

## **Prince Edward Island - Île-du-Prince-Édouard**

### **Lift Truck / Forklift**

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### **Cap. O-1.01 Occupational Health and Safety Act**

#### **PART 33**

#### **POWERED MOBILE EQUIPMENT**

**33.1** In this Part “powered mobile equipment” means self-propelled machinery designed to carry, push, pull, dig, compact, lift, stack, tier or move materials or to provide a work platform for employees and includes trucks. (EC180/87)

**33.2** The employer shall ensure that operators of powered mobile equipment are provided with protection against falling, flying or intruding objects by means of adequate cabs, screens, shields, grills, deflectors or guards. (EC180/87)

**33.3** The employer shall ensure that the equipment listed as follows and manufactured after January 1, 1974, is equipped with Rollover Protective Structures (ROPS) meeting the minimum safety requirements of the CSA Standard B352-M respecting Rollover Protective Structures for Agricultural, Construction, Earthmoving, Forestry and Industrial Machines including:

- (a) crawler tractors, loaders, tree harvesters, skidders and forwarders;
- (b) wheeled dozers, loaders, skidders and forwarders;
- (c) motor graders, tandem rollers and compactors;
- (d) self-propelled wheeled scrapers;
- (e) agricultural and industrial tractors; and
- (f) off-highway equipment or any other equipment designated by the Director as requiring ROPS. (EC180/87)

**33.4** Equipment manufactured before January 1, 1974, equipped to meet the requirements of section 33.3 may continue to be used. (EC180/87)  
“powered mobile  
equipment”, defined  
Screens, etc.  
Rollover protection

Pre-1974 equipment

**33.5** Equipment manufactured before January 1, 1974, which does not meet the requirements of section 33.3 may continue to be used except in circumstances where rollover hazards are likely to exist. (EC180/87)

**33.6** The employer shall ensure that the following information is permanently marked on ROPS equipment:

- (a) name and address of the manufacturer or the professional engineer who certified the ROPS;
  - (b) machine make and model number or other effective means of identifying the machine for which the ROPS was designed; and
  - (c) serial number or other effective means of identifying the ROPS.
- (EC180/87)

**33.7** The employer shall ensure that all modifications or repairs to existing ROPS meet the requirements of this Part and are certified by the modification design agency, the installing agency or a professional engineer and the certification information is made available to an officer on request. (EC180/87)

**33.8** (1) The employer shall ensure that powered mobile equipment which has been fitted with ROPS is provided with

- (a) seat belts for the operator and passengers which comply with or exceed whichever of the following recommended practices of the Society of Automotive Engineers are appropriate:

J386C Seat Belts for Construction Machines;

J117C Dynamic Test Procedure - Type 1 and Type 2 Seat Belt Assemblies;

J800C Motor Vehicle Seat Belt Assembly Installations; or

- (b) where the work process renders the wearing of seat belts impracticable, shoulder belts, bars, gates, screen or other restraining devices designed to prevent the operator and passengers from being thrown outside the rollover protective structures.

(2) The operator of and passengers on powered mobile equipment shall use the seat belts and restraining devices provided while the equipment is

in motion. (EC180/87)

**33.9** Where a hazard exists from falling objects, the employer shall ensure that powered mobile equipment is equipped with Falling Objects Protective Structures (FOPS) or overhead protection that meets the minimum requirements of the Recommended Practices of the Society of Automotive Engineers, or the Standards of the American Society of Agricultural Engineers (ASEA), or any other equivalent approved standard. (EC180/87)

*Idem*

Identification  
Alterations  
Restraint equipment  
Use  
Overhead  
Protection

**33.10** The employer shall ensure that welding on ROPS and FOPS is carried out by a welder certified under the *Boilers and Pressure Vessels Act* R.S.P.E.I. 1988, Cap. B-5. (EC180/87)

**33.11** (1) The Director may approve alternative proposals designed to provide protection equivalent to ROPS or FOPS when the requirement of ROPS or FOPS is not practical.

(2) The approval granted by the Director under subsection (1) shall be granted in writing for specific circumstances of a specific workplace and for a specific period of time. (EC180/87)

**33.12** The employer shall ensure that powered mobile equipment

(a) is used only for the purposes for which it is designed and equipped;

(b) has a fully operative adequate braking system;

(c) has a manually operated audible warning device;

(d) has an adequate rear view mirror or other means of ensuring that the equipment can be safely backed up;

(e) has an audible automatic back-up alarm;

(f) has adequate headlights and backing lights when used after dark or in dimly lit areas;

(g) has gears and moving parts adequately guarded;

(h) has controls which cannot be operated from the outside of the cab unless the controls are designed to be operated from outside the cab;

(i) has loads adequately secured. (EC180/87)

**33.13** The employer shall ensure that powered mobile equipment is operated only by competent persons. (EC180/87)

**33.14** The employer shall designate an employee to give signals to an operator who is operating equipment when his vision is obstructed and the operator shall use the equipment only on mutually agreed signals between the operator and designated employee. (EC180/87)

**33.15** When work is carried out in areas where dust may create a hazard to employees, the employer shall take adequate measures to keep the dust at a minimum level. (EC180/87)

**33.16** The operators of powered mobile equipment shall

- (a) ensure that passengers do not ride on any part of the equipment not designed to carry passengers;
- (b) not set equipment in motion until all air and hydraulic pressures are fully built up to the specified operating pressures;
- (c) when leaving equipment unattended,

(i) park it on level ground,

Welding

Approval of alternatives

*Idem*

Equipment requirements

Operator competence

Signals

Dust

Responsibilities of Operators

(ii) set the brake,

(iii) lower the blades and bucket or safely block them,

(iv) disengage the master clutch,

(v) stop the engine, and

(vi) remove the key;

(d) follow a safe refuelling procedure;

(e) not store containers of gasoline, diesel oil or other substances which may constitute a hazard in the cab;

(f) not carry on or in the equipment, loose articles or equipment which might create a hazard. (EC180/87)

**33.17** The operator of powered mobile equipment shall keep the equipment in gear when going downhill. (EC180/87)

**33.18** The employer shall ensure that powered mobile equipment

(a) is maintained in safe working condition;

(b) has defective parts repaired or replaced before being set in motion;

(c) has air and hydraulic lines, hoses and components maintained in safe operating condition;

(d) has wire ropes, drums and sheaves inspected daily;

(e) is lubricated only when the machine is at rest or as the manufacturer has expressly directed;

(f) when tires are being installed on lock ring type rims, has an approved restraining device for the ring;

(g) has safe and easy access to the operator's station by means of a ladder or steps and handrail. (EC180/87)

**33.19** (1) The employer shall ensure that equipment which is raised from the ground by means of jacks or hoists is adequately blocked.

(2) Mats or heavy planking shall be used to distribute the load on soft ground. (EC180/87)

**33.20** The employer shall ensure that persons do not work under or go under the raised parts of any equipment unless the parts are adequately blocked and the employee shall not work under or go under such raised parts unless the parts are adequately blocked. (EC180/87)

**33.21** The employer shall ensure that when repair or maintenance work is carried out at the point of articulation on front end loaders or similar equipment, lock bars are used to prevent movement of either end of the loader. (EC180/87)

**33.22** The employer shall ensure that where any equipment is to be used on a slope or bank which could give way, that adequate precautions are

Use of gears

Responsibilities of employers

Blocks

Mats

*Idem*

Lock bars

Load distribution

taken to stabilize the bank and distribute the load of the equipment.  
(EC180/87)

**33.23** (1) The employer shall ensure that a truck used for transportation of employees has seats and is enclosed on all sides.

(2) No person shall get on or off trucks which are in motion or be permitted to get on or off trucks which are in motion. (EC180/87)

**33.24** Employees shall not be permitted to remain in or on the cab of equipment while it is being loaded by a crane or power shovel.  
(EC180/87)