

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 2:410. Electrical.

RELATES TO: KRS 338.051, 338.061, 29 C.F.R. 1926.400-449

STATUTORY AUTHORITY: KRS 338.051(3), 338.061~~[, 29 C.F.R. 1926]~~

NECESSITY, FUNCTION, AND CONFORMITY: KRS 338.051(3) requires ~~[and 338.061 authorize]~~ 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. ~~[Express authority to incorporate by reference established federal standards and national consensus standards is also given to the board. The following]~~ This administrative regulation establishes [contains these] standards that are [to be] enforced by the Department of Workplace Standards in construction[Division of Occupational Safety and Health Compliance in the area of construction].

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

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

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

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

(5) "Standard" means "occupational safety and health standard" as defined by [is defined in] KRS 338.015(3).

Section 2. Except as **established in [modified by]** Section 1 of this administrative regulation, the construction industry shall comply with 29 C.F.R. 1926 Subpart K, Electrical, published by the Office of the Federal Register, National Archives and Records Services, General Services Administration [Incorporation by Reference. (1) The following material is incorporated by reference:

(a) ~~29 C.F.R. 1926.400-.449 revised as of July 1, 1996, published by the Office of the Federal Register, National Archives and Records Services, General Services Administration is incorporated by reference.~~

(b) ~~The amendment to 29 C.F.R. 1926 Subpart K, "Electrical" as published in the Federal Register, Volume 61, Number 156, August 12, 1996 is incorporated by reference.~~

(2) ~~This material may be inspected and copied at: Kentucky Labor Cabinet, Division of Education and Training, U.S. 127 South, Frankfort, Kentucky 40601. Office hours are 8 a.m. - 4:30 p.m. (EST), Monday through Friday].~~

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