



**TITLE 36  
LEGISLATIVE RULE  
BOARD OF COAL MINE HEALTH AND SAFETY**

**SERIES 30  
RULES AND REGULATIONS GOVERNING OPERATION OF  
SECTION HAULAGE EQUIPMENT**

FILED

2001 DEC -5 P 3:57

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

**§36-30-1. General.**

- 1.1. Scope. -- Rules and Regulations Governing Operation of Section Haulage Equipment.
- 1.2. Authority. -- W. Va. Code §22-6-4.
- 1.3. Filing Date. --
- 1.4. Effective Date. --

**§36-30-2. Effect of Regulations.**

2.1. These rules and regulations shall have the effect of law and violations shall be deemed a violation law and so cited with the same effect as law. All provisions of Article 1 A, Chapter 22 A of the Code relative to enforcement are applicable to the enforcement of these rules and regulations.

**§36-30-3. Definitions.**

3.1. All terms used in these rules and regulations, not defined herein, shall have the meanings set forth in Section 1, Article 1 A, Chapter 22 A of the Code.

**§36-30-4. Operation of Section Haulage Equipment.**

4.1. Roadways on which section haulage equipment travels shall be maintained in a safe condition and free of hazards.

4.2. Prior to operating section haulage equipment, the equipment operator shall examine the roadway to be traveled, and shall report any hazards present to the immediate supervisor before the equipment is put into operation.

4.3. Section haulage equipment shall be operated in a safe manner, consistent with the conditions of the roadway.

4.4. No person shall start a piece of self-propelled section haulage equipment until they are in the normal operating position of such equipment.

4.5. Parking brakes shall be set on all self-propelled section haulage equipment by the equipment operator before the operator leaves the normal operating position of such equipment. Where the parking brake is not provided, or where it is necessary to perform maintenance on the equipment which requires that the park brake not be set, other methods shall be used to prevent accidental movement of the equipment.

4.6. Persons operating self-propelled section haulage equipment shall see that all persons are a safe distance away from the equipment, and out of the equipment's expected path of travel, before the equipment is started.

**§36-30-5. Cleaning of Equipment.**

5.1. Equipment cleaning shall not be done on self-propelled section haulage equipment, unless the power circuits on the equipment are deenergized.

**§36-30-6. Trailing locomotive.**

6.1 No persons other than those necessary to operate a trip or car shall ride on any loaded car or on the outside of any car. Locomotives shall operate within the limits of its design capabilities and at speeds consistent with the conditions of the haulage road. Trailing locomotives shall be required on all trips except in instances where there are no ascending grades, the operator may submit a written plan to the Director which does not require a trailing locomotive. The Director may grant written approval of the plan which shall be posted on the mine bulletin board. Where trailing locomotives are not used, the locomotive operator shall have an assistant to assist him in his duties at all times. Safe riding facilities shall be provided on the locomotive, or other equally safe means approved by the Director.



WEST VIRGINIA BOARD OF COAL MINE HEALTH AND SAFETY

---

1591 Washington Street, E. • Charleston, WV 25311 • (304) 558-3721 • FAX: 558-3729

TO: All Persons Interested in Rules and Regulations  
Constructed by the Board of Coal Mine Health and Safety

FROM: Vic Green, Health and Safety Administrator

SUBJECT: Underground Mines (track)

DATE: December 18, 2001

Action: Draft Proposed Rule – 36-30-6

Comment Period: 60-day written comment period

Authority: WV Code 22A-6-4

---

The Board of Coal Mine Health and Safety is created pursuant to WV Code 22A-6-1.

Background:

A fatality occurred on February 2, 2001, between 11:00 a.m. and 2:40 p.m. The accident occurred on the supply haulage track as a motorman contractor operating a supply trip descended back down a grade, apparently out of control and derailed.

The Board of Coal Mine Health and Safety recognizes that a fatality of this nature could possibly have been prevented if a trailing locomotive was required and accordingly the Board has constructed and is hereby proposing the enclosed proposed draft regulation to help prevent future accidents of this nature at West Virginia track mines. However, the Board also recognizes there may be alternatives or different approaches to achieve this objective. The Board is particularly interested in suggestions that will help define the term “ascending” as used in the context of this draft proposed rule.

DRAFT PROPOSED REGULATION

Legislative Rule 36-30-6 – “Trailing Locomotive”

6.1 No persons other than those necessary to operate a trip or car shall ride on any loaded car or on the outside of any car. Locomotives shall operate within the limits of its design capabilities and at speeds consistent with the conditions of the haulage road. Trailing locomotives shall be required on all trips except in instances where there are no ascending grades, the operator may submit a written plan to the Director which does not require a trailing locomotive. The Director may grant written approval of the plan which shall be posted on the mine bulletin board. Where trailing locomotives are not used, the locomotive operator shall have an assistant to assist him in his duties at all times. Safe riding facilities shall be provided on the locomotive, or other equally safe means approved by the Director.