

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS CONSUMER AND
INDUSTRY SERVICES

DIRECTOR'S OFFICE BUREAU OF SAFETY AND REGULATION

GENERAL INDUSTRY SAFETY AND HEALTH STANDARD STANDARDS
COMMISSION

Filed with the secretary of state on

These rules take effect immediately upon filing with the secretary of state unless adopted under section 33, 44, or 45a(6) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. 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 licensing and regulatory affairs by sections 16 and 21 of the Michigan occupational safety and health act, 1974 PA 154, MCL 408.1016 and 408.1021, and Executive Reorganization Order Nos. 1996-2, 2003-1, 2008-4, and 2011-4, MCL 445.2001, 445.2011, 445.2025, and 445.2030**) ~~general industry safety standards commission by sections 16 and 21 of Act No. 154 of the Public Acts of 1974, as amended, being SS408.1016 and 408.1021 of the Michigan Compiled Laws)~~

R 408.15344, R 408.15355, and R 408.15362 of the Michigan Administrative Code are amended as follows:

PART 53. TREE TRIMMING AND REMOVAL

R 408.15344 Sprayers and related equipment.

Rule 5344. (1) An employee required to operate spray equipment from a moving vehicle shall wear a seat belt or be protected **in accordance with** ~~by a guardrail if operating from a standing position. The standard barrier shall be as prescribed in~~ **General Industry Safety and Health Standard Part 2. "Walking-Working Surfaces," being R 408.10201 to R 408.10241 of the Michigan Administrative Code, if operating from a standing position.** ~~rule 231 of the occupational safety standards commission standard, Part 2. Floor and Wall Openings, Stairways and Skylights, being R 408.10231 of the Michigan Administrative Code.~~

(2) An employee wearing clothing wetted by a flammable or combustible liquid shall avoid sparks and open flame. The clothing **must shall** be removed as soon as possible.

R 408.15355 Pruners and saws.

Rule 5355. (1) A pole pruner, pole saw and other similar tool **must shall** be equipped with a nonmetallic handle. The actuating cord **must shall** be of nonmetallic material.

(2) A pole pruner or pole saw **must shall** be hung securely in a vertical position to prevent dislodgement. A pole pruner or pole saw **must shall** not be hung on a utility line or left in a tree overnight. A pole saw **must shall** be hung so that the sharp edge is away from the employee.

March 4, 2019

~~(3) An aerial lift shall not be used to lift or lower materials unless specifically designed to perform such operations.~~

R 408.15362 Ladders.

Rule 5362. (1) A ladder made of metal or other conductive material **must shall** not be used next to electrical conductors or wires within a distance equal to twice the extended length of the ladder. Such ladders **must shall** be marked: "~~Restricted use; do not use near electrical conductors.~~"

<p style="text-align: center;">Restricted Use Do Not Use Near Electrical Conductors</p>

(2) A ladder **must shall** be used and maintained as prescribed in **compliance with General Industry Safety and Health Standard Part 2. "Walking-Working Surfaces," being R 408.10201 to R 408.10241** ~~the occupational safety standards commission standard, Part 4. Portable Ladders, being R 408.10401 to R 408.10456~~ of the Michigan Administrative Code.