



# Oregon

Kate Brown, Governor

## Department of Consumer and Business Services

Oregon Occupational Safety and Health Division

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Whit Patrick, Manager  
Safety Operations  
Central Lincoln People's Utility District  
P.O. Box 1126  
Newport, OR 97365

Dear Mr. Patrick:

Thank you for contacting the Oregon OSHA Standards and Technical section for clarification of the rule for high visibility safety garments. You mention in your letter that your greatest hazard is from the motoring public, which is the reason this rule came into existence. In your letter you've asked us to define what parts of the traveled roadway this standard will apply to.

- What, if any area outside of the obvious roadway would be included in the intent of the rule?
- How do we identify "street/highway traffic" areas along unpaved or unmarked rural roads?
- Is there a measurement that should be used from the center of the traveled road to identify the area in which this rule is applicable?

Oregon OSHA's general industry regulation 437-002-0134(7) within Oregon Administrative Rule (OAR), Chapter 437, Division 002, Subdivision I as well as and the construction industry regulation 437-003-0134(7)(a) within Oregon Administrative Rule (OAR), Chapter 437, Division 003, Subdivision E states the following:

*"Employees exposed to hazards caused by on-highway type moving vehicles in construction zones and street/highway traffic must wear highly visible upper body garments".*

That means, if your crew is exposed to on-highway type moving vehicles they need to wear highly visible upper body garments. Because this is a performance based standard we cannot define each circumstance you may encounter that will require compliance with the standard. The need to wear highly visible garments will not be determined by the relative position of your work vehicles to the roadway, rather by exposure of your employees to on-highway type moving vehicles.

If we can be of further assistance, call Oregon OSHA's Technical Section at 503-378-3272. You are also invited to visit Oregon OSHA's website at [www.osha.oregon.gov](http://www.osha.oregon.gov)

Sincerely,

Peggy Munsell, Standards & Appeals Manager  
Oregon Occupational Safety & Health Division