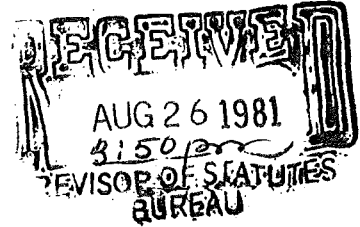


7nd 8

RULES CERTIFICATE

STATE OF WISCONSIN)
) SS
DEPT. OF INDUSTRY,)
LABOR & HUMAN RELATIONS)



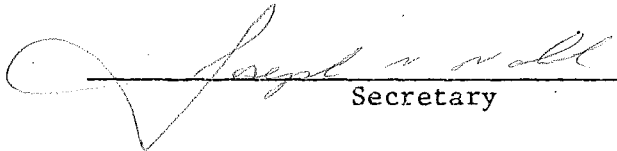
TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Joseph N. Noll, Secretary of the Department of Industry, Labor and Human Relations, and custodian of the official records of said department, do hereby certify that the annexed rule(s) relating to Ch. Ind 8 Key/Card/Code Operated Dispensing Devices were duly approved and adopted by this department on 8/26/81.

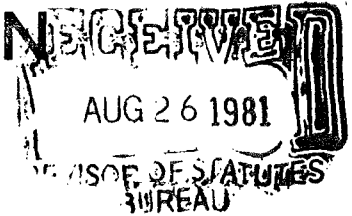
(Subject)
(Date)

I further certify that said copy has been compared by me with the original on file in this department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the department at our offices in the city of Madison, this 26th day of August A.D. 19 81.


Secretary

ORDER OF ADOPTION



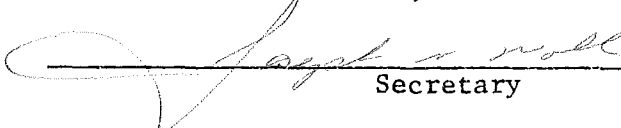
Pursuant to authority vested in the Department of Industry, Labor and Human Relations by section(s) 101.02(1), 101.02(15), Stats., the Department of Industry, Labor and Human Relations hereby creates; amends; repeals and recreates; and repeals and adopts rules of Wisconsin Administrative Code chapter(s):

Ind. 8 Key/Card/Code Operated Dispensing Devices
(Number) (Title)

The attached rules shall take effect on the first day following publication in the Wisconsin Administrative Register, pursuant to section 227.026, Stats.

Adopted at Madison, Wisconsin, this 26th day of August, A.D., 19 81.

DEPARTMENT OF INDUSTRY, LABOR AND HUMAN RELATIONS


Secretary

Administrative rules to create ss. Ind 8.10 (3) (c), Ind 8.12 (4) (h), Ind 8.102 and Ind 8.103 (2) (d).

ANALYSIS OF RULES

The proposed rules will permit the nonsupervised use of key, card or code operated dispensing devices at self-service stations. Authorized members could use the dispensing devices at times when an attendant was not on duty.

Currently, the rules prohibit this use and limit nonattendant dispensing to private locations not open or available to the general public (i.e., trucking company, school bus company).

The national standard for flammable and combustible liquids (National Fire Protection Association Standard NFPA 30-1980) allows the proposed practice. Other states adjacent to Wisconsin currently allow the practice.

The proposed rules include provisions which require department approval prior to installation or use of such devices. The plan submittal and approval procedure requirements are amended to include the information necessary to obtain approval.

The provisions are to apply to new installations and to those already in existence.

Pursuant to the authority vested in the state of Wisconsin, Department of Industry, Labor and Human Relations by s. 101.02 (1), ss. 101.02 (15) (h) through (j), and s. 101.14 (1) (a), Stats., the department hereby creates rules interpreting s. 101.02 (1), ss. 101.02 (15) (h) through (j) and s. 101.14 (1) (a), Stats.

SECTION 1. Ind 8.10 (3) (c) is created to read:

Ind 8.10 (3) (c) Plans for general service stations and self-service stations, conversion of general service stations to self-service stations or change of operation to the use of key, card or code operated dispensing devices shall be submitted for review and approval by the department or its authorized deputy as required by s. Ind 50.12, Wis. Adm. Code.

SECTION 2. Ind 8.12 (4) (h) is created to read:

Ind 8.12 (4) (h) Plans for service stations involving the use of automatic dispensing units shall indicate the location of emergency controls.

1. Plans showing the location and details of the key, card or code operated dispensing devices.

2. A copy of the agreement between the key, card or code holder and the station owner.

3. A copy of the program used to train those persons who will operate the key, card or code dispensing devices.

SECTION 3. Ind 8.102 is created to read:

Ind 8.102 ATTENDANCE OR SUPERVISION OF DISPENSING. (1) STATIONS OPEN TO PUBLIC. Each service station open to the public shall have an attendant or supervisor on duty whenever the station is open for business. The attendant shall supervise individual dispensing devices except as provided in ss. Ind 8.87 and 8.103.

Note: See ss. Ind 8.110 (2) and (3) for attendant's duties at self-service stations.

(2) [7-8.3.3] STATIONS CLOSED TO THE PUBLIC. Dispensing of liquids at private locations where the dispensing equipment is not open to the public, does not require an attendant or supervisor. Such locations may include key, card or code controlled dispensers.

SECTION 4. Ind 8.103 (2) (d) is created to read:

Ind 8.103 (2) (d) 1. Key, card or code operated dispensing devices shall be listed by Underwriters' Laboratories, shall be subject to specific written approval by the department and shall be permitted only in the following applications:

a. Dispensing of liquids at private locations, where the dispensing equipment is not open to the public provided the dispensing of liquids is limited to authorized personnel of these establishments for the purpose of fueling vehicles used in connection with such establishments. Such private locations may include but is not limited to commercial, industrial, governmental or manufacturing establishments.

b. Dispensing of liquids at self-service stations provided the dispensing of liquids is limited to authorized individuals for the purpose of fueling vehicles.

2. The use of key, card or code operated devices as specified in subd. 1. shall not require an attendant or supervisor.

3. The provisions of this paragraph shall apply to all key, card or code operated dispensing devices installed on or after the effective date of this paragraph and to those previously installed.

EFFECTIVE DATE OF RULES

Pursuant to s. 227.02 (1) (Intro), Stats., the proposed rules will take effect on the first day of the month following publication in the Wisconsin Administrative Register.
