

**803 KAR 2:407. Adoption of 29 C.F.R. Part 1926.250-252.**

RELATES TO: KRS Chapter 338, 29 C.F.R. 1926.250-1926.252

STATUTORY AUTHORITY: KRS 338.051, 338.061

NECESSITY, FUNCTION, AND CONFORMITY: KRS 338.051 and 338.061 require the Kentucky Occupational Safety and Health Standards Board to adopt and promulgate occupational safety and health administrative regulations. This administrative regulation establishes standards to be enforced by the Division of Occupational Safety and Health Compliance in the area of construction.

Section 1. Definitions. (1) "Act" means KRS Chapter 338.

(2) "Assistant Secretary of Labor" means Secretary, Labor Cabinet or Commissioner, Department of Workplace Standards, Labor Cabinet.

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

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

(5) "Employer" is defined by KRS 338.015(1).

(6) "Established federal standard" is defined by KRS 338.015(10).

(7) "National consensus standard" is defined by KRS 338.015(9).

(8) "Secretary of Labor" means Secretary, Labor Cabinet, or Commissioner, Department of Workplace Standards, Labor Cabinet.

(9) "Standard" means "occupational safety and health standard" as defined by KRS 338.015(3).

(10) "U.S. Department of Labor" means U.S. Department of Labor or Kentucky Labor Cabinet, U.S. 127 South, Frankfort, Kentucky 40601.

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

(1) 29 C.F.R. 1926.250 through 29 C.F.R. 1926.252, revised July 1, 2012; and

(2) The amendment to 29 C.F.R. 1926.251 as published in the February 15, 2013 Federal Register, Volume 78, Number 32. (16 Ky.R. 1100; eff. 12-15-89; Am. 20 Ky.R. 2714; eff. 5-11-94; 21 Ky.R. 2268; eff. 4-20-95; TAm eff. 8-9-2007; TAm eff. 9-8-2011; 38 Ky.R. 114; eff. 10-7-11; 38 Ky.R. 2042; 39 Ky.R. 217; eff. 8-31-2012; 40 Ky.R. 157; 545; eff. 10-4-2013.)