

STATE OF NEW JERSEY
DEPARTMENT OF LABOR & INDUSTRY
Harry C. Harper, *Commissioner*

RULES AND REGULATIONS

Chapter 10

TRANSPORTATION OF EXPLOSIVES

ISSUED IN ACCORDANCE WITH
THE PROVISIONS
CHAPTER 27, LAWS OF 1941.

AN ACT
relating to the
Manufacture, Having, Keeping
Storage, Sale, Transportation and Use
of Explosives

BUREAU OF EXPLOSIVES

C. GEORGE KRUEGER, *DEPUTY DIRECTOR,*
Division of Labor

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CHAPTER 10

TRANSPORTATION OF EXPLOSIVES

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Bureau of Explosives
C. GEORGE KRUEGER
Deputy Director

RULES AND REGULATIONS
TRANSPORTATION OF EXPLOSIVES

(by Motor Vehicle Except as Otherwise Specified)

10.100 - *GENERAL*

- 10.101 - These rules and regulations shall apply to the operations and equipment of every carrier by vehicle, without exception or exemption, to the extent that any such carrier engages in or while engaged in the transportation of any explosives in or on any vehicle in this State; excepting the transportation of any explosives which is subject to and in conformity with the regulations prescribed by the Interstate Commerce Commission of the Bureau of Marine Inspection and Navigation, Department of Commerce.
- 10.102 - Every person concerned with the transportation of explosives shall comply with the rules and regulations prescribed herein and shall become conversant therewith.
- 10.103 - Every person engaged in the transportation of explosives in this state shall have one or more vehicles suitable for such purposes. Permit to transport explosives shall be kept on the vehicle at all times when the vehicle is transporting explosives.
- 10.104 - A vehicle when transporting explosives, shall not be operated within this state unless a valid permit for such vehicle to transport explosives has been issued by the Commissioner, except that no permit shall be required for any vehicle operating only within an explosives plant, but otherwise such a vehicle must conform to these regulations.
- 10.105 - A vehicle, when transporting explosives, shall be used for that purpose only and no passengers or unnecessary persons shall be permitted to ride on such a vehicle.
- 10.106 - All motor vehicles must carry commercial license plates or Federal certificates or both, as provided by State or Federal Motor Vehicle Laws. A motor vehicle with passenger car registration shall not be used for the transportation of explosives and a permit for such a car will not be issued.
- 10.107 - No quantity of explosives in excess of the quantity indicated on the permit shall be transported in a vehicle. Not more than two hundred pounds (net) of explosives or one-thousand blasting caps shall be transported in a vehicle with a passenger type body and then only in the rear compartment which must be constructed as provided herein. Not more than ten-thousand pounds (net) of explosives shall be transported in one vehicle at any time and then only in the body of the vehicle.
- 10.108 - Explosives shall not be transported on a highway in any form of trailer, nor shall any trailer be attached to any vehicle transporting explosives.
- 10.109 - Explosives shall be transported in a vehicle on a highway when such a vehicle is either:-
- (1) *A single truck unit (motor vehicle)*
 - (2) *Passenger motor vehicle with commercial plates.*
 - (3) *Horse-drawn, for which special approval will be required.*
- 10.110 - No vehicle, operated on a highway, may be used to transport prohibited explosives.

- 10.111 - IT IS PROHIBITED FOR ANY PERSON TO DELIVER ANY EXPLOSIVES TO ANY PERSON NOT IN POSSESSION OF A PERMIT TO HAVE, KEEP, POSSESS, MANUFACTURE, STORE, SELL, TRANSPORT OR USE EXPLOSIVES. The driver of a motor vehicle or other vehicle transporting explosives must deliver the explosives to someone authorized to receive them and, whenever possible, the explosives shall be placed in a magazine which is to be locked immediately thereafter.
- 10.112 - BLASTING CAPS SHALL NOT BE TRANSPORTED IN ANY VEHICLE CONTAINING DYNAMITE. No person shall place or carry in or upon a vehicle any explosives, except as provided in Loading and Storage Chart. This chart is a part of these regulations.
- 10.113 - No person shall interfere with or molest a vehicle containing explosives, or the horses, (if horse-drawn), or the person in charge thereof.
- 10.114 - Explosives shall be transported during daylight hours whenever possible. If lights, other than vehicle lights are necessary, only an approved type electric flashlight or an approved electric lantern shall be used.
- 10.200 - *DESIGN AND CONSTRUCTION OF VEHICLES*
- 10.201 - Vehicles used for transporting explosives shall be strong enough to carry the load without difficulty and in satisfactory operating condition.
- 10.202 - The vehicle used for transporting explosives shall have a tight, substantial floor. The interior of the body in which explosives are contained shall have all exposed metal covered or protected with non-sparking material, so that explosive containers will not come in contact with exposed metal.
- 10.203 - In passenger type vehicles, containers of explosives shall fit snugly and be securely in place in the rear compartment.
- 10.204 - Open body vehicles carrying explosives must have sides that are strongly made and securely fastened, so that explosives are safely retained. Tailgates must be closed and secured in place. In such vehicles, the containers of explosives must be covered with a fire-resistive tarpaulin.
- 10.205 - The batteries and wiring on motor vehicles transporting explosives shall be located so that they will not come in contact with containers of explosives and all wiring shall be completely insulated and securely fastened to prevent short circuiting and fire.
- 10.206 - Electric lights on all motor vehicles. No motor vehicle shall be equipped with any other kind of artificial light devices than electric.
- 10.207 - Fuel-feed system. All portions of the fuel-feed system, including carburetor, pumps, and all auxiliary mechanisms and connections, shall be constructed and installed in a workmanlike manner, and so constructed and located as to minimize a fire hazard with no readily combustible materials used therein, and shall, except for Diesel fuel connections, be well separated from the engine exhaust system. A pressure-release device shall be provided where necessary. The fuel-feed lines shall be made of material not adversely affected by the fuel to be used or by other materials likely to be encountered of adequate strength for their purpose, well secured to avoid chafing or undue vibration, having a readily accessible and reliable shut-off valve or stop cock, and having no soldered joints at or near the engine or its accessories.
- 10.208 - Fill pipe away from exhaust system. The fill pipe or fill connection of any fuel tank, tanks, or other containers shall be so located and arranged that fuel will not be spilled on any portion of the exhaust system in the event of overflow during the filling process.
- 10.209 - Carburetor. The carburetor, if used, shall be so constructed and installed as to minimize the hazards due to back firing and other hazards inherent in its use, and shall be provided with direct drainage for overflow gasoline.
- 10.210 - Exhaust system. All parts of the motor vehicle exhaust system shall be constructed and installed in a workmanlike manner, in no case exposed to accumulations of grease, oils, gasoline, or other fuels. In engine installations using gasoline or like liquid fuels, butane, propane, mixtures thereof, or similar fuels, the exhaust system shall have ample clearance from fuel lines, and in any case from other combustible materials. A muffler cut-out or equivalent device shall not be installed.

- 10.211 - Brakes on all motor vehicles. Every motor vehicle of whatever kind shall be equipped with effective brakes on all wheels.
- 10.300 - *MARKING*
- 10.301 - A vehicle, when transporting explosives on a highway shall be marked in any one of the following ways:
- 10.3011 - *Display upon an erect pole at the front end of the vehicle and at such a height that it will be plainly visible from all directions, a red flag, not less than twenty-four (24) inches square, the word, "DANGER", legibly printed, stamped or sewed thereon, in white letters at least six (6) inches in height, or*
 - 10.3012 - *The word "EXPLOSIVES", painted on both ends and each side of the vehicle in contrasting colors for letters and background, the letters to be at least six (6) inches in height, or*
 - 10.3013 - *A placard with the word, "EXPLOSIVES", in letters at least six (6) inches in height and of a contrasting color to the background, to be attached to both ends and each side of the vehicle, or*
 - 10.3014 - *A placard painted in contrasting colors with the words, "EXPLOSIVES—HANDLE CAREFULLY—KEEP FIRE AWAY" of sufficient size to be legible to a normal person at a distance of one hundred (100) feet to be attached to both ends and each side of the vehicle.*
- 10.302 - The required marking shall be removed from or covered on any vehicle to which it is attached or affixed when such vehicle is not transporting explosives, except that the marking is not required to be removed or covered when such vehicle is used exclusively in the transportation of explosives.
- 10.400 - *ACCESSORIES*
- 10.401 - Every vehicle, when used for transporting explosives, shall be equipped with two (2) one-quart fire extinguishers suitable for use on oil fires, which shall be filled and ready for instant use. The fire extinguishers are to be readily accessible to the operator of the vehicle. One fire extinguisher shall be placed near the driver's seat.
- 10.402 - Approved red electric lanterns and safety matches in approved containers may be carried on a vehicle transporting explosives but not in the portion of the body in which explosives are being carried. All other flame producing devices are prohibited.
- 10.403 - No metal, metal tools, carbides, oils, matches, firearms, electric storage batteries, inflammable substances, acids, oxidizing or corrosive compounds shall be carried in the bed or body of any vehicle transporting explosives.
- 10.500 - *INSPECTION AND MAINTENANCE*
- 10.501 - It shall be the duty of the person to whom a permit has been issued to transport explosives over the highways of this State, or the operator of the vehicle to daily inspect the vehicle used by him to determine that:
- 10.5011 - *Fire extinguishers are filled and in working order,*
 - 10.5012 - *Electric wiring is completely insulated and firmly secured,*
 - 10.5013 - *Chassis, motor, body and all other parts of vehicles are clean and free from surplus oil and grease,*
 - 10.5014 - *Gasoline tank and piping are secure and without leaks,*
 - 10.5015 - *Brakes and steering equipment are in good condition,*
 - 10.5016 - *The truck is in proper condition for handling explosives,*
 - 10.5017 - *Three red electric lanterns and two red flags twenty-four (24) inches square on thirty (30) inch poles are packed and ready for use.*

- 10.502 - The person making the daily inspection shall be responsible for having the vehicle altered or repaired, before further use, when said inspection reveals any faculty condition as enumerated above.
- 10.503 - The owner of the vehicle shall be responsible for the keeping of the approved form of record card of such daily inspection. This record card shall be carried on the vehicle at all times. The approved form of record card shall be kept for a period of the current calendar month and shall show by a check mark that the seven (7) items of Section 31 above have been inspected on each day that the vehicle was used to transport explosives.
- 10.600 - *OPERATORS OR DRIVERS OF VEHICLES*
- 10.601 - A motor truck or vehicle transporting explosives must be driven by and be in the charge of a driver who is careful, capable, reliable, at least 21 years of age, able to read and write the English language and not addicted to the use or under the influence of intoxicating liquor or narcotics. No person shall smoke or carry matches, or any other flame-producing device, firearms or loaded cartridges while on or near the motor truck or vehicle. The driver must be familiar with the road rules, the State laws and local ordinances and regulations governing the transportation of explosives in this State, and must comply with them. The driver must be familiar with the necessary safety rules for handling and transporting explosives.
- 10.602 - The operator of a motor vehicle used for transporting explosives must be in possession of a valid motor vehicle operator's license.
- 10.603 - An assistant, at least twenty-one years of age may be assigned to the operator or driver of a vehicle transporting explosives but not more than three persons shall be allowed in or upon such a vehicle.
- 10.604 - Unauthorized persons shall neither operate nor ride on a vehicle transporting explosives.
- 10.700 - *OPERATION OF VEHICLE*
- 10.701 - The operator of a vehicle transporting explosives shall avoid, wherever possible, those streets that are congested, or where there is a large number of persons, or where there exists a subway or elevated route. So far as practicable, this shall be accomplished by prearrangement of route.
- 10.708 - A driver shall not leave the driver's seat until the brakes of the vehicle are securely set and, for motor vehicles, until the motor has stopped. For horse-drawn vehicles, the driver shall securely tie the horse or team immediately after setting the brakes.
- 10.709 - The operator of a vehicle transporting explosives shall not leave such vehicle unattended, except when absolutely necessary.
- 10.710 - No explosive shall be loaded into or on or unloaded from any motor vehicle with the engine running and all reasonable precautions taken to prevent movement of the vehicle during loading and unloading.
- 10.711 - No vehicle transporting explosives 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, unless engaged in making deliveries or where the necessities of operation make such prohibitions impractical.
- 10.712 - Vehicles transporting explosives shall not be driven nearer than three hundred feet of each other. When such a vehicle is parked because of a breakdown or other cause beyond control of the driver, other such vehicles shall pass with extreme caution. This shall not be construed to prohibit the passing of vehicles on a highway.
- 10.713 - Vehicles transporting explosives shall not be driven past fires of any kind burning on or near the highway until after due caution shall have been taken to ascertain that such passing can be made with safety.
- 10.714 - The gasoline tank of a motor vehicle shall not be filled while explosives are on the motor truck, except in emergency and then only when the engine of the motor vehicle is not running.

- 10.715 - No explosives shall be transferred from one container to another or from one vehicle to another on any highway, except in case of extreme emergency. In such cases, red electric lanterns or red flags shall be set out and all means be taken to protect and warn the other highway users.
- 10.716 - All vehicles transporting explosives shall come to a full and complete stop before entering upon a main highway.
- 10.717 - All vehicles transporting explosives shall come to a full and complete stop before crossing railroad tracks.
- 10.718 - Vehicles when transporting explosives shall be restricted to a speed not to exceed 40 miles per hour and shall always be kept in gear.
- 10.719 - No repairs shall be made on any vehicle transporting explosives except in such cases where repairs can be made without hazard.
- 10.720 - Vehicles containing explosives shall never be taken into nor be permitted to be taken into a garage or other repair shop for repairs or storage.
- 10.800 - *LOADING AND UNLOADING*
- 10.801 - Packages or containers of explosives shall not be thrown, dropped or handled roughly.
- 10.802 - Smoking on or about any vehicle during the loading or unloading of any explosive is prohibited.
- 10.803 - No bale hooks or other metal tools shall be used for the loading, unloading or other handling of explosives.
- 10.804 - Explosives must not be piled behind any motor vehicle in direct line with the exhaust.
- 10.900 - *EXCEPTIONS*
- 10.901 - Nothing contained in these regulations shall apply to the regular military or naval forces of the United States of America or its legal allies nor the duly authorized militia of any State or territory thereof, nor to the police or fire departments of this State, providing the same are acting within their official capacity and in the performance of their duties.
- 10.902 - Nothing contained in these rules and regulations shall apply to explosives while being transported upon vessels, vehicles or railroad cars or while being held for delivery; provided, such transportation and delivery is subject to and in conformity with the regulations prescribed by the Interstate Commerce Commission or the Bureau of Marine Inspection and Navigation, Department of Commerce; and provided, further, that nothing in these rules and regulations shall apply to the receipt, possession and use of signals required for the safe operation of vessels, motor vehicles, railroad cars or aircraft by the operators of such vessels, motor vehicles, railroad cars or aircraft.
- 10.903 - Nothing contained in these rules and regulations shall affect any existing ordinance, rule or regulation of any city or municipality not less restrictive than these rules and regulations governing the manufacture, storage, sale, use or transportation of explosives, or affect, modify or limit the power of cities or municipalities in this State to make ordinances, rules or regulations not less restrictive than these rules and regulations governing the manufacture, storage, sale, use of transportation of explosives within their respective corporate limits.