

352.130 Safety and hoisting devices in shafts -- Certified hoistman.

- (1) At every mine operated by shaft, there shall be an approved safety catch, and on all cages used for lowering and hoisting persons there shall be a sufficient and substantial overhead cover. At the top of each shaft a safety gate shall be provided. An adequate brake, so adjusted that it may be operated by the engineer without leaving his post at the levers, shall be attached to every drum or equivalent machine used for lowering or raising persons at any shaft or slope, and in connection with the hoisting engine an efficient indicator or dial, which will show the engineer the positions of the cages in the shaft at any time, shall be used. An effective means of communication from the bottom of the shaft or slope to the hoisting engineer shall be provided.
- (2) Cages and incline cars on which men are transported shall be raised or lowered at a rate of speed consistent with the equipment and the physical conditions of the mine, subject to the approval of the mine inspector.
- (3) The hoisting rope, the safety catches, and the cage attachments shall be examined daily by the mine foreman, or by some competent person designated by him, and care shall be taken to keep them in good working condition at all times.
- (4) No person shall ride on any cage when coal, slate, or similar material is being raised.
- (5) No person shall enter a cage at the bottom to be raised to the top during the running hours of the mine, or when leaving work at the close of the day's run, without first being authorized by the bottom man or cager to do so, the bottom man or cager having first signaled to the engineer that men are to be raised.
- (6) At every underground landing where persons enter or leave the cage and where persons must pass from one side of the shaft to the other there shall be a passageway not less than three (3) feet wide and of suitable height, kept free from obstruction and as dry as possible, around the shaft; and all employees when passing from one side of the shaft to the other side shall use the passageway only.
- (7) Hoisting ropes on all cages or trips shall be adequate in size to handle the load and have a proper factor of safety. Ropes used to hoist or lower coal and other materials shall have a factor of safety of not less than five (5) to one (1); ropes used to hoist or lower men shall have a factor of safety of not less than ten (10) to one (1). Load tests shall be made at least once each month and a record kept. The rope shall be replaced as soon as there is evidence of possible failure.
- (8) Any rope attached to a cage, man-car, or trip used for hoisting or lowering men shall be provided with two (2) bridle chains or cables connected securely to the rope at least three (3) feet above the socket or thimble and to the crosspiece of the cage or to the man-car or trip.
- (9) A certified hoistman shall be on the mine site of a shaft or slope mine when persons are underground, including fire bosses and pumpers on idle shifts, except when automatic, self-service facilities with all safety devices are provided.

Effective: April 9, 1996

History: Amended 1996 Ky. Acts ch. 308, sec. 30, effective April 9, 1996. -- Amended 1982 Ky. Acts ch. 201, sec. 1, effective July 15, 1982. -- Amended 1972 Ky. Acts ch. 303, sec. 13. -- Amended 1952 Ky. Acts ch. 162, sec. 21, effective March 5, 1952. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 2739-21.

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.