

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

TITLE 8, DIVISION 1, CHAPTER 4

Amend Section 3328 to read:

§3328. Machinery and Equipment.

(a) All machinery and equipment shall be of adequate design:

(1) shall be designed or engineered to safely sustain all reasonably anticipated loads in accordance with recognized engineering principles; and

(2) shall not be used or operated under conditions of speeds, stresses, ~~or~~ loads, or environmental conditions that are contrary to the manufacturer's recommendations or, where such recommendations are not available, the engineered design which endanger employees.

(b) Machinery and equipment in service shall be inspected and maintained as recommended by the manufacturer where such recommendations are available.

(c) Machinery and equipment with defective parts which create a hazard shall not be used.

(d) Machinery and equipment designed for a fixed location shall be restrained so as to prevent walking or moving from its location.

(e) Machinery and equipment components shall be designed and secured or covered (or both) to minimize hazards caused by breakage, release of mechanical energy (e.g., broken springs), or loosening and/or falling unless the employer can demonstrate that to do so would be inconsistent with the manufacturer's recommendations or would otherwise impair employee safety.

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