

CHAPTER 97
REVERSE SIGNAL OPERATION SAFETY REQUIREMENTS FOR MOTOR
VEHICLES, MACHINERY AND EQUIPMENT IN GENERAL INDUSTRY AND
THE CONSTRUCTION INDUSTRY

16VAC25-97-10. Applicability.

This chapter shall apply to all general industry and construction industry vehicles, machinery or equipment capable of operating in reverse and with an obstructed view to the rear (hereafter referred to as "covered vehicles"), whether intended for operation in off-road work zones or over the road transportation or hauling.

16VAC25-97-20. Definitions.

The phrase "obstructed view to the rear" means anything that interferes with the overall view of the operator of the vehicle to the rear of the vehicle at ground level, and includes, but is not limited to, such obstacles as any part of the vehicle (e.g., structural members); its load (e.g., gravel, dirt, machinery parts); its height relative to ground level viewing; damage to windows or side mirrors, etc., used for rearview movement of the vehicle; restricted visibility due to weather conditions (e.g., heavy fog, heavy snow); or work being done after dark without proper lighting.

16VAC25-97-30. Covered vehicle requirements.

A. No employer shall operate any covered vehicle in reverse unless:

1. The covered vehicle has a reverse signal alarm audible above the surrounding noise level; **and**
2. a. The covered vehicle is operated in reverse only when a designated observer or ground guide signals that it is safe to do so; **or**

b. Before operating the covered vehicle in reverse, the driver visually determines that no employee is in the path of the covered vehicle.

B. Covered vehicles that were not equipped with a reverse-signal alarm upon manufacture or were not later retrofitted with an alarm are exempt from subdivision A 1 of this section. If the manufacturer of the covered vehicle offered the employer a reverse signal alarm retrofit package at a reasonable and economically feasible cost and the employer did not have the retrofit package installed, this exemption does not apply.

C. Where immediate correction is not feasible, covered vehicles equipped with a reverse signal alarm that is not operational or is not functioning properly shall be either:

1. Operated in reverse only when a designated observer or ground guide signals that it is safe to do so; or
2. Removed from service until the reverse signal alarm is repaired.

D. Covered vehicles with operable video or similar technological capability used by the driver and capable of providing the driver with a full view behind the vehicle are exempt from subdivision A 2 a of this section.

E. To the extent that any federal Department of Transportation (DOT) regulation applies to covered vehicles conflicts with this chapter, the DOT regulation shall take precedence.

16VAC25-97-40. Responsibilities while engaged in reverse signal operation activities.

A. While an employee is functioning as the designated observer/ground guide during reverse signaling activities (e.g., collecting tickets from drivers, giving verbal instructions

to drivers, signaling to drivers once reverse operation of the covered vehicle has begun), the designated observer/ground guide shall:

1. Not engage in any activities other than those related to the covered vehicle being signaled;
2. Not use personal cellular phones, personal head phones or similar items that could pose a distraction for the designated observer/ground guide;
3. Be provided with and wear during daytime operations a safety vest or jacket in orange, yellow, strong yellow green or fluorescent versions of these colors;
4. Be provided with and wear during nighttime operations a safety vest or jacket with retroreflective material in orange, yellow, white, silver, strong yellow green or a fluorescent version of these colors and shall be visible at a minimum distance of 1,000 feet;
5. Not cross behind in close proximity to a covered vehicle while it is operating in reverse;
6. Always maintain visual contact with the driver of the covered vehicle while it is operating in reverse; and
7. Maintain a safe working distance from the covered vehicle.

B. When using a designated observer/ground guide, no driver of a covered vehicle shall operate in reverse unless they maintain constant visual contact with the designated observer/ground guide. If visual contact is lost, the driver shall immediately stop the vehicle until visual contact is regained and a positive indication is received from the designated observer/ground guide to restart reverse operations.

C. Except as provided for in subdivisions A and B of this section, employees shall not enter or cross the path in close proximity to a covered vehicle while it is operating in reverse.

16VAC25-97-50. Training.

A. Prior to permitting an employee to engage in any covered activity under this chapter, the employer shall ensure that each driver of a covered vehicle and each designated observer/ground guide is trained in the requirements of this chapter.

B. Refresher training shall be provided by the employer for any driver of a covered vehicle or any designated observer/ground guide when the driver or designated observer/ground guide has:

1. Been observed to violate the requirements of this chapter;
2. Been involved in an accident or near miss accident; or
3. Received an evaluation that reveals that the driver or designated observer/ground guide is not operating under this chapter in a safe manner.