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Title 29 - Labor

Subtitle B - Regulations Relating to Labor

Chapter XVII - Occupational Safety and Health Administration, Department of Labor

Part 1926 - Safety and Health Regulations for Construction

Authority: 40 U.S.C. 3704; 29 U.S.C. 653, 655, and 657; and Secretary of Labor's Order No. 12-71 (36 FR 8754), 8-76 (41 FR 25059), 9-83 (48 FR 35736), 1-90 (55 FR 9033), 6-96 (62 FR 111), 3-2000 (65 FR 50017), 5-2002 (67 FR 65008), 5-2007 (72 FR 31159), 4-2010 (75 FR 55355), 1-2012 (77 FR 3912), or 8-2020 (85 FR 58393), as applicable; and 29 CFR part 1911, unless otherwise noted Sections 1926.58, 1926.59, 1926.60, and 1926.65 also issued under 5 U.S.C. 553 and 29 CFR part 1911. Section 1926.61 also issued under 49 U.S.C. 1801-1819 and 5 U.S.C. 553. See *Part 1926 for more*

Source: 44 FR 8577, Feb. 9, 1979; 44 FR 20940, Apr. 6, 1979, unless otherwise noted.

Subpart W Rollover Protective Structures; Overhead Protection

§ 1926.1000 Scope.

§ 1926.1001 Minimum performance criteria for rollover protective structures for designated scrapers, loaders, dozers, graders, crawler tractors, compactors, and rubber-tired skid steer equipment.

§ 1926.1002 Protective frames (roll-over protective structures, known as ROPS) for wheel-type agricultural and industrial tractors used in construction.

§ 1926.1003 Overhead protection for operators of agricultural and industrial tractors used in construction.

Editorial Notes: 1. At 44 FR 8577, Feb. 9, 1979, and corrected at 44 FR 20940, Apr. 6, 1979, OSHA reprinted without change the entire text of 29 CFR part 1926 together with certain General Industry Occupational Safety and Health Standards contained in 29 CFR part 1910, which have been identified as also applicable to construction work. This republication developed a single set of OSHA regulations for both labor and management forces within the construction industry.

2. Nomenclature changes to part 1926 appear at 84 FR 21597, May 14, 2019.

Subpart W - Rollover Protective Structures; Overhead Protection

Authority: 40 U.S.C. 3701; 29 U.S.C. 653, 655, 657; and Secretary of Labor's Order No. 12-71 (36 FR 8754), 8-76 (41 FR 25059), 9-83 (48 FR 35736), 1-90 (55 FR 9033), 6-96 (62 FR 111), 3-2000 (65 FR 50017), 5-2002 (67 FR 65008), or 1-2012 (77 FR 3912), as applicable.

§ 1926.1000 Scope.

- (a) **Coverage.** This subpart applies to the following types of material handling equipment: All rubber-tired, self-propelled scrapers, rubber-tired front-end loaders, rubber-tired dozers, wheel-type agricultural and industrial tractors, crawler tractors, crawler-type loaders, and motor graders, with or without attachments,

that are used in construction work. This subpart also applies to compactors and rubber-tired skid-steer equipment, with or without attachments, manufactured after July 15, 2019, that are used in construction work. This subpart does not apply to sideboom pipelaying tractors.

- (b) **Equipment manufactured before** July 15, 2019. Material handling equipment described in paragraph (a) of this section (excluding compactors and rubber-tired skid-steer equipment) manufactured before July 15, 2019, shall be equipped with rollover protective structures that meet the minimum performance standards prescribed in § 1926.1001(b), as applicable. Agricultural and industrial tractors used in construction shall be equipped with rollover protective structures that meet the minimum performance standards prescribed in § 1926.1002(b), as applicable. When overhead protection is provided on agricultural and industrial tractors, the overhead protection shall meet the minimum performance standards prescribed in § 1926.1003(b), as applicable.
- (c) **Equipment manufactured on or after** July 15, 2019. Material handling machinery described in paragraph (a) of this section manufactured on or after July 15, 2019, shall be equipped with rollover protective structures that meet the minimum performance standards prescribed in § 1926.1001(c). Agricultural and industrial tractors used in construction shall be equipped with rollover protective structures that meet the minimum performance standards prescribed in § 1926.1002(c). When overhead protection is provided on agricultural and industrial tractors, the overhead protection shall meet the minimum performance standards prescribed in § 1926.1003(c).
- (d) **Remounting.** ROPS removed for any reason, shall be remounted with equal quality, or better, bolts or welding as required for the original mounting.
- (e) **Labeling.** Each ROPS shall have the following information permanently affixed to the structure:
 - (1) Manufacturer or fabricator's name and address;
 - (2) ROPS model number, if any;
 - (3) Machine make, model, or series number that the structure is designed to fit.
- (f) **Machines meeting certain existing governmental requirements.** Any machine in use, equipped with rollover protective structures, shall be deemed in compliance with this section if it meets the rollover protective structure requirements of the State of California, the U.S. Army Corps of Engineers, or the Bureau of Reclamation of the U.S. Department of the Interior in effect on April 5, 1972. The requirements in effect are:
 - (1) State of California: Construction Safety Orders, issued by the Department of Industrial Relations pursuant to Division 5, Labor Code, § 6312, State of California.
 - (2) U.S. Army Corps of Engineers: General Safety Requirements, EM-385-1-1 (March 1967).
 - (3) Bureau of Reclamation, U.S. Department of the Interior: Safety and Health Regulations for Construction. Part II (September 1971).

[44 FR 8577, Feb. 9, 1979; 44 FR 20940, Apr. 6, 1979, as amended at 84 FR 21577, May 14, 2019]

§ 1926.1001 Minimum performance criteria for rollover protective structures for designated scrapers, loaders, dozers, graders, crawler tractors, compactors, and rubber-tired skid steer equipment.

- (a) **General.** This section prescribes minimum performance criteria for roll-over protective structures (ROPS) for rubber-tired self-propelled scrapers; rubber-tired front end loaders and rubber-tired dozers; crawler tractors and crawler-type loaders, motor graders, compactors, and rubber-tired skid steer equipment.
- (b) **Equipment manufactured before July 15, 2019.** For equipment listed in paragraph (a) of this section (excluding compactors and rubber-tired skid steer equipment) manufactured before July 15, 2019, the protective frames shall conform to the following Society of Automotive Engineers Recommended Practices as applicable: SAE J320a, Minimum Performance Criteria for Roll-Over Protective Structure for Rubber-Tired, Self-Propelled Scrapers; SAE J394, Minimum Performance Criteria for Roll-Over Protective Structure for Rubber-Tired Front End Loaders and Rubber-Tired Dozers; SAE J395, Minimum Performance Criteria for Roll-Over Protective Structure for Crawler Tractors and Crawler-Type Loaders; SAE J396, Minimum Performance Criteria for Roll-Over Protective Structure for Motor Gradery; and SAE J397, Critical Zone Characteristics and Dimensions for Operators of Construction and Industrial Machinery, as applicable (each incorporated by reference, see § 1926.6), or comply with the consensus standard (ISO 3471:2008) listed in paragraph (c) of this section.
- (c) **Equipment manufactured on or after July 15, 2019.** For equipment listed in paragraph (a) of this section manufactured on or after July 15, 2019, the protective frames shall meet the test and performance requirements of the International Organization for Standardization (ISO) standard ISO 3471:2008 Earth-Moving Machinery - Roll-over protective structures - Laboratory tests and performance requirements (incorporated by reference, see § 1926.6).

[84 FR 21578, May 14, 2019]

§ 1926.1002 Protective frames (roll-over protective structures, known as ROPS) for wheel-type agricultural and industrial tractors used in construction.

- (a) **General.** This section sets forth requirements for frames used to protect operators of wheel-type agricultural and industrial tractors used in construction work that will minimize the possibility of operator injury resulting from accidental upsets during normal operation. See paragraph (e) of this section for definitions of agricultural and industrial tractors.
- (b) **Equipment manufactured before July 15, 2019.** For equipment manufactured before July 15, 2019, the protective frames shall meet the test and performance requirements of the Society of Automotive Engineers Standard J334a, Protective Frame Test Procedures and Performance Requirements and J168, Protective enclosures-test procedures and performance requirements, as applicable (incorporated by reference, see § 1926.6), or comply with the consensus standard (ISO 5700:2013) listed in paragraph (c) of this section.
- (c) **Equipment manufactured on or after July 15, 2019.** For equipment manufactured on or after July 15, 2019, the protective frames shall meet the test and performance requirements of the International Organization for Standardization (ISO) standard ISO 5700:2013, Tractors for agriculture and forestry - Roll-over protective structures - static test method and acceptance conditions or ISO 3471:2008 Earth-Moving Machinery - Roll-over protective structures - Laboratory tests and performance requirements (incorporated by reference, see § 1926.6).

(d) **Overhead protection requirements.** For overhead protection requirements, see § 1926.1003.

(e) **Definitions applicable to this section.**

(1) "Agricultural tractor" means a wheel-type vehicle of more than 20 engine horsepower, used in construction work, that is designed to furnish the power to pull, propel, or drive implements. (SAE standard J333a-1970 ("Operator protection for wheel-type agricultural and industrial tractors") defines "agricultural tractor" as a "wheel-type vehicle of more than 20 engine horsepower designed to furnish the power to pull, carry, propel, or drive implements that are designed for agricultural usage." Since this part 1926 applies only to construction work, the SAE definition of "agricultural tractor" is adopted for purposes of this subpart.)

(2) "Industrial tractor" means that class of wheel-type tractors of more than 20 engine horsepower (other than rubber-tired loaders and dozers described in 29 CFR 1926.1001), used in operations such as landscaping, construction services, loading, digging, grounds keeping, and highway maintenance.

[70 FR 76985, Dec. 29, 2005, as amended at 71 FR 41129, July 20, 2006; 84 FR 21578, May 14, 2019]

§ 1926.1003 Overhead protection for operators of agricultural and industrial tractors used in construction.

(a) **General.** This section sets forth requirements for overhead protection used to protect operators of wheel-type agricultural and industrial tractors used in construction work that will minimize the possibility of operator injury resulting from overhead objects such as flying or falling objection, and from the cover itself in the event of accidental upset.

(b) **Equipment manufactured before** July 15, 2019. When overhead protection is provided on wheel-type agricultural and industrial tractors manufactured before July 15, 2019, the overhead protection shall be designed and installed according to the requirements contained in the test and performance requirements of Society of Automotive Engineers Standard J167, Protective Frame with Overhead Protection-Test Procedures and Performance Requirements, which pertains to overhead protection requirements (incorporated by reference, see § 1926.6) or comply with the consensus standard (ISO 27850:2013) listed in paragraph (c) of this section.

(c) **Equipment manufactured on or after** July 15, 2019. When overhead protection is provided on wheel-type agricultural and industrial tractors manufactured on or after July 15, 2019, the overhead protection shall be designed and installed according to the requirements contained in the test and performance requirements of the International Organization for Standardization (ISO) standard ISO 27850:2013, Tractors for agriculture and forestry - Falling object protective structures - Test procedures and performance requirements, which pertains to overhead protection requirements (incorporated by reference, see § 1926.6).

(d) **Site clearing.** In the case of machines to which § 1926.604 (relating to site clearing) also applies, the overhead protection may be either the type of protection provided in § 1926.604, or the type of protection provided by this section.

[84 FR 21578, May 14, 2019]