

STD. 400 (REV. 01-09)

OAL FILE NUMBERS	NOTICE FILE NUMBER	REGULATORY ACTION NUMBER	EMERGENCY NUMBER
	Z-2012-1218-09	2013-0322-055	
For use by Office of Administrative Law (OAL) only			
RECEIVED FOR FILING PUBLICATION DATE		2013 MAR 22 PM 4:38	
DEC 18 '12 DEC 28 '12		OFFICE OF ADMINISTRATIVE LAW	
Office of Administrative Law		REGULATIONS	
NOTICE			

ENDORSED FILED IN THE OFFICE OF

2013 APR 24 PM 3:09

Jenna Bowen
DEPUTY SECRETARY OF STATE

AGENCY WITH RULEMAKING AUTHORITY	AGENCY FILE NUMBER (if any)
Occupational Safety and Health Standards Board	

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE	TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
HVESO 2940.8 and GISO 5199(g)(3)(B)	Title 8	2940.8	December 28, 2012
3. NOTICE TYPE	4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
<input checked="" type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	Marley Hart, Executive Officer	916-274-5721	916-274-5743
OAL USE ONLY	ACTION ON PROPOSED NOTICE	NOTICE REGISTER NUMBER	PUBLICATION DATE
<input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn		2012, 52-2	12-28-2012

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S)	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
The Securing of Poles During Removal Operations	

2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)
ADOPT
AMEND
Section 2940.8
REPEAL
TITLE(S)
8

3. TYPE OF FILING			
<input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §511346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §511349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))		<input type="checkbox"/> Other (Specify)	

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Effective 30th day after filing with Secretary of State <input type="checkbox"/> Effective on filing with Secretary of State <input type="checkbox"/> §100 Changes Without Regulatory Effect <input checked="" type="checkbox"/> Effective other (Specify) <u>July 1, 2013</u>

permanently to Gov. Code § 11343.4

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY
<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660) <input type="checkbox"/> Fair Political Practices Commission <input type="checkbox"/> State Fire Marshal <input type="checkbox"/> Other (Specify)

7. CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional)
Marley Hart, Executive Officer	916-274-5721	916-274-5743	mhart@dir.ca.gov

8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE	DATE
<i>Marley Hart</i>	3/21/13
TYPED NAME AND TITLE OF SIGNATORY	
Marley Hart, Executive Officer	

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ENDORSED APPROVED

APR 21 2013

Office of Administrative Law

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

Attachment No. 1

Page 1 of 1

PROPOSED STATE STANDARD,
TITLE 8, DIVISION 1, CHAPTER 4

Group 2. High-Voltage Electrical Safety Orders
Article 36. Work Procedures and Operating Procedures

Amend Section 2940.8 to read as follows:

§2940.8. Material Handling.

(a) Unloading. Prior to and during the unloading of poles, crossarms and similar material, the load shall be thoroughly examined to ascertain if the load has shifted, binders or stakes have broken or the load is otherwise hazardous to employees. Where a hazardous condition is noted, positive means shall be taken to eliminate the hazard. Employees shall not stand on top or in the potential path of an unsecured load while unloading poles from pole dollies or utility trailers.

(e) Attaching the Load. Hoist ropes shall not be wrapped around the load. This provision shall not apply to electric construction crews when setting or removing poles.

(f) Damaged or unstable poles, or sections of poles shall be guyed, braced or otherwise securely supported during pole removal operations.

NOTE: Authority cited: Section 142.3, Labor Code. Reference: Section 142.3, Labor Code.