

DEPARTMENT OF ~~LICENSING AND REGULATORY AFFAIRS~~ **LABOR AND
ECONOMIC OPPORTUNITY**
DIRECTOR'S OFFICE
CONSTRUCTION SAFETY AND HEALTH STANDARDS

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~~ **labor and economic opportunity** by sections 19 and 21 of the **Michigan occupational safety and health act**, 1974 PA 154, **MCL 408.1019 and 408.1021**, and Executive Reorganization Order Nos. 1996-2, 2003-1, 2008-4, ~~and 2011-4~~, **and 2019-3**, MCL 445.2001, 445.2011, 445.2025, ~~and 445.2030~~, **and 125.1998**)

R 408.42201 and R 408.42223 **of the Michigan Administrative Code** are amended, and R 408.42209 is rescinded, ~~of the Michigan Administrative Code~~ as follows:

PART 22. SIGNALS, SIGNS, TAGS, AND BARRICADES

R 408.42201 **Scope and adopted and referenced standards.**

Rule 2201. (1) This part pertains to the design, placement, relocation, covering, removal, use, and maintenance of signals, traffic control devices, accident prevention signs, tags, and barricades for construction operations.

(2) **American National Standards Institute (ANSI) International Safety Equipment Association (ISEA) standard 107 “High-Visibility Safety Apparel and Headwear,” 2004 edition, is adopted by reference in these rules. This standard is available from IHS Global, 15 Inverness Way East, Englewood, Colorado, 80112, USA, telephone number: 1-800-854-7179 or via the internet at website: <http://global.ihs.com>; at a cost as of the time of adoption of these rules of \$64.00.**

(3) The “Manual on Uniform Traffic Control Devices, Part 6: Temporary Traffic Control,” 2011 Michigan/2009 Federal Edition is adopted by reference in these rules and is available at no cost from the Michigan Department of Transportation via the Internet at website: www.michigan.gov/mdot. The entire 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) 636-0650; at a cost of \$143.99 as of the time of adoption of these rules.

(4) The standards adopted in subrules (1) and (2) of this rule are also available for inspection at the Department of Labor and Economic Opportunity, MIOSHA,

Standards and FOIA Section, 530 West Allegan Street, P.O. Box 30643, Lansing, Michigan, 48909-8143.

(5) Copies of the standards adopted in subrules (1) and (2) of this rule may be obtained from the publisher or may also be obtained from the Department of Labor and Economic Opportunity, MIOSHA, Standards and FOIA Section, 530 West Allegan Street, P.O. Box 30643, Lansing, Michigan, 48909-8143, at the cost stated in subrules (1) and (2) of this rule, plus \$20 for shipping and handling.

(6) 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 Opportunity, MIOSHA, Standards and FOIA Section, 530 W. Allegan Street, P.O. Box 30643, Lansing, Michigan, 48909-8143 or via the internet at website: 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 and Health Standard Part 1. “General Rules,” R 408.40101 to R 408.40134.

(b) Construction Safety and Health Standard Part 6. “Personal Protective Equipment,” R 408.40601 to R 408.40660.

(c) Construction Safety and Health Standard Part 10. “Cranes and Derricks,” R 408.41001 to R 408.41099a.

(d) Construction Safety and Health Standard Part 13. “Mobile Equipment,” R 408.41301.

(e) Construction Safety Standards Part 27. “Blasting and Use of Explosives,” R 408.42701 to R 408.42799.

(f) Construction Safety and Health Standard Part 30. “Telecommunications for Construction,” R 408.43001 to R 408.43006.

(g) Construction Safety Standards Part 45. “Fall Protection,” R 408.44501 to R 408.44502.

R 408.42209 ~~Adopted and referenced standards~~ **Rescinded**.

~~Rule 2209. (1) American National Standards Institute (ANSI) International Safety Equipment Association (ISEA) standard 107 “High-Visibility Safety Apparel and Headwear,” 2004 edition, is adopted by reference in these rules. This standard is available from Techstreet, 3916 Ranchero Drive, Ann Arbor, Michigan, 48108, USA, telephone number: 1-800-699-9277 or via the internet at website: www.techstreet.com; at a cost as of the time of adoption of these rules of \$36.00.~~

~~(2) The “Manual on Uniform Traffic Control Devices, Part 6: Temporary Traffic Control,” 2011 Michigan/2009 Federal Edition is adopted by reference in these rules and is available at no cost from the Michigan Department of Transportation via the Internet at website: www.michigan.gov/mdot. The entire 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; at a cost of \$145.00 as of the time of adoption of these rules.~~

~~(3) The standards adopted in subrules (1) and (2) of this rule are also available for inspection at the Department of Licensing and Regulatory Affairs Labor and Economic~~

Opportunity, MIOSHA, Standards and FOIA Section, 7150 Harris Drive 530 W. Allegan Street, P.O. Box 30643, Lansing, Michigan, 48909-8143.

~~-(4) Copies of the standards adopted in subrules (1) and (2) of this rule may be obtained from the publisher or may also be obtained from the Department of Licensing and Regulatory Affairs Labor and Economic Opportunity, MIOSHA, Standards and FOIA Section, 7150 Harris Drive 530 W. Allegan Street, P.O. Box 30643, Lansing, Michigan, 48909-8143, at the cost stated in subrules (1) and (2) of this rule, plus \$20 for shipping and handling.~~

~~-(5) 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 Licensing and Regulatory Affairs Labor and Economic Opportunity, MIOSHA, Standards and FOIA Section, 7150 Harris Drive 530 W. Allegan Street, P.O. Box 30643, Lansing, Michigan, 48909-8143 or via the internet at website: 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 1 "General Rules," R 408.40101 to R 408.40134.~~

~~-(b) Construction Safety Standard Part 6 "Personal Protective Equipment," R 408.40601 to R 408.40641.~~

~~-(c) Construction Safety Standard Part 10 "Lifting and Digging Equipment," R 408.41001a to R 408.41099a.~~

~~-(d) Construction Safety Standard Part 13 "Mobile Equipment," R 408.41301.~~

~~-(e) Construction Safety Standard Part 27 "Blasting and Use of Explosives," R 408.42701 to R 408.42799.~~

~~-(f) Construction Safety Standard Part 30 "Telecommunications," R 408.43001 to R 408.43006.~~

~~-(g) Construction Safety Standard Part 45 "Fall Protection," R 408.44501 and R 408.44502.~~

R 408.42223 Traffic control.

Rule 2223. (1) Traffic control devices shall be installed and maintained as prescribed in Part 6 of the 2011 MMUTCD, which is adopted by reference in R 408.422019.

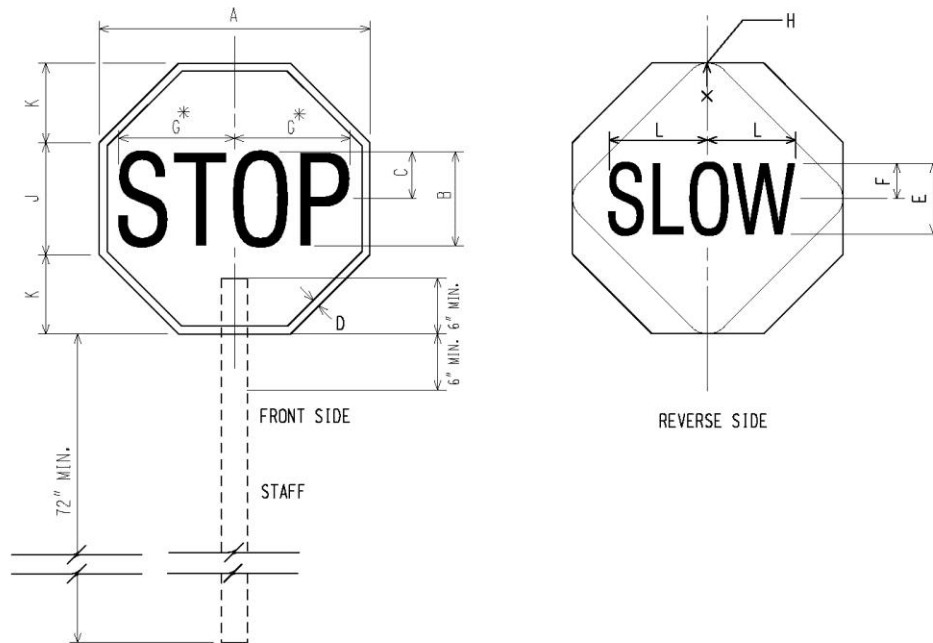
(a) At points of hazard, construction areas shall be posted with legible traffic control signs and protected by traffic control devices.

~~(2)(b) Signaling directions by traffic regulators~~**The design and use of all traffic control devices, including signs, signals, markings, barricades, and other devices for protection of construction workers shall conform to the provisions of Part 6 of the 2011 MMUTCD, which is adopted by reference in R 408.422019.**

~~-(3)(2)~~ A hand-held paddle sign shall have 2 faces and it shall be attached to a staff of suitable design that will allow the entire unit to be held and controlled by 1 traffic regulator. The bottom of the sign shall be a minimum of 6 feet above the roadway surface. The sign shall be fastened to the staff so that no part of the legend is obscured. The portion of the staff within the sign face shall match the sign colors. The sign shall not be less than 18 by 18 inches and the letters shall have a minimum height of 6 inches (150 millimeters). All letters and spacing between letters shall be as prescribed in Part 6 of the 2011 MMUTCD, which is adopted by reference in R 408.422019. The legend shall be

optically centered horizontally on the sign. One side of the sign shall display a "STOP" face and the other side shall display the message "SLOW," except that if it is necessary for 1 traffic regulator to stop 2 directions of traffic at the same time, then a "STOP" face shall be used on each side of the sign. The "STOP" face shall have a red background with white letters and border. The "SLOW" face shall have an orange background with black letters and border. The shape of the sign shall be octagonal and the portions of the sign other than the diamond-shaped "SLOW" face shall be black. When the sign paddle is used during hours of darkness, the red and white of the "STOP" face and the orange of the "SLOW" face shall be reflectorized. Sheet metal or other light semi-rigid material may be used for mounting the "STOP" and "SLOW" faces.

(4)(3) The paddle sign shall be as follows:



R1-1a

* SPACING REDUCED 40%

SIGN	DIMENSIONS (INCHES)										
	A	B	C	D	E	F	G	H	J	K	L
MINIMUM	18	6 C	3	.5	6 B	3	7.75	1.5	7.5	5.25	6.25
SPECIAL	24	8 C	4	.62	8 B	3.5	10	1.5	9.87	7.06	8.25

Note: "Special" sign dimensions are recommended for single traffic regulator operations.

(5)(4) 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, "High-Visibility Safety Apparel and Headwear," 2004 edition, (see Section 1A.11), which is adopted by reference in R 408.422019, or equivalent revisions, and labeled as meeting the ANSI 107-2004 standard performance for Class 2 or 3 risk exposure.

(6)(5) A traffic regulator shall also wear head, eye, and foot protection as prescribed in Construction Safety and Health Standard Part 6. Personal Protective Equipment, as referenced in R 408.422019.