

30 CFR § 56.14200 - Warnings prior to starting or moving equipment.

Before starting crushers or moving self-propelled mobile equipment, equipment operators shall sound a warning that is audible above the surrounding noise level or use other effective means to warn all persons who could be exposed to a hazard from the equipment.

The standard requires warning to be sounded prior to starting or moving self-propelled mobile equipment. This warning does not apply in stop and go situations. This standard applies to all off-road and on-road self-propelled equipment used on mine property, including vehicles such as vans, suburbans, and pick-up trucks that are used at mine sites.

Since every situation is different and the number of variables endless, the term “other effective means” is evaluated on a case-by-case basis.

If a mine operator believes their proposed alternative method of compliance guarantees the same level of protection afforded by the standard, or application of the standard will result in a diminution of safety to the miners, the operator may elect to file a Petition for Modification as provided in 30 CFR Part 44. Those regulations can be found at; <http://www.msha.gov/30cfr/44.0.htm>. That request should be filed with:

Director
Office of Standards, Regulations, and Variances
Mine Safety and Health Administration, Rm. 2352
1100 Wilson Boulevard
Arlington, VA 22209-3939

If a request for a petition for modification is filed with MSHA, the mine operator is required to comply with the applicable mandatory standard until a decision is reached by the Administrator for Metal and Nonmetal regarding the merits of the requested petition.

The Program Policy Manual (PPM) does not address this standard. There have been five fatalities related to this standard since April 2008:

- On June 20, 2010, a 52 year-old mechanic with 8 years of experience was fatally injured at a surface copper operation. A ½ ton pickup had parked in front of a 240 ton haul truck that was also parked. The haul truck pulled forward and struck the pickup truck fatally injuring the driver and seriously injuring another miner.
- On January 26, 2010, a 59 year-old purchasing manager with 5 years of experience was fatally injured at a cement operation. The victim was struck by an over-the-road tandem trailer truck. The truck had been waiting to unload. When the truck pulled forward, another truck driver observed the victim under the

second trailer of the truck and immediately stopped the driver. The victim was holding a cell phone at the time of the accident.

- On September 15, 2009, a 59 year-old delivery driver with 14 years of experience was fatally injured at a sand and gravel operation. She parked off mine property and walked on site to deliver a package. The victim walked behind a front-end loader that backed over her.
- On June 6, 2009, a 57-year old surface driller with 27 years of experience was fatally injured at a surface gold mine. The victim was drilling in a pit, exited the drill, and was walking in the drill area when he was struck by a flatbed truck as it backed up. The truck was in the area to collect drill cutting sample bags.
- On April 24, 2008, a 48 year-old laborer with 32 weeks experience was fatally injured at an underground industrial sand mine. The victim was checking the roof and ribs for scaling when she was struck by a front-end loader as it backed up.