

# REGULAR

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)

<b>OAL FILE NUMBERS</b>	<b>NOTICE FILE NUMBER</b>	<b>REGULATORY ACTION NUMBER</b>	<b>EMERGENCY NUMBER</b>
	Z-2014-0520-07	2015-0319-055	

For use by Office of Administrative Law (OAL) only

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

APR 30 2015

2:17 PM

RECEIVED FOR FILING PUBLICATION DATE

MAY 20 '14      MAY 30 '14

2015 MAR 19 PM 4:47

OFFICE OF  
ADMINISTRATIVE LAW

Office of Administrative Law

NOTICE

REGULATIONS

AGENCY WITH RULEMAKING AUTHORITY

AGENCY FILE NUMBER (if any)

Occupational Safety and Health Standards Board

### A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE		TITLE(S)		FIRST SECTION AFFECTED		2. REQUESTED PUBLICATION DATE	
GISO Sections 4345, 4351, 4352, and 4354		Title 8		4345		May 30, 2014	
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 <input checked="" type="checkbox"/> ONLY		ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn		NOTICE REGISTER NUMBER 2014, 222		PUBLICATION DATE 5/30/2014	

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

1a. SUBJECT OF REGULATION(S) Stationary and Mobile Compaction Equipment and Balers	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 Sections 4345, 4351, 4352 and 4354
	REPEAL
TITLE(S) 8	

3. TYPE OF FILING

<input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<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"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))		<input type="checkbox"/> Other (Specify) _____	

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)  
October 31, 2014 - November 17, 2014

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)

<input checked="" type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> §100 Changes Without Regulatory Effect	<input type="checkbox"/> Effective other (Specify)
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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 56660)	<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 3/19/15
TYPED NAME AND TITLE OF SIGNATORY Marley Hart, Executive Officer	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

APR 30 2015

Office of Administrative Law

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

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

Amend Section 4345 to read:

§4345. Hoist and Tilt-Frame Refuse and Trash Collection Equipment.

(a) Hoist and tilt-frame equipment placed in service on or after July 1, 2015, which is used for handling refuse containers, shall be equipped with a manufacturer-installed permanent plate or marking which states words to the effect that the equipment is designed and constructed in accordance with the applicable sections of ANSI Z245.1-2012, "American National Standard for Equipment Technology and Operations for Wastes and Recyclable Materials - Mobile Wastes and Recyclable Materials Collection, Transportation, and Compaction Equipment-Safety Requirements."

~~(a) Hoist and tilt-frame equipment placed in service on or after December 2, 1998, before July 1, 2015, which is used for handling refuse containers, shall be equipped with a permanent plate or marking which states the equipment is designed and constructed in accordance with the applicable ANSI Z245.1 standard in effect at the time the equipment was manufactured. sections of ANSI Z245.1 1992, "American National Standard for Refuse Collection, Processing, and Disposal Equipment Mobile Refuse Collection and Compaction Equipment-Safety Requirements."~~

~~(b) Hoist and tilt frame equipment placed in service before December 2, 1998 which is used for handling refuse containers shall be equipped with a permanent plate or marking which states the equipment is designed and constructed in accordance with the applicable ANSI Z245.1 standard in effect at the time the equipment was manufactured.~~

(c) Every hoist and tilt-frame vehicle shall be equipped with a back-up warning device or other method as required by Section 3706(b).

(d) Employees shall not be permitted to ride on any part of the vehicle other than in the cab when the hoist or tilt-frame equipment is in motion.

(e) The controls of hoist or tilt-frame equipment shall not be actuated if any employee is in a position to be endangered by the movement resulting from that actuation.

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

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

Attachment No. 1

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

Amend Section 4351 to read:

§4351. Definitions.

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Collection. The phase of operation of a collection and transportation vehicle during which active loading of materials occurs, including travel between material loading points, and at vehicle speeds at or less than 20 mph (32 kph).

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Secondary Position. The position(s) in a dual drive configuration which is (are) designed to be occupied by the driver during collection.

Transit. The phase of operation of a collection and transportation vehicle during which no active loading or unloading of material occurs. This includes the on-road movement of the vehicle from the employer's yard to the collection route, from the end of the collection route to the disposal or processing facility, from the disposal or processing facility back to the employer's yard, and operation between various facilities. Transit includes operation between collection points when speed exceeds 20 mph (32 kph).

Work Brake. A feature of certain collection vehicles, typically equipped with secondary, right hand or stand up drive positions, which holds the vehicle in a stopped position, after the vehicle has been brought to rest using the service brake, to permit the operator to leave the cab temporarily in order to load material into the vehicle.

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

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

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

Amend Section 4352 to read:

§4352. Construction, Reconstruction, and Modification.

(a) Refuse Compaction Equipment.

(1) Stationary and mobile refuse compaction equipment placed in service on or after July 1, 2015 shall be equipped with a manufacturer-installed permanent plate or marking which states words to the effect that the compactor is designed and constructed in accordance with the applicable provisions of ANSI Z245.21-2013, "American National Standard for Equipment Technology and Operations for Wastes and Recyclable Materials: - Stationary Compactors - Safety Requirements for Manufacturing and Reconstruction" and ANSI Z245.1-2012, American National Standard for Equipment Technology and Operations for Wastes and Recyclable Materials - Mobile Wastes and Recyclable Materials Collection, Transportation, and Compaction Equipment – Safety Requirements" respectively, and, in addition, shall comply with the requirements of these Orders.

~~(1) Stationary and mobile refuse compaction equipment placed in service on or after January 3, 1996 shall be equipped with a permanent plate or marking which states the compactor is designed and constructed in accordance with the applicable provisions of ANSI Z245.2-1992, "American National Standard for Refuse Collection, Processing, and Disposal Equipment- Stationary Compactors-Safety Requirements" and ANSI Z245.1-1992 "American National Standard for Refuse Collection, Processing, and Disposal Equipment-Mobile Refuse Collection and Compaction Equipment Safety Requirements," respectively, and, in addition, shall comply with the requirements of these Orders.~~

(2) Stationary and mobile compaction equipment placed in service before ~~January 3, 1996~~ July 1, 2015 shall be equipped with a permanent plate or marking which states the compactor is designed and constructed in accordance with the applicable ANSI Z245 standard in effect at the time the compaction equipment was manufactured.

(3) Equipment shall have a permanent identification of the name of the manufacturer and the date the equipment was manufactured.

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

Attachment No. 1

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

(4) Any reconstruction or modification of compaction equipment shall be in accordance with the applicable ANSI Z245 safety standard indicated in subsections (a) and (b).

(b) Other Compaction Equipment. ~~Balers placed in service on or after January 3, 1996 shall be equipped with a permanent plate or marking which indicates the baler meets the requirements of ANSI Z245.5 1990, "American National Standard for Refuse Collection, Processing, and Disposal Baling Equipment Safety Requirements." Other compaction equipment shall be designed and constructed in accordance with good engineering practice.~~

(1) Balers placed in service on or after July 1, 2015 shall be equipped with a manufacturer-installed permanent plate or marking, which indicates the baler meets the requirements of ANSI Z245.51-2013, "American National Standard for Equipment Technology and Operations for Wastes and Recyclable Materials - Baling Equipment - Safety Requirements."

(2) Balers placed in service before July 1, 2015 shall be equipped with a permanent plate or marking which indicates the baler meets the requirements of the ANSI Z245.5 standard in effect at the time the compaction equipment was manufactured.

(3) Other compaction equipment shall be designed and constructed in an approved manner.

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

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

Attachment No. 1

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

Amend Section 4354 to read:

§4354. Mobile Compaction Equipment.

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(i) Collection vehicles equipped with a secondary drive position shall be operated as follows:

- (1) The speed of the vehicle shall be limited to 20 mph (32 kph) when operated from the stand-up position.
- (2) Mirrors shall be adjusted to provide adequate visibility from the operator's driving position.
- (3) Seatbelts shall be worn at all times while the vehicle is in transit.
- (4) Occupant restraint(s), such as a door(s), locking or latching bars, safety chain(s), or strap(s) shall be installed across any truck cab opening and in use while driving at the secondary position.
- (5) Only qualified operators shall be permitted to drive in the secondary position.

(j) On vehicles equipped with a work brake, the work brake feature shall not be used as the primary means of stopping the vehicle. A safety sign shall be placed within the operator(s) view, such as: "DO NOT USE WORK BRAKE INSTEAD OF SERVICE BRAKE TO STOP VEHICLE."

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