

# FILE PRINT

STATE OF CALIFORNIA—OFFICE OF ADMINISTRATIVE LAW  
**NOTICE PUBLICATION REGULATIONS SUBMISSION**

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER <b>2-2015-0922-13</b>	REGULATORY ACTION NUMBER <b>2016-0122-07EP</b>	EMERGENCY NUMBER
For use by Office of Administrative Law (OAL) only			
RECEIVED FOR FILING PUBLICATION DATE  SEP 22 '15      OCT 02 '15		2016 JAN 22 P 4: 37	
Office of Administrative Law		OFFICE OF ADMINISTRATIVE LAW	
NOTICE		REGULATIONS	

**ENDORSED - FILED**  
 In the office of the Secretary of State  
 of the State of California

**MAR 07 2016**

2:01 PM

AGENCY WITH RULEMAKING AUTHORITY Occupational Safety and Health Standards Board	AGENCY FILE NUMBER (if any)
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**A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)**

1. SUBJECT OF NOTICE GISO 4307	TITLE(S) Title 8	FIRST SECTION AFFECTED GISO 4307	2. REQUESTED PUBLICATION DATE October 2, 2015
3. NOTICE TYPE <input checked="" type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON Marley Hart, Executive Officer	TELEPHONE NUMBER (916)-274-5721	FAX NUMBER (Optional) (916)-274-5743
OAL USE ONLY <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	ACTION ON PROPOSED NOTICE	NOTICE REGISTER NUMBER <b>2015 402</b>	PUBLICATION DATE <b>10/2/2015</b>

**B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)**

1a. SUBJECT OF REGULATION(S) Exception for Portable Power-Driven Circular Saw Blade Guarding (Horcher)	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
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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 4307
REPEAL
TITLE(S)      8

3. TYPE OF FILING			
<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346) <input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.2, 11349.4) <input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute. <input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h)) <input checked="" type="checkbox"/> File & Print <input checked="" type="checkbox"/> Other (Specify) <u>Exempt per LC 142.3(a)(3)</u>	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100) <input type="checkbox"/> Print Only

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 January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(e)) <input checked="" type="checkbox"/> Effective on filing with Secretary of State <input type="checkbox"/> §100 Changes Without Regulatory Effect <input type="checkbox"/> Effective other (Specify)

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 §6650) <input type="checkbox"/> Fair Political Practices Commission <input type="checkbox"/> State Fire Marshal <input type="checkbox"/> Other (Specify)

7. CONTACT PERSON Marley Hart, Executive Officer	TELEPHONE NUMBER 916-274-5721	FAX NUMBER (Optional) 916-274-5743	E-MAIL ADDRESS (Optional) mhart@dir.ca.gov
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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 <i>Marley Hart</i>	DATE <i>Jan 21, 2016</i>
PRINTED NAME AND TITLE OF SIGNATORY Marley Hart, Executive Officer	

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<b>ENDORSED APPROVED</b>
<b>MAR 07 2016</b>
Office of Administrative Law

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

TITLE 8, DIVISION 1, CHAPTER 4

Amend Section 4307 to read:

§4307. Portable Power Driven Circular Hand Saws.

(a) All portable, power-driven circular saws shall be equipped with guards above and below the base plate or shoe. The teeth on the upper half of the blade shall be permanently shielded from contact.

Exception: The upper guard shall cover the saw to the depth of the teeth, except for the minimum arc required to permit the base to be tilted for bevel cuts.

(b) The lower half (point of operation) of the saw blade shall be guarded to the root of the teeth with a telescopic or hinged guard that, for normal operation, opens up as the saw is fed into the cut and automatically returns to the position covering the saw teeth when removed from the cut. When the tool is withdrawn from the work, the lower guard shall automatically and instantly return to the covering position.

EXCEPTION No. 1: The guard described in subsection (b) is not required on hand-held portable powered cut-off saws used by fire/rescue personnel for rescue procedures and/or roof ventilation for smoke removal provided the operator is wearing appropriate eye, face, head and body protection as specified in Articles 10 and 10.1 of the General Industry Safety Orders. This exception also applies to qualified persons (e.g. instructors) wearing personal protective equipment as described herein to instruct personnel in safe roof ventilation/rescue techniques.

EXCEPTION No. 2: The lower guard shall cover the saw to the depth of the teeth, except for the minimum arc required to allow proper retraction and contact with the work.

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(c) Guards shall not be prevented from operating automatically by pins, wedges, or other devices that hold them back in an inoperative position.

(d) Saws with hazardous defects, such as damaged guards or switches, shall be removed from service until repairs are complete.

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