

SENATE BILL 575

K3, C2, E4
SB 985/10 – FIN

11r0498

By: **Senators Muse, Benson, Currie, Madaleno, Rosapepe, and Young**
Introduced and read first time: February 4, 2011
Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Alexander L. Booker Child Protection Construction Site Safety Act**

3 FOR the purpose of requiring that certain signs that indicate the dangers that exist on
4 a construction site be prominently displayed at the construction site at all
5 times; requiring the signs to include certain information; requiring a
6 construction site to have certain barricades enclosing certain dangers on a
7 construction site under certain circumstances; requiring the barricades to be
8 equipped with certain warning devices and signs; requiring certain construction
9 equipment to be equipped with certain safety equipment; and generally relating
10 to construction site safety.

11 BY adding to

12 Article – Labor and Employment

13 Section 5–609

14 Annotated Code of Maryland

15 (2008 Replacement Volume and 2010 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article – Labor and Employment**

19 **5–609.**

20 **(A) (1) SIGNS INDICATING THE DANGERS THAT EXIST ON A**
21 **CONSTRUCTION SITE SHALL BE PROMINENTLY DISPLAYED AT THE**
22 **CONSTRUCTION SITE AT ALL TIMES, INCLUDING DURING THE HOURS WHEN**
23 **WORK IS NOT BEING PERFORMED AT THE CONSTRUCTION SITE.**

24 **(2) THE POSTED DANGER SIGNS SHALL:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(I) INCLUDE CLEAR WARNINGS THAT BOTH CHILDREN AND**
2 **ADULTS CAN UNDERSTAND;**

3 **(II) BE LARGE IN SIZE; AND**

4 **(III) INCLUDE SIGNAGE THAT:**

5 **1. WARNS INDIVIDUALS NOT TO ENTER THE**
6 **CONSTRUCTION SITE OR TOUCH OR TAMPER WITH CONSTRUCTION EQUIPMENT**
7 **LOCATED ON THE CONSTRUCTION SITE; AND**

8 **2. CONTAINS GRAPHIC FIGURES TO INDICATE THE**
9 **DANGER OF FALLING OR OTHER DANGERS THAT COULD RESULT IN BODILY**
10 **HARM AT THE CONSTRUCTION SITE.**

11 **(B) (1) IF A CONSTRUCTION SITE IS ADJACENT TO A HIGHWAY OR A**
12 **SCHOOL OR ANY OTHER AREA WHERE CHILDREN ARE KNOWN TO CONGREGATE,**
13 **THE CONSTRUCTION SITE SHALL HAVE BARRICADES TO PREVENT ACCESS TO:**

14 **(I) CONSTRUCTION SITE EQUIPMENT IF THE EQUIPMENT IS**
15 **LEFT UNATTENDED AT NIGHT; AND**

16 **(II) OTHER AREAS OF IMMINENT DANGER, INCLUDING**
17 **AREAS NEAR TRANSFORMERS OR SINK HOLES.**

18 **(2) THE BARRICADES REQUIRED UNDER PARAGRAPH (1) OF THIS**
19 **SUBSECTION SHALL BE EQUIPPED WITH LIGHTS, REFLECTORS, AND SIGNS**
20 **WARNING INDIVIDUALS:**

21 **(I) TO KEEP OUT OF THE AREA ENCLOSED BY THE**
22 **BARRICADES; AND**

23 **(II) THAT CONSTRUCTION EQUIPMENT OR OTHER DANGERS**
24 **ARE LOCATED IN THE AREA ENCLOSED BY THE BARRICADES.**

25 **(C) (1) WHEN A PIECE OF CONSTRUCTION EQUIPMENT IS NOT IN USE,**
26 **THE PARKING BRAKE MUST BE SET AND HAVE AN ATTACHED DEVICE THAT:**

27 **(I) CANNOT BE TRIGGERED BY THE INSERTION OF COINS**
28 **OR OTHER OBJECTS; AND**

29 **(II) SETS OFF AN AUDIBLE ALARM WHEN THE PARKING**
30 **BRAKE OR DEVICE IS TAMPERED WITH OR BROKEN.**

1 **(2) A PIECE OF CONSTRUCTION EQUIPMENT THAT IS A**
2 **MOTORIZED VEHICLE SHALL BE EQUIPPED WITH A SAFETY LOCK SYSTEM THAT:**

3 **(I) RENDERS THE VEHICLE INOPERABLE WHEN THE**
4 **VEHICLE IS NOT IN USE;**

5 **(II) CANNOT BE TRIGGERED BY THE INSERTION OF COINS**
6 **OR OTHER OBJECTS;**

7 **(III) SETS OFF AN AUDIBLE ALARM WHEN THE VEHICLE OR**
8 **DEVICE IS TAMPERED WITH OR BROKEN; AND**

9 **(IV) IS INSPECTED REGULARLY FOR FUNCTIONALITY.**

10 **(D) AN OPERATING LEVER THAT CONTROLS A HOISTING OR DUMPING**
11 **DEVICE AND A START OR STOP DEVICE ON MOTORIZED CONSTRUCTION**
12 **EQUIPMENT SHALL BE EQUIPPED WITH A SAFETY LATCH OR ANOTHER DEVICE**
13 **THAT:**

14 **(1) PREVENTS THE ACCIDENTAL STARTING OR TRIPPING OF THE**
15 **OPERATING LEVER OR THE START OR STOP DEVICE;**

16 **(2) ENSURES THAT THE PIECE OF MOTORIZED CONSTRUCTION**
17 **EQUIPMENT CANNOT BE STARTED ONCE THE SAFETY LATCH OR OTHER DEVICE**
18 **IS ENGAGED AND THAT THE PIECE OF MOTORIZED CONSTRUCTION EQUIPMENT**
19 **IS TURNED OFF;**

20 **(3) CANNOT BE TRIGGERED BY THE INSERTION OF COINS OR**
21 **OTHER OBJECTS; AND**

22 **(4) SETS OFF AN AUDIBLE ALARM WHEN THE SAFETY LATCH OR**
23 **OTHER DEVICE IS TAMPERED WITH, REMOVED, OR DESTROYED.**

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2011.