

**Technical Amendment**  
**November 10, 2022**  
**EDUCATIO NAND LABOR CABINET**  
**(Technical Amendment)**

**803 KAR 2:406. Signs, signals, and barricades.**

RELATES TO: KRS Chapter 338, 29 C.F.R. 1926.200-1926.203

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 and authorizes the chairman of the board 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 standards enforced by the Department of Workplace Standards in the construction industry.

Section 1. Definitions.

- (1) "Administration" means the Kentucky Occupational Safety and Health Program, Frankfort, Kentucky.
- (2) "Area director" means Director, Division of Occupational Safety and Health Compliance, Kentucky Education and Labor Cabinet.
- (3) "Assistant secretary" means Secretary, Education and Labor Cabinet, or Commissioner, Department of Workplace Standards, Education and Labor Cabinet.
- (4) "U.S. Department of Labor" means Kentucky Education and Labor Cabinet, 500 Mero Street, 3rd Floor, Frankfort, Kentucky 40601, or U.S. Department of Labor.

Section 2. Except as modified by the definitions in Section 1 of this administrative regulation, 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. 1926.200-1926.203;
  - (2) The revisions to 29 C.F.R. 1926.200-1926.202 as published in the June 13, 2013 Federal Register, Volume 78, Number 114, and confirmed and corrected in the November 6, 2013 Federal Register, Volume 78, Number 215; and
  - (3) The amendments to 29 C.F.R. 1926.200-1926.203 as published in the May 14, 2019 Federal Register, Volume 84, Number 93.
- (16 Ky.R. 710; eff. 12-15-89; Am. 20 Ky.R. 2713; eff. 5-11-94; 29 Ky.R. 2355; eff. 5-15-03; TAm eff. 8-9-2007; TAm eff. 9-8-2011; 40 Ky.R. 2843; 41 Ky.R. 271; eff. 9-5-2014; 46 Ky.R. 2715; 47 Ky.R. 63; eff. 9-29-2020; TAm eff. 11-10-2022.)

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