



**State of Alaska
Department of Labor and Workforce Development
Division of Labor Standards and Safety**

AKOSH Program Directive 06-08

Date: March 7, 2006,
To: Distribution List
From: Grey R. Mitchell, Director
Subject: **29 CFR 1926.1002; .1003; 29 CFR 1928.51(b) Roll-Over Protective Structures (ROPS) Direct Final Rule Confirmation of effective date.**

This Program Directive, PD 06-08, is formal notice that Alaska Department of Labor & Workforce Development, Division of Labor Standards & Safety recognizes and will implement the changes to the final rule having to do with 29 CFR 1926.1002, 1926.1003 and 29 CR 1928.51(b)(1).

Under 8 AAC 61.1010 (c) 29 C.F.R. 1926.10 - 1926.29 and 1926.31 - 1926.1152, and 8 AAC 61.1010(d) q9 CFR 1928.21-1928.1027 as amended, are occupational safety and health standards in Alaska, as revised in this section and except as provided in 8 AAC 61.1145 - 8 AAC 61.1170. The effective date of any amendments to the Code of Federal Regulations (CFR) adopted by reference in this section of the Alaska Administrative Code have the same effective date as published in the Federal Register.

Effective Date: February 27, 2006

1. OSHA is confirming the effective date of its direct final rule reinstating its original construction and agriculture standards that regulate the testing of roll-over protective structures used to protect employees who operate wheel type tractors. The direct final rule published on December 29, 2005 is effective February 27, 2008. For the purposes of judicial review, OSHA considers February 29, 2006 as the date of issuance.

On March 7, 1996, OSHA published a technical amendment in the Federal Register that revised a number of its standards including the construction and agriculture standards that regulate testing of roll-over protective structures (ROPS) (61 FR 9228); employers use these structures to protect employees who operate wheel-type tractors. The revision removed the original, detailed ROPS-testing standards and referred instead to national consensus standards and the ROPS Standards adopted under the 1996

technical amendment, and that these differences have a substantial impact on the regulated community.

Based on this determination, OSHA found that reinstating the original OSHA standards through a direct final rule was necessary and appropriate; It published this direct final rule in the Federal Register on December 29, 2005 (70FR 76979)

Cancels or Supercedes:

Cancels those parts of PD 96-25 implementing the March 7, 1996 Corrections and Technical Amendments (61 FR 9228) having to do with ROPS.

Please ensure that all members of your staff receive a copy of this program directive.

Attachment:

Distribution List w/o attachment

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