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

803 KAR 2:318. Electrical.

RELATES TO: KRS 338.051, 338.061, 29 C.F.R. 1910.301-1910.399
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 promulgate occupational safety and health administrative regulations. 29 C.F.R. 1910.301-1910.399 establishes the federal requirements relating to electrical safety. This administrative regulation establishes electrical safety standards to be enforced by the Division of Occupational Safety and Health Compliance in general industry.

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

Section 2.
(1) General industry shall comply with the following federal regulations published by the Office of the Federal Register, National Archives and Records Services, General Services Administration, except as modified by the definitions established in Section 1 and the requirements in Section 3 of this administrative regulation:
(a) 29 C.F.R. 1910.301 through 29 C.F.R. 1910.399, and Appendices, revised July 1, 2015; and
(b) The amendments to 29 C.F.R. 1910.331 as published in the October 5, 2015 Federal Register, Volume 80, Number 192.
(2) The term "may not" as used in the federal regulations shall be considered a prohibition.

Section 3. 29 C.F.R. 1910.333(b)(2)(iii)(C) is amended to read as follows: "If a lock cannot be applied, tagging procedures shall provide a level of safety equivalent to that obtained by the use of a lock, as outlined in paragraph (b)(2)(iii)(D)."
(16 Ky.R. 700; eff. 12-15-1989; 20 Ky.R. 2700; eff. 5-11-1994; 23 Ky.R. 1724; eff. 12-13-1996; 31 Ky.R. 1595; 1818; eff. 5-26-2005; 33 Ky.R. 3053; 3378; eff. 6-1-2007; 37 Ky.R. 1053; eff.1-3-2011; TAm eff. 9-8-2011; 40 Ky.R. 2837; eff. 9-5-2014; 42 Ky.R. 2960; eff. 9-2-2016; TAm eff. 11-10-2022; Crt eff. 8-31-2023.)
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