



TECHNICAL UPDATE

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NEW MSHA RULE: SAFETY PROGRAM FOR SURFACE MOBILE EQUIPMENT

The [U.S. Department of Labor's Mine Safety and Health Administration \(MSHA\)](#) helps to reduce deaths, injuries, and illnesses by developing and enforcing safety and health rules for all U.S. mines. MSHA works cooperatively with industry, labor, and other federal and state agencies to improve safety and health conditions for all miners in the United States.

The Colorado MSHA program concentrates its efforts on areas where high fatalities and incident rates occur within the state. This includes providing site-specific training to miners, emphasizing education about health hazards they face on their mine sites. The [Colorado Educational Field and Small Mine Services](#) may be able to assist with questions and additional information.

2024 MSHA RULING

As of January 2024, MSHA is requiring that mine operators develop, implement, and update, periodically or when necessary, a written safety program for surface mobile equipment at surface mines and surface areas of underground mines. This includes trucks, loaders, dozers, etc., but excludes belt conveyors. Regardless of the number of employees, the safety program must be developed and updated with input from miners and their representatives. It must include actions mine operators will take to identify hazards and risks to reduce accidents, injuries, and fatalities related to surface mobile equipment. The rule offers mine operators flexibility to devise a safety program that is appropriate for their specific mining conditions and operations.

The [MSHA final](#) rule should also include the development of maintenance routines, identification of current and emerging technologies which could aid in safety, and training programs for all who are affected. Surface mobile equipment and machinery is the leading cause of serious and fatal mine accidents in recent years, and a guiding force in MSHA's effort to improve safety. Enforcement of this ruling begins July 17, 2024.

COMPLIANCE ASSISTANCE

MSHA will work with industry, labor, and other stakeholders to develop written safety program templates. The Agency will also provide the mining community training materials, best practices and guidance, and technical assistance. All compliance assistance materials will be posted on MSHA's website. Production operators and part 45 independent contractors must make the written safety program available for inspection by MSHA, miners, and miners' representatives, providing copies upon request.

Please share this information with other affected personnel within your department. [Counties will need to read the full standards and requirements.](#) There are other MSHA initiatives to confront mining accidents including safety and health alerts and equipment guidance that can be found online.



WHAT THIS MEANS FOR COUNTIES

Limited guidelines have been provided by MSHA although they indicate that materials will be available on their website to support this ruling. In the interim, [CTSI has created a helpful document that can be downloaded here.](#) This is not a CTSI requirement and is provided as informational-only to counties to bring awareness of this ruling and to make sure that you have your written safety program in place for all surface mobile equipment which operates in areas of mining prior to the enforcement period. CTSI will share additional information as it becomes available with the counties. For questions, please contact CTSI at (303) 861-0507.