

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

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TITLE 8, DIVISION 1, CHAPTER 4

§ 3420. Scope and Definition.

(a) Scope. This standard applies to work performed and equipment used in tree and ornamental palm maintenance and removal.

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(b) Definitions.

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**Palm Frond Skirt.** One or more year's accumulation of dead and drooping palm fronds at the bottom of the palm's canopy and along its trunk.

**Presence Sensing System (PSS).** A system designed, constructed and arranged to create a sensing field, plane or area that detects a part of an employee's body or a device attached to the employee's body or clothing within the sensing field, plane or area.

**Proximity.** An area within 10 feet (3.05 meters) of energized overhead electrical conductors rated 50 kilovolts (kV) phase to phase or less. For overhead electrical conductors rated more ~~that~~ than 50 kV phase to phase, the distance is increased 4/10 inch (10 millimeters) for each additional kV.

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

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§ 3424. Mobile Equipment.

(a) General.

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(c) Brush Chippers.

(1) Each rotary drum ~~tree or brush chipper~~ or disk-type tree or brush chipper ~~not equipped with a mechanical infeed system~~ shall be equipped with an infeed hopper not less than 85 inches, measured from the blades ~~or~~ knives or pinch point of the feed wheels to ground level over the centerline of the hopper, and shall have sufficient height on its side members so as to prevent personnel from contacting the blades ~~or~~ knives or pinch point of the machine during normal operations.

(2) Each rotary drum tree or brush chipper or disk-type tree or brush chipper not equipped with a mechanical infeed system shall have a flexible anti-kickback device installed in the infeed hopper for the purpose of protecting the operator and other persons in the machine area from the hazards of flying chips and debris.

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(6) Each disk-type tree or brush chipper equipped with a mechanical infeed system shall have a quick stop and reversing device on the infeed. The activating lever for the quick stop and reversing device shall be located across the top, along each side of, and as close to the feed end of the infeed hopper as practicable and within easy reach of the operator.

(7) ~~Rotary drum or disk-type brush~~ Brush chippers shall be fed from slightly behind and to the side of the centerline infeed hopper, and the operator shall immediately turn away from the feed table when the brush is taken into the ~~rotor~~ blade/knives or feed mechanism. No part of the operator's body shall pass beyond the plane of the infeed hopper. The operator shall not use their feet to push material into the infeed hopper and shall not stand on the feed table while the chipper is operating.

(8) Employees shall never place hands, arms, feet, legs, or any other part of the body on the feed table when the brush chipper is in operation or the rotor is turning.

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(12) Chipper mounted winches shall be used in accordance with the manufacturer's instructions.

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(d) Presence Sensing System.

(1) Presence sensing systems shall be installed on brush chippers equipped with a mechanical infeed system by [insert 48 months after the effective date of this section].

Exception 1 to subsection 3424(d)(1)

In lieu of a presence sensing system, an employer may instead utilize a trained employee who is stationed within immediate reaching distance of the quick stop and reversing device activating lever described in subsection 3424(c)(6) and who has no other tasks than to monitor the use of the brush chipper immediately before and during chipping operation when:

1. The employer demonstrates that presence sensing systems are not feasible; or
2. The employer demonstrates that reasonably specific and reliable information is not available on the safety performance of available presence sensing systems, and that the employer is actively determining through objective product evaluation whether the use of presence sensing systems will reduce the risk of incidents occurring in the employer's workplace.

Exception 2 to subsection 3424(d)(1)

When the employer demonstrates through objective product evaluation documented in writing that presence sensing systems are not more effective than the alternative used by the employer, a presence sensing system is not required.

(2) Presence sensing systems not supplied and installed by the manufacturer shall be approved, listed, labeled, or certified as conforming to applicable governmental or other nationally recognized standards, or applicable scientific principles. The approval, listing, labeling, or certification of conformity, shall be based upon an evaluation performed by a person, firm, or entity with appropriate registered engineering competence and is independent of the manufacturer and supplier of the product.

(3) The evaluation of presence sensing systems required by subsection 3424(d)(2) shall include all operational and fail-safe functions, be conducted prior to the use of brush chippers and annually thereafter.

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