



OSHA REGIONAL NOTICE

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

DIRECTIVE NUMBER: CPL 04-00-023D

EFFECTIVE DATE: October 1, 2016

SUBJECT: Local Emphasis Program for Powered Industrial Trucks

REGIONAL IDENTIFIER: Region I

ABSTRACT

- Purpose:** This directive renews a regional local emphasis program (LEP), OSHA Regional Instruction CPL 2-1.22, effective May 1, 2002, entitled Local Emphasis Program for Powered Industrial Trucks. It is intended to reduce the incidence of fatal and serious injuries related to powered industrial trucks in both general industry and construction.
- Scope:** OSHA - Region I
- References:**
1. OSHA Regional Instruction CPL 2-1.22, May 1, 2002, Local Emphasis Program for Powered Industrial Trucks.
 2. OSHA Instruction CPL 02-00-160, August 2, 2016; Field Operations Manual (FOM).
 3. OSHA Instruction CPL 04-00-001, November 10, 1999, Procedure for Approval of Local Emphasis Programs and Experimental Programs.
 4. OSHA Instruction CPL 02-00-051, May 28, 1998, Enforcement Exemptions and Limitations under the Appropriations Act, revised Appendix A effective January 29, 2016.
 5. Title 29, Code of Federal Regulations, Part 1910 and 1926.
- Cancellations:** This notice cancels OSHA Regional Instruction CPL 2-1.22
- State Plan Impact:** The 21(d) OSHA Consultation Program offices throughout New England will continue to participate in this LEP.
- Action Offices:** All area and district offices, Region I
- Originating Office:** Boston Regional Office

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By and Under the Authority of

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Acting Regional Administrator

Executive Summary

This notice is a renewal of an earlier instruction OSHA Regional Instruction CPL 2-1.23, May 1, 2002, Local Emphasis Program for Powered Industrial Trucks, which provided a comprehensive framework of guidance and direction to ensure effective targeting, enforcement and outreach regarding hazards associated with the operation of powered industrial trucks in Region I, New England.

Significant Changes

None

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- I. Purpose.** This directive is a renewal of the local emphasis program (LEP) for powered industrial truck operations, which established a region-wide program to reduce injuries and fatalities related to powered industrial trucks. Powered Industrial Truck (PIT) operations will be inspected on all programmed and unprogrammed inspections in General Industry and Construction. All programmed inspections will include a review of powered industrial truck operations. Area offices will normally conduct inspections for all complaints, formal or non-formal, which contain allegations of powered industrial truck hazards unless there are significant resource implications. In addition, all unprogrammed inspections will be expanded to include powered industrial truck operations, if applicable.
- II. Scope.** This notice applies to all federal area offices of the Occupational Safety and Health Administration (OSHA) in Region I.
- III. References.**
- A. Title 29, Code of Federal Regulations, Part 1910 and 1926.
 - B. OSHA Instruction CPL 02-00-160, August 2, 2016; Field Operations Manual (FOM).
 - C. OSHA Instruction CPL 04-00-001, November 10, 1999, Procedures for Approval of Local Emphasis Programs and Experimental Programs.
 - D. OSHA Instruction CPL 02-00-051, revised May 28, 1998, Enforcement Exemptions and Limitations under the Appropriations Act.
 - E. Powered Industrial Truck Operator Training; Final Rule. *Federal Register* Tuesday, December 1, 1998; 63(230):66238-66274.
 - F. Bureau of Labor Statistics; "Fatal Occupational Injuries to Workers by Selected Characteristics, 1992-2003."
 - G. Bureau of Labor Statistics; "Fatal Workplace Injuries in 1992: A Collection of Data Analysis, 1994."
 - H. ASME (American Society of Mechanical Engineers) B56.1-1993, Safety Standard for Low Lift and High Lift Trucks.
 - I. ANSI/ITSDF (American National Standards Institute/Industrial Truck Standards Development Foundation) B56 Standards

J. OSHA Instruction CPL 02-00-140, Complaint Policies and Procedures, June 23, 1996.

IV. **Cancellations.** This notice cancels OSHA Regional Instruction CPL 2-1.22.

V. **Action.** All area and district offices, Region I.

VI. **Effective Dates.** This notice renewal is effective as of October 1, 2016.

The majority of Outreach and Compliance assistance activities that will be used to inform employers, employees and other identified stakeholders of the hazards associated with powered industrial truck operation were completed throughout Region I as of July 1, 2002. Outreach efforts related to the LEP will continue to be performed by the area offices at the discretion of the Area Director of each action office.

VII. **Expiration.** Unless extended by the Regional Administrator, this notice will expire on September 30, 2017.

VIII. **Background.**

OSHA estimates there are approximately 1.5 million workers in the United States who operate powered industrial trucks. Powered industrial trucks are a significant source of serious and fatal injuries to workers.

Statistics

OSHA statistics indicate that there are roughly 85 forklift fatalities and 34,900 serious injuries each year, with 42 percent of the forklift fatalities from the operator's being crushed by a tipping vehicle.. According to 2012 data from the U.S. Department of Labor's Bureau of Labor Statistics, the number one cause of lift truck related work fatalities is pedestrians being struck by the vehicle. The second leading fatal event associated with lift trucks is when the vehicle overturns (tip over). The safest place for the driver to be is strapped into the seat with a seat belt.

New Standard

On December 1, 1998, the Occupational Safety and Health Administration published the "Powered Industrial Truck Operator Training; Final Rule, 29 CFR Parts 1910, 1915, 1917, 1918, and 1926. This final rule revised 1910.178 Paragraph (l), and was intended to reduce the number of serious injuries and deaths by improving the training for powered industrial truck operators.

The standard requires powered industrial truck operator training that is based on the operator's prior knowledge and skill, the type of powered industrial truck being operated in the workplace, the hazards of the workplace, and the operator's demonstrated ability to

operate a powered industrial truck safely. The final rule also requires refresher training if the operator is involved in an accident or near miss, or has been observed operating a powered industrial truck in an unsafe manner. Evaluations of operators' performance are also required by the new requirement paragraph.

Definition

Powered industrial trucks are used in almost all industries. They are used to move, raise, lower, or remove large objects or a number of smaller objects on pallets or in boxes, crates, or other containers. OSHA Standard 1910.178 Powered Industrial Trucks, contains requirements related to fire protection, design, maintenance, and use of fork trucks, tractors, platform lift trucks, motorized hand trucks, and other specialized industrial trucks. ASME B56.1-1969, Safety Standard for Low Lift and High Lift Trucks, which is incorporated by reference in 1910.178, defines powered industrial trucks as "mobile, power propelled trucks used to carry push, pull, lift, stack, or tier material."

Hazards

Each of the different types of powered industrial trucks has its own unique characteristics and inherent hazards. Characteristics of powered industrial trucks that affect safe truck operation are: the truck's tendency to become unstable; its ability to carry loads high off the ground; and its characteristic mode of steering, i.e., with the rear wheels while being powered by the front wheels. Moving loads upward, downward, forward, and backward causes a shift of the center of gravity and can adversely affect the vehicle's stability. When a load is raised or moved away from the vehicle, the vehicle's longitudinal stability is decreased.

Workplaces, where powered industrial trucks are used, present a variety of different hazards such as rough, uneven, or sloped surfaces; unusual loads; hazardous areas; narrow aisles; blind spots; and pedestrian traffic or employees working close to the path of travel. Some hazardous work practices relate to all trucks, including driving at excessive speed, poor loading, and carrying unauthorized passengers.

Many accidents have occurred because of unsafe truck operation. For example, employees have fallen from trucks while using them to change light bulbs on overhead fixtures or riding on the forks to manually retrieve items from high racks. In addition, accidents have occurred when an operator has attempted to drive with an obstructed view in the direction of travel and has run into another employee. Forklift overturns are the leading cause of fatalities involving forklifts and they represent about 25% of all forklift-related deaths.

Poor truck maintenance can also contribute to accidents resulting in serious injuries or death from brake failure, ruptured hydraulic lines and exposure to carbon monoxide.

Region I

In Region I, powered industrial truck hazards are a major source of injuries and fatalities to operators and to employees working in the area of powered industrial trucks. A review of Region 1 statistics from 1992 through 2003 indicated that there were 40 powered industrial truck-related fatalities which occurred in 30 SICs (Standard Industrial Classifications). The fatalities occurred in all six New England states and occurred in Agriculture, Construction, Manufacturing, and Transportation. The 40 powered industrial truck-related fatalities accounted for 8% of all the fatalities in Region 1 from 1992 through 2003. Thirty-six of the fatalities occurred in General Industry, three occurred in Construction, and one occurred in Agriculture. In the last five fiscal years (2011-2015) that the LEP has been in effect, the number of powered industrial truck-related fatalities investigated by OSHA has been reduced to a total of seven. While the occurrence of a work-related fatality is never acceptable, it is significant to note that the annual rate of occurrence of powered industrial truck-related fatalities has been reduced by one-half in Region I since the initiation of the enforcement phase of the LEP (from 3.3 to 1.5).

OSHA in Region I has developed this LEP to ensure that powered industrial truck operations are evaluated on all inspections in order to determine if the employer is in compliance with all relevant OSHA requirements and to ensure that employees are protected from the hazards related to powered industrial trucks.

IX. Procedures. The conduct of inspections shall adhere to the following:

- A. All inspections conducted in general industry and construction is covered by this notice.
- B. During all inspections, compliance officers shall determine if powered industrial trucks are utilized at that worksite. If they are, the compliance officer will expand the inspection to cover those operations.
- C. In accordance with CPL 02-00-140 - Complaint Policies and Procedures, area offices will normally conduct an inspection for all complaints, formal or non-formal, which contain allegations of powered industrial truck hazards unless there are significant resource implications.
- D. If an employer refuses to allow the compliance officer to expand an inspection, being conducted under this program, to cover powered industrial truck operations, a warrant shall be sought in accordance with procedures in the current FOM for handling such refusals.

E. Area Directors shall insure that compliance officers are sufficiently qualified and trained to conduct this type of inspection.

X. **Recording in OIS.** Current instructions for completing the OIS forms shall be applied when recording inspections under this LEP. The OIS inspection form, investigation form, unprogrammed activities form shall be marked “FORKLIFT” under the Local Emphasis Program dropdown menu under the Emphasis Program section.

XI. **Evaluation.** The Region Office will compile a written evaluation report of the implementation of this LEP to the Regional Administrator which will include activity and impact measures. The Region Office will submit the report, as appropriate, to the National Office. This evaluation will include a brief description of program activities and results, analysis of factors listed in CPL 2.102, Appendix A, as well as recommendations regarding the continuation of this local emphasis program. In addition, the following factors should also be included.

- The number of inspections where powered industrial truck violations were found, and number and percent violations that are serious, willful, or repeat. The numbers will be compared to the previous years.
- Annual number and rate of powered industrial trucks fatalities compared to the previous year’s statistics.
- A three-year rolling average of percent of occupational fatalities due to powered industrial trucks.

Each Area Director will supplement the evaluation report by providing the following:

- The number of complaints concerning powered industrial trucks received annually at each area office compared with prior years.

XII. **Outreach and Compliance Assistance:** Each area director will continue to conduct outreach and compliance assistance activities to reach as many stakeholders in the area office jurisdiction as is practicable. Outreach efforts related to the LEP will continue to be performed by the area offices at the discretion of the Area Director of each action office.

Appendix A

PIT Checklist

This checklist is intended to provide compliance assistance to employers and compliance officers and it is not intended to be a replacement for a comprehensive review of the OSHA standards nor does compliance with this checklist imply any exemptions from inspections or citations.

Do industrial trucks acquired after Feb. 15, 1972 meets the design requirements in "American National Standard for Powered Industrial Trucks, Part II, ANSI B56.1-1969?"
29 CFR 1910.178 (a) (2)

Has the manufacturer provided written approval for modifications that affect the capacity and safety operations of the equipment?
29 CFR 1910.178 (a) (4)

Do industrial trucks have labels designating approval for use in various hazardous and/or non-hazardous locations?
29 CFR 1910.178 (a) (3) and (7)

In construction, 1926.602(c)(1)(vi), all industrial trucks in use shall meet the applicable requirements of design, construction, stability, inspection, testing, maintenance, and operation, as defined in American National Standards Institute B56.1-1969, Safety Standards for Powered Industrial Trucks.

Designations

Are supervisors and procurers of equipment aware of the eleven designations of industrial trucks or tractors (D, DS, DY, E, ES, EE, EX, G, GS, LP, and LS)?
29 CFR 1910.178 (b)

Designated Use of Requirements

Are supervisors and operators knowledgeable about the use of industrial trucks in various locations?
29 CFR 1910.178 (c) (1)

Fuel Handling and Storage Requirements

Is the storage and handling of liquid fuels in accordance with NFPA Flammable and Combustible Liquids Code (NFPA No. 58-1969)?
29 CFR 1910.178 (f) (1)

Is the storage and handling of liquefied petroleum gas fuel in accordance with NFPA Storage and Handling of Liquefied Petroleum Gases (NFPA No.58-1969)?

29 CFR 1910.178 (f) (2)

Changing and Charging Storage Batteries

Are battery-charging installations located in areas designated for that purpose?

29 CFR 1910.178(g) (1)

Are facilities provided for flushing and neutralizing spilled electrolyte?

29 CFR 1910.178 (g) (2)

Are facilities provided for adequate ventilation for dispersal of fumes from gassing batteries?

29 CFR 1910.178 (g) (2)

Is proper handling equipment (conveyor and hoists) provided for handling batteries?

29 CFR 1910.178 (g) (4)

Is a carbon filter or siphon provided for handling electrolyte?

29 CFR 1910.178 (g) (6)

Is care taken to ensure that vent caps are functioning when charging batteries?

Note: The battery (or compartment) cover(s) shall be open to dissipate heat.

29 CFR 1910.178 (g) (9)

Is smoking prohibited in the charging area?

29 CFR 1910.178 (g) (10)

Are precautions taken to prevent open flames sparks, or electric arcs in battery-charging areas?

29 CFR 1910.178 (g) (11)

Are tools and other metallic objects kept away from the tops of uncovered batteries? 29

CFR 1910.178 (g) (12)

Dockboards (bridge plates)

Are portable and powered dockboards strong enough to carry the load imposed on them?

29 CFR 1910.30 (a) (i)

Are portable dockboards secured in position, either by being anchored or equipped with devices that will prevent slippage?

29 CFR 1910.30 (a) (2)

Are handholds or other effective means provided on portable dockboards to ensure safe handling?

29 CFR 1910.30 (a) (4)

Operator Training

Are only trained and authorized operators permitted to operate a powered industrial truck? 29 CFR 1910.178 (l). 1926.602(d) Powered industrial truck operator training, the requirements applicable to construction work under this paragraph are identical to those set forth at §1910.178(l)

Truck Operations

Is it prohibited for a person to stand or pass under the elevated portion of any truck, whether loaded or empty?

29 CFR 1910.178 (m) (2)

Are unauthorized personnel prohibited from riding on powered industrial trucks?

29 CFR 1910.178 (m) (3)

Is it prohibited for arms or legs to be placed between the uprights of the mast or outside the running lines of a truck?

29 CFR 1910.178 (m) (4)

Is it required for load-engaging means to be fully lowered, controls neutralized, power shut off, and brakes set when a powered industrial truck is left unattended?

29 CFR 1910.178 (m) (5) (i)

Is it required to maintain a safe distance from the edge of ramps or platforms while on any elevated dock, platform, or freight car?

29 CFR 1910.178(m) (6)

Is an overhead guard used as protection against falling objects?

29 CFR 1910.178 (m) (9)

Is a load backrest extension used whenever necessary to minimize the possibility of the load or part of it from falling backward?

29 CFR 1910.178 (m) (10)

Are only approved industrial trucks used in hazardous locations?

29 CFR 1910.178 (m) (11)

Traveling

Is it required that all traffic regulations be observed, including authorized plant speed limits?

29 CFR 1910.178 (n) (1)

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Is it required to yield the right of way to ambulances, fire trucks, or other vehicles in emergency situations?

29 CFR 1910.178 (n) (2)

Is it required that drivers not pass other trucks traveling in the same direction at intersections, blind spots, or other dangerous locations?

29 CFR 1910.178 (n) (3)

Is it required that drivers slow down and sound the horn at cross aisles and other locations where vision is obstructed?

29 CFR 1910.178 (n) (4)

Is it required that railroad tracks shall be crossed diagonally, wherever possible?

29 CFR 1910.178 (n) (5)

Is it required that when ascending or descending grades that exceed 10 percent loaded trucks be driven with the load upgrade?

29 CFR 1910.178(n) (7) (i)

Is it required that on all grades the load and load-engaging means be tilted back, if applicable, and raised only as far as necessary to clear the road surface?

29 CFR 1910.178 (n) (7) (iii)

Is it required that under all travel conditions the truck be operated at a speed that will permit it to stop in a safe manner?

29 CFR 1910.178 (n) (8)

Is stunt driving and horseplay prohibited?

29 CFR 1910.178 (n) (9)

Are dockboards or bridge plates properly secured before they are driven over?

29 CFR 1910.178 (n) (11)

Is it required that elevators be approached slowly, and then entered squarely after the elevator car is properly leveled?

29 CFR 1910.178 (n) (12)

Is it required that motorized hand trucks enter elevators or other confined areas with load end forward?

29 CFR 1910.178 (n) (13)

Loading

Are drivers instructed that only stable or safely arranged loads be handled?

29 CFR 1910.178 (o) (1)

Are drivers instructed that only loads within the rated capacity of the truck shall be handled?

29 CFR 1910.178 (o) (2)

Is a load-engaging means placed under the load as far as possible?

29 CFR 1910.178 (o) (5)

Are drivers required to use extreme care when tilting the load forward or backward, particularly when high tiering?

29 CFR 1910.178 (o) (6)

Operation of the Truck

Are personnel instructed that fuel tanks not be filled while the engine is running?

29 CFR 1910.178 (p) (2)

Is it required that spillage of oil or fuel be carefully washed away or completely evaporated and the fuel tank cap replaced before restarting the engine?

29 CFR 1910.178 (p) (3)

Is it prohibited for a truck to be operated with a leak in the fuel system until the leak has been corrected?

29 CFR 1910.178 (p) (4)

Is it prohibited for open flames to be used for checking electrolyte level in storage batteries or gasoline level in fuel tanks?

29 CFR 1910.178 (p) (5)

Maintenance of Industrial Trucks

Is it required that no repairs be made in Class I, II, and III locations?

29 CFR 1910.178 (q) (2)

Is it required that repairs to the fuel and ignition systems of industrial trucks, which involve fire hazards, be conducted only in locations designated for such repairs?

29 CFR 1910.178 (q) (3)

Is it required that trucks in need of repairs to the electrical system have the battery disconnected before such repairs are made?

29 CFR 1910.178 (q) (4)

Is it required that industrial trucks not be altered without the manufacturer's approval?

29 CFR 1910.178 (q) (6)

Is it required that industrial trucks be examined before being placed in service?

29 CFR 1910.178 (q) (7)

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Is it required that water mufflers be filled daily or as frequently as necessary to prevent depletion of the water supply below 75 percent of the filled capacity?

29 CFR 1910.178 (q) (8)

Is it required that vehicles with mufflers and screens or other parts that may become clogged not be operated while such screens or parts are clogged?

29 CFR 1910.178 (q) (8)

Is it required that any vehicle that emits hazardous sparks or flames from the exhaust system be immediately removed from service and not returned to service until the cause for the emission of such sparks and flames has been eliminated?

29 CFR 1910.178 (q) (8)

Is it required that when the temperature of any part of any truck is found to exceed its normal operating temperature, thus creating a hazardous condition, the vehicle be removed from service and not be returned to service until the cause for such overheating has been eliminated?

29 CFR 1910.178 (q) (9)

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