.02 Driving rules.** (1) DUTY OF DRIVER TO INSPECT EQUIPMENT. No motor vehicle shall be driven unless the driver thereof shall have satisfied himself that the following parts and accessories are in good working order; nor shall any driver fail to use or make use of such parts and accessories when and as needed:

(a) Service brakes;
(b) Parking (hand) brake;
(c) Steering mechanism;
(d) Lighting devices and reflectors;
(e) Tires;
(f) Horn;
(g) Windshield wiper or wipers;
(h) Rear-view mirror or mirrors.

(2) DRIVER FORBIDDEN TO OPERATE WHEN. (a) Ill or fatigued. No driver shall drive or be required or permitted to drive a motor vehicle while his ability or alertness is so impaired through fatigue, illness or any other cause as to make it unsafe for him to begin or continue to drive.

(b) Under influence of alcoholic beverages. No driver shall drive or be required or permitted to drive a motor vehicle, be in active control of any such vehicle, or go on duty or remain on duty, when under the influence of any alcoholic beverage or liquor, regardless of its alcoholic content, nor shall any driver drink any such beverage or liquor while on duty.

(c) In excess of maximum permitted driving time. No driver shall operate a motor vehicle carrying explosives for more than 10 hours in any period of 24 consecutive hours.

(3) SMOKING AND USE OF LIQUOR. No person shall be permitted to ride upon or drive a vehicle transporting explosives, while smoking or while under the influence of liquor or narcotics or harmful drugs.

(4) ENGINE OFF AND VEHICLE SECURE. No explosive shall be loaded into or on or be unloaded from any motor vehicle with the engine

running; and in every case, the hand brake on such motor vehicle shall be securely set and all reasonable precautions taken to prevent movement of the motor vehicle during loading or unloading.

(5) VEHICLES NOT TO BE LEFT UNATTENDED. No vehicle transporting any explosive or other dangerous article shall be left unattended upon any public street or highway except when the driver is engaged in the performance of normal operations incident to his duties as the operator of the vehicle to which he is assigned.

(6) PACKAGES CAPABLE OF REPAIR IN TRANSIT. Any package of explosives found injured or broken in transit may be repaired and recoopered when this is evidently practicable and not dangerous. When a box containing any explosive is so damaged that it cannot be repaired it should be reinforced by stout wrapping paper and twine, placed in another strong box, and surrounded by dry, fine sawdust, or dry and clean cotton waste, or elastic wads made from dry newspapers. The box cover should then be securely attached. A ruptured can or keg should be enclosed in a grain bag of good quality, and boxed. Injured packages thus protected, and properly marked with name of contents and consignee's name and address, may be carried to destination; provided, however, that the motor carrier, if himself the shipper, need not mark his own name and address on the package.

(7) DISPOSITION OF UNSAFE BROKEN PACKAGES. In the event any leaking package or container cannot be safely and adequately repaired for transportation or transported, it shall be stored pending proper disposition in the safest and most expeditious manner possible.

(8) CAUTION PASSING FIRES. Motor vehicles transporting explosives shall not be driven past fires of any kind burning on or near the highway or other thoroughfare until after due caution shall have been taken to ascertain that such passing can be made with safety.

(9) AVOIDANCE OF CONGESTED PLACES. Drivers of motor vehicles transporting explosives shall avoid, so far as practicable, driving into or through congested thoroughfares, places where crowds are assembled, street car tracks, tunnels, viaducts, and dangerous crossings. So far as practicable, this shall be accomplished by prearrangement of routes.

(10) PARKING IN CONGESTED PLACES. Except where the necessities of the operation make impracticable the application of this rule, no motor vehicle transporting any dangerous or less dangerous explosive shall be parked on any public street adjacent to or in proximity to any bridge, tunnel, dwelling, building or place where persons work, congregate or assemble; provided, however, that this rule shall not be so construed as to prohibit such motor vehicle being parked near persons loading or unloading any such motor vehicle.

(11) WARNING OF NEARBY PERSONS. In the event of an accident involving any motor vehicle transporting any explosive every available means shall be employed to prevent individuals other than those employed in the protection of persons or property or in the removal of hazards or wreckage, from congregating in the vicinity; such means shall also be employed to prevent smoking, to keep flames away, and to safeguard against the aggravation of the hazard present, and to warn other users of the highway, in the event that any

motor vehicle laden with or carrying dangerous explosives is entangled with another or with any other object or structure, until the lading, together with any fragments thereof, be removed to a place at least 200 feet from the vehicle (and preferably 200 feet from any habitation). In the event of fire involving a motor vehicle laden with any explosive, every practicable effort shall be made to give warning of danger of explosion to habitants in the vicinity and to other users of the highway.

(12) UNNECESSARY STOPS. Only necessary stops shall be made by motor vehicles loaded with explosives.

**MVD 6.03 Vehicle requirements.** (1) FLOOR AND BODY. Vehicles used for transporting explosives shall have a tight floor. If there is any exposed sparking metal on the inside of the body, it shall be covered or protected with non-sparking material so that the explosives containers will not come in contact with the exposed sparking metal.

(2) FREEDOM FROM DIRT. Trucks used for the transportation of explosives shall be clean and free from surplus oil and grease.

(3) FIRE EXTINGUISHERS. A fire extinguisher equivalent to a one and one-half quart carbon tetrachloride type, a four pound dry chemical type, or a four pound carbon dioxide type fire extinguisher shall be mounted in an accessible place in the cab of every motor vehicle transporting explosives. (Two extinguishers may be carried instead of one to secure the above required capacity.)

(4) EMERGENCY ELECTRICAL EQUIPMENT. (a) There shall be carried at least one spare electric bulb for each kind of electric lamp where such electric lamp is used for any of the lighting devices required by Wisconsin Statutes.

(b) There shall be carried at least one spare electric fuse of each kind and size used for any of the electric circuits on the vehicle.

(5) USE OF OPEN TRUCKS. In open trucks servicing any job with explosives, a tarpaulin shall be used to cover explosives and the sides of the body shall be high enough to prevent cases from falling off.

(6) MARKING OF VEHICLES. Motor trucks or vehicles when used for transporting explosives shall be marked or placarded on both sides and the rear with the word EXPLOSIVES in letters not less than six inches high, or shall conspicuously display a red flag with the word DANGER printed, stamped or sewed thereon in white letters at least six inches high, mounted above the highest point of the vehicle. These markings shall be in addition to all markings required by chapter MVD 4.

(7) FIRE PREVENTION MEASURES. All electrical wiring shall be completely insulated, fuel and exhaust lines free from leaks, and all necessary precautions shall be taken to prevent the vehicle from catching fire.

**MVD 6.04 General additional requirements.** (1) MATERIALS CARRIED IN CONJUNCTION WITH EXPLOSIVES. No sparking metal tools or flammable or corrosive substances shall be carried in the bed or body of vehicles transporting explosives, except that service trucks carrying small quantities of explosives in approved containers are considered as complying with this order.

(2) SPEED LIMIT. The maximum speed of vehicles coming within the scope of this order shall be 45 miles per hour.

(3) TRANSPORTATION OF DETONATORS. Detonators may be transported in the same motor vehicle with high explosives only as follows: The detonators shall be packed in authorized I.C.C. specification outside shipping containers, or in prescribed inside I.C.C. packages in an outside box made of 1-inch lumber lined with padding material not less than ½ inch thick, or a box made of not less than 12-gauge sheet metal lined with plywood or other similar material not less than ⅜ inch thick so that no metal is exposed. Hinged covers and fastening devices are required on boxes. These boxes shall be loaded in the motor vehicle so that contents of the box will be immediately accessible for removal.

(4) RESTRICTIONS REGARDING USE OF TRAILER. Explosives may be transported on any truck or any semitrailer attached to a tractor. Under no condition shall explosives be transported in any "full" trailer, or any form of "pole" trailer.

**MVD 6.05 Special provisions.** No carrier or driver shall be prosecuted for violation of any provision of these rules and regulations if such violation is a result of compliance with the safety rules and regulations promulgated by the interstate commerce commission.

*Note:* Nothing contained in this order shall be construed as prohibiting any motor carrier from carrying additional safety equipment or enforcing additional rules and regulations relating to safety of operation, not inconsistent with this order.