352.230 Use of electrical equipment.

For purposes of this section: "approved" means that a device, apparatus, equipment, machinery, or practice employed in the mining of coal has been approved by the commissioner of the Department for Natural Resources or accepted by a nationally or federally recognized testing laboratory or the Department of Labor Mine Safety and Health Administration; "suitable" means a design, material, or installation that meets the requirements of its intended use or that is accepted by a nationally or federally recognized testing laboratory or the Department of Labor Mine Safety and Health Administration.

(1) All electrical equipment and all other electric-driven equipment except intrinsically safe equipment which is taken into or used inby the last open crosscut and in return airways in underground mines shall be permissible. The commissioner or his authorized representative shall reject any modification to mining equipment which would endanger the health or safety of employees.

(2) Headlights shall be properly installed and maintained in a workmanlike manner and working order on all mobile and face equipment at all times the equipment is in operation.

(3) Headlights shall be mounted to provide maximum illumination where it will be most effective and shall be protected from damage by guarding or locations.

(4) At all times when mining equipment is being used, it shall be maintained in safe working order. Electrical equipment and circuits shall be examined and tested in a suitable manner by certified electricians to ensure safe working order.

(5) Combustible materials, grease, lubricants, or flammable liquids shall not be allowed to accumulate where they can create a fire hazard.

(6) All electrical equipment utilized in intake airways outby the last open crosscut shall be maintained in safe operating condition and in accordance with the manufacturer's instructions.

Effective: July 13, 2004

History: Amended 2004 Ky. Acts ch. 37, sec. 3, effective July 13, 2004. -- Amended 2000 Ky. Acts ch. 104, sec. 19, effective July 14, 2000. -- Amended 1998 Ky. Acts ch. 480, sec. 6, effective July 15, 1998. -- Amended 1996 Ky. Acts ch. 308, sec. 36, effective April 9, 1996. -- Amended 1976 (1st Extra. Sess.) Ky. Acts ch. 8, sec. 24. -- Amended 1976 Ky. Acts ch. 174, sec. 14. -- Amended 1972 Ky. Acts ch. 303, sec. 21. -- Amended 1952 Ky. Acts ch. 162, sec. 27, effective March 5, 1952. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 2739-34, 2739-35.

Legislative Research Commission Note (8/21/2008). 2005 Ky. Acts chs. 11, 85, 95, 97, 98, 99, 123, and 181 instruct the Reviser of Statutes to correct statutory references to agencies and officers whose names have been changed in 2005 legislation confirming the reorganization of the executive branch. One such correction that was overlooked during codification after the 2005 Regular Session of the General Assembly has been made in this section.

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.