

CHAPTER 351—S.F.No. 2397

An act relating to occupational health and safety; establishing standards for employer activities to reduce occupational exposure to bloodborne pathogens through sharps injuries; proposing coding for new law in Minnesota Statutes, chapter 182.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. [182.6555] **REDUCING OCCUPATIONAL EXPOSURES TO BLOODBORNE PATHOGENS THROUGH SHARPS INJURIES.**

(a) Employers must comply with Code of Federal Regulations, title 29, section 1910.1030, to eliminate or minimize employee exposure to bloodborne pathogens through sharps injuries.

(b) Written exposure control plans prepared by employers must be reviewed at least annually and whenever necessary to reflect new or modified tasks and procedures which affect occupational exposures and to reflect new or revised employee positions with occupational exposure. The requirement to review and update the plan means that the plan must reflect changes in technology that eliminate or reduce exposure to bloodborne pathogens. The exposure control plan must document consideration and implementation of appropriate commercially available and effective engineering controls, for example, needleless systems and sharps with engineered sharps injury protection, designed to eliminate or minimize exposure.

(c) A safety committee established under section 182.676 must make advisory recommendations for the use of effective engineering controls. The recommendations are not binding on the employer. One-half of the members of the safety committee must be employee representatives of job classifications that would use or may reasonably anticipate encountering any device in the category being evaluated in the performance of the employee's duties. The employer may establish a subcommittee of the safety committee to meet the requirements of this paragraph. One-half of the members of this subcommittee must be employee representatives of job classifications that would use or may reasonably anticipate encountering any device in the category being evaluated in the performance of the employee's duties. Employers not required to establish a safety committee under section 182.676 must involve their employees in the evaluation of effective engineering controls.

(d) This section does not prohibit the use of a prefilled syringe that is approved by the federal Food and Drug Administration. This paragraph expires May 1, 2003.

(e) Employers must establish internal procedures to document the route of exposure and the circumstances under which an exposure incident occurred. This information should include:

- (1) engineering controls in use at the time;
- (2) work practices followed;
- (3) a description and brand name of the device in use;

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(4) protective equipment or clothing that was used at the time of the exposure incident;

(5) location;

(6) procedure being performed when the incident occurred;

(7) the employee's training; and

(8) the injured employee's opinion about whether any other engineering, administrative, or work practice control could have prevented the injury and the basis for that opinion.

Sec. 2. EFFECTIVE DATE.

Section 1 is effective 60 days following final enactment.

Presented to the governor April 6, 2000

Signed by the governor April 10, 2000, 2:50 p.m.

CHAPTER 352—S.F.No. 3354

An act relating to manufactured homes; clarifying the requirements for a limited dealer license; amending Minnesota Statutes 1998, section 327B.04, subdivision 8.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1998, section 327B.04, subdivision 8, is amended to read:

Subd. 8. **LIMITED DEALER'S LICENSE.** The commissioner shall issue a limited dealer's license to an owner of a manufactured home park authorizing the licensee as principal only to engage in the sale, offering for sale, soliciting, or advertising the sale of used manufactured homes located in the owned manufactured home park as principal only. The licensee must be the title holder of the homes and may engage in no more than five ten sales annually. An owner may, upon payment of the applicable fee and compliance with this subdivision, obtain a separate license for each owned manufactured home park and is entitled to sell up to ten homes per license provided that only one limited dealer license may be issued for each park. The license shall be issued only after:

(1) receipt of the application described in section 327B.04, subdivision 3, on forms provided by the commissioner containing the following information:

(i) the identity of the applicant;

(ii) the name under which the applicant will be licensed and do business in this state;

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