



Oregon
Theodore R. Kulongoski, Governor

Department of Consumer and Business Services
Oregon Occupational Safety & Health Division (OR-OSHA)
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April 10, 1996

Reviewed: November 9, 2007

Jerry Hakes
Oregon D O T
PO Box 5309
Bend OR 97708

Dear Mr. Hakes:

This is in response to your March 22, 1996 memo to Jerry Hoard on modifying a trailer used for spraying road tack prior to paving. The operator walks beside the trailer with a remote switch to open and close the spray nozzles. You have proposed adding a seat on the side of the trailer to provide a safer work station for the operator.

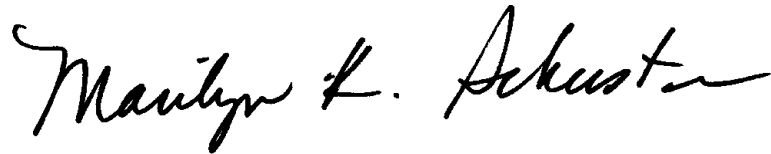
A seat may be added under the following conditions:

1. The seat should be capable of supporting a person with a 4:1 safety factor.
2. The seat must be equipped with a safety belt and should have arm rests to confine the operator to the seat.
3. Safe access must be provided so that the operator can safely get in and out of the seat.
4. It appears from your photo that flashing red and yellow lights are on the trailer. If they are not, then a strobe light, such as used on barricades, should be installed above the back of the operator's seat.
5. The seat should be used only when spraying.
6. The speed of the trailer should be restricted to below 20 mph when there is someone in the seat.

If installed and used in conformance with this letter the seat will meet the intent of 437-002-2224(4)(a) which requires safe riding facilities for everyone riding on a vehicle.

If we can be of further assistance to you please call OR-OSHA's Technical Section at (503) 378-3272.

Sincerely,

A handwritten signature in black ink that reads "Marilyn K. Schuster". The signature is written in a cursive style with a prominent initial "M" and a long, sweeping underline.

Marilyn K. Schuster, Manager
Standards & Technical Resources Section
Oregon Occupational Safety & Health Division