

CHAPTER 7438
DEPARTMENT OF PUBLIC SAFETY
STATE PATROL DIVISION
HYDRAULIC BRAKE FLUIDS

7438.0200 APPLICATION FOR APPROVAL OF
 HYDRAULIC BRAKE FLUID.

7438.0400 IDENTIFICATION FOR MARKETING.

7438.0300 PHYSICAL PROPERTIES.

7438.0500 CANCELLATION OR SUSPENSION.

7438.0200 APPLICATION FOR APPROVAL OF HYDRAULIC BRAKE FLUID.

The following procedure shall be followed when any hydraulic brake fluid is submitted for approval:

A. A written request for approval of the hydraulic brake fluid shall be submitted to the commissioner of public safety by the manufacturer or his representative. The owner of a trade name is deemed to be a manufacturer within the requirements of this chapter if the said owner actually packages and has control of the quality of the brake fluid so packaged.

B. The written request shall be accompanied by:

(1) A test report from a recognized testing laboratory approved by the commissioner, showing compliance with this chapter. In those instances where the commissioner and the applicant agree that all of the tests will be made by the state of Minnesota the said test report will not be required. The test report shall contain a complete and full description (not chemical formula) of the fluid, the method of making the tests, and the results of the tests. The results of the tests and the specifications shall be shown in tabular form.

(2) A two-quart sample of the fluid (or more if required by the commissioner). The applicant shall certify that the sample is the same fluid as described in the test report and that the brake fluid submitted to a laboratory for test is a sample of the same fluid to be sold or offered for sale under the brand name and label specified for the samples.

(3) Four copies of all labels used on all containers. These may be original labels or photostats of the original labels.

(4) A check in the amount of \$20 made payable to the commissioner of public safety to cover costs of inspection. In the event approval tests are to be made by the state of Minnesota on any hydraulic brake fluid by agreement between the commissioner of public safety and the applicant, a fee fixed by the commissioner will be charged to cover the cost of such tests, an estimate of the amount thereof to be furnished the applicant prior to the commencing of such tests.

Statutory Authority: *MS s 169.672*

7438.0300 PHYSICAL PROPERTIES.

Subpart 1. **Standard.** The hydraulic brake fluid shall conform to the specification numbered and described as "Hydraulic-Brake Fluid, Heavy-Duty Type (SAE 70R1)" appearing in the SAE Handbook for the year 1953 published and issued by the Society of Automotive Engineers, Incorporated, 29 West 39th St., New York, New York 10018, a copy of which may be obtained from said society and a copy of which is on file in the office of the Department of Public Safety, and said specification is adopted herein by reference with the same force and effect as though fully set forth herein.

MINNESOTA RULES 1983

7438.0300 HYDRAULIC BRAKE FLUIDS

5866

Subp. 2. **Advice of change.** In the event the formula or composition of an approved brake fluid is changed, the manufacturer shall promptly advise the commissioner of such fact and submit to him proof that the changed formula or composition will meet SAE specification 70R1.

Statutory Authority: *MS s 169.672*

7438.0400 IDENTIFICATION FOR MARKETING.

Each container in which hydraulic brake fluid is sold shall bear thereon a label or stencil showing the manufacturer's name, or other suitable identification, and the brand and type of hydraulic brake fluid. The label shall include a statement certifying that the fluid meets SAE specification 70R1.

Statutory Authority: *MS s 169.672*

7438.0500 CANCELLATION OR SUSPENSION.

If it is found that any hydraulic brake fluid that does not comply with this chapter is being illegally marketed under an approved brand name or type, the commissioner shall cancel the certificate of approval covering said brand and type; provided, that the manufacturer shall be entitled to 30 days' notice of such proposed cancellation of the certificate, during which time he shall have opportunity to explain the apparent violation and to submit proof that the brake fluid sold under his brand and type does in fact comply with this chapter.

Statutory Authority: *MS s 169.672*