

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

803 KAR 2:316. Welding, cutting, and brazing.

RELATES TO: KRS 338.051, 338.061, 29 C.F.R. 1910.251-1910.255

STATUTORY AUTHORITY: KRS 338.051, 338.061

NECESSITY, FUNCTION, AND CONFORMITY: KRS 338.051(3) requires the Kentucky Occupational Safety and Health Standards Board to 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 administrative regulation establishes the welding, cutting, and brazing standards that are enforced by the Department of Workplace Standards in general industry.

Section 1. Definitions.

(1) "Act" means KRS Chapter 338.

(2) "Assistant secretary" means Secretary of Education and Labor, Commonwealth of Kentucky, or Commissioner, Department of Workplace Standards, Education and 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) "Standard" means "occupational safety and health standard" as defined by KRS 338.015(3).

(7) "U.S. Department of Labor" means Kentucky Education and Labor Cabinet, 500 Mero Street, 3rd Floor, Frankfort, Kentucky 40601, 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 federal requirements published by the Office of the Federal Register, National Archives and Records Services, General Services Administration 29 C.F.R. 1910.251-1910.255.

(16 Ky.R. 698; eff. 12-15-1989; 17 Ky.R. 1851; eff. 1-6-1991; 23 Ky.R. 1720; eff. 12-13-1996; 25 Ky.R. 1159; eff. 1-19-1999; 33 Ky.R. 1721; 2301; eff. 3-9-2007; 35 Ky.R. 1300; 1757; eff. 3-6-2009; 37 Ky.R. 151; eff. 10-1-2010; 38 Ky.R. 2025; eff. 8-31-2012; 46 Ky.R. 2834; 47 Ky.R. 318; eff. 11-4-2020; TAm eff. 11-10-2022.)

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