Technical Amendment
November 10, 2022
EDUCATION AND LABOR CABINET
(Technical Amendment)

803 KAR 2:313. Materials handling and storage.

RELATES TO: KRS 338.051(3), 338.061, 29 C.F.R. 1910.176-1910.184
STATUTORY AUTHORITY: KRS 338.051(3), 338.061, 29 C.F.R. 1910.176-1910.184
NECESSITY, FUNCTION, AND CONFORMITY: KRS 338.051(3) and 338.061 require the Kentucky Occupational Safety and Health Standards Board to promulgate occupational safety and health administrative regulations. KRS 338.051(3) authorizes the chairman of the board to adopt established federal standards without board approval if necessary to meet federal time requirements. This administrative regulation establishes standards for materials handling and storage to be enforced by the Division of Occupational Safety and Health Compliance in the area of general industry.

Section 1. Definitions Applicable to this Part.
(1) "Act" means KRS Chapter 338.
(2) "Assistant Secretary of Education and Labor" means Secretary, Education and Labor Cabinet, or Commissioner, Department of Workplace Standards, Education and Labor Cabinet.
(3) "Standard" is defined by KRS 338.015(3).
(4) "U.S. Department of Labor" means the Kentucky Education and Labor Cabinet or the U.S. Department of Labor.

Section 2. Except as modified by the definitions in Section 1 of this administrative regulation, general 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. Subpart N, 1910.176 through 1910.184, revised July 1, 2016; and
(2) The revisions to Subpart N as published in the November 18, 2016 Federal Register, Volume 81, Number 223.

(16 Ky.R. 695; eff. 12-15-1989; 17 Ky.R. 1849; eff. 1-6-1991; 20 Ky.R. 2697; eff. 5-11-1994; 23 Ky.R. 1714; eff. 12-13-1996; 25 Ky.R. 2448; eff. 6-16-1999; 26 Ky.R. 652; 1008; eff. 11-15-1999; TAm eff. 8-9-2007; 38 Ky.R. 101; 597; eff. 10-7-2011; 38 Ky.R. 2023; 39 Ky.R. 212; eff. 8-31-2012; 43 Ky.R. 1273, 1563; eff. 3-31-2017; TAm eff. 11-10-2022; Crt eff. 3-28-2024.)

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