

803 KAR 2:404. Personal protective and lifesaving equipment.

RELATES TO: KRS 338.051(3), 338.061, 29 C.F.R. 1926.95-1926.107

STATUTORY AUTHORITY: KRS 338.051(3), 338.061

NECESSITY, FUNCTION, AND CONFORMITY: KRS 338.051(3) requires the Kentucky Occupational Safety and Health Standards Board to promulgate occupational safety and health administrative regulations. 29 C.F.R 1926.95 to 1926.107 establish the federal requirements relating to personal protective and lifesaving equipment. This administrative regulation establishes personal protective and lifesaving equipment standards to be enforced by the Division of Occupational Safety and Health Compliance in the construction industry.

Section 1. Definitions. (1) "Assistant Secretary" means Secretary of Labor, Kentucky Labor Cabinet or Commissioner of the Department of Workplace Standards.

(2) "C.F.R." means Code of Federal Regulations.

(3) "Employee" is defined in KRS 338.015(2).

(4) "Employer" is defined in KRS 338.015(1).

(5) "OSHA" means the Occupational Safety and Health Administration or the Kentucky Division of Occupational Safety and Health.

Section 2. The construction industry shall comply with the following federal regulations published by the Office of the Federal Register, National Archives and Records Services, except as modified by the definitions in Section 1 of this administrative regulation:

(1) 29 C.F.R. 1926.95 through 29 C.F.R. 1926.107, revised July 1, 2015; and

(2) The amendments to 29 C.F.R. 1926.102 as published in the March 25, 2016 Federal Register, Volume 81, Number 58. (16 Ky.R. 705; eff. 12-15-1989; 20 Ky.R. 2707; eff. 5-11-1994; 21 Ky.R. 2264; eff. 4-20-1995; 22 Ky.R. 1731; eff. 5-16-1996; 23 Ky.R. 3941; eff. 7-17-1997; 25 Ky.R. 1170; eff. 1-19-1999; TAm eff. 8-9-2007; 34 Ky.R. 2047; 2286; eff. 5-2-2008; TAm eff. 9-8-2011; 40 Ky.R. 155; eff. 10-4-2013; 2841; eff. 9-5-2014; 42 Ky.R. 2972; eff. 9-2-2016.)