

**LABOR CABINET**  
**Department of Workplace Standards**  
**Division of Occupational Safety and Health Compliance**  
**Division of Occupational Safety and Health Education and Training**  
**(As Amended at ARRS, April 13, 2021)**

**803 KAR 2:405. Fire protection and prevention.**

RELATES TO: KRS 338.051(3), 338.061, 29 C.F.R. 1926.150-159

STATUTORY AUTHORITY: KRS 338.051~~[(3)]~~, 338.061

NECESSITY, FUNCTION, AND CONFORMITY: KRS 338.051(3) requires ~~[and 338.061 require]~~ the Kentucky Occupational Safety and Health Standards Board to ~~[adopt and]~~ promulgate occupational safety and health administrative regulations and authorizes the chairman to reference federal standards without board approval if necessary to meet federal time requirements. KRS 338.061 authorizes the board to establish, modify, or repeal standards and reference federal standards. This administrative regulation establishes standards that are ~~[to be]~~ enforced by the Department of Workplace Standards in ~~[Division of Occupational Safety and Health Compliance in the area of]~~ construction.

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

(2) "C.F.R." means Code of Federal Regulations. ~~["Director" means Director, Division of Occupational Safety and Health Compliance, Kentucky Labor Cabinet.~~

~~(3) "U.S. Department of Labor" means Kentucky Labor Cabinet or U.S. Department of Labor.]~~

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

(4) "Employer" is defined by KRS 338.0151(1).

Section 2. Except as **established**~~[**modified by the definitions**]~~ in Section 1 of this administrative regulation, the construction industry shall comply with 29 C.F.R. 1926 Subpart F, Fire Protection and Prevention ~~[the following federal requirements]~~ published in the Office of the Federal Register, National Archives and Records Services, General Services Administration [:

~~(1) 29 C.F.R. 1926.150 through 1926.159, revised July 1, 2011; and~~

~~(2) The amendments to Subpart F of 29 C.F.R. 1926 as published in the March 26, 2012 Federal Register, Volume 77, Number 58].~~

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