

**TITLE 8:
GENERAL INDUSTRY SAFETY ORDERS
Chapter 4, Subchapter 7, Article 27,
Sections 3700 and 3702**

Seatbelt Requirement for Farm and Labor Vehicles

Heard at the March 21, 2002 Public Hearing
Adopted on May 16, 2002
Filed with Secretary of State on June 20, 2002
Effective July 20, 2002

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

PROPOSED STATE STANDARD,
TITLE 8, CHAPTER 4

Amend Sections 3700 and 3702 to read as follows:

§3700. Definitions.

Primarily. The motor vehicle is assigned to transport employees to and from the working site on a uniform or specified schedule.

Bus (Conventional Type). Any motor vehicle (except those of the pleasure car type) designed, constructed, and used for the transportation of employees in which the driver and the employees sit in the same enclosure.

Bus (Truck-crew Type). Any motor vehicle designed, constructed, and used for the transportation of employees in which the driver's cab is separated from the passenger compartment.

Farm Labor Vehicle. Any motor vehicle designed, used, or maintained for the transportation of the driver and nine or more farm workers to or from a place of employment or employment-related activities.

EXCEPTION: (1) any vehicle carrying only members of the owner's or driver's immediate family, (2) any vehicle while being operated under specific authority granted by the Public Utilities Commission or under specific authority granted to a transit system by an authorized city or county agency, (3) any flat-bed truck, pickup, or dump truck operated in accordance with Section 3702(r).

Motor Vehicles. Motor cars, buses, trucks, and car/or truck trailer combinations.

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

§3702. Transporting Employees.

(h) Farm Labor Vehicles shall be equipped at each passenger position with a Type 1 or Type 2 seatbelt assembly, conforming to the specifications set forth in Section 571.209 of Title 49 of the Code of Federal Regulations, which is hereby incorporated by reference. Each seatbelt assembly shall be anchored to the vehicle in a manner that conforms to the specifications set forth in Section 571.210 of Title 49 of the Code of Federal Regulations, which is hereby incorporated by reference. The driver and each passenger must be properly restrained while the vehicle is operated.

~~(h)~~ (i) Vehicles used primarily for the transportation of employees in which the driver and passenger compartments are separate shall be provided with a means by which the passengers can readily communicate with the driver. Such a system may include buzzers, speaker horns, or other means.

~~(i)~~ (j) The passenger carrying capacity of trucks and buses primarily used to transport employees shall be conspicuously marked on the outside of the vehicle near the door or entrance. Employers shall not allow the number of passengers to exceed the posted limit.

~~(j)~~ (k) Sharp edged tools shall not be carried in the passenger compartment of trucks and buses primarily used for the transportation of workers unless properly sheathed or placed in covered boxes or containers, and all other tools, equipment, or other materials carried in the passenger

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

Attachment No. 1

Page 2 of 3

PROPOSED STATE STANDARD,
TITLE 8, CHAPTER 4

compartment of such vehicles shall be secured to the body of the vehicle. In no event shall they be carried in the aisles.

~~(k)~~ (l) The exhaust system of every vehicle shall extend beyond the rear or side of the body, and shall terminate in such manner that the exhaust gases shall not enter the passenger compartment.

~~(j)~~ (m) The interior of the passenger carrying space shall be kept in good condition and free of inwardly protruding nails, screws, splinters, or other objects likely to be hazardous to passengers. All steps, stirrups, seats, handholds, doors, and other accessories shall be kept in good repair. Broken glass shall be removed and replacement glass shall be of the safety type.

~~(m)~~ (n) All conventional buses or crew trucks having an enclosed seating capacity of seven or more employees shall be provided with an emergency exit remotely located from the normal means of entrance.

Note: Enclosed means equipped with side enclosures over 50 inches high, or where clearance between the upper edge of the side enclosures and the top is less than 30 inches, or where vertical roof supports are spaced less than 30 inches apart.

~~(n)~~ (o) All emergency exits required by ~~(m)~~(n) shall conform to the following minimum specifications:

(1) Exit doors shall be capable of being opened outward from both the interior and exterior of the vehicle.

(2) Side emergency single-panel doors shall not be hinged on the rear edge.

(3) The exit doors shall be equipped with positive-locking devices to keep them closed, but of a type which can be readily opened in an emergency.

(4) No obstruction shall be placed over the handle of an emergency door other than a clear-plastic-type cover.

(5) All interior emergency exit controls shall be installed so that they may be operated by the passengers within the vehicle.

(6) A sign reading "Exit" shall be painted on the exterior and interior of the emergency exit. Such signs shall be made in English and in the language of the workers currently being transported.

(7) All emergency exit doors shall provide an unobstructed opening of not less than 7 square feet with a minimum width dimension of 24 inches.

(8) Rear emergency windows shall provide an unobstructed opening of not less than 16 inches by 54 inches. The windows shall be designed to insure against accidental closing in an emergency.

(9) No part of a seat shall be a part of or attached to an emergency door.

(10) Every passenger shall have ready access to at least one emergency exit. The aisle between the seats leading to an emergency exit shall provide a clear and unobstructed passageway of not less than 11 1/2 inches, and shall not be restricted by any post, wheelhousing, jump seats, or other obstruction.

~~(o)~~ (p) Regular entrance and exit doors to the passenger compartments, other than the driver's cab on trucks and buses, shall have an unobstructed opening not less than 24 inches wide and, where possible, 60 inches high.

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

Attachment No. 1

Page 3 of 3

PROPOSED STATE STANDARD,
TITLE 8, CHAPTER 4

~~(p)~~ (q) Where chains or cables are used in lieu of doors on regular means of entrance or exit, the chains or cables shall be securely attached on each side of the opening and be equipped with a quick-release mechanism.

~~(q)~~ (r) Employees shall not be transported in the back of flat-bed trucks, pickups, or dump trucks unless the following is complied with:

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