

## **Manitoba**

### **Powered Mobile Equipment**

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### **Workplace Safety and Health Regulation**

Regulation 217/2006

Registered October 31, 2006

#### **PART 22 POWERED MOBILE EQUIPMENT GENERAL**

#### **Application**

22.1 This Part applies to every workplace where powered mobile equipment is used.

#### **Safe work procedures**

22.2 An employer with a workplace that is subject to this Part must

- (a) develop and implement safe work procedures for the use of powered mobile equipment in the workplace;
- (b) train workers in those safe work procedures; and
- (c) ensure that workers comply with those safe work procedures.

#### **Inspection and maintenance**

22.3(1) An employer must ensure that powered mobile equipment is inspected by a competent person for defects and unsafe conditions

- (a) as often as is necessary to ensure that the equipment is in safe operating condition; and
- (b) without limiting clause (a), in accordance with the manufacturer's specifications.

22.3(2) If an inspection of powered mobile equipment identifies a defect or unsafe condition that is hazardous or may create a risk to the safety or health of a worker, an employer must ensure that the powered mobile equipment is not operated until the defect is repaired or the unsafe condition is corrected.

22.3(3) An employer must ensure that a written record of the inspections, repairs and maintenance carried out on the powered mobile equipment is kept at the workplace and made readily available to the operator of the equipment.

### **Operator's manual**

22.4 An employer must ensure the operator's manual for powered mobile equipment is readily available to a worker who operates the equipment.

## **SAFETY REQUIREMENTS FOR EQUIPMENT**

### **Guarding moving parts**

22.5(1) An employer must ensure that the exposed moving parts of powered mobile equipment, including gears, pulleys, belts, chains and shafts, are effectively shielded, enclosed or guarded in a manner that prevents a worker from coming in contact with the moving parts.

22.5(2) Where it is not reasonably practicable to provide a shield, enclosure or guard, an employer must ensure that an alternative mechanism, system or change in work procedure that offers protection to a worker that is equal to or greater than the protection from a shield, enclosure or guard is put into place to protect the safety and health of a worker.

### **Exhaust and other hot equipment surfaces**

22.6(1) An employer must ensure that every surface of powered mobile equipment, including exhaust systems and hydraulic lines, that may burn a worker who comes in contact with it is shielded or guarded in a manner that provides effective protection from burns.

22.6(2) An employer must ensure that powered mobile equipment which has an enclosed compartment that is used to transport workers has the exhaust outlet of the engine located so that exhaust gases cannot enter the compartment.

### **Safety requirements**

22.7(1) An employer and a supplier must ensure that powered mobile equipment is equipped with

- (a) a horn or other audible warning device;
- (b) a portable fire extinguisher that meets the applicable requirements for extinguishers contained in the Manitoba Fire Code;
- (c) an effective braking system; and
- (d) an effective parking device.

22.7(2) An employer and a supplier must ensure that powered mobile equipment that is used to drive ancillary equipment, including a power take-off, crane or auger or any digging, lifting or cutting equipment, is equipped with a device, within easy reach of the operator, that allows the operator to immediately stop the ancillary equipment.

### **Seats, seatbelts and restraining devices**

22.8 If, at the time it was manufactured or subsequently, powered mobile equipment is equipped with a seat with a seatbelt or another type of restraining device, an employer must ensure that

- (a) the seat and seatbelt or restraining device are not removed; and

(b) when the powered mobile equipment is in use, the operator and any other worker required or permitted to be in or on the equipment use the seats and seatbelts or other restraining devices.

### **Lights**

22.9(1) An employer must ensure that powered mobile equipment which is operated during hours of darkness or in an area that is not adequately illuminated is equipped with suitable headlights and back-up lights that clearly illuminate the path of travel.

22.9(2) A supplier must ensure that powered mobile equipment that is intended to be operated during hours of darkness is equipped with suitable headlights and back-up lights that clearly illuminate the path of travel.

### **Windshield and other transparent materials**

22.10(1) An employer and a supplier must ensure that powered mobile equipment which is equipped with a windshield is also equipped with suitable windshield wipers and washers.

22.10(2) An employer and a supplier must ensure that any transparent material used as part of the enclosure for a cab or canopy on powered mobile equipment is made of safety glass or another material that gives at least the equivalent protection against shattering.

### **Falling objects protective structures**

22.11(1) An employer must ensure that, when there is a risk to the safety or health of the operator of powered mobile equipment or any other worker who is required or permitted to be in or on the equipment from a falling object, the equipment is equipped with a falling objects protective structure that

(a) complies with the applicable requirements of

(i) SAE Standard J167 (2002), Overhead Protection for Agricultural Tractors — Test Procedures and Performance Requirements,

(ii) SAE Standard J/ISO 3449 (1998), Earthmoving Machinery — Falling-Object Protective Structures — Laboratory Test and Performance Requirements, or

(iii) SAE Standard J1042 (2003), Operator Protection for General-Purpose Industrial Machines; or

(b) is certified by a professional engineer as providing the equivalent or better protection than that of a structure that complies with the requirements of clause (a).

22.11(2) An employer must ensure that any addition, modification or structural repair of a falling objects protective structure is done in accordance with the instructions of, and is recertified as restored to its original performance requirements by, the equipment manufacturer or a professional engineer.

### **Protection against shifting equipment**

22.12(1) An employer must ensure that powered mobile equipment used to transport tools, equipment or materials that may shift during a stop is equipped with a bulkhead or a restraining device that effectively protects the operator and any other worker who is

required or permitted to be in or on powered mobile equipment.

22.12(2) An employer must ensure that no worker places equipment or material in the cab of powered mobile equipment in which the operator or any other worker is being transported unless they are positioned or secured to restrict their movement and prevent injury to the operator or other worker.

#### **Hazardous materials not be placed in enclosed part**

22.13 An employer must ensure that no flammable liquids, hazardous chemicals or any other potentially harmful materials are transported in an enclosed part of powered mobile equipment where a worker is present.

#### **Fuel tanks not to be in enclosed cabs**

22.14 If an enclosed cab is provided, the employer and supplier must ensure that the fuel tank of the powered mobile equipment is not located in its enclosed cab.

### **WHEN POWERED MOBILE EQUIPMENT IS USED**

#### **Visual inspection**

22.15 An employer must ensure that before powered mobile equipment is operated, its operator completes a visual inspection of the equipment and the surrounding area to ensure that it is in safe operating condition and that no one, including the operator, will be endangered when the powered mobile equipment is started.

#### **Dangerous movement**

22.16(1) An employer must ensure that, if the movement of a load or the cab, counterweight or any other part of the powered mobile equipment creates a risk to the safety or health of a person,

(a) the person does not remain within the range of the moving load or part; and

(b) the operator of the equipment does not move the load or the equipment if a person is at risk.

22.16(2) An employer must ensure that, if a person could be caught between a moving part of the powered mobile equipment and another object,

(a) entry to the area is restricted; and

(b) the operator of the equipment maintains an appropriate clearance distance between the powered mobile equipment and the object.

22.16(3) An employer must ensure that no person is in the immediate path of travel of powered mobile equipment or under any material or equipment that is being loaded or unloaded from it.

#### **Barrier if used above grade height**

22.17 An employer must ensure that, when powered mobile equipment is used above grade height in or on a building or other structure, an appropriate barrier is installed to prevent the equipment from falling.

### **Requirements re transporting workers**

22.18(1) An employer must ensure that no worker is transported by powered mobile equipment or any attachment unless

- (a) the equipment or attachment is designed for that purpose; and
- (b) if there is a separation between the operator and the passenger or passengers, there is a suitable means of communication between the operator and the passenger or passengers.

22.18(2) Without limiting subsection (1), an employer must ensure that no worker is transported on top of a load that is being moved by powered mobile equipment.

### **Unattended equipment**

22.19 An employer must ensure that the operator does not leave the controls of powered mobile equipment unattended unless

- (a) the equipment is secured against unintentional movement by an effective method of immobilizing the equipment; and
- (b) all suspended or elevated parts, if any, are fully lowered.

### **Extending boom**

22.20 An employer must ensure that no worker operates powered mobile equipment equipped with an extending boom unless the equipment is stable under all operating conditions.

## **MAINTENANCE**

### **Maintenance on elevated parts**

22.22 An employer must ensure that if an elevated part of powered mobile equipment is being maintained or repaired by a worker, the part and the powered mobile equipment are securely blocked in place and cannot move.

### **Tire servicing**

22.23(1) An employer must ensure that

- (a) a competent person services, inspects, disassembles and reassembles a tire or tire and wheel assembly of powered mobile equipment in accordance with the specifications of both the tire manufacturer and the manufacturer of the powered mobile equipment; and
- (b) the manufacturer's service manuals for the tires and wheels are readily available to the competent person.

22.23(2) An employer must ensure that a competent person

- (a) uses a clamp-on type of connector to inflate split-rim and locking ring wheels; and
- (b) only inflates a tire mounted on a split-rim or locking ring wheel if
  - (i) the wheel assembly is in a tire cage or is similarly restrained, and
  - (ii) potential flying parts from split-rim or locking ring failure or tire rupture are contained.

22.23(3) An employer must ensure that, where a clamp-on type of connector is used to inflate a tire, the person doing so

- (a) uses
  - (i) an in-line pressure gauge, and
  - (ii) positive pressure control; and
- (b) inflates the tire from a position that is safe and that is not within the potential trajectory of the tire.

## **POWERED LIFT TRUCKS**

### **Definition: "powered lift truck"**

**22.28** In sections 22.29 and 22.30, "**powered lift truck**" means powered mobile equipment that is

- (a) designed to allow the operator to lift, carry and unload a load; and
- (b) within a class of trucks to which the code of practice referred to in subsection 22.29(2) applies.

### **Powered lift truck operating certificate**

**22.29(1)** No employer shall require or permit a worker to operate a powered lift truck unless the employer has issued a certificate to the worker under this section.

**22.29(2)** No employer shall issue a certificate to a worker to operate a powered lift truck unless the employer has first ensured that the worker

- (a) has received instruction, training and testing in the operation of the powered lift truck in accordance with a code of practice approved and issued under the Act;
- (b) is familiar with the operating procedures of the truck that the worker will be operating; and
- (c) has demonstrated competency in the operation of the truck that the worker will be operating in accordance with the code of practice referred to in clause (a).

**22.29(3)** An employer who issues a certificate to a worker must

- (a) establish and implement an evaluation system to ensure that the worker maintains competency in the operation of the powered lift truck;
- (b) maintain a record of the training the worker receives in the operation of the truck; and
- (c) produce a copy of the certificate and record on the request of a safety and health officer.

### **Load rating chart**

**22.30** An employer and a supplier must ensure that a powered lift truck is provided with a clearly visible and legible load rating chart that is affixed to the truck.