

5207.1000 OPERATION OF MOBILE EARTH-MOVING EQUIPMENT.

Subpart 1. **Scope.** This part identifies minimum safety requirements for the safe operation of mobile earth-moving equipment used for earth moving, building, or road construction or demolition, including, but not limited to, bulldozers, motor graders, scrapers, loaders, skid-steer loaders, compaction equipment, backhoes, end dumps, side dumps, and dump trucks. This part pertains to operators of the equipment and exposed employees, including, but not limited to, grade checkers, grade persons, rod persons, stake hops, stake jumpers, and blue toppers working in the area.

Subp. 2. **Training requirements.**

A. Mobile earth-moving equipment operators and all other employees working on the ground exposed to mobile earth-moving equipment shall be trained in the safe work procedures pertaining to mobile earth-moving equipment and in the recognition of unsafe or hazardous conditions.

B. Training programs shall be developed and instructed by competent individuals who have knowledge, training, experience, and the demonstrated ability to identify existing and predictable hazards related to the subject matter.

C. Training programs must include the following elements:

(1) safe work procedures on how to approach mobile earth-moving equipment, whether in use or idling, including:

(a) visual, voice, or signal communication that shall be made with the operator prior to approaching earth-moving equipment;

(b) maintaining one's visibility to the operator while approaching the equipment; and

(c) operator responsibilities, such as placing the transmission in neutral, setting the parking brake, and indicating that it is safe to approach the equipment;

(2) identification of the operator's blind spots on various earth-moving equipment used;

(3) instruction for mobile earth-moving equipment operators in conducting daily equipment inspections according to the manufacturer's recommendations, and checking the area around the equipment for a clear path prior to beginning operation;

(4) safe operating procedures of equipment, including traveling, backing, parking, loading for transport, maintenance, and operation;

(5) safe work procedures when working around or adjacent to overhead or underground utilities, as described in Code of Federal Regulations, title 29, parts 1926.600(a)(6) and 1926.651(b); and

(6) additional hazards that could be created by changing conditions.

Subp. 3. **Training frequency.** Employees shall be trained initially before beginning work that exposes them to mobile earth-moving equipment. Employee training records shall be retained by the employer for the duration of the project.

Subp. 4. **High visibility personal protective equipment.**

A. Each employee working on the ground who is exposed to mobile earth-moving equipment shall be provided with and required to wear a high visibility warning vest or other high visibility garments. A high visibility garment is defined as being a Performance Class 2 garment or greater as specified by ANSI/ISEA Standard 107-2004.

B. High visibility apparel, as described in item A, shall comply with the specifications in part 5207.0100.

Subp. 5. **Equipment requirements.**

A. All mobile earth-moving equipment shall comply with Code of Federal Regulations, title 29, part 1926.602(a)(9)(ii) for back-up alarms or signal persons if applicable.

B. When mobile earth-moving equipment is operated during times of darkness or low light conditions, the equipment, if designed to function equally in both forward and reverse directions, such as compaction equipment, bulldozers, motor graders, loaders, and skid-steer loaders, shall be equipped with at least two headlights for forward travel and adequate rear lights for reverse travel unless other adequate lighting is provided.

Subp. 6. **Contractor responsibility.**

A. If the mobile earth-moving equipment contractor exposes other contractor's employees to the hazard of mobile earth-moving equipment, the controlling employer, such as general contractor or construction manager, for the project shall coordinate a joint contractor-employee safety awareness meeting between contractors and employees on site. Discussion elements for employee awareness training can be found in subparts 2, item C; and 4.

B. The employee safety awareness meeting shall be documented, identifying when the meeting was held and who attended, including a brief summary of what was reviewed. Documentation shall be retained for the duration of the project.

Subp. 7. **Electrical work.** For work within the flash protection boundary as defined by NFPA 70E Part II 2-1.3.3.2, high visibility garments constructed of material that complies with NFPA 70E may be worn.

Subp. 8. [Repealed, 31 SR 517]

Statutory Authority: *MS s 182.655*

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