

The Department of Labor and Industry's Virginia Occupational Safety and Health (VOSH) Program and the Virginia Safety and Health Codes Board have adopted a final regulation for:

Reverse Signal Operation Safety Requirements for Vehicles, Machinery and Equipment for General Industry and the Construction Industry, 16 VAC 25-97

Effective Date and Training Materials:

The final regulation will take effect September 18, 2009, and the text of the final regulation, **along with free downloadable training and information materials** can be found on the Department's Web site (see: <http://www.doli.virginia.gov>). The final regulation is also being published in the Virginia Register of Regulations on August 17, 2009 (see: <http://legis.state.va.us/codecomm/register/issfiles.htm>).

Outreach and Phased Enforcement Approach

To provide employers and employees with sufficient time to familiarize themselves with the requirements of the comprehensive new Reverse Signal Operation regulation, the VOSH Program will use a phased enforcement approach:

1. VOSH Inspectors/Consultants will be provided with handouts on the new regulation that can be distributed to employers and employees in the weeks leading up to the effective date of September 18, 2009. A training program will be posted on the Department's Web site. Articles on the new regulation will be sent out for publication to organizations with newsletters. "Quick cards" will be available for download from the Department's Web site to briefly explain the regulation, and will be translated into Spanish as well. A VOSH Directive with enforcement procedures and interpretations will be posted on the Department's Web site.
2. For the first month after the effective date of the regulation (**September 18, 2009 to October 18, 2009**), VOSH will fully enforce §§ 10, 20 and 30, which contain the basic requirements of the regulation and are similar to current federal OSHA regulations. For §40, which contains requirements for ground guides/designated observers and drivers, VOSH Inspectors will give one "warning" for any noted violations of that section at the specific worksite, but not cite the violation. The VOSH Inspector will verify that the violation is corrected, and note the violation and corrective action taken in field notes. The warning and handout materials need to be provided to an on-site supervisor, foreman, or lead person. If the VOSH Inspector returns the next day and finds the same violation recurring, or if the employer refuses to correct the violation, the employer can be cited.
3. For §50, which contains the training requirements, that section will not be cited during the 30 day phase-in period (**September 18, 2009 to October 18, 2009**). This extra time period will give employers and employees time to access the training materials that are being provided.
4. All sections of the regulation will be fully enforced **starting October 19, 2009**.