

**351.242 Mine safety analysis program -- Responsibility and powers of mine safety analysts.**

- (1) There is hereby created in the department a mine safety analysis program.
- (2) Persons employed in the department as underground or surface mine safety analysts shall satisfy the applicable requirements established in KRS 351.090.
- (3) The primary responsibility of the safety analyst is to prevent mine accidents and fatalities by observing and evaluating the work habits of persons involved in the direct production of coal and to contact, advise, and assist these persons in correcting their unsafe or potentially hazardous actions.
- (4) The safety analyst shall have the same powers as a mine inspector of the department, but these powers shall be considered secondary to the primary responsibilities provided in subsection (3) of this section. Each time a safety analyst enters a mine to perform his primary responsibility, he shall confer with the foreman as to the conditions of the mine and the work practices of the employees.
- (5) The safety analyst shall keep mine management, representatives of the employees, and the commissioner informed about all hazardous conditions and all matters which may improve the safety of mines.
- (6) The office shall assist the department in assessing the effectiveness of miner training programs.
- (7) The commissioner shall at his or her discretion assign safety analysts to all mines in the state taking into consideration such factors as the history of accidents at the mine, experience of the workforce, physical condition of the mine, and size of the mine.
- (8) The commissioner may coordinate the assignment of safety analysts with the appropriate federal authorities to minimize duplication of accident prevention efforts.
- (9) The commissioner shall report annually to the General Assembly and to the Governor on the effectiveness of the safety analysts in improving mine safety.

**Effective:** June 20, 2005

**History:** Amended 2005 Ky. Acts ch. 123, sec. 60, effective June 20, 2005. -- Amended 1998 Ky. Acts ch. 480, sec. 4, effective July 15, 1998. -- Amended 1996 Ky. Acts ch. 308, sec. 18, effective April 9, 1996. -- Created 1976 (1st Extra. Sess.) Ky. Acts ch. 3, sec. 2.

**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.