

## Additional Oregon Rules for Personal Protective Equipment

### **437-002-0139 Working Underway on Water.**

**(1) Scope and Application.** *This rule applies to all employees not covered by Division 3, Construction; Division 4, Agriculture or Division 6, Forest Practices.*

#### **(2) Definitions.**

**(a) Boat** – *means every description of water craft used or capable of being used as a means of transportation on the water, but does not include aircraft built to land on the water.*

**EXAMPLE:** *A partial list includes: boats, rafts, barges, pontoons, dredges and floating logs.*

**(b) Serviceable condition** – *means the flotation device is able to perform the function that the manufacturer intended.*

**(c) Underway** – *means when a boat is not at anchor, or moored, or made fast to the shore, or aground.*

#### **(3)**

**(a) Workers in boats that are underway must wear a Coast Guard approved or equivalent, wearable personal flotation device (PFD).**

**Exception:** *Workers, below deck or in enclosed parts of boats, like cabins and pilot houses need not wear the PFD but must have it at hand.*

**(b) The PFD must be the right size for the wearer and must be in serviceable condition according to the manufacturer's requirements and recommendations.**

**Stat. Authority:** ORS 654.025(2) and 656.726(4)

**Stats. Implemented:** ORS 654.001 through 654.295.

**Hist:** WCB Admin. Order 9-1974, f. 3/19/74, ef. 4/15/74.

OR-OSHA Admin. Order 9-1993, f. 7/29/93, ef. 9/15/93.

OR-OSHA Admin. Order 1-2001, f. 1/18/01, ef. 3/1/01.