

ASSEMBLY BILL NO. 295—ASSEMBLYMAN KRAMER (BY REQUEST)

MARCH 15, 2017

Referred to Committee on Commerce and Labor

SUMMARY—Establishes certain safety standards for construction workers. (BDR 53-706)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to occupational safety; establishing safety standards for fall protection relating to residential construction; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Federal regulations promulgated by the Occupational Safety and Health
2 Administration of the United States Department of Labor establish workplace
3 safety standards, including, without limitation, standards relating to residential
4 construction activities and fall protection. Those federal regulations require each
5 employee who is engaged in residential construction activities, generally, 6 feet or
6 more above lower levels to be protected by guardrail systems, safety net systems or
7 personal fall arrest systems unless another provision provides for an alternative fall
8 protection measure. An exception to this standard requires an employer to develop
9 and implement an alternative fall protection measure if the employer can
10 demonstrate that it is infeasible or creates a greater hazard to use the systems
11 required by the federal standard. (29 C.F.R. § 1926.501(b)(13))

12 Federal regulations require employees who are engaged in roofing activities on
13 low-slope roofs (defined by federal regulation as having a slope less than or equal
14 to 4 in 12, vertical to horizontal (4:12)) 6 feet or more above lower levels to be
15 protected from falling by guardrail systems, a safety net system, a personal fall
16 arrest system or a combination of a warning line system and a guardrail system,
17 safety net system, personal fall arrest system or a safety monitoring system. On
18 roofs 50 feet or less in width, the use of a safety monitoring system alone is
19 permitted. (29 C.F.R. § 1926.501(b)(10)) Federal regulations also require
20 employees on steep roofs (defined by federal regulation as having a slope greater
21 than 4 in 12, vertical to horizontal (4:12)) 6 feet or more above lower levels to be
22 protected from falling by guardrail systems with toeboards, safety net systems or
23 personal fall arrest systems. (29 C.F.R. § 1926.501(b)(11))

24 Existing law provides that all federal occupational safety and health standards
25 are deemed Nevada occupational safety and health standards, with certain



26 exceptions where this State has adopted alternative standards. (NRS 618.295) This
27 bill adopts an alternative standard by requiring each employee who is engaged in
28 residential construction and performing an activity relating to roofing construction
29 on any roof that is 18 feet or more above lower levels or on a steep roof (defined as
30 having a slope greater than 6 in 12, vertical to horizontal (6:12)) that is 6 feet or
31 more above lower levels to be protected from falling by the use of certain specified
32 fall protection systems.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 618 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 1. *Each employee engaged in residential construction who is*
4 *performing an activity relating to roofing construction on any roof*
5 *that is 18 feet or more above lower levels or on a steep roof that is*
6 *6 feet or more above lower levels must be protected from falling*
7 *by:*

8 (a) *Guardrail systems, as described in 29 C.F.R. §*
9 *1926.502(b);*

10 (b) *A safety net system, as described in 29 C.F.R. §*
11 *1926.502(c);*

12 (c) *A personal fall arrest system, as described in 29 C.F.R. §*
13 *1926.502(d); or*

14 (d) *A combination of a warning line system, as described in 29*
15 *C.F.R. § 1926.502(f), and:*

16 (1) *One of the systems set forth in paragraphs (a), (b) and*
17 *(c); or*

18 (2) *A safety monitoring system, as described in 29 C.F.R. §*
19 *1926.502(h).*

20 2. *As used in this section, "steep roof" means a roof having a*
21 *slope greater than 6 in 12, vertical to horizontal (6:12).*

22 **Sec. 2.** This act becomes effective upon passage and approval.

