

No. 359, S.]

[Published July 16, 1943.

CHAPTER 545.

AN ACT to amend 85.45 (5) of the statutes, relating to the capacity of tank trucks for inflammable liquids.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 85.45 (5) of the statutes is amended to read:

85.45 (5) It shall be unlawful to transport in, *or on* any motor vehicle, trailer or semitrailer upon the public highways any gasoline, naphtha, benzine, fuel oil, crude oil, kerosene or other inflammable liquids, which are herein defined as any liquid which gives off inflammable vapors as determined by flash point *by* Tagliabue's open cup tester, as used for tests of burning oils at or below a temperature of 80 degrees Fahrenheit, except * * * *by tank mounted on, or attached to, or structurally a part of, a motor vehicle, trailer or semitrailer* plainly marked so as to show that inflammable substances or liquids are being transported therein *and except that deliveries of such inflammable substances or liquids in excess of 2,000 gallons shall be made only to bulk plants or consumer terminals having bulk plant facilities. Service stations and filling stations selling or distributing inflammable liquids at retail shall not be considered bulk plants.* This subsection shall not apply to transportation by the consumer of the liquids here referred to, as freight only, from the place of purchase to the place of consumption, provided such liquids are transported in drums or other containers having a capacity of not more than 100 gallons each, and provided further that the total amount of said liquids so transported in said drums or containers in any one vehicle or combination of vehicles shall not exceed 500 gallons.

SECTION 2. This act shall take effect 6 months after the termination of the present war as proclaimed by the President or Congress of the United States.

Vetoed. Passed over veto July 14, 1943.