

WEST VIRGINIA
SECRETARY OF STATE

KEN HECHLER

ADMINISTRATIVE LAW DIVISION

Form #5

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FILED
1991 DEC 12 AM 8 41
OFFICE OF REG. VIRGINIA
SECRETARY OF STATE

**NOTICE OF AGENCY ADOPTION OF A PROCEDURAL OR INTERPRETIVE RULE
OR A LEGISLATIVE RULE EXEMPT FROM LEGISLATIVE REVIEW**

AGENCY: Board of Coal Mine Health and Safety TITLE NUMBER: 36

CITE AUTHORITY: 22-6-4

RULE TYPE: PROCEDURAL XX INTERPRETIVE _____

EXEMPT LEGISLATIVE RULE _____
CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW

AMENDMENT TO AN EXISTING RULE: YES _____, NO X

IF YES, SERIES NUMBER OF RULE BEING AMENDED: _____

TITLE OF RULE BEING AMENDED: _____

IF NO, SERIES NUMBER OF NEW RULE BEING ADOPTED: 45

TITLE OF RULE BEING ADOPTED: Rules and Regulations Governing the use of
A Solid Tow-Bar To Transport Disabled Underground Mining Equipment

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE. THE
EFFECTIVE DATE OF THIS RULE IS January 27, 1992

Steph A Co

WEST VIRGINIA ADMINISTRATIVE REGULATIONS
BOARD OF COAL MINE HEALTH AND SAFETY
TITLE 36 SERIES 45

TITLE: RULES AND REGULATIONS GOVERNING THE USE OF A SOLID TRIANGULAR TOW
BAR TO TRANSPORT DISABLED UNDERGROUND RUBBER TIERED MINING EQUIPMENT

WEST VIRGINIA ADMINISTRATIVE REGULATIONS
BOARD OF COAL MINE HEALTH AND SAFETY

TITLE 36 SERIES 45

TITLE: RULES AND REGULATIONS GOVERNING THE USE OF A SOLID TRIANGULAR TOW
BAR TO TRANSPORT DISABLED UNDERGROUND RUBBER TIRED MINING EQUIPMENT

General

Section 36.45

Scope:	1.1
Authority:	1.2
Filing Date:	1.3
Effective Date:	1.4
Effect of Regulations:	Section 36.45.2
Definitions:	Section 36.45.3
Transportation of Disabled Underground Equipment:	Section 36.45.4

TITLE 36
LEGISLATIVE RULES
BOARD OF COAL MINE HEALTH AND SAFETY
SERIES 45

TITLE: RULES AND REGULATIONS GOVERNING THE USE OF A SOLID TRIANGULAR TOW BAR TO TRANSPORT DISABLED UNDERGROUND RUBBER TIRED MINING EQUIPMENT

36.45.1

1.1 Scope: Proposed Rules and Regulations Governing the use of a Solid Triangular Tow Bar to Transport Disabled Underground Rubber Tired Mining Equipment.

1.2 Authority: WV Code §22-6-4

1.3 Filing Date: These Rules and Regulations were filed with the Secretary of State this 12th day of December, 1991.

1.4 Effective Date: These Rules and Regulations become effective this 27th day of January, 1992.

36.45.2 Effect of Regulations:

2.1 These rules and regulations shall have the same effect of law and violations shall be deemed a violation of the 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.

36.45.3 Definitions:

3.1 All terms used in these rules and regulations, shall have the same meaning set forth in section one A, of Article one A, Chapter twenty-two A of the Code.

36.45.4 Transportation of Disabled Underground Rubber Tired Mining Equipment:

4.1 90 days after the effective date of these rules and regulations a solid triangular tow bar or suitable device approved by the director shall be used to tow disabled underground rubber tired mining equipment in all areas of the mine outby working sections, provided however, other means of towing disabled equipment may be used if it is necessary to transport such disabled equipment short distances to the nearest location where a solid triangular tow bar or other device approved by the director can be safely affixed to the disabled equipment.

4.2 No person shall be permitted to ride in disabled underground rubber tired mining equipment while it is being towed using a solid triangular tow bar unless the towed vehicle is equipped with operative brakes and steering functions and controls and a protective canopy.

4.3 Pushing a disabled vehicle will not be allowed unless it becomes necessary to move such disabled vehicle out of the road of travel or to enable access to the use of a solid triangular tow bar.

4.4 No person shall be allowed to push a disabled vehicle from the operators deck end.

KEN HECHLER
Secretary of State

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(Plus all the volunteer
help we can get)

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

1992 APR - 8 AM 7:58

FILED

TO: Dana Martin

AGENCY: Environmental Protection Agency

FROM: JUDY COOPER, DIRECTOR, ADMINISTRATIVE LAW DIVISION

DATE: March 19, 1992

THE ATTACHED RULE RECENTLY FILED BY YOUR AGENCY HAS BEEN ENTERED INTO OUR COMPUTER SYSTEM. PLEASE REVIEW, PROOF AND RETURN IT WITH ANY CORRECTIONS. IF THERE ARE NO CORRECTIONS, PLEASE SIGN THIS MEMO AND RETURN IT TO THIS OFFICE. YOU WILL BE SENT A FINAL VERSION OF THE RULE FOR YOUR RECORDS.

PLEASE RETURN EITHER THE CORRECTED RULE OR THIS FORM WITHIN TEN (10) WORKING DAYS OF THE DATE YOU RECEIVED THIS REQUEST. CALL IF YOU HAVE ANY QUESTIONS.

SERIES: 45 TITLE: Rules and Regulations Governing the Use of a Solid Triangular Tow Bar to Transport Disabled Underground Rubber Tired Mining Equipment

* THE ATTACHED RULE HAS BEEN REVIEWED AND IS CORRECT.

SIGNED: *Dayton*

TITLE OF PERSON SIGNING: ADMINISTRATOR of Enforcement

DATE: 3-30-92

* THE ATTACHED RULE HAS BEEN REVIEWED AND NEEDS CORRECTING. THE CORRECTIONS HAVE BEEN MARKED.

SIGNED: _____

TITLE OF PERSON SIGNING: _____

DATE: _____