

**CHAPTER 5205**

**DEPARTMENT OF LABOR AND INDUSTRY**

**SAFETY AND HEALTH STANDARDS**

5205 0010 ADOPTION OF FEDERAL OCCUPATIONAL SAFETY AND HEALTH STANDARDS BY REFERENCE

5205 0030 HIGH VISIBILITY PERSONAL PROTECTIVE EQUIPMENT

**5205.0010 ADOPTION OF FEDERAL OCCUPATIONAL SAFETY AND HEALTH STANDARDS BY REFERENCE.**

*[For text of subpart 1, see MR ]*

Subp 2. **Part 1910.** Part 1910. Occupational Safety and Health Standards as published in Volume 43, No 206 of the Federal Register on October 24, 1978, and corrected in Volume 43, No. 216 on November 7, 1978, which incorporates changes, additions, deletions, and corrections made up to November 7, 1978, and subsequent changes as follows

*[For text of items A to U, see MR ]*

V Federal Register, Vol 64

*[For text of subitems (1) to (3), see MR ]*

(4) Federal Register, Vol 64, No 204, page 57128, dated October 22, 1999: "Permit-Required Confined Spaces for General Industry, Agency Information Collection Activities, Announcement of Office of Management and Budget's (OMB) Approval of Information Collection Requirements."

*[For text of subp 3, see MR ]*

Subp 4 **Part 1917.** Part 1917. Safety and Health Standards for Marine Terminals as published in Volume 48, No 129 of the Federal Register on July 5, 1983, and subsequent changes as follows

*[For text of items A to F, see MR ]*

G Federal Register, Vol 64, No 166, page 46846, dated August 27, 1999 "Powered Industrial Truck Operator Training, Final Rule, Stay of Compliance Dates."

H. Federal Register, Vol 64, No 218, page 61504, dated November 12, 1999. "Office of Management and Budget (OMB) Control Numbers Assigned Under the Paperwork Reduction Act of 1995, Fmal Rule "

Subp 5 **Part 1918.** Part 1918 Safety and Health Regulations for Longshoring as published in Part II, Volume 39, No 119 of the Federal Register on June 19, 1974, incorporating changes, additions, deletions and corrections made up to June 3, 1974, and subsequent changes as follows:

*[For text of items A to F, see MR ]*

G Federal Register, Vol 64, No 166, page 46846, dated August 27, 1999: "Powered Industrial Truck Operator Training, Fmal Rule, Stay of Compliance Dates "

H Federal Register, Vol 64, No 218, page 61504, dated November 12, 1999 "Office of Management and Budget (OMB) Control Numbers Assigned Under the Paperwork Reduction Act of 1995, Final Rule "

*[For text of subps 6 and 7, see MR.]*

**Statutory Authority:** *MS s 182 655*

**History:** *24 SR 1211*

**5205.0030 HIGH VISIBILITY PERSONAL PROTECTIVE EQUIPMENT.**

Subpart 1 **General requirement.** Each employee, other than police and fire protection personnel covered by subpart 3, exposed to or working adjacent to moving motor vehicle traffic as part of the employee's assigned job shall be provided with and required to wear a high visibility warning vest or other high visibility garment. A high

visibility garment is defined as being a Class 2 garment or greater as specified by ANSI/ISEA Standard 107-1999. Some smaller garments may not meet the background material specifications for Class 2 as defined in ANSI/ISEA 107-1999. In these cases, the garment must be rated by the manufacturer as greater than or exceeding Class 1 requirements.

**Subp 1a Maintenance of garments.** If the high visibility personal protective equipment becomes faded, torn, dirty, worn, or defaced, reducing the equipment's performance below manufacturer's recommendations, the high visibility personal protective equipment shall be immediately removed from service and replaced.

**Subp 2 Exception.** Where permanent or semipermanent barricades designed to stop or deflect vehicle traffic upon impact are in place to protect employees from moving motor vehicles, employees are not required to wear high visibility personal protective equipment while working inside these protected areas.

**Subp 3 Law enforcement, emergency medical technician, and fire protection personnel.** Law enforcement and emergency medical technician personnel shall be provided with, and be required to wear a high visibility outer garment any time the personnel are engaged in vehicular traffic control. For fire protection personnel, compliance with NFPA No. 1971 is acceptable.

**Subp. 4 Electrical work.** For work within the flash protection boundary as defined by NFPA 70E 2-1.3.3.2, high visibility garments constructed of material that complies with NFPA 70E shall be worn.

**Subp 5. Effective date.** The employer shall provide and ensure the use of garments with the class specifications required in subpart 1 by January 1, 2002.

**Statutory Authority:** *MS s 182.655*

**History:** *25 SR 1241*