



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH  
Michigan Occupational Safety & Health Administration  
(MIOSHA)

ANDREW S. LEVIN  
ACTING DIRECTOR

**MIOSHA Construction Safety Standard  
Part 22 Signs, Signals, Tags, and Barricades  
Advisory Committee Meeting**

**February 23, 2011, 9:30 A.M.  
State Secondary Complex, 7150 Harris Drive, Lansing, Michigan, 48909  
General Office Building, Conference Room B**

**MEETING MINUTES**

**ADVISORY COMMITTEE MEMBERS PRESENT:**

Patrick Brown	Michigan Infrastructure and Transportation Association
Jim Gaus	Michigan Department of Transportation
Andy Schirk	Retired from International Union of Elevator Constructors Local 85

**MIOSHA STAFF PRESENT:**

Daniel Dykstra	Standards Section
Debbie Merryfield	Standards Section
John Stewart	Construction Safety and Health Division

**VISITORS:**

Jim Shea	P.K. Contracting
----------	------------------

**Call to Order, Welcome, and Introductions**

The February 23, 2011 Construction Safety Part 22 Signs, Signals, Tags, and Barricades advisory committee meeting was called to order by MIOSHA Standards Analyst Debbie Merryfield. Ms. Merryfield welcomed everyone. All committee members introduced themselves.

**Committee Logistics**

MIOSHA Standards Program Manager Daniel Dykstra reviewed the following:

- a. Guidelines for Advisory Committee Function
- b. Code of Conduct
- c. Conflict of Interest Policy
- d. Travel Expense Vouchers
- e. Rule Promulgation Process

DELEG is an equal opportunity employer/program. Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.

Ms. Merryfield explained that the advisory committee was only convening to determine if the 2011 edition of the Michigan Manual on Uniform Traffic Control Devices (MMUTCD) should be adopted into Construction Safety Part 22 to replace the reference to the 2005 edition of the MMUTCD.

### **Review of Proposed 2011 MMUTCD & Adoption into CS Part 22**

All members of the advisory committee reviewed the document titled “Future MMUTCD Proposed Changes” and discussed how any changes may impact Construction Safety Part 22. The committee determined that none of the proposed changes to the MMUTCD would affect MIOSHA’s ability to reference the MMUTCD in Construction Safety Part 22, however, Mr. Jim Gaus proposed several changes that would make language in Part 22 more consistent with regulations in the MMUTCD.

The committee proposed removing metric measurements from R 408.42222(4) and R 408.42222(6). The MMUTCD does not use metric measurements. For the diagram in R 408.42222(6) see MDOT R1.1a appropriate dimensions in inches, provided by Mr. Gaus.

The committee proposed removing the reference to the MMUTCD in R 408.42222(7) for lighting and reference MIOSHA Construction Safety Part 1, General Rules, R 408.40133(1) instead. The MMUTCD directs readers to see MIOSHA Construction Safety Part 1, General Rules for illumination requirements.

The committee determined that R 408.42222(8) was out of date and no longer reflected the appropriate apparel requirements. The committee proposed the following new language for R 408.42222(8):

*An employer shall provide, and a traffic regulator shall wear, high-visibility safety apparel that meets the Performance Class 2 or 3 requirements of the ANSI/ISEA 107-2004 publication entitled “High-Visibility Safety Apparel and Headwear” (see Section IA.11), or equivalent revisions, and labeled as meeting the ANSI 107-2004 standard performance for Class 2 or 3 risk exposure. See Appendix.*

The committee proposed removing R 408.42222(11) entirely. This subrule is not enforceable.

The committee determined that the Appendix to Part 22 was out of date and no longer reflected the appropriate apparel requirements. Class 1 vests and jackets are no longer accepted per R 4083.42222(8).

### **Public Comment**

Visitor Mr. Jim Shea and Advisory Committee Member Mr. Patrick Brown would like to propose additional changes to Part 22, specifically regarding R 408.42225. Mr. Brown will draft a letter to the Construction Safety Standards Commission (CSSC) to ask that the charge for the Part 22 advisory committee be broadened to address specific concerns regarding the placement of traffic control devices from a moving vehicle.

Mr. Shea expressed concern for the safety of workers due to the delayed timeline for moving Part 22 through the regulatory process. Mr. Dykstra explained that we cannot move forward with the adoption of the new edition of the MMUTCD until the new edition becomes effective, which may not be until December 2011. Mr. Dykstra suggested that Mr. Shea continue with the process to obtain a variance until the CSSC agrees to broadening the charge of the Part 22 Advisory Committee.

#### **Other Business**

Mr. Gaus asked Mr. John Stewart if he finds many untrained traffic regulators while conducting MIOSHA enforcement inspections. Mr. Stewart responded that training is hard to determine unless an inspector observes a traffic regulator violating MIOSHA or MDOT regulations. Mr. Gaus proposed that the committee review the MDOT "Traffic Regulator's Instruction Manual" at a future meeting and determine if the manual should be referenced in Part 22.

#### **Adjournment**

With no further business before the advisory committee, the meeting was adjourned.