

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

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

DRAFT PROPOSAL

Amend Section 3563 to read as follows:

§3563. ~~Power Lawn Mowers.~~ Turf Care Equipment

(a) Scope. These regulations apply to ~~power lawn mowers~~ turf care equipment of ~~20-brake horsepower or less~~ and cover walk-behind reel and rotary power lawn mowers, riding reel and rotary power lawn mowers, lawn riding tractors, and lawn and garden riding tractors, and related mower attachments. They are intended to provide safety requirements and to help ensure uniform operator environments. These regulations do not apply to sulky-type units, flail mowers, or sickle bar mowers.

NOTE: For tractors of more than 20-brake horsepower see Article 25.

Article 25's definition of tractor refers to 20-engine horsepower. Committee will discuss if a revision for clarity is necessary.

(b) Definitions.

“Consumer Turf Care Equipment” means power lawn and turf mowing equipment designed by the manufacturer for the personal use of a consumer around a house. This equipment is not intended to apply to commercial products used by hired operators or to products designed primarily for agricultural purposes. [Committee note: consumer turf equipment is sometimes used by employees]

“Commercial Turf Care Equipment” means power lawn and turf mowing equipment designed by the manufacturer for commercial operations for use by hired operators. This equipment is not intended for machines designed and intended by the manufacturer for personal use around a house or equipment designed primarily for agricultural purposes or equipment for cutting grass/growth on highways that is designed for operation with agricultural/industrial tractors.

Committee will discuss if additional definitions are necessary.

(b) General.

(1) Power mowers placed in service after March 29, 1975 through April 15, 1999, shall ~~be designed, constructed, tested and labeled to meet the provisions requirements of~~ ANSI B71.1-1972 and B71.1a-1974 or ANSI B71.1-1980, Safety Specifications for Power Lawn Mowers, Lawn and Garden Tractors and Lawn Tractors, ~~or shall meet the requirements of the applicable ANSI/OPEI B71 standard in effect at the time the mower was manufactured.~~

~~(2) Power mowers placed in service after April 15, 1999 shall be approved as defined in Section 3206 of the General Industry Safety Orders.~~

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(2)(A) Consumer turf care equipment manufactured after April 15, 1999 through September 23, 2003 shall meet the requirements of ANSI/OPEI B71.1-1998, which is hereby incorporated by reference.

(B) Consumer turf care equipment manufactured after September 23, 2003 shall meet the requirements of ANSI/OPEI B71.1-2003, which is hereby incorporated by reference.

(3)(A) Commercial turf care equipment manufactured after April 15, 1999 through February 24, 2004 shall meet the requirements of ANSI/OPEI B71.4-1999, which is hereby incorporated by reference.

(B) Commercial turf care equipment manufactured after February 24, 2004 shall meet the requirements of ANSI/OPEI B71.4-2004, which is hereby incorporated by reference.

The committee will discuss any need to exclude provisions in the ANSI/OPEI B71 standards listed in subsections (b)(2) and (b)(3) that address ROPS or operator protective structures (e.g. ANSI/OPEI B71.1-2003, Section 19.1.3) as the provisions for roll-over protective structures (ROPS) and seat belts would be specifically addressed in the subsections below.

(c) Roll-Over Protective Structures (ROPS) and Seat Belts.

(1) When the manufacturer has installed ROPS or designed turf care equipment for the option to install ROPS, ROPS that are approved as defined in Section 3206 of the General Industry Safety Orders shall be provided and used.

(2) Seat belt assemblies that are approved as defined in Section 3206 shall be provided and used on all turf care equipment where ROPS are installed and employees shall be instructed in their use.

Committee to discuss the status of the draft international standard, ISO/DIS 21299 "Powered ride-on turf care equipment—Roll-over protective structures (ROPS)—Test procedure and acceptance criteria." The committee may also discuss other ISO or SAE standards applicable to ROPS and/or seat belt design.

(d) Turf care equipment manufactured on or after [insert feasible future effective date], whose primary design function is cutting grass or turf and which is designed as a sit-down riding machine, shall be equipped with ROPS and seat belts that are used. ROPS and seat belts shall be approved as defined in Section 3206 of the General Industry Safety Orders.

Exception: Agricultural and Industrial Tractors subject to the provisions of the General Industry Safety Orders, Article 25, Industrial Truck, Tractors, Haulage Vehicles, and Earthmoving Equipment.

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Some possible concerns or exceptions for ROPS/seatbelt requirements for discussion would be:

- Where a competent person has determined that the terrain is level and there is little if any risk of rollover.
- Where the design of the equipment mitigates the hazard of rollover such as machines with a front-mount cutting means and low center of gravity for the operator.
- Machines with a standing operator.
- An effective date for ROPS/seatbelt requirements for new machines.
- The committee will need to discuss any retrofitting issues and machines still in use that are not designed to accept ROPS.
- Discussion of exceptions triggered by the weight of the machine as outlined in the ANSI/OPEI B71.1 and B71.4 consensus standards.
- Machines that have been tested as having a very significant lateral stability which would mitigate the possibility of roll-over.
- Should there be a provision that would require a durable label affixed to turf care equipment identifying its compliance with the appropriate ANSI/OPEI B71 standard?

Possible other concerns/issues:

(e) Training. Employees shall be instructed in all safety and health hazards relating to their job assignment, including but not limited to the following:

(1) Blade and other machinery hazards;

(2) Stability hazards associated with terrains such as but not limited to slopes, embankments, ditches, ponds, etc.;

(3) Electrical hazards;

(4) Chemical hazards;

(f) All safety instruction shall be documented in accordance with Section 3203 of the General Industry Safety Orders.

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