ENROLLED
Committee Substitute
for Senate Bill No. 122

(By Mr. Herman)

PASSED April 8, 1981
In Effect from Passage
AN ACT to amend article two, chapter twenty-two of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section fifty-five-a, relating to requiring all surface mine employees to wear safety helmets when working in areas of possible danger of head injury; providing an exemption while operating machinery with specified cab protection; and requiring safety helmets to meet certain specifications.

Be it enacted by the Legislature of West Virginia:
That article two, chapter twenty-two of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended, by adding thereto a new section, designated section fifty-five-a, to read as follows:

ARTICLE 2. COAL MINES.

1 All surface mine employees shall be required to wear safety helmets when working in areas where there is a possible danger of head injury from impact, or from falling or flying objects, or from electrical shock and burns: Provided, That such employees shall not be required to wear such safety
helmet while operating machinery equipped with a falling object protective structure which satisfies the impact and penetration requirements established by the American National Standards Institute, Safety Requirements for Industrial Head Protection, Standard Z89.1, unless the director of the department of mines finds that the dangers set forth herein may be present. **Provided, however,** That such employees shall be required to wear safety helmets while not operating such equipment including periods of travel to and from such equipment.

The safety helmets required hereunder shall meet the specifications for such helmets as prescribed by the mine health and safety administration.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

R. P. Baylon  
Chairman Senate Committee

Tony E. Hollow  
Chairman House Committee

Originated in the Senate.

To take effect from passage.

Todd L. Wilcox  
Clerk of the Senate

W. Blanche Spain  
Clerk of the House of Delegates

Warren R. Obenauf  
President of the Senate

Speaker House of Delegates

The within is approved this the 24

day of April, 1981.

J. N. Rayburn  
Governor