

**TITLE 36**  
**LEGISLATIVE RULES**  
**BOARD OF COAL MINE HEALTH & SAFETY**

**SERIES 18**  
**RULES AND REGULATIONS GOVERNING THE**  
**RESPONSIBILITY**  
**FOR CARE AND MAINTENANCE OF**  
**EQUIPMENT**

**§36-18-1. General.**

1.1. Scope. -- Rules and regulations governing the responsibility for care and maintenance of equipment

1.2. Authority. -- W. Va. Code §22-6-4.

1.3. Filing Date. -- January 22, 1982

1.4. Effective Date. -- March 1, 1982

**§36-18-2. Effect of Regulations**

2.1. These rules and regulations shall have the effect of law and violations shall be deemed a violation of law and so cited with the same effect as law. All provisions of Article one A, Chapter twenty-two A of the Code relative to enforcement are applicable to the enforcement of these rules and regulations.

**§36-18-3. Definitions**

All terms used in these rules and regulations, not defined herein, shall have the meanings set forth in Section one, Article one A, Chapter twenty-two A of the Code.

**§36-18-4. Responsibility for Care and Maintenance of Equipment**

Mine operators shall maintain equipment in safe operating condition. Equipment operators shall exercise reasonable care in the operation of the equipment entrusted to them and shall promptly report defects known to them, provided, if equipment has been taken out of service, by being properly tagged out, the operator shall not be issued a violation under the provision of this section, provided however, such tag placed on such equipment shall indicate the date and time such equipment was removed from service. The person removing the equipment from service and tagging such equipment shall place his signature upon the tag.