

DEPARTMENT OF LABOR AND ECONOMIC GROWTH LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

CONSTRUCTION SAFETY STANDARDS

FILED WITH THE SECRETARY OF STATE ON SEPTEMBER 17, 2013

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306.

Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By authority conferred on the director of the department of labor and economic growth licensing and regulatory affairs by sections 19 and 21 of 1974 PA 154, and Executive Reorganization Order Nos. **1996-2, 2003-1, 2008-4, and 2011-4, MCL 445.2001, 445.2011, 445.2025, and 445.2030**)  
~~1996-2 and 2003-18, MCL 408.1019, 408.1021, 445.2001, and 445.2014~~)

R 408.43205, R 408.43206, R 408.43208, R 408.43212, R 408.43214, and R 408.43216 of the Michigan Administrative Code are amended, and R 408.43203 of the Code is rescinded as follows:

PART 32. AERIAL WORK PLATFORMS

R 408.43203 ~~Employer and employee responsibility.~~ **Rescinded.**

~~Rule 3203. (1) An employer shall do all of the following:~~

~~(a) Provide training to employees in the operations, hazards, safeguards and safe practices described in these rules by a qualified person.~~

~~(b) Ensure that employees do not engage in the activities to which these rules apply until such employees have received training.~~

~~(c) Maintain an aerial device in a condition free of known defects and hazards which could cause an injury.~~

~~(2) An employee shall do both of the following:~~

~~(a) Operate an aerial device only after being trained in the operations, hazards, safeguards and safe practices required by these rules by a qualified person and authorized by the employer.~~

~~(b) Report known defects and hazards concerning an aerial device to the supervisor.~~

R 408.43205 Construction.

Rule 3205. (1) Aerial work platforms shall be designed, constructed, and tested so as to be in compliance with the requirements of the following applicable American national standards institute standards:

(a) ANSI standard A92.2, 2002 edition, "Vehicle-Mounted Elevating and Rotating Aerial Devices."

(b) ANSI standard A92.3, 2006 edition, "Manually Propelled Elevating Aerial Platforms."

(c) ANSI standard A92.5, 2006 edition, "Boom-Supported Elevating Work Platforms."

(d) ANSI standard A92.6, 1999 edition, "Self-Propelled Elevating Work Platforms."

These standards are adopted by reference in R 408.43204a.

(2) Aerial work platforms shall not be field-modified for uses other than those intended by the manufacturer, unless the modification has been certified in writing by the manufacturer or by any other equivalent entity, such as a nationally recognized testing laboratory, to be in compliance with the applicable ANSI standard and this rule, and to be at least as safe as the equipment was before modification.

~~(3) Directional controls shall be in compliance with all of the following provisions:~~

~~(a) Be of the type that will automatically return to the off or neutral position when released.~~

~~(b) Be protected against inadvertent operation.~~

~~(c) Be clearly marked as to their intended function.~~

~~(d) An overriding control shall be provided in the platform which must be continuously activated for platform directional controls to be operational and which automatically returns to the off position when released.~~

**(3)** ~~(4)~~ Aerial work platforms shall be equipped with emergency controls at ground level.

**(4)** ~~(5)~~ Emergency ground level controls shall be clearly marked as to their intended function and be capable of overriding the platform controls.

~~(6) All of the following information shall be clearly marked in a permanent manner on each aerial work platform:~~

~~(a) Special workings, cautions, or restrictions necessary for operation.~~

~~(b) Rated work load.~~

~~(c) A clear statement of whether or not the aerial work platform is electrically insulated.~~

~~(7) Rotating shafts, gears, and other moving parts that are exposed to contact shall be guarded, as prescribed in general industry safety standard Part 7. "Guards for Power Transmission," R 408.10701 to R 408.10765.~~

**(5)** ~~(8)~~ Attachment points shall be provided for fall protection devices for personnel who occupy the platform on aerial work platforms described in R 408.43202 (a) and (c). (See figures 1 and 3).

R 408.43206 Inspection; maintenance; testing. **Insulated aerial device testing**

Rule 3206. An employer shall comply with all of the following requirements:

~~(a) Each aerial work platform shall be inspected, maintained, repaired, and kept in proper working condition in accordance with the manufacturer's or owner's operating or maintenance and repair manual or manuals.~~

~~(b) Any aerial work platform found not to be in a safe operating condition shall be removed from service until repaired. All repairs shall be made by an authorized person in accordance with the manufacturer's or owner's operating or maintenance and repair manual or manuals.~~

~~(c) If the aerial work platform is rated and used as an insulated aerial device, an employer shall test the electrical insulating components shall be tested for compliance with the rating of the aerial work platform in accordance with ANSI standard A92.2, 2002 edition, which is was adopted in R 408.43204a. Such testing shall comply with all of the following provisions:~~

~~(a) (i) The test shall be performed not less than annually.~~

~~(b) (ii) Written, dated, and signed test reports shall be made available by the employer for examination by a department representative.~~

~~(c) (iii) The insulated portion of an aerial device shall not be altered in any manner that might reduce its insulating value.~~

~~(d) All danger, caution, and control markings and operational plates shall be legible and not obscured.~~

R 408.43208 Preoperational procedures

Rule 3208. ~~(1) An operator shall inspect an aerial work platform for defects that would affect its safe operation and use before it is used on each work shift. The visual inspection shall consist of all of the following procedures:~~

~~(a) Visual inspection for all of the following:~~

~~(i) Cracked welds.~~

~~(ii) Bent or broken structural members.~~

~~(iii) Hydraulic or fuel leaks.~~

~~(iv) Damaged controls and cables.~~

~~(v) Loose wires.~~

~~(vi) Tire condition.~~

~~(vii) Fuel and hydraulic fluid levels.~~

~~(viii) Slippery conditions on the platform.~~

~~(b) Operate all platform and ground controls to ensure that they perform their intended function.~~

~~(2) Before the aerial work platform is used, and during use on the job site, the operator shall inspect for all of the following:~~

~~(a) Ditches.~~

~~(b) Drop-offs.~~

~~(c) Holes.~~

~~(d) Bumps and floor obstructions.~~

~~(e) Debris.~~

~~(f) Overhead obstructions.~~

~~(g) Power lines.~~

~~(h) Similar conditions to those specified in subdivisions (a) to (g) of this subrule. The area around the aerial work platform shall also be inspected to assure clearance for the platform and other parts of the unit.~~

~~(3) All unsafe items found as a result of the inspection of the aerial work platform or work area shall be corrected before further use of the aerial work platform.~~

~~(1) (4) The employer shall ensure before the commencement of operations near power lines and when the clearances cannot be maintained as specified in Tables 1-3, that the owner, owner representative, or utility are notified with all pertinent information about the job.~~

~~(2) (5) Any overhead wire shall be considered to be an energized line until the owner of the line, his or her authorized representative, or a utility representative assures either one of the following:~~

~~(a) The line is de-energized and has been visibly grounded.~~

~~(b) The line is insulated for the system voltages and the task will not compromise the insulation of the conductor and/or cause an electrical hazard.~~

R 408.43212 Vehicles; traffic control.

Rule 3212. (1) Before moving a vehicle supporting an aerial ladder for highway travel, employees shall secure ladders in the lower position and shall use the manually operated device at the base of the ladder, or other effective means to prevent elevation or rotation of the ladder.

(2) Before moving a vehicle supporting an aerial lift for travel, employees shall inspect the boom to ensure that it is properly cradled and the outriggers are in the stowed position, except as provided in subrule (3) of this rule.

(3) When a boom is elevated with employees in working position, the vehicle supporting an aerial device shall not be moved unless the equipment is specifically designed for this type of operation and meets the requirements of R 408.43205.

~~(4) Before and during travel, except as provided for horizontal movement in R 408.43216(9), an operator shall do all of the following:~~

~~(a) Inspect to see that booms, platforms, aerial ladders, or towers are properly cradled or secured.~~

~~(b) Ensure that outriggers are in a stored position.~~

~~(c) Limit travel speed according to the following factors:~~

~~(i) Condition of the surface.~~

~~(ii) Congestion.~~

~~(iii) Slope.~~

~~(iv) Location of personnel.~~

~~(v) Other hazards.~~

~~(4) (5) An employer shall ensure that operators of an aerial work platform over or adjacent to any public or private roadway maintain adequate clearances of all portions of the aerial work platform to prevent being struck by vehicular traffic.~~

~~(5) (6) When aerial work platforms are in use, all traffic control requirements shall be in compliance with Part 6 of the 2011 Michigan Manual on Uniform Traffic Control Devices (MMUTCD), which is adopted in R 408.43204a, and Construction Safety Part 22. Signals, Signs, Tags, and Barricades, as referenced in R 408.43204a.~~

#### R 408.43214 Fall protection.

Rule 3214. (1) The employer shall provide a safety harness that has a lanyard which is in compliance with construction safety standard Part 45. "Fall Protection," R 408.44501 to R 408.44502 and which is affixed to attachment points provided and approved by the manufacturer. Any occupant of an aerial work platform described in the provisions of R 408.43202(a) and (c) and figures 1 and 3 shall use the harness. A fall arrest system shall only be used where the aerial lift is designed to withstand the vertical and lateral loads caused by an arrested fall.

(2) An employee may use a body belt with a restraint device with the lanyard and the anchor arranged so that the employee is not exposed to any fall distance. An employee shall use a restraint device where the aerial lift cannot withstand the vertical and lateral loads imposed by an arrested fall.

(3) An employee shall be prohibited from belting off to an adjacent pole, structure, or equipment while working from an aerial work platform.

(4) An employer shall not allow employees to exit an elevated aerial work platform, except where elevated work areas are inaccessible or hazardous to reach. Employees may exit the platform with the knowledge and consent of the employer. When employees exit to unguarded work areas, fall protection shall be provided and used as required in construction safety standard Part 45. "Fall Protection," R 408.44501 to R 408.44502.

~~(5) An employer shall provide for prompt rescue of employees in the event of a fall or shall ensure that employees are able to rescue themselves.~~

#### R 408.43216 Operating procedures.

Rule 3216 (1) The aerial work platform shall be used only in accordance with the manufacturers or owners operating instructions and safety rules.

(2) The designed rated capacity for a given angle of elevation shall not be exceeded.

~~(3) Proximity warning devices may be used, but shall not be used to avoid meeting the requirements of this rule.~~

~~(4) The manufacturer's rated load capacity shall not be exceeded. The employer shall ensure that the load and its distribution on the platform are in accordance with the manufacturer's specifications. The aerial work platform rated load capacity shall not be exceeded when loads are transferred to the platform at elevated heights.~~

~~(5) Only employees, their tools, and necessary materials shall be on or in the platform.~~

~~(3) (6) The guardrail system of the platform shall not be used to support any of the following:~~

~~(a) Materials.~~

~~(b) Other work platforms.~~

~~(c) Employees.~~

~~(4) (7) Employees shall maintain firm footing on the platform while working on the platform. The use of railings, planks, ladders, or any other devices on the platform for achieving additional height is prohibited.~~

~~(8) Fuel gas cylinders shall not be carried on platforms that would allow the accumulation of gases.~~

~~(5) (9) Only aerial work platforms that are equipped with a manufacturer's installed platform controls for horizontal movement shall be moved while in the elevated position.~~

~~(6) (10) Before and during driving while elevated, an operator of a platform shall do both of the following:~~

~~(a) Look in the direction of, and keep a clear view of, the path of travel and make sure that the path is firm and level.~~

~~(b) Maintain a safe distance from all of the following:~~

~~(i) Obstacles.~~

~~(ii) Debris.~~

~~(iii) Drop-offs.~~

- (iv) Holes.
- (v) Depressions.
- (vi) Ramps.
- (vii) Overhead obstructions.
- (viii) Overhead electrical lines.
- (ix) Other hazards to safe elevated travel.
- (7)** ~~(14)~~ Outriggers or stabilizers, when provided, ~~and~~ are to be used in accordance with the manufacturer's instruction. Brakes shall be set and outriggers and stabilizers shall be positioned on pads or a solid surface.
- (8)** ~~(12)~~ Aerial work platforms shall be elevated only when on a firm and level surface or within the slope limits allowed by the manufacturer's instructions.
- (9)** ~~(13)~~ A vehicle-mounted aerial work platform (figure 1) shall have its brakes set before elevating the platform.
- (10)** ~~(14)~~ A vehicle-mounted aerial work platform (figure 1) shall have wheel chocks installed before using the unit on an incline.
- (11)** ~~(15)~~ Climbers shall not be worn while performing work from an aerial work platform.
- (12)** ~~(16)~~ Platform gates shall be closed while the platform is in an elevated position.
- (13)** ~~(17)~~ Altering, modifying, or disabling safety devices or interlocks is prohibited.
- ~~(18) Care shall be taken by the employer to prevent ropes, cords, and hoses from becoming entangled in the aerial work platform.~~
- ~~(19) A platform operator shall ensure that the area surrounding the aerial work platform is clear of personnel and equipment before lowering the platform.~~
- ~~(20) The aerial work platform shall not be positioned against another object to steady the platform.~~
- ~~(21) The aerial work platform shall not be operated from a position on a truck, trailer, railway car, floating vessel, scaffold, or similar equipment.~~
- ~~(22) The boom and platform of the aerial work platform shall not be used to move or jack the wheels off the ground unless the machine is designed for that purpose by the manufacturer.~~
- ~~(23) If the platform or elevating assembly becomes caught, snagged, or otherwise prevented from normal motion by adjacent structures or other obstacles so that control reversal does not free the platform, all employees shall exit from the platform before attempts are made to free the platform.~~
- ~~(24) Stunt driving and horseplay are prohibited.~~