

**North Carolina Department of Labor  
Division of Occupational Safety and Health**

**Raleigh, North Carolina**

Field Information System

Standards Notice 44A

**Subject:** Upper and Lower Controls on Vehicle-mounted Elevating and Rotating Work Platforms.

**A. Standards.**

The standards referenced or affected include the following:

1. **29 CFR 1910.67(b)(1)** - Unless otherwise provided in this section, aerial devices (aerial lifts) acquired on or after July 1, 1975, shall be designed and constructed in conformance with the applicable requirements of the American National Standard for "Vehicle Mounted Elevating and Rotating Work Platforms", ANSI A91.2-1969, including appendix... Aerial lifts acquired for use before July 1, 1975, which do not meet the requirements of A91.2-1969 may not be used after July 1, 1976, unless they shall have been modified so as to conform with the applicable design and construction requirements of A92.2.1969.
2. **29 CFR 1926.453(a)(1)** - Unless otherwise provided in this section, aerial lifts acquired for use on or after January 22, 1973, shall be designed and constructed in conformance with the applicable requirements of the American National Standards for "Vehicle Mounted Elevating and Rotating Work Platforms", ANSI A92.2-1969, including appendix. Aerial lifts acquired before January 22, 1973, which do not meet the requirements of ANSI A92.2-1969, may not be used after January 1, 1976, unless they shall have been modified so as to conform with the applicable design and construction requirements of ANSI A92.2-1969.
3. **29 CFR 1910.67(c)(2)(ix) and 29 CFR 1926.453(b)(2)(ix)**. Articulating boom and extensible boom platforms, primarily designed as personnel carriers, shall have both platform (upper) and lower controls. Upper controls shall be in or beside the platform within easy reach of the operator. Lower controls shall provide for overriding the upper controls. Controls shall be plainly marked as to their function. Lower level controls shall not be operated unless permission has been obtained from the employee in the lift, except in case of emergency.
4. **29 CFR 1926.955(e)(12)**. - All aerial lifts to be used for live-line bare-hand work shall have dual controls (lower and upper) as required by paragraph (e)(12)(i) and (ii) of this section.
  - i. The upper controls shall be within easy reach of the employee in the basket. If a two basket type lift is used, access to the controls shall be within easy reach from either basket.
  - ii. The lower set of controls shall be located near base of the boom that will permit override operation of equipment at any time.

5. **ANSI A92.2-1969, Section 4.3, "Controls"**. Articulating booms and extensible boom platforms primarily designed as personnel carriers shall have both platform (upper) and lower controls. Upper controls shall be in or beside the platform within easy reach of the operator. Lower controls shall provide for overriding the upper controls. All controls shall be plainly marked as to their function.
6. See also **ANSI/SIA A92.2-2001, Section 4.3, "Controls"**.

**B. Definitions.**

1. "Aerial device", as defined in 29 CFR 1910.67(a)(1), is any vehicle-mounted device, telescoping or articulating, or both, which is used to position personnel; and will include, [1910.67(b)(1)] extensible boom platforms, aerial ladders, articulating boom platforms, vertical towers, and a combination of any of these.
2. "Combination device" as used in this notice will mean any aerial device constructed or used so as to enable its application for work purposes in addition to personnel lifting and positioning.
3. "Primarily designed" as used in this notice will mean the intended purpose of the manufacturer, assembler, owner, or user of the aerial or combination device. Where multiple purposes exist, "primarily designed" will mean that design, construction, or alteration of the aerial or combination device apparent or most representative of the employee exposure to the apparatus.

**C. Discussion.**

Since the initial adoption of the OSHA Standards in 1972, there has been substantial confusion as to the requirement for upper and lower controls on vehicle-mounted elevating and rotating work platforms, especially on combination type or multipurpose equipment. This confusion continued after the adoption of the telecommunication standards in March of 1975. The use of such equipment is common in industries such as electric power transmission and distribution, telecommunications, tree trimming, outdoor advertising, and similar operations. Until this time, the procedure for determining the need for dual controls has been to consider the purpose for which the boom or other lifting equipment was "primarily designed". The problems with this approach are: (1) the term "primarily designed" has never been clearly defined; (2) the platform and associated lifting equipment may be used for a variety of purposes; and (3) the equipment may be altered or redesigned by the user to suit his particular needs. The main consideration in determining upper and lower control requirements should therefore be the application or use of the equipment package.

**D. Interpretation.**

- a. Where multipurpose equipment, such as digger derricks and other combination devices, is involved, and the purpose which such equipment was "primarily designed" is not clear, upper and lower controls will be provided on each piece of equipment if the elevating and rotating platform is used to carry personnel more than 50% of the time the equipment is actually in use in any 30 day period.

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- b. In determining the use of the equipment, the CSHO should interview the employees using the device and management and should review available records.
- c. Equipment and operations involving vehicle-mounted elevating and rotating work platforms must also comply with all other OSHA standards applicable to the equipment or operations.
- d. CSHOs will determine the primary application of the piece of equipment when it is in use to cite accordingly. Any aerial device that is used primarily to lift or position personnel, and any aerial or combination device used in live-line bare-hand work will have both upper and lower controls in accordance with the applicable standards.

E. **Effective Date.**

SN 44 is canceled. This SN is effective on the date of signature. It will remain in effect until canceled or revised by the Director.

Signed on Original  
Kevin O'Barr  
Safety Standards Officer

Signed on Original  
Allen McNeely  
Director

8/09/05  
Date of Signature