

**STANDARDS PRESENTATION
TO
CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD**

PROPOSED STATE STANDARD,
TITLE 8, CHAPTER 4

Amend Article 27, Transportation of Employees and Materials, Sections 3711 and 3712,

§3711. All Terrain Vehicles (ATVs)

(a) For the purposes of this section, ATVs are vehicles intended for off-road use that travel on four low pressure tires with a seat designed to be straddled by the operator, like the seat of a motorcycle.

(b) Every ATV operator shall be trained by a qualified person prior to operation of the vehicle. Training shall consist of a combination of formal instruction (e.g., lecture, discussion, interactive computer learning, video tape, and written material), practical training (demonstrations performed by the trainer and practical exercises performed by the trainee) and evaluation of the operator's performance in the workplace. Training shall include a review of all training materials provided by the manufacturer for the specific vehicles, and training shall be in accordance with manufacturer recommendations.

(1) At a minimum, training topics shall include:

(A) Types of ATVs in use at the worksite, the use of all controls and proper moving, stopping, turning and other operating characteristics of the vehicle,

(B) Allowable uses,

(C) Cargo capacity,

(D) Speed limits,

(E) Manufacturer's safety warnings and instructions,

(F) Use of personal protective equipment in accordance with subsection (e),

(G) Basic riding tips from the manufacturer's published literature for each vehicle;

(H) Reading terrain,

(I) Climbing hilly terrain,

(1) Descending a hill,

(K) Traversing a slope,

(L) Riding through water,

(M) Cargo carriers and accessories,

(N) Loading and unloading,

(O) Troubleshooting,

(P) Proper preventive maintenance, i.e., oil levels, tire pressure requirements and scheduled maintenance requirements according to the manufacturer's guidelines.

(2) The training shall include an operating skills test prior to being allowed to operate an ATV.

(3) Training shall be documented in accordance with Title 8, section 3203(b).

(c) All ATVs shall be equipped with the following:

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(1) An adequate audible warning device (horn) at the operator's station in operable condition (if determined necessary for the work being performed).

(2) Brake lights in operable condition (regardless of light conditions), and

(3) Whenever visibility conditions warrant the need for additional light, all vehicles or combinations of vehicles in use, shall be equipped with at least two headlights and two taillights in operable condition.

(d) The manufacturer's recommended payload/passenger limitations shall not be exceeded at any time.

(e) Gloves and a United States Department of Transportation approved motorcycle helmet with full-face shield or goggles shall be worn at all times while operating ATVs. Passengers shall wear an approved motorcycle helmet with full-face shield or goggles.

(f) ATVs shall not be driven on public roadways except to cross the roadway and may only be driven on public roadways at designated crossing points or with a road guard (no paved road use unless allowed by the manufacturer).

(g) Only ATV s with four or more wheels may be used.

(h) If practicable, a copy of the operator's manual shall be kept on the vehicle and protected from the elements.

(i) Tires shall be inflated to the pressures recommended by the manufacturer.

(j) ATV exhaust systems shall be equipped with a muffler and spark arrester.

§3712. All Terrain Utility Vehicles (ATUVs)

(a) For the purposes of the section, ATUVs are specialty vehicles intended for off-road use that travel on four or more low pressure tires, and that are designed to perform utility tasks such as passenger and cargo transportation (e.g., Rangers, Rhino, M-Gators, Gators, Mules, etc.), with bench or bucket seats inside the passenger compartment.

(b) Every ATUV operator shall be trained by a qualified person prior to operation of the vehicle. Training shall consist of a combination of formal instruction (e.g., lecture, discussion, interactive computer learning, video tape, written material), practical training (demonstrations performed by the trainer and practical exercises performed by the trainee) and evaluation of the operator's performance in the workplace.

(1) At a minimum, training topics shall include:

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(A) types of ATUVs in use at the worksite, the use of all controls and proper moving, stopping, turning and other operating characteristics of the vehicle,

(B) Allowable uses,

(C) Cargo capacity,

(D) Speed limits,

(E) Manufacturers safety warnings and instructions and

(F) Proper preventive maintenance, i.e., oil levels, tire pressure requirements and scheduled maintenance requirements according to the manufacturer's guidelines.

(2) The training shall include an operating skills test prior to being allowed to operate an ATUV.

(3) Training shall be documented in accordance with Title 8, section 3203(b).

(c) A copy of the operator's manual shall be kept on the vehicle at all times and protected from the elements.

(d) ATUVs shall be equipped with the following:

(1) An adequate audible warning device (horn) at the operator's station, and

(2) Brake lights in operable conditions regardless of light conditions, and

(3) Whenever visibility conditions warrant additional light, all vehicles or combinations of vehicles in use shall be equipped with at least two headlights, two taillights, and a yellow flashing light or equivalent in operable condition.

(e) Occupancy in ATUVs is limited to manufacturer designated seating that has built-in seatbelts. Passengers may not ride in the vehicle's back cargo area unless the vehicle is otherwise equipped.

EXCEPTION: When used for emergency response, medical litters may be placed in the back cargo area but must be secured as described in section (g) below.

(f) The manufacturer's recommended load carrying capacity, personnel capacity or maximum safe vehicle speed shall not be exceeded at any time.

(g) Cargo items shall be secured as necessary to prevent movement/tipping. All loads over 50 lb (22.7 kg), including medical litters, shall be securely strapped to cargo tie-downs in the rear and to the cargo shelf in the front.

(h) Manufacturer-installed safety equipment shall be maintained in working order and shall be used in compliance with the requirement of this section and in accordance with manufacturer's recommendations.

(i) Seat belts and anchorages meeting the requirements of 49CFR 571.210 shall be installed in all ATUVs and shall be worn by operators and passengers.

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(j) Operators and passengers shall wear goggles at all times when an ATUV, not equipped with a windshield, is in motion.

(k) ATUVs shall not be driven on public roadways except for the following:

(1) During emergency response.

(2) To cross the roadway at designated crossing points.

(3) To cross the roadway at undesignated crossing points with the help of a road crossing guard.

(l) ATUVs that are allowed to operate outside a controlled work area and/or on public roads shall meet minimum vehicle safety standards in accordance with 49 CFR 571.5, including rollover protective structures (ROPS), seatbelts, and the placement of "Slow Moving Vehicle" emblems where required.

(m) When not equipped with ROPS, operators and passengers of ATUVs shall wear approved head protection (helmet) that at a minimum conforms to United States Department of Transportation(DOT) 218 standards or equivalent and protective goggles or face shield.

(n) Operators of and passengers on ATUVs shall keep both feet inside the perimeter of the passenger compartment whenever the vehicle is in motion.