

**352.300 Stations for fire bosses -- Persons not to pass or remove danger signals.**

- (1) The mine foreman and the fire boss shall, at or near the main entrance to the mine, provide a permanent station with a proper danger signal, designated by suitable letters and colors placed thereon, and, if the working portions are one (1) mile or more from the entrance to the mine or from the bottom of the shaft or slope, a station of suitable dimensions for the use of the fire boss may be erected by the mine foreman in a location approved by the inspector.
- (2) No person, except the mine foreman, and in case of necessity other persons as are designated by him, and under his direct supervision for the purpose of correcting the dangerous condition, shall pass a danger signal until the dangerous condition has been corrected. No person shall enter a mine until the mine has been examined by a fire boss and the mine or the portions of it beyond the fire boss station reported by him to be safe.
- (3) The fire boss shall not allow any other person to enter or remain in any portion of the mine through which a dangerous accumulation of gas is being passed into the ventilating current from any portion of the mine. He shall report to the mine foreman at once any violations of KRS 352.280 to 352.310.
- (4) No person except a mine foreman, assistant mine foreman, fire boss or person designated by the mine foreman under subsection (2) of this section, shall pass or remove any danger signal before the mine has been examined and reported to be safe.
- (5) No person shall pass or remove any danger signal without permission from the mine foreman, the assistant mine foreman, or the fire boss.
- (6) If any mine foreman has knowledge of a violation of subsection (4) or (5) of this section, he shall immediately notify the licensee or superintendent who shall notify the mine inspector, in writing. The mine inspector shall then immediately institute proceedings against the offender.

**Effective:** April 9, 1996

**History:** Amended 1996 Ky. Acts ch. 308, sec. 40, effective April 9, 1996. -- Amended 1972 Ky. Acts ch. 303, sec. 28. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 2739-38.

**Legislative Research Commission Note (4/9/96).** The action taken with respect to this statute by 1996 Ky. Acts ch. 308 was to have become effective April 8, 1996, under Section 51 of that Act. The Act, however, did not become effective until April 9, 1996, when the Governor's signed copy of the Act was filed with the Secretary of State.