

New Brunswick - Nouveau-Brunswick

Lift Truck / Forklift

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NEW BRUNSWICK REGULATION 91- 191 under the

OCCUPATIONAL HEALTH AND SAFETY ACT (O.C. 91-1035)

Industrial Lift Trucks

216(1) An employer shall ensure that an industrial lift truck

- (a) is used only for the purposes for which it was designed,
- (b) is operated by a competent employee,
- (c) is inspected daily and maintained in good operating condition,
- (d) is equipped with adequate brakes,
- (e) is equipped with a manually operated horn,
- (f) is equipped with adequate head and tail lights when used after dark or in dimly lit areas,
- (g) is equipped with an audible back-up alarm that operates automatically when the truck is in reverse gear and that is clearly audible above the background noise at the place of employment, or a flashing light that operates automatically when the truck is in reverse gear and that is clearly visible to persons who may be at risk when the truck backs up,
- (h) is equipped with overhead guards that conform to ANSI standard ASME B56.1-1993, "Safety Standard for Low Lift and High Lift Trucks" to protect the operator of the truck from falling material,
- (i) has the manufacturer's rated capacity posted in a conspicuous location on the truck,
- (j) is not loaded beyond its capacity, and
- (k) has any load on it stabilized and, when necessary, secured.

216(2) An employer shall ensure that an industrial lift truck is not operated

- (a) where propelled by an internal combustion engine, near areas containing explosive dusts or flammable vapours or in buildings where the ventilation is not sufficient to eliminate the hazards from exhaust gases,
- (b) in a one-way aisle, unless the width of the aisle equals at least the width of the vehicle or load being carried, whichever is wider, plus 600 mm, or
- (c) in a two-way aisle, unless the width of the aisle equals at least twice the width of the vehicle or load, whichever is wider, plus 900 mm.

216(3) An employer shall install mirrors or other similar devices at blind intersections where there may be a danger of a collision between an industrial lift truck and another object or a person.

216(4) Where a hazard exists from rolling over, an employer shall ensure that an industrial lift truck is equipped with a rollover protective structure that meets the minimum safety requirements of CSA standard B352.0-95, "Rollover Protective Structures (ROPS) for Agricultural, Construction, Earthmoving, Forestry, Industrial, and Mining Machines – Part 1: General Requirements" or safety requirements that are certified by an engineer to provide equivalent or better protection.

216(5) An employer shall ensure that an industrial lift truck that has been fitted with a rollover protective structure is provided with seat belts or restraining devices that meet the requirements of subsection 221(1).

216(6) An operator of an industrial lift truck shall use the seat belts or restraining devices referred to in subsection (5) while the industrial lift truck is in motion.
2001-33

216.1(1) No person shall alter an industrial lift truck in such a way as to render ineffective a safety device installed on the truck, except where the alteration has been certified in writing by the manufacturer of the device or an engineer as affording protection equal to or greater than the protection afforded by the original device.

216.1(2) An operator shall not use, and an employer shall not permit to be used, an industrial lift truck if the truck has been altered so as to render ineffective a safety device installed on the truck, unless the alteration has been certified in writing by the manufacturer of the device or an engineer as affording protection equal to or greater than the protection provided by the original device.
2001-33

216.2(1) An operator of an industrial lift truck shall check for the effectiveness of all safety devices daily before operating the truck.

216.2(2) If more than one operator uses an industrial lift truck in the course of a day or if the industrial lift truck is used on more than one shift, each operator shall check for the effectiveness of all safety devices before operating the truck.
2001-33

217(1) An operator of an industrial lift truck shall not leave the truck unattended unless the operator

- (a) stops the engine,
- (b) sets the brakes,
- (c) parks on a level surface, and
- (d) lowers the hoisting mechanism so that the tips of the forks touch the floor.

217(2) An operator shall not operate an industrial lift truck with passengers on the truck unless the truck is designed to accommodate them safely.