

## **803 KAR 2:413. Subpart N - Helicopters, hoists, elevators, and conveyors.**

RELATES TO: KRS Chapter 338, 29 C.F.R. 1926.550-556

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 rules, administrative regulations, and standards. The following administrative regulation contains those 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 in KRS 338.015(10).

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

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

(9) "Standard" is defined in 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. 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. 1926.550 - 1926.556, revised July 1, 2010; and

(2) The revision of 29 C.F.R. 1926.550 and .553 as published in the August 9, 2010 Federal Register, Volume 75, Number 152.

Section 3. (1) The language in paragraph (2) of this subsection shall apply in lieu of 29 C.F.R. 1926.552(b)(8).

(2) All material hoists shall conform to the requirements of ANSI A10.5-1969, Safety Requirements for Material Hoists, with the exception that material hoists manufactured prior to January 1, 1970 may be used with a drum pitch diameter at least eighteen (18) times the normal rope diameter provided the hoisting wire rope is at least equal in flexibility to 6 x 37 classification wire rope. (16 Ky.R. 714; eff. 12-15-89; Am. 17 Ky.R. 1858; eff. 1-6-91; 20 Ky.R. 2720; eff. 5-11-94; 21 Ky.R. 2271; eff. 4-20-95; TAm eff. 8-9-2007; 37 Ky.R. 1065; eff. 1-3-2011; 37 Ky.R. 1065; eff. 1-3-2011.)