

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 2:414. Motor vehicles, mechanized equipment, and marine operations.

RELATES TO: KRS 338.051, 338.061, 29 C.F.R. 1926.600-606

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 ~~[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 ~~[The following]~~ administrative regulation establishes ~~[contains these]~~ 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.

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

~~(3)[(4)]~~ "Employer" is defined by KRS 338.015(1).

~~(4)[(5)]~~ "Standard" **means "occupational safety and health standard" as**~~[is]~~ defined by KRS 338.015(3).

Section 2. Except as established ~~[by the definitions]~~ in Section 1 of this administrative regulation, the construction industry shall comply with 29 C.F.R. 1926 Subpart O, Motor Vehicles, Mechanized Equipment, and Marine Operations ~~[the following federal regulations]~~ published by the Office of the Federal Register, National Archives and Records Services, General Services Administration~~]:~~

~~(1) 29 C.F.R. 1926.600-1926.606, revised July 1, 2010; and~~

~~(2) The revision of 29 C.F.R. 1926.600 as published in the August 9, 2010 Federal Register, Volume 75, Number 152].~~

CONTACT PERSON: Robin Maples, OSH Standards Specialist, Kentucky Department of Workplace Standards, 500 Mero Street, Frankfort, Kentucky 40601, phone (502) 564-4107, fax (502) 564-4769, email Robin.Maples@ky.gov.