

**OCCUPATIONAL SAFETY
AND HEALTH STANDARDS BOARD**

2520 Venture Oaks Way, Suite 350
Sacramento, CA 95833
(916) 274-5721
FAX (916) 274-5743
www.dir.ca.gov/oshsb



Attachment No. 2

INITIAL STATEMENT OF REASONS**CALIFORNIA CODE OF REGULATIONS**

**TITLE 8: Chapter 4, Subchapter 7, Article 58, Sections 4297, 4300, and 4300.1
of the General Industry Safety Orders**

Table Saws**SUMMARY**

This rulemaking was initiated in response to a request from the Division of Occupational Safety and Health (Division) dated November 29, 2004, to add new Section 4300.1 to the General Industry Safety Orders (GISO) concerning the guarding and safe operation of table saws. Article 59 contains standards which pertain to the guarding and safe operation of woodworking machines including a vertical standard for hand-fed circular ripsaws (Section 4300) and one for hand-fed circular knives and cross cut saws (Section 4302). There is no vertical standard for table saws, which are widely used for both ripping and crosscutting. The application of Sections 4300 and 4302 to table saws is unclear, especially when dealing with laminates and manufactured wood products that lack grain orientation, which is commonly relied upon to distinguish between ripping and crosscutting operations. The proposal would add a new vertical standard for hand-fed table saws which would restate the provisions of Sections 4300 and 4302 that are applicable to hand-fed table saws and clarify when the provisions apply with respect to ripping, crosscutting, and other operations.

SPECIFIC PURPOSE AND FACTUAL BASIS OF PROPOSED ACTION**Section 4297. Definitions**

Existing Section 4297 includes definitions for the terms used in the Article 59 standards for woodworking machines. The proposal would add a definition of table saw which includes a reference to a new figure of a table saw that would also be added to Article 59. The definition of table saw is substantially the same as the definition in the American National Standards Institute (ANSI) Standard for Woodworking Machinery – Safety Requirements, O1.1-1992. The effect of the new definition is to clarify the scope and application of proposed new Section 4300.1, Table Saws – Manual Feed (Class B).

The proposal would also add new definitions of crosscutting and ripping which are based on the definitions in ANSI O1.1-1992. The new definitions are necessary to clarify the terms which are

used in new Section 4300.1 to describe operations that are exempt from, or covered by, certain requirements.

The proposal would also amend the existing definition of “push stick” by deleting the word “short”, which is used to describe the pieces of material that push sticks are used to push, replacing “saws” with “woodworking machines”, and adding the phrase “to provide a safe distance between the hand(s) and the cutting tool.” The revision is necessary to clarify the purpose for which push sticks are designed and used.

Section 4300. Circular Ripsaws - Manual Feed (Class B)

Existing subsection (f) requires “A push stick of suitable design shall be provided and used.” The standard does not provide instruction on when a push stick is required to be used. Push sticks, as defined in ANSI O1.1 – 1992, are designed to provide a safe distance between the hand(s) and the cutting tool. The proposal is necessary to instruct the reader that the use of a push stick is required “when the size of the piece being cut does not provide a safe distance between the hand(s) and the cutting tool.”

Section 4300.1. Table Saws – Manual Feed (Class B)

There is no existing vertical standard for hand-fed table saws. Section 4300 applies to hand-fed circular ripsaws and Section 4302 applies to hand-fed circular crosscut saws. Table saws are used for both ripping and crosscutting operations. Furthermore, ANSI O1.1- 1992 states that other names for table saws include ripsaw and crosscut saw.

Section 4302 is limited to the provisions in subsections (a), (b) and (c) which relate to guards. Section 4300 also contains provisions for guards in subsections (a), (b) and (c), however subsequent subsections contain additional requirements related to the provision of a spreader, an anti-kickback device and the use of a push stick.

The provisions for guarding hand-fed ripsaws in Sections 4300(b) and (c) are identical to the provisions for guarding hand-fed crosscut saws in Sections 4302(b) and (c). The guarding requirements in Section 4300(a) differ from those in Section 4302(a) due to the fact that rip saw blades like table saw blades are generally positioned below the table, while crosscut saw blades like radial arm saw blades are generally positioned above the table. w

The proposal would add a new vertical standard for hand-fed table saws in Section 4300.1 The provisions for guarding table saws in new Section 4300.1(a) would be identical to the provisions for guarding hand-fed ripsaws in Section 4300(a), (b) and (c), and would apply when either ripping or crosscutting. The requirements in new Section 4300.1(b) for providing a spreader would be identical to those in Section 4300(e), except crosscutting would be added to the list of operations that are exempt from this requirement since it is not applicable to crosscutting operations. The provisions in new Section 4300.1(c) regarding an anti-kickback device and use of a push stick would be identical to those in Section 4300(d) and revised Section 4300(f), respectively. Since these requirements are not applicable to crosscutting they would only apply when ripping operations are performed. The proposed new standard is necessary to restate the

provisions of Sections 4300 and 4302 that are applicable to hand-fed table saws and clarify when the provisions apply with respect to ripping, crosscutting, and other operations.

DOCUMENTS RELIED UPON

1. Memorandum from the Division of Occupational Safety and Health, Form 9-041, to the Occupational Safety and Health Standards Board, dated November 29, 2004.
2. Standard for Woodworking Machinery – Safety Requirements, American National Standards Institute (ANSI), ANSI O1.1-1992.

These documents are available for review Monday through Friday from 8:00 a.m. to 4:30 p.m. at the Standards Board Office located at 2520 Venture Oaks Way, Suite 350, Sacramento, California.

REASONABLE ALTERNATIVES THAT WOULD LESSEN ADVERSE ECONOMIC IMPACT ON SMALL BUSINESSES

No reasonable alternatives were identified by the Board and no reasonable alternatives identified by the Board or otherwise brought to its attention would lessen the impact on small businesses.

SPECIFIC TECHNOLOGY OR EQUIPMENT

This proposal will not mandate the use of specific technologies or equipment.

COST ESTIMATES OF PROPOSED ACTION

Costs or Savings to State Agencies

No costs or savings to state agencies will result as a consequence of the proposed action.

Impact on Housing Costs

The Board has made an initial determination that this proposal will not significantly affect housing costs.

Impact on Businesses

The Board has made a determination that this proposal will not result in a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. The proposed standards merely clarify which of the provisions of existing Section 4300 apply when ripping or crosscutting operations are performed with a hand-fed table saw.

Cost Impact on Private Persons or Businesses

The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Costs or Savings in Federal Funding to the State

The proposal will not result in costs or savings in federal funding to the state.

Costs or Savings to Local Agencies or School Districts Required to be Reimbursed

No costs to local agencies or school districts are required to be reimbursed. See explanation under "Determination of Mandate."

Other Nondiscretionary Costs or Savings Imposed on Local Agencies

This proposal does not impose nondiscretionary costs or savings on local agencies.

DETERMINATION OF MANDATE

The Occupational Safety and Health Standards Board has determined that the proposed standards do not impose a local mandate. Therefore, reimbursement by the state is not required pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code because* these standards do not constitute a "new program or higher level of service of an existing program within the meaning of Section 6 of Article XIII B of the California Constitution."

The California Supreme Court has established that a "program" within the meaning of Section 6 of Article XIII B of the California Constitution is one which carries out the governmental function of providing services to the public, or which, to implement a state policy, imposes unique requirements on local governments and does not apply generally to all residents and entities in the state. (County of Los Angeles v. State of California (1987) 43 Cal.3d 46.)

These proposed standards do not require local agencies to carry out the governmental function of providing services to the public. Rather, the standards require local agencies to take certain steps to ensure the safety and health of their own employees only. Moreover, these proposed standards do not in any way require local agencies to administer the California Occupational Safety and Health program. (See City of Anaheim v. State of California (1987) 189 Cal.App.3d 1478.)

These proposed standards do not impose unique requirements on local governments. All employers - state, local and private - will be required to comply with the prescribed standard(s).

EFFECT ON SMALL BUSINESSES

The Board has determined that the proposed amendments may affect small businesses. However, no economic impact is anticipated. The proposed standards merely clarify which of the provisions of existing Section 4300 apply when ripping or crosscutting operations are performed with a hand-fed table saw.

ASSESSMENT

The adoption of the proposed amendments to these standards will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California.

ALTERNATIVES THAT WOULD AFFECT PRIVATE PERSONS

No reasonable alternatives have been identified by the Board or have otherwise been identified and brought to its attention that would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.