

MINNESOTA RULES

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OCCUPATIONAL SAFETY AND HEALTH STANDARDS FOR CONSTRUCTION; GENERAL

5207.0005 STANDARD INDUSTRIAL CLASSIFICATION LIST FOR AWAIR.

Employers in the North American Industry classifications applicable to construction listed in part 5208.1500 must comply with Minnesota Statutes, section 182.653, subdivision 8. The North American Industry classifications in part 5208.1500 are those defined by the Office of Management and Budget published in the North American Industry Classification System, 2002 edition.

Statutory Authority: *MS s 182.655*

History: *22 SR 2086; 23 SR 2060; 31 SR 517*

Published Electronically: *June 11, 2008*

5207.0010 [Repealed, 28 SR 1512]

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5207.0020 [Repealed, 28 SR 1512]

Published Electronically: *June 11, 2008*

5207.0030 DEMOLITION OPERATIONS.

The cutting or removal of reinforcing steel or cables that are suspending debris, or the removal of columns or studs that support debris, shall not take place in close proximity to any area where employees are working unless the area has been isolated by protection to separate the work area from falling or sliding debris.

Statutory Authority: *MS s 182.655*

History: 12 SR 634

Published Electronically: June 11, 2008

5207.0035 DEMOLITION, RESTORATION, REMODELING ASBESTOS SURVEY.

Before permitting employees to start any demolition, restoration, or remodeling project where an employer has, or should have, reason to believe there are asbestos containing materials, a survey by a qualified person shall be made to determine if there are asbestos containing materials present in the structure. The project controlling employer shall have written evidence that an evaluation has been performed. If asbestos containing material is to be disturbed, removed, replaced, or repaired, the provisions of Code of Federal Regulations, title 29, section 1926.1101, apply.

Statutory Authority: MS s 182.655

History: 12 SR 634; 21 SR 1897

Published Electronically: June 11, 2008

5207.0040 SPRAY PAINTING OF BUILDING INTERIORS.

Subpart 1. **Nonflammable paints.** Where spray painters are applying nonflammable paint on walls, ceilings, or fixtures, at times when employees other than painters are employed in or near such areas, safeguarding measures shall be taken to protect the lives and health of spray painters and others as per code:

A. Where required, respiratory protection and/or fresh air hoods shall be provided for spray painters by employers at no cost to spray painters.

B. Personal respiratory protective equipment shall be selected and used according to Code of Federal Regulations, title 29, section 1926.103.

C. Areas being spray painted shall be sealed off from other areas of the building by means of curtains. Employees other than painters shall not be required to work in enclosed areas.

D. Curtains shall have no openings except entry ways, which shall be kept closed during painting.

E. Cross ventilation shall be provided to remove spray paint vapors from the enclosures to the outside air by means of either mechanical exhaust or window ventilation.

F. Provisions shall be made to prevent exhaust vapors from reentering any part of the building.

Subp. 2. **Flammable paints.** In addition to meeting the requirements of subpart 1, where flammable paints are being applied, the following requirements also apply:

A. All motors, lights, switches, and electrical appliances shall be deenergized. Exception: portable vapor proof lights may be used when located 20 feet or more from the painting area.

B. The Air Quality Division of the Minnesota Pollution Control Agency should be consulted for any air pollution control measures required.

Statutory Authority: *MS s 182.655*

History: *12 SR 634; 21 SR 1897*

Published Electronically: *June 11, 2008*

5207.0050 WIRE ROPE CLIPS.

Subpart 1. **Location of U-bolts.** Wire rope clips attached with U-bolts shall have the U-bolts on the dead or short end of the rope.

Subp. 2. **Clip construction.** Clips shall be made of drop forged steel. All nuts on the clip bolts of a newly installed rope shall be retightened after the first hour of service.

Subp. 3. **Clip spacing.** Spacing and number of clips shall be in accordance with the table below:

Rope Diameter (inches)	Number of Clips Drop Forged	Minimum Spacing (inches)
1/8	2	3/4
3/16	2	1-1/8
1/4	2	1-1/2
5/16	2	1-7/8
3/8	2	2-1/4
7/16	2	2-5/8
1/2	3	3
5/8	3	3-3/4
3/4	4	4-1/2
7/8	4	5-1/4
1	5	6
1-1/8	6	6-1/4
1-1/4	6	7-1/2
1-3/8	7	8-1/4
1-1/2	7	9

Statutory Authority: *MS s 182.655*

History: *12 SR 634*

Published Electronically: *June 11, 2008*

5207.0060 FLAMMABLE LIQUID TANK SUPPORTS.

Tank supports shall be installed on firm foundations. Tank supports must be of concrete, masonry, or protected steel. Single wood timber supports (not cribbing) may be used for outside aboveground tanks if the fall potential of the tank is not more than 12 inches at the lowest point of the tank.

Statutory Authority: *MS s 182.655*

History: *12 SR 634*

Published Electronically: *June 11, 2008*

PERSONAL PROTECTIVE EQUIPMENT**5207.0100 HIGH VISIBILITY PERSONAL PROTECTIVE EQUIPMENT.**

Subpart 1. **General requirement.** Each employee exposed to or working adjacent to moving motor vehicles 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 Performance Class 2 garment or greater as specified by ANSI/ISEA Standard 107-2004. Some smaller garments may not meet the background material specifications for Performance Class 2 as defined in ANSI/ISEA 107-2004. In these cases, the garment must be rated by the manufacturer as greater than or exceeding Performance Class 1 requirements.

Subp. 2. **Maintenance of garments.** If the high visibility personal protective equipment becomes faded, torn, dirty, worn, or defaced, reducing the equipment's performance below the manufacturer's recommendations, the high visibility personal protective equipment shall be immediately removed from service and replaced.

Subp. 3. **Exception.** Where permanent or semipermanent barricades designed to stop or deflect vehicular 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. 4. **Electrical work.** For work within the flash protection boundary as defined by NFPA 70E, high visibility garments constructed of material that complies with NFPA 70E shall be worn.

Subp. 5. [Repealed, 31 SR 517]

Statutory Authority: *MS s 182.655*

History: *12 SR 634; 25 SR 1241; 31 SR 517; 40 SR 750*

Published Electronically: *January 7, 2016*

WALKING, WORKING SURFACES**5207.0200 SHIPS LADDERS.**

Subpart 1. **Requirement.** Employers shall replace fixed and portable ladders with ships ladders whenever possible.

The angle of rise of ships ladders shall be between 50 and 60 degrees measured from the horizontal.

Subp. 2. **Soffits.** Where ladders are located one above the other, soffits shall be enclosed except where solid treads and risers are provided.

Subp. 3. **Treads.** Treads shall be uniformly spaced eight to 12 inches vertically. Tread surfaces other than steel grating shall be provided with skid resistance. Treads shall be flat steps that are a minimum of six inches wide and at least 24 inches long.

Subp. 4. **Handrails.** Handrails shall be provided on both sides of ladders and shall be placed to run parallel with stringers and be positioned 12 to 14 inches measured vertically, from the stringers. Handrail diameters shall be 1-1/4 to 1-5/8 inches outside diameter. When ships ladders serve door entrances, handrails shall continue to the door.

Subp. 5. **Stringers.** Ladder stringers shall be at least six inches in depth and permanently attached at terminations.

Statutory Authority: *MS s 182.655*

History: *12 SR 634*

Published Electronically: *June 11, 2008*

5207.0210 SHIPS LADDERS, SPECIAL REQUIREMENTS.

Ships ladders shall be provided in all buildings where mechanical equipment is located on the roof in order to make all equipment accessible to maintenance and inspection personnel. Ships ladders shall be placed at an angle between 50 and 60 degrees measured from the horizontal. The opening in ceilings and building roofs shall have a minimum area of nine square feet and a minimum width of two feet. No ships ladders shall be located in or pass through elevator shafts, elevator penthouses, or elevator machine rooms.

Inside a penthouse, handrails shall continue through ceiling and roof openings to a distance of 36 inches. A guardrail and intermediate rail shall be provided on all open sides with a substantial chain guard on the entrance.

Statutory Authority: *MS s 182.655*

History: *12 SR 634*

Published Electronically: *June 11, 2008*

5207.0250 WALKING, WORKING SURFACES.

Subpart 1. **Labeling floor or wall opening covers.** In those instances where floor or wall opening covers are used, they shall be labeled, "Floor Opening -- Do Not Remove," or "Wall Opening -- Do Not Remove" as applicable with lettering at least two inches in height.

Subp. 2. **Displacement.** Floor or wall opening covers shall be secured against accidental displacement.

Subp. 3. **Tripping and impaling hazards.** Where employees are exposed to tripping or impaling hazards caused by projecting conduit ends, reinforcing rods, pipe ends, or similar objects, these hazards shall be barricaded, guarded, or otherwise covered.

Subp. 4. **Construction stairways.** In addition to the requirements of Code of Federal Regulations, title 29, section 1926.501, semifinished permanent stairways or temporary stairways to a second floor are to be in place before supports or structure to the sixth floor are raised. Similarly, the supports or structure on multifloored buildings shall never be more than five floors ahead of stairways.

A. On steel frame buildings, stairways shall extend to the uppermost floor that has been planked or decked. Ladders for access purposes may be used only above that point.

B. A second means of egress remote from the prime means of egress shall be provided, for emergency use, when any multifloored structure reaches the 30-foot level or the fourth floor.

C. Ladders which meet the requirements of Code of Federal Regulations, title 29, section 1926.450 may be used as a second means of egress.

Subp. 5. [Repealed, 28 SR 1512]

Statutory Authority: *MS s 182.655*

History: *12 SR 634; 28 SR 1512*

Published Electronically: *June 11, 2008*

5207.0260 [Repealed, 22 SR 1162]

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5207.0300 Subpart 1. [Repealed, 42 SR 1015]

Subp. 2. [Repealed, 23 SR 2132]

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5207.0301 [Repealed, 42 SR 1015]

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5207.0302 [Repealed, 42 SR 1015]

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5207.0303 [Repealed, 42 SR 1015]

Published Electronically: *February 27, 2018*

5207.0304 [Repealed, 42 SR 1015]

Published Electronically: *February 27, 2018*

ENVIRONMENTAL CONTROLS**5207.0310 CARBON MONOXIDE MONITORING.**

The employer shall monitor environmental exposure of employees to carbon monoxide whenever internal combustion engines discharge engine exhaust gases indoors or unvented space heaters are operated indoors to ensure that carbon monoxide levels do not exceed those given in Code of Federal Regulations, title 29, section 1926.55, Appendix A. The air monitoring shall be done during initial operation and at least quarterly thereafter and during a period representing highest usage in areas where carbon monoxide exposure is most likely.

Statutory Authority: *MS s 182.655*

History: *12 SR 1754; 21 SR 1897*

Published Electronically: *June 11, 2008*

5207.0320 GAS FIRED MACHINES AND APPLIANCES.

The flame of the gas pilot, burner, or burners in gas fired units shall be protected by a quick acting flame sensitive safeguard that will automatically shut off the fuel supply in case of pilot or burner failure.

Statutory Authority: *MS s 182.655*

History: *12 SR 634*

Published Electronically: *June 11, 2008*

CRANES, HOISTS, AND DERRICKS**5207.0400 CRANES, HOISTS, AND DERRICKS.**

Subpart 1. **Scope.** This part applies to any crane, hoist, or derrick having a maximum rated capacity of one ton or less; to railway and automobile wrecking cranes; skip hoists; hoistlike units used for horizontal pulling only; mine hoists; conveyors and shovels; drag line excavators; backhoes; and any equipment such as mobile scaffolds, towers, and platforms.

Subp. 2. **General requirements.** Cranes, hoists, or derricks within the scope of this part shall meet the requirements of parts 5205.1200 to 5205.1210.

Statutory Authority: *MS s 182.655*

History: *12 SR 634*

Published Electronically: *June 11, 2008*

5207.0410 [Repealed, 37 SR 1807]

Published Electronically: *June 24, 2013*

5207.0500 ENCLOSURES AT CONSTRUCTION OR ENGINEERING PROJECTS.

The ground actually occupied by the building construction operations or engineering project shall be shut off by an enclosure from places accessible to the public. The enclosure shall be such as to avoid any risk that might arise from the fall of any objects whatsoever. Places on the building site that are accessible to the workers shall be protected in a similar manner.

Statutory Authority: *MS s 182.655*

History: *12 SR 634*

Published Electronically: *June 11, 2008*

5207.0510 WELLS, PITS, SHAFTS, AND OTHER SIMILAR SPACES.

All wells, pits, shafts, and other similar spaces shall be barricaded or covered. Upon completion of exploration and similar operations, temporary wells, pits, shafts, and other similar spaces shall be backfilled.

Statutory Authority: *MS s 182.655*

History: *12 SR 634*

Published Electronically: *June 11, 2008*

5207.0520 WARNING SIGNS AT CONSTRUCTION OR ENGINEERING PROJECTS.

Warning signs, or warning signs and red lights shall be conspicuously placed and maintained at all dangerous places on the job.

Statutory Authority: *MS s 182.655*

History: *12 SR 634*

Published Electronically: *June 11, 2008*

5207.0530 SIDEWALK SHEDS.

Whenever a building shall be erected or increased over two stories in height, or whenever a building of more than 25 feet in height is to be demolished upon any street of a municipality on which municipal regulations will not allow sidewalks to be blockaded, the owner, builder, or contractor constructing, repairing, or demolishing the building shall erect and maintain, during the period of construction and repair, a shed which shall extend over not less than one-half the width of the sidewalk and shall have a minimum width of three feet. The side wall toward the building shall be sealed with boards. The roof over the shed shall be constructed to support the approximate load carried, but in no case shall the planks on the roof be less than two inches thick or at least 3/4-inch plywood. The street side of the sidewalk shed shall have a hand and an intermediate rail.

Statutory Authority: *MS s 182.655*

History: *12 SR 634*

Published Electronically: *June 11, 2008*

5207.0540 LIGHTS AT SIDEWALK SHEDS.

Every sidewalk shed shall be kept in good repair, free from unnecessary obstruction, and properly lighted at night. The ends of the sidewalk shed walk shall be marked with red lights on the street side.

Statutory Authority: *MS s 182.655*

History: *12 SR 634*

Published Electronically: *June 11, 2008*

MACHINE GUARDING**5207.0600 LOCKOUT DEVICES.**

Subpart 1. **Electrical power disconnect.** Any main electrical power disconnect means which controls a source of power or material flow shall be locked out with a lockout device whenever employees are maintaining, cleaning, adjusting, or servicing machinery or equipment, if the disconnect is not in clear sight of the employee. A "Do Not Start" tag as described in Code of Federal Regulations, title 29, section 1910.145(f)(4), shall be affixed to all operating controls.

Subp. 2. **Pneumatic and hydraulic lines.** The pressure shall be eliminated from any pneumatic and hydraulic lines that activate a mechanism or machine, and the valve holding back the activating substance shall be locked out before an employee works on that mechanism or machine.

Subp. 3. **Spring tension mechanisms.** Mechanisms under spring tension or compression shall be blocked, clamped, secured in position, or the compression or tension totally relieved before being worked on by an employee.

Subp. 4. **Suspended mechanisms.** Suspended mechanisms or parts that normally cycle through a lower position shall be lowered to the lowest position, and shall be clamped, blocked, or otherwise secured in position before being worked on by an employee.

Subp. 5. **Individual lockouts.** Where more than one employee is engaged in working on machinery or equipment, each employee shall affix the employee's individual lockout device or lock to the disconnect switch or power supply.

Subp. 6. **Exemption.** Utility companies, when working on lines and equipment, will be exempt from this standard but must comply with the requirements of Code of Federal Regulations, title 29, section 1926.950(d).

Statutory Authority: *MS s 182.655*

History: *12 SR 634; 21 SR 1897*

Published Electronically: *June 11, 2008*

5207.0610 MOTOR START BUTTON.

The motor start button on machines with exposed points of operation, pinch points, or nip points shall be physically protected against unintended operation.

Statutory Authority: *MS s 182.655*

History: *12 SR 1754*

Published Electronically: *June 11, 2008*

5207.0620 MACHINE CONTROLS AND EQUIPMENT.

On machines with points of operation, pinch points, or nip points, each machine shall be equipped so it is possible for the operator to cut off the power to each machine without leaving the position at the point of operation.

Statutory Authority: *MS s 182.655*

History: *12 SR 1754*

Published Electronically: *June 11, 2008*

5207.0630 FOOT ACTUATED MACHINES.

The treadle or pedal of foot actuated machines, tools, or equipment shall be physically protected to prevent unintended operation.

Statutory Authority: *MS s 182.655*

History: *12 SR 634*

Published Electronically: *June 11, 2008*

MAINTENANCE AND REPAIR OF EQUIPMENT**5207.0700 COMPRESSED GAS CONTAINERS.**

Valves on compressed gas containers shall be protected from damage while in use or storage.

Statutory Authority: *MS s 182.655*

History: *12 SR 634*

Published Electronically: *June 11, 2008*

5207.0710 PRESSURE HOSES.

All hand held pressure hoses and nozzles that could cause injury when the hose or nozzle is not being held, including air, water, hot water and steam, and all high temperature hoses or nozzles including hot water and steam, shall have a constant pressure control.

Statutory Authority: *MS s 182.655*

History: *12 SR 634*

Published Electronically: *June 11, 2008*

5207.0720 ALTERATION OF TOOLS AND EQUIPMENT.

All tools and equipment, whether powered or manually operated, shall be used only for their intended purpose. Tools and equipment shall not be altered, modified, or used for other than their intended purpose without the manufacturer's written approval, or unless under the direction of a competent person in accordance with accepted engineering requirements to prevent creating an additional hazard.

Statutory Authority: *MS s 182.655*

History: *12 SR 1754*

Published Electronically: *June 11, 2008*

5207.0730 LUBRICATION OF MOVING MACHINERY.

Machinery or equipment shall be shut down during manual lubrication unless access to lubrication fittings is safeguarded or is located far enough away from moving parts that employees cannot contact them.

Statutory Authority: *MS s 182.655*

History: *12 SR 634*

Published Electronically: *June 11, 2008*

5207.0740 SCISSOR POINT PROTECTION.

Scissor points on all rubber tired skid steer equipment including front end loaders shall be guarded to protect the operator.

Statutory Authority: *MS s 182.655*

History: *12 SR 634*

Published Electronically: *June 11, 2008*

SANITATION**5207.0800 PRIVIES AT CONSTRUCTION AND ENGINEERING PROJECTS.**

Privies shall be provided on all construction and engineering projects. Privies shall be placed inside of heated buildings wherever possible to do so. Where privies are not placed inside of heated buildings, provisions shall be made for heating privies to a minimum of heat that can be emitted from the installation of a 1,300 watt heater or other type equivalent heater.

Statutory Authority: *MS s 182.655*

History: *12 SR 634; 21 SR 1897*

Published Electronically: *June 11, 2008*

5207.0810 JOBSITE SHELTER.

Subpart 1. **Definitions.** "Suitable place" means an enclosed shed, designated area within a new or existing structure, or van, panel truck, or mobile home. A "worker day" is equivalent to one person working an eight-hour shift.

Subp. 2. **Scope.** The provisions of this standard apply to those construction projects which have exceeded 30 worker days.

Subp. 3. **Place to change and eat.** From November 1 to March 15 of each winter season, all construction jobs shall be provided with a suitable place for employees to change their clothes and eat their lunch.

Subp. 4. **Size.** The size of jobsite shelters shall be based on the maximum number of employees using the room at one time. The minimum space requirements, in square feet per person, shall be determined by the values as shown below:

- A. 25 or fewer employees, 13 square feet;
- B. 26 to 74 employees, 12 square feet;
- C. 75 to 149 employees, 11 square feet; and
- D. 150 employees and over, ten square feet.

Subp. 5. **Temperature.** Jobsite shelters shall be heated to a temperature of at least 50 degrees Fahrenheit during all periods when the shelter is occupied.

Subp. 6. **Contaminated clothing storage.** If toxic or harmful substances are handled so that work clothes become contaminated, facilities shall be provided so that street clothes and work clothes will not be stored in contact with each other.

Subp. 7. **Lighting.** Jobsite shelters shall be lighted with not less than ten footcandles of light.

Subp. 8. **Crew mobility.** The requirements of this standard can be met by furnishing transportation to a reasonably convenient location which meets the other requirements of this standard.

Statutory Authority: *MS s 182.655*

History: *12 SR 634; 17 SR 1279*

Published Electronically: *June 11, 2008*

5207.0850 MOTORIZED SELF-PROPELLED VEHICLES.

Subpart 1. **Scope.** This part applies to all motorized, self-propelled vehicles used off the highway including industrial type trucks, crawler equipment, and rubber-tired vehicles. This part shall not apply to vehicles with less than a 20 horsepower motor.

Subp. 2. **General requirements.** Motorized, self-propelled vehicles shall meet the requirements of Code of Federal Regulations, title 29, sections 1926.600, 1926.601, and 1926.602.

Subp. 3. **Transportation of employees.** Vehicles being used to transport employees shall be equipped with a seating arrangement securely anchored, a rear-end gate, a guardrail and steps or a ladder for mounting and dismounting.

A. Under no circumstances shall any employee be allowed to ride in a standing position or with arms or legs outside of the vehicle body, or seated on the side fenders, cabs, cabshields, rear of vehicle, or on the load unless such a position is dictated by a job assignment.

B. No explosives, flammable materials, excepting normal fuel supply, or toxic substances shall be transported in the passenger carrying area of vehicles carrying employees.

C. No vehicle transporting employees shall be moved until the driver has ascertained that all employees are seated and required guardrails and end gates are in place and doors closed.

D. No employee shall be allowed to get on or off any vehicle while it is in motion.

Subp. 4. **Vehicle inspection.** Code of Federal Regulations, title 29, section 1926.601(b)(14), shall apply to all vehicles covered in Code of Federal Regulations, title 29, section 1926.602.

Statutory Authority: *MS s 182.655*

History: *21 SR 1897*

Published Electronically: *June 11, 2008*

VEHICLES

5207.0900 POWERED INDUSTRIAL TRUCK OPERATIONS.

Subpart 1. **Restricted use.** All industrial trucks designed and constructed solely for use on solid hard level surfaces shall be restricted to such operations.

Subp. 2. **Surface condition.** All solid hard level surfaces must be free of cracks, irregularities, or holes that could upset the balance of the industrial truck.

Subp. 3. **Load positioning.** When a fork truck operator is positioning a load in an area that is not fully visible to the fork truck operator, the operator shall be assisted by a designated person who shall direct the safe placing of the load by using predetermined signals.

Statutory Authority: *MS s 182.655*

History: *12 SR 634; 21 SR 1897*

Published Electronically: *June 11, 2008*

5207.0910 SERVICING MULTIPIECE AND SINGLE PIECE RIM WHEELS.

Subpart 1. **Scope.** This subpart applies to the servicing of multipiece and single piece rim wheels used on large vehicles such as trucks, tractors, off road machines, and similar vehicles used on construction sites. It does not apply to the servicing of rim wheels used on automobiles or pickup trucks and vans using automobile tires or truck tires designated "LT."

Subp. 2. **General requirements.** Servicing of multipiece and single piece rim wheels on large vehicles on construction sites shall meet the requirements of Code of Federal Regulations, title 29, section 1910.177.

Statutory Authority: *MS s 182.655*

History: *12 SR 634*

Published Electronically: *June 11, 2008*

5207.1000 OPERATION OF MOBILE EARTH-MOVING EQUIPMENT.

Subpart 1. **Scope.** This part identifies minimum safety requirements for the safe operation of mobile earth-moving equipment used for earth moving, building, or road construction or demolition, including, but not limited to, bulldozers, motor graders, scrapers, loaders, skid-steer loaders, compaction equipment, backhoes, end dumps, side dumps, and dump trucks. This part pertains to operators of the equipment and exposed employees, including, but not limited to, grade checkers, grade persons, rod persons, stake hops, stake jumpers, and blue toppers working in the area.

Subp. 2. Training requirements.

A. Mobile earth-moving equipment operators and all other employees working on the ground exposed to mobile earth-moving equipment shall be trained in the safe work procedures pertaining to mobile earth-moving equipment and in the recognition of unsafe or hazardous conditions.

B. Training programs shall be developed and instructed by competent individuals who have knowledge, training, experience, and the demonstrated ability to identify existing and predictable hazards related to the subject matter.

C. Training programs must include the following elements:

(1) safe work procedures on how to approach mobile earth-moving equipment, whether in use or idling, including:

(a) visual, voice, or signal communication that shall be made with the operator prior to approaching earth-moving equipment;

(b) maintaining one's visibility to the operator while approaching the equipment;
and

(c) operator responsibilities, such as placing the transmission in neutral, setting the parking brake, and indicating that it is safe to approach the equipment;

(2) identification of the operator's blind spots on various earth-moving equipment used;

(3) instruction for mobile earth-moving equipment operators in conducting daily equipment inspections according to the manufacturer's recommendations, and checking the area around the equipment for a clear path prior to beginning operation;

(4) safe operating procedures of equipment, including traveling, backing, parking, loading for transport, maintenance, and operation;

(5) safe work procedures when working around or adjacent to overhead or underground utilities, as described in Code of Federal Regulations, title 29, parts 1926.600(a)(6) and 1926.651(b); and

(6) additional hazards that could be created by changing conditions.

Subp. 3. **Training frequency.** Employees shall be trained initially before beginning work that exposes them to mobile earth-moving equipment. Employee training records shall be retained by the employer for the duration of the project.

Subp. 4. **High visibility personal protective equipment.**

A. Each employee working on the ground who is exposed to mobile earth-moving equipment shall be provided with and required to wear a high visibility warning vest or other high visibility garments. A high visibility garment is defined as being a Performance Class 2 garment or greater as specified by ANSI/ISEA Standard 107-2004.

B. High visibility apparel, as described in item A, shall comply with the specifications in part 5207.0100.

Subp. 5. **Equipment requirements.**

A. All mobile earth-moving equipment shall comply with Code of Federal Regulations, title 29, part 1926.602(a)(9)(ii) for back-up alarms or signal persons if applicable.

B. When mobile earth-moving equipment is operated during times of darkness or low light conditions, the equipment, if designed to function equally in both forward and reverse directions, such as compaction equipment, bulldozers, motor graders, loaders, and skid-steer loaders, shall be equipped with at least two headlights for forward travel and adequate rear lights for reverse travel unless other adequate lighting is provided.

Subp. 6. **Contractor responsibility.**

A. If the mobile earth-moving equipment contractor exposes other contractor's employees to the hazard of mobile earth-moving equipment, the controlling employer, such as general contractor or construction manager, for the project shall coordinate a joint contractor-employee safety awareness meeting between contractors and employees on site. Discussion elements for employee awareness training can be found in subparts 2, item C; and 4.

B. The employee safety awareness meeting shall be documented, identifying when the meeting was held and who attended, including a brief summary of what was reviewed. Documentation shall be retained for the duration of the project.

Subp. 7. **Electrical work.** For work within the flash protection boundary as defined by NFPA 70E, high visibility garments constructed of material that complies with NFPA 70E may be worn.

Subp. 8. [Repealed, 31 SR 517]

Statutory Authority: *MS s 182.655*

History: *24 SR 519; 25 SR 1241; 31 SR 517; 40 SR 750*

Published Electronically: *January 7, 2016*

5207.1100 ELEVATING WORK PLATFORM EQUIPMENT.

Subpart 1. **Scope.** This part applies to boom-supported elevating work platforms and personnel elevating platforms supported by rough-terrain forklift trucks, which are used to position personnel to various work locations. This part does not apply to nonarticulating scissor-type elevating work platforms or firefighting equipment.

Subp. 2. **Fall protection.** An employee, while occupying a boom-supported elevated work platform or a personnel elevating platform supported by a rough-terrain forklift truck, shall be protected from falling by the use of personal fall arrest systems that meet the requirements of Code of Federal Regulations, title 29, section 1926.502 (d), or positioning device systems that meet the requirements of Code of Federal Regulations, title 29, section 1926. 502 (e).

Statutory Authority: *MS s 182.655*

History: *33 SR 772*

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