



**WEST VIRGINIA SECRETARY OF STATE**

**MAC WARNER**

**ADMINISTRATIVE LAW DIVISION**

**eFILED**

12/13/2019 9:13 AM

Office of West Virginia  
Secretary Of State

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**NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE EXEMPT, INTERPRETIVE OR PROCEDURAL  
RULE**

AGENCY: Coal Mine Health And Safety TITLE-SERIES: 36-16

RULE TYPE: Legislative Exempt Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: BLOCKING OF EQUIPMENT BLOCKING OF  
EQUIPMENT

CITE STATUTORY AUTHORITY: W. Va. Code §22A-6-4

This rule is filed with the Secretary of State. This rule becomes effective on the following date:

March 12, 2020

**BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.**

**Yes**

**Wesley H White -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.**

TITLE 36  
LEGISLATIVE RULE  
BOARD OF COAL MINE HEALTH AND SAFETY

SERIES 16  
BLOCKING OF EQUIPMENT  
PRIOR TO PERFORMING WORKING ON SUCH EQUIPMENT

**§36-16-1. General.**

- 1.1. Scope. -- Rules and regulations governing the blocking of equipment prior to performing work on such equipment.
- 1.2. Authority. -- W. Va. Code §22A-6-4.
- 1.3. Filing Date. -- December 13, 2019.
- 1.4. Effective Date. -- March 12, 2020.

**§36-16-2. Effect Of Regulations.**

2.1. This Series 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 W. Va. Code §22A-1-1 *et seq.*, relative to enforcement are applicable to the enforcement of this Series.

**§36-16-3. Definitions.**

All terms used in these rules and regulations, not defined herein, shall have the meanings set forth in W. Va. Code §22A-1-2.

**§36-16-4. Performing Work From A Raised Position: Safeguards.**

- 4.1. Men shall not work on or from a piece of mobile equipment in a raised position until it has been blocked in place securely. This does not preclude the use of equipment specifically designed as elevated mobile work platforms.
- 4.2. No work shall be performed under machinery or equipment that has been raised until such machinery or equipment has been securely blocked against movement.

**§36-16-5. Load Locking Valves.**

5.1. All continuous-mining machines and loading machines shall be equipped with load-locking valves in the boom and head lift cylinders.