

DEPARTMENT OF ~~LABOR AND ECONOMIC GROWTH~~ **LICENSING AND REGULATORY AFFAIRS**

DIRECTOR'S OFFICE

CONSTRUCTION SAFETY STANDARDS

Filed with the Secretary of State on April 29, 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, **MCL 408.1019 and 408.1021**; and Executive Reorganization Order Nos. 1996-2, ~~2003-18~~ **2003-1**, 2008-4, and 2011-4, MCL ~~408.1019, 408.1021, 445.2001, 445.2011, 445.2025, and 445.2030~~)

R 408.43204a, R 408.43207, and R 408.43212 of the Michigan Administrative Code are amended as follows:

PART 32. AERIAL WORK PLATFORMS

R 408.43204a ~~Adoption of standards by reference; access to other MIOSHA rules.~~ **Adopted and referenced standards.**

Rule 3204a. (1) The standards specified in this rule, except for the standards specified in subrule (2) of this rule, are adopted by reference.

(a) The following **American National Standard Institute (ANSI)** standards are available from Global Engineering Documents, 15 Inverness Way East, Englewood, Colorado, 80112, USA, telephone number: 1-800-854-7179 or via the internet at web-site: <http://global.ihs.com>; at a cost, as of the time of adoption of these rules, as stated in this subrule:

~~(i) American National Standard Institute Standard ANSI A92.2, "Vehicle-Mounted Elevating and Rotating Aerial Devices," 2002 edition. Cost: \$68.00.~~

~~(i) (ii) American National Standard Institute Standard ANSI A92.3, "Manually Propelled Elevating Aerial Platforms," 2006 edition. Cost: \$68.00.~~

~~(ii) (iii) American National Standard Institute Standard ANSI A92.5, "Boom-Supported Elevating Work Platforms," 2006 edition. Cost: \$68.00.~~

~~(iv) American National Standard Institute Standard ANSI A92.6, "Self-Propelled Elevating Work Platforms," 1999 edition. Cost \$68.00.~~

**(b) The following ANSI standards are available from the Scaffold and Access Industry Association, 400 W. Admiral Blvd., Kansas City, Missouri, 64106, USA, telephone number: 1-816-595-4860 or via the internet at website: [www.shop.saiaonline.org](http://www.shop.saiaonline.org); at a cost, as of the time of adoption of these rules, as stated in this subrule:**

**(i) ANSI A92.2, "Vehicle-Mounted Elevating and Rotating Aerial Devices," 2001 edition. Cost: \$45.00**

**(ii) ANSI A92.6, "Self-Propelled Elevating Work Platforms," 1999 edition. Cost: \$45.00**

~~(c) (b) The "Manual on Uniform Traffic Control Devices for Streets and Highways, Part 6: Temporary Traffic Control," 2005-2011 Michigan/2003 2009 Federal Edition is available at no cost from the Michigan Department of Transportation via the Internet at website: [www.michigan.gov/mdot](http://www.michigan.gov/mdot). The entire 2005 MMUTCD 2011 Michigan Manual on Uniform Traffic Control Devices (MMUTCD) may be purchased from the Michigan Department of Transportation, Cashiers Office, P.O. Box 30648, Lansing, Michigan 48909-8148; (517) 322-1676; Technological University, Local Technical Assistance Program, Room 309 Dillman Building, 1400 Townsend Drive, Houghton, Michigan, 49931; (906) 487-2102; at a cost of \$135.00 \$145.00 as of the time of publication adoption of these rules.~~

~~(d) (c) The standards adopted in subrule 1(a) to (c) and (b) of this rule are also available for inspection at the Department of Labor and Economic Growth Licensing and Regulatory Affairs, MIOSHA Standards Section, 7150 Harris Drive, P.O. Box 30643, Lansing, Michigan, 48909-8143.~~

~~(e) (d) Copies of the standards adopted in subrule 1(a) to (c) and (b) of this rule may be obtained quickest from the publisher or may also be obtained from the Department of Labor and Economic Growth Licensing and Regulatory Affairs, MIOSHA Standards Section, 7150 Harris Drive, P.O. Box 30643, Lansing, Michigan, 48909-8143, at the cost charged in subrule 1(a) to (c) and (b), of this rule, plus \$20 for shipping and handling.~~

(2) The following Michigan Occupational Safety and Health Standards are referenced in these rules. Up to 5 copies of these standards may be obtained at no charge from the Michigan Department of ~~Labor and Economic Growth~~ **Licensing and Regulatory Affairs**, MIOSHA Standards Section, 7150 Harris Drive, P.O. Box 30643, Lansing, Michigan, 48909-8143 or via the internet at web-site: [www.michigan.gov/mioshastandards](http://www.michigan.gov/mioshastandards). For quantities greater than 5, the cost, as of the time of adoption of these rules, is 4 cents per page.

(a) Construction Safety Standard Part 6. Personal Protective Equipment, R 408.40601 to R 408.40641.

(b) Construction Safety Standard Part 10. Lifting and Digging Equipment, R 408.41001a to R 408.41099a.

(c) Construction Safety Standard Part 13. Mobile Equipment, R 408.101301.

(d) Construction Safety Standard Part 22. Signals, Signs, Tags, and Barricades, R 408.42201 to R 408.42243.

- (e) Construction Safety Standard Part 45. Fall Protection, R 408.44501 to R 408.44502.
- (f) General Industry Safety Standard Part 7. Guards for Power Transmission, R 408.10701 to R 408.10765.

R 408.43207 Permits; training.

Rule 3207. (1) An employer shall provide the operator of an aerial work platform with an aerial work platform permit.

(2) The requirements of subrule (8)(a), (b), (c), and (d) of this rule shall be met before an employee is issued a permit.

(3) A permit shall be carried by the operator or be available at the job site and shall be displayed upon request by a ~~department of consumer and industry services~~ **department of licensing and regulatory affairs** representative.

(4) A permit shall indicate the type of aerial work platforms an operator has been trained on and is qualified to operate.

(5) A permit to operate an aerial work platform is valid only when performing work for the employer who issued the permit. A permit shall be issued for a period of not more than 3 years.

(6) A permit shall contain all of the following information (see sample permit):

(a) Firm name.

(b) Operator's name.

(c) Name of issuing authority. (Authorized by)

(d) The following types of aerial work platform the operator is authorized to operate:

(i) Vehicle-mounted elevating work platform such as **the following**:

**(A)** ~~(1)~~ Extensible boom aerial devices.

**(B)** ~~(2)~~ Aerial ladders.

**(C)** ~~(3)~~ Actuating boom aerial devices.

**(D)** ~~(4)~~ Vertical towers.

(ii) Manually propelled elevating work platforms.

(iii) Boom-supported elevating work platforms.

(iv) Self-propelled elevating work platforms.

(e) Date issued.

(f) Expiration date.

(7) ~~A sample permit is set forth as follows~~ **The following is a sample permit:**

SAMPLE PERMIT

AERIAL WORK PLATFORM PERMIT			
<i>(Firm Name)</i>			
(Name)			
Type of aerial work platform authorized to operate:			
Date Issued	Type	Authorized by	Expiration Date
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

(8) An employer shall provide each employee who will operate the aerial work platform with instruction and training regarding the equipment before a permit is issued or reissued. Such instruction and training shall ensure that each operator is in compliance with the minimum following provisions:

(a) Is instructed by a qualified person in the intended purpose and function of each of the controls.

(b) Is trained by a qualified person or reads and understands the manufacturer's or owner's operating instructions and safety rules.

(c) Understands by reading or by having a qualified person explain, all decals, warnings, and instructions displayed on the aerial work platform.

(d) Reads and understands the provisions of this subrule and subrules (1) to (7) and (9) of this rule or be trained by a qualified person on their content.

(9) The manufacturer's operating instructions and safety rules shall be provided and maintained in a legible manner on each unit by the employer.

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.

(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.

(6) When aerial work platforms are in use, all traffic control requirements shall be in compliance with Part 6 of the ~~2005~~ **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 408.42201 to R 408.42243.~~