

## **Nova Scotia - Nouvelle-Écosse**

### **Powered Mobile Equipment**

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### **Occupational Health and Safety Act S.N.S. 1996, c. 7**

#### **Part 7 - Hoists and Mobile Equipment**

##### **General provisions**

**55** An employer shall ensure that a hoist, lift truck or powered mobile equipment is erected, installed, assembled, started, operated, used, handled, stored, stopped, inspected, serviced, tested, cleaned, adjusted, maintained, repaired, modified and dismantled in accordance with the manufacturer's specifications, or the specifications certified by an engineer.

**Section 55 amended: O.I.C. 2000-130, N.S. Reg. 52/2000; O.I.C. 2013-65, N.S. Reg. 53/2013.**

**56** An employer shall ensure that a hoist, lift truck or powered mobile equipment

- (a) is operated by a competent person;
- (b) has gears and moving parts securely guarded by adequate means where necessary to prevent a hazard to a person in the workplace; and
- (c) has any load on it adequately secured where necessary to prevent a hazard to a person in the workplace; and
- (d) is provided with safe means of access and exit from the operator's position and any passenger's position.

**Section 56 amended: O.I.C. 2013-65, N.S. Reg. 53/2013.**

##### **Signaller**

**57 (1)** An employer shall designate one or more competent persons as a signaller to direct the safe movement of a load, hoist, lift truck or powered mobile equipment where the operator of that hoist, lift truck or powered mobile equipment

- (a) does not have an adequate view of the load;
- (b) does not have a clear view of the route the load is to take;

- (c) is not able to see clearly around the equipment when moving and has not taken measures sufficient to ensure that no person is exposed to a hazard as a result of the movement of equipment;
- (d) is not able to see clearly where the hoist or its load may encroach the minimum distance specified in Section 126 or a hoist is positioned closer than the length of its boom to an overhead energized power line or power line equipment; or
- (e) is causing the equipment to move under its own power from one location to another and the situation creates a hazard in the workplace.

**Subsection 57(1) amended: O.I.C. 2000-130, N.S. Reg. 52/2000; amended: O.I.C. 2013-65, N.S. Reg. 53/2013.**

**(2) A signaller shall**

- (a) be readily identifiable to the operator;
- (b) direct the movement of a load or equipment by a well understood distinctive code of hand signals or another effective communication system;
- (c) warn the operator each time
  - (i) any part of the hoist or its load may encroach on the minimum distance specified in Section 126, or
  - (ii) the hoist is positioned closer than the length of its boom from an overhead energized power line or power line equipment; and
- (d) obtain the assistance of another signaller if all or part of the view of the load or route is obstructed from both the signaller and the operator.

**(3) An operator of a hoist, lift truck or powered mobile equipment in a situation referred to in subsection (1) shall move a load only on a signal from a signaller.**

**Subsection 57(3) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.**

**Safety equipment and precautions**

**58** An employer shall ensure that a mobile crane, lift truck or powered mobile equipment is equipped with

- (a) an audible back-up alarm that
  - (i) operates automatically when the vehicle is in reverse gear, and
  - (ii) is clearly audible above the background noise at the workplace,

or that another means of protection or warning that provides an equivalent level of safety is used;

- (b) a manually operated horn, unless such a horn was not installed at the time of manufacture;
- (c) adequate front and rear lights when the equipment is used after dark or in dimly lit areas;
- (d) an adequate braking system; and
- (e) a screen, shield, grill, deflector, guard or other adequate protection for the operator, where the operator may be exposed to the hazard of flying or intruding objects.

**Subsection 58(1) renumbered Section 58 and amended: O.I.C. 2000-130, N.S. Reg. 52/2000; amended: O.I.C. 2013-65, N.S. Reg. 53/2013.**

**59** An employer shall ensure that a hoist or powered mobile equipment that is equipped with outriggers or stabilizers is operated with the outriggers or stabilizers engaged, unless the manufacturer's specifications permit otherwise.

**Section 59 replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.**

**60** An employer shall ensure that a hoist, lift truck or powered mobile equipment is not altered in such a way as to render ineffective a safety device or control, except where the change has been certified in writing by the manufacturer or an engineer to afford protection equal to or greater than the protection afforded by the original safety device or control.

**Section 60 amended: O.I.C. 2013-65, N.S. Reg. 53/2013.**

**61** An employer shall take adequate precautions to ensure that a hoist, lift truck or powered mobile equipment does not tip or roll over.

**Section 61 amended: O.I.C. 2013-65, N.S. Reg. 53/2013.**

### **Overhead protection**

**62 (1)** Where an employee who is an operator of powered mobile equipment is exposed to a hazard from falling objects, an employer shall ensure that the powered mobile equipment is equipped with a protective structure adequate for the conditions in which the equipment is being used and that meets the requirements of the latest version of the applicable standard listed below or that is certified by an engineer or the manufacturer to provide equivalent or better protection:

- (a) SAE standard SAE J167, "Overhead Protection for Agricultural Tractors - Test Procedures and Performance Requirements";
- (b) International Organization for Standardization (ISO) 3449, "Earth-moving machinery – Falling-object protective structures – Laboratory tests and performance requirements";

**Clause 62(1)(b) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.**

- (c) SAE standard SAE J397, “Deflection Limiting Volume - Protective Structures Laboratory Evaluation”;
- (d) SAE standard SAE J1042, “Operator Protection for General-Purpose Industrial Machines”; or
- (e) SAE standard SAE J1084, “Operator Protective Structure Performance Criteria for Certain Forestry Equipment”.

**Clause 62(1)(e) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.**

**Clause 62(1)(f) repealed: O.I.C. 2000-130, N.S. Reg. 52/2000.**

**Subsection 62(1) amended: O.I.C. 2000-130, N.S. Reg. 52/2000; O.I.C. 2013-65, N.S. Reg. 53/2013.**

- (2) An employer shall ensure that modifications, alterations or repairs made to a falling objects protective structure that affect the structural integrity of the structure meet the requirements of this Section and that the designing agency, the installing agency or an engineer certifies that modifications, alterations or repairs meet the requirements of this Section.
- (3) An employer shall ensure that welding on a falling objects protective structure that affects the structural integrity of the structure is performed by a competent person.

**Subsection 62(3) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.**

### **Rollover protection**

- 63 (1)** An employer shall ensure that, where reasonably practicable, powered mobile equipment and lift trucks manufactured on or after January 1, 1974, are equipped with rollover protective structures that meet the minimum safety requirements of the latest versions of the following standards:
- (a) CSA standard B352.0, “Rollover Protective Structures (ROPS) for Agricultural, Construction, Earthmoving, Forestry, Industrial and Mining Machines - Part 1: General Requirements”, or is certified by an engineer or the manufacturer to provide equivalent or better protection;
  - (b) where applicable, CSA standard B352.1, “Rollover Protective Structures (ROPS) for Agricultural, Construction, Earthmoving, Forestry, Industrial, and Mining Machines - Part 2: Testing Requirements for ROPS on Agricultural Tractors”, or is certified by an engineer or the manufacturer to provide equivalent or better protection; and
  - (c) where applicable, CSA standard B352.2, “Rollover Protective Structures (ROPS) for Agricultural, Construction, Earthmoving, Forestry, Industrial, and Mining Machines - Part 3: Testing Requirements for ROPS on Construction, Earthmoving, Forestry, Industrial, and Mining Machines”, or is certified by an engineer or the manufacturer to provide equivalent or better protection.

**Subsection 63(1) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000; amended: O.I.C. 2013-65, N.S. Reg. 53/2013.**

- (2) Where reasonably practicable, an employer shall ensure that powered mobile equipment or lift trucks manufactured before January 1, 1974 are equipped with rollover protective structures that meet the requirements of subsection (1) or
- (a) a rollover protective structure and supporting attachments are designed, fabricated and installed in such a manner to support not less than twice the weight of the equipment, based on the ultimate strength of the material and integrated loading of the supporting members with the resultant load applied at the point of impact;
  - (b) there is a vertical clearance of 1320 mm between the deck and the rollover protective structure at the access openings; and
  - (c) the rollover protective structure and supporting attachments referred to in clause (a) are certified as meeting the requirements of clause (a) by the manufacturer of the rollover protective structure, the installing agency or an engineer.

**Subsection 63(2) amended: O.I.C. 2000-130, N.S. Reg. 52/2000; amended: O.I.C. 2013-65, N.S. Reg. 53/2013.**

- (3) An employer shall ensure that modifications, alterations or repairs made to a rollover protective structure that affect the structural integrity of the structure meet the requirements of this Section and that the designing agency, the installing agency or an engineer certifies that modifications, alterations or repairs meet the requirements of this Section.

[Note: Section 63 and amendments to it made by O.I.C. 2000-130, N.S. Reg. 52/2000 effective November 1, 2000.]

**64** An employer shall ensure that welding on a rollover protective structure that affects the structural integrity of the structure is performed by a competent person.

[Note: Section 64 effective November 1, 2000.]

**Section 64 amended: O.I.C. 2013-65, N.S. Reg. 53/2013.**

**65 (1)** An employer shall ensure that powered mobile equipment and lift trucks that have been fitted with rollover protective structures have

- (a) seat belts for the operator and passengers that comply with or exceed the latest version of the applicable SAE standard listed below:
  - (i) SAE J386, "Operator Restraint System for Off-Road Work Machines",

**Subclause 65(1)(a)(i) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.**

- (ii) SAE J800, "Motor Vehicle Seat Belt Assembly Installation"; or

**Clause 65(1)(a) amended: O.I.C. 2013-65, N.S. Reg. 53/2013; O.I.C. 2013-65, N.S. Reg. 53/2013.**

- (b) where the wearing of seat belts is not reasonably practicable, restraining devices such as shoulder belts, bars, gates, screens or other similar devices designed to prevent the operator and passengers from being thrown outside the rollover protective structure.

**Subsection 65(1) amended: O.I.C. 2000-130, N.S. Reg. 52/2000; O.I.C. 2013-65, N.S. Reg. 53/2013.**

- (2) An operator of and passengers on powered mobile equipment or a lift truck shall use the seat belts or restraining devices referred to in subsection (1) while the equipment is in motion.

**Subsection 65(2) amended: O.I.C. 2000-130, N.S. Reg. 52/2000; O.I.C. 2013-65, N.S. Reg. 53/2013.**

**[Note: Section 65 and amendments to it made by O.I.C. 2000-130, N.S. Reg. 52/2000 effective November 1, 2000.]**

### **Glass**

- 66** An employer shall ensure that glazing or rigid plastic materials used as part of an enclosure for a cab, canopy or rollover protective structure on a hoist, lift truck or powered mobile equipment is adequate in the circumstances where it is used, and is immediately replaced if it presents a hazard, including permanent interference with visibility.

**Section 66 amended: O.I.C. 2013-65, N.S. Reg. 53/2013.**

### **Precautionary arrangements**

- 67 (1)** Unless otherwise authorized by an enactment, no person shall operate a lift truck or powered mobile equipment with passengers on the truck or equipment, unless the manufacturer's specifications for the truck or equipment state that the truck or equipment is designed to accommodate them safely.

**Subsection 67(1) amended: O.I.C. 2000-130, N.S. Reg. 52/2000; O.I.C. 2013-65, N.S. Reg. 53/2013.**

- (2) An employer shall ensure that powered mobile equipment and lift trucks that have an internal combustion engine are provided with fire protection equipment adequate for the hazards of the equipment or vehicles.

**Subsection 67(2) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000; amended: O.I.C. 2013-65, N.S. Reg. 53/2013.**

- (3) An employer shall

- (a) ensure that mirrors or other devices are installed and maintained at blind intersections where there may be a danger of a collision between a lift truck or powered mobile equipment and another object or a person; or

**Clause 67(3)(a) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.**

- (b) establish a written procedure that provides an equivalent level of safety.

**Clause 67(3)(b) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.**

### **Visibility**

- 68** Where work with a hoist, lift truck or powered mobile equipment is carried out in an area where dust may create a hazard to a person in the workplace because of poor visibility, an employer shall take steps to reduce the amount of dust in the air so as to protect a person from the risk of injury.

**Section 68 amended: O.I.C. 2013-65, N.S. Reg. 53/2013.**

**Operating precautions**

- 69** An operator of a mobile crane, where applicable, a lift truck or powered mobile equipment shall
- (a) not set equipment in motion until all air and hydraulic pressures are fully built up at specified operating pressures;
  - (b) when leaving the equipment unattended
    - (i) park it on level ground, if reasonably practicable,
    - (ii) set the parking brake,
    - (iii) lower the blades, bucket or other attachment or safely block the attachment,
    - (iv) where applicable, disengage the master clutch, and
    - (v) shut off the engine or take other precautions to ensure the equipment is not inadvertently set in motion;
  - (c) not carry containers of gasoline, diesel oil or other flammable substances, classified as Class B substances under the *Hazardous Products Act* (Canada), in the part of the equipment where a person rides; and
  - (d) ensure that there are no loose articles that may present a hazard in the part of the equipment where a person rides.

**Section 69 amended: O.I.C. 2000-130, N.S. Reg. 52/2000; O.I.C. 2013-65, N.S. Reg. 53/2013.**

- 70 (1)** An employer shall ensure that a hoist, lift truck or powered mobile equipment that has wire ropes, drums and sheaves is inspected
- (a) visually on a daily basis by the operator of the equipment; and
  - (b) visually and manually by a competent person on a weekly basis.

**Subsection 70(1) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.**

- (2)** An employer shall ensure that, where a person works under a hoist, lift truck, or powered mobile equipment that is raised from the ground, the equipment is provided with blocking or other adequate means of support in case the means of lifting the equipment fails.

**Subsection 70(2) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.**

- 71** Where repair or maintenance work is carried out at the point of articulation on an articulated truck, front end loader or other articulated equipment, an employer shall ensure that lock bars or an equivalent measure is used to prevent movement of either end of the truck, loader or equipment.

## **Hoists**

**72 (1)** Subject to subsection (2), an employer shall ensure that a hoist is designed, installed, erected, examined, inspected, tested, operated and maintained by a competent person, in accordance with the latest version of the applicable CSA or ANSI standard listed below:

- (a) CSA standard B167, “Safety Standard for Maintenance and Inspection of Overhead Cranes, Gantry Cranes, Monorails, Hoists, and Trolleys”;
- (b) CSA standard C22.2 No. 33, “Construction and Test of Electric Cranes and Hoists”;

**Clause 72(1)(b) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.**

- (c) CSA standard Z150, “Safety Code for Mobile Cranes”;
- (d) CSA Standard Z248, “Code for Tower Cranes”;
- (e) ANSI standard ANSI/ALI ALCTV, “Automotive Lifts - Safety Requirements for Construction, Testing and Validation”;

**Clause 72(1)(e) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.**

- (f) ANSI standard ANSI/ALI ALOIM, “American National Standard for Automotive Lifts - Safety Requirements for Operation, Inspection and Maintenance”.

**Section 72 renumbered subsection 72(1) and amended: O.I.C. 2000-130, N.S. Reg. 52/2000; amended: O.I.C. 2013-65, N.S. Reg. 53/2013.**

- (2) Despite subsection (1), a “crane inspector” described in the standard referred to in clause (1)(a) shall not require 10 000 hours of experience.

**Subsection 72(2) added: O.I.C. 2000-130, N.S. Reg. 52/2000.**

[Note: Section 72 and amendments to it made by O.I.C. 2000-130, N.S. Reg. 52/2000 effective November 1, 2000.]

**73 (1)** In this Section and Section 74, “rated load” means the maximum load that a hoist is designed to lift or the revised maximum load that a hoist can lift in accordance with subsection (9) or (10).

**Subsection 73(1) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.**

- (2) Subject to subsections (3), (9) and (10), an employer shall obtain a statement of the rated load of a hoist from the manufacturer of the hoist.

**Subsection 73(2) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.**

- (3) Where the statement referred to in subsection (2) cannot be obtained, an employer shall obtain a statement of the rated load of the hoist from an engineer.

**Subsection 73(3) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.**

- (4) In addition to any inspection under Section 72, an employer shall ensure that

- (a) a competent person inspects a hoist at least once a year;
- (b) where the hoist is a mobile or overhead crane with a capacity of greater than 5 t, a certificate from an engineer is obtained on an annual basis with respect to the mobile or overhead crane; or
- (c) where the hoist is a tower crane, a certificate from an engineer is obtained with respect to the tower crane
  - (i) prior to the tower crane being put into service and each time it is erected, and
  - (ii) once during each year of operation.

(5) An inspection or a certification required under subsection (4) shall confirm that a hoist has a rated load identified and that no component will fail within its rated load.

**Subsection 73(5) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.**

(6) The competent person inspecting a hoist under clause (4)(a) and an engineer certifying a mobile or overhead crane under clause (4)(b) or a tower crane under clause (4)(c) shall perform the appropriate tests to ensure that the hoist is capable of lifting its rated load, including, where appropriate, a running test, load test, deflection test and brake test.

**Subsection 73(6) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.**

(7) An employer shall post a legible statement of the rated load referred to in subsection (2) or (3) on a hoist so that the operator of the hoist is able to see it when operating the hoist.

**Subsection 73(7) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.**

(8) The employer shall ensure that an operator of a hoist has sufficient information to determine the load that the hoist is capable of hoisting safely under any operating condition.

(9) Where part of a hoist is modified, extended, altered or repaired so as to potentially affect the rated load of the hoist, an employer shall obtain a revised statement of the rated load of the hoist from the manufacturer, if the manufacturer performed the work, otherwise from an engineer, and post it on the hoist in the manner described in subsection (7).

**Subsection 73(9) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.**

(10) Where an employer believes that a reduction in the rated load is warranted or has been informed by the manufacturer of the hoist or an engineer that a reduction in the rated load is warranted, the employer shall

- (a) obtain a revised statement of the rated load of the hoist from the manufacturer or an engineer;

- (b) reduce the rated load of the hoist to a revised level certified as adequate by the manufacturer or an engineer; and
- (c) remove the statement of rated load from the hoist and post the revised statement of rated load on the hoist in the manner described in subsection (7).

**Subsection 73(10) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.**

- (11) Where the employer has obtained a revised statement of the rated load of a hoist pursuant to subsections (9) or (10), the employer shall provide sufficient information to the operator of the hoist to enable the operator to determine the load that the hoist is capable of hoisting safely under any operating condition.

**Subsection 73(11) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.**

[Note: Section 73 and amendments to it made by O.I.C. 2000-130, N.S. Reg. 52/2000 effective November 1, 2000.]

- 74 (1)** Subject to subsection (2), the operator of a hoist shall not subject the hoist to a load in excess of its rated load.

**Subsection 74(1) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.**

- (2) At the time that tests are performed for purposes of an inspection or certification, the person inspecting the hoist may cause the hoist to be subject to a load in excess of its rated load, but not in excess of the safety factor identified by
  - (a) the applicable standard in Section 72 or the manufacturer's specifications; or
  - (b) where there is no standard or manufacturer's specifications, the specifications certified by an engineer.

**Subsection 74(2) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.**

- 75 (1)** In addition to any inspections referred to in Sections 72 or 73, an employer shall ensure that a competent person visually inspects a hoist, including any safety devices, for defects that may affect the structural integrity of the hoist
- (a) before it is put into service initially or after 1 month or more of disuse;
  - (b) once during every month of operation; and
  - (c) after any incident or repair, including contact with an energized utility line or equipment that may have damaged some part of the hoist or endangered any person.
- (2) Where an inspection identifies a defect in a hoist that affects the safe operation of the hoist, an employer shall remove the hoist from service and repair it before it is put back into service.
- (3) An employer shall maintain a record of

- (a) each inspection of a hoist required under Sections 72 and 73, and subsection (1); and

**Clause 75(3)(a) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.**

- (b) each repair potentially affecting the structural integrity of a component of a hoist that supports a load,

including the date, time, nature and results of the inspection or repair and the name of the person who performed the inspection or repair to a hoist.

- (4) Where limit switches and safety devices are installed on a hoist by the manufacturer, an employer shall ensure that these switches and devices are maintained in adequate condition.

**[Note: Section 75 and amendments to it made by O.I.C. 2000-130, N.S. Reg. 52/2000 effective November 1, 2000.]**

**76** An operator of a hoist shall

- (a) visually inspect the hoist on a daily basis before use to verify that it is in adequate working order;
- (b) not carry a load over any person, except where
  - (i) it is not reasonably practicable to divert the traffic route of persons or use another lifting route, and
  - (ii) the employer has established a written work procedure to provide adequate warning or information about the hazard to persons at or near the work place;

**Subclause 76(b)(ii) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.**

- (c) not leave a suspended load unattended; and
- (d) where an uncontrolled swing or uncontrolled rotation of a load may endanger the health or safety of a person, ensure that a guide rope or other adequate means is used to stabilize the load.

### **Mobile cranes**

**77** An employer shall ensure that a mobile crane has

- (a) installed and maintained in an adequate condition a device that warns the mobile crane operator when continued movement may cause the load attached to a mobile crane to strike the upper sheaves of the mobile crane; and
- (b) if equipped with a boom that is not articulating, a boom angle indicator.

**Section 77 replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.**

- 78 An employer shall ensure that barriers or equivalent means are used to prevent a person from entering within the swing radius of the body of the mobile crane where a mobile crane is being operated in an area where the clearance between any obstruction and the swing radius of the body of the mobile crane creates a hazard.
- 79 While a mobile crane is moving from one location to another under its own power, no operator shall permit the boom to swing in an uncontrolled manner.

### **Rigging hardware**

- 80 (1) In this Section, “rigging hardware” means a chain, cable, webbing, bucket, grapple, hook, ring, sling or other device used to attach a load to a hoist.
- (2) Every inspection required to be performed under this Section shall be performed by a competent person.
- (3) Subject to subsection (4), an employer shall ensure that rigging hardware is constructed, installed, operated, inspected and maintained in accordance with the latest version of the applicable ASME standard listed below:
- (a) ASME B30.9, “Slings”;
  - (b) ASME B30.10, “Hooks”; or
  - (c) ASME B30.20, “Below-the-Hook Lifting Devices”.

**Subsection 80(3) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.**

- (4) Where none of the standards referred to in subsection (3) apply, an employer shall ensure that the rigging hardware complies with an adequate design certified by an engineer.
- (5) Where rigging hardware is commercially manufactured, in addition to the requirements of subsection (3) or (4), an employer shall ensure that rigging hardware is constructed, installed, operated, inspected and maintained in accordance with the manufacturer’s specifications.
- (6) In addition to any inspection required under subsection (5), an employer shall ensure that a person inspects the rigging hardware before each use to ensure that no defect exists that may affect its structural integrity.
- (7) In addition to the requirements of subsections (5) and (6), an employer shall ensure that a person inspects the rigging hardware
- (a) before it is put into initial service or after one month or more of disuse; and
  - (b) once during every year that it is in operation.
- (8) Where the competent person conducting an inspection referred to in subsections (3), (5), (6) or (7) identifies a defect that may affect the structural integrity of

the rigging hardware, an employer shall ensure that the rigging hardware is removed from service until such time as it is repaired.

(9) An employer shall maintain a record of

(a) the inspections referred to in subsections (3), (5) and (7); and  
**Clause 80(9)(a) amended: O.I.C. 2004-14, N.S. Reg. 4/2004.**

(b) any repairs to rigging hardware.

(10) The record referred to in subsection (9) shall include the date, time, nature and results of the inspection or repair and the name of the person who performed the inspection or repair.

(11) An employer shall identify the safe lifting capacity of rigging hardware on the device in a permanent and clearly legible manner.

(12) An employer shall ensure that a person using rigging hardware receives adequate training and other information sufficient to ensure that they are knowledgeable about the capacity of the rigging hardware.

(13) An employer shall designate a competent person to use rigging hardware.

(14) Before a load is raised by a hoist, an employer shall ensure that a competent person ensures that the load is secured to the hoist in an adequate manner by means of appropriate rigging hardware.

**Section 80 replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.**

### **Lift trucks**

**81 (1)** An employer must ensure that a lift truck is designed, constructed, maintained, inspected, and operated in accordance with the latest version of the applicable standard listed below:

(a) CSA standard CSA B335, "Safety standards for lift trucks";

(b) ANSI standard ANSI/ITSDF B56.1, "Safety Standard for Low Lift and High Lift Trucks";

(c) ANSI standard ANSI/ITSDF B56.6, "Safety Standard for Rough Terrain Forklift Trucks".

(2) An employer must ensure that every supervisor and operator of a lift truck has been provided with the necessary information, instruction, training, supervision, facilities, and equipment required for the safe operation of the equipment in accordance with the standards in subsection (1), as applicable.

**Section 81 replaced: O.I.C. 2013-65, N.S. Reg. 53/2013.**

**82 (1)** An employer must ensure that a lift truck is operated in a manner that will not endanger a person.

**Subsection 82(1) replaced: O.I.C. 2013-65, N.S. Reg. 53/2013.**

- (1A) Where a lift truck is propelled by an internal combustion engine in a building or other enclosed structure, the employer must ensure adequate ventilation, monitoring and record keeping practices are carried out to ensure exposure from exhaust gases does not exceed the occupational exposure limit for the gas under Part 2: Occupational Health, of the *Workplace Health and Safety Regulations* made under the Act.

**Subsection 82(1A) added: O.I.C. 2013-65, N.S. Reg. 53/2013.**

- (2) An employer shall ensure that where a lift truck is operated
- (a) in a one-way aisle, the width of the aisle equals at least the width of the vehicle or load being carried, whichever is wider, plus 600 mm; and
  - (b) in a two-way aisle, the width of the aisle equals at least twice the width of the vehicle or load being carried, whichever is wider, plus 900 mm.

**Subsection 82(2) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.**

- (3) An employer must ensure that a lift truck that is propelled by propane has all engine and fuel components designed, assembled, examined, inspected, operated and maintained in accordance with the latest version of CSA standard CSA B149.2, "Propane Storage and Handling Code".

**Subsection 82(3) replaced: O.I.C. 2013-65, N.S. Reg. 53/2013.**

**Section 83 repealed: O.I.C. 2013-65, N.S. Reg. 53/2013.**