

LEGISLATIVE INTERPRETATIONS

Topic: ROPS on lawn tractors & 4-wheelers	Issued by: V.P., WorkSafe Services
Statute: Regulation 91-191	Date Issued: September 15, 2004
Section: 220(1)	Date Revised:

220(1) An employer shall ensure that powered mobile equipment manufactured on or after January 1, 1974 is equipped with a rollover protective structure that meets the minimum safety requirements of CSA standard B352-M1980, "Rollover Protective Structures (ROPS) for Agricultural, Construction, Earthmoving, Forestry, Industrial, and Mining Machines".

Question:

Do we need ROPS and seatbelts on a lawn tractor, 4-wheeler or other amphibious vehicle?

Answer:

Powered mobile equipment is defined as “self-propelled off-highway equipment used for construction, mining, agriculture, forestry and other purposes and includes front-end loaders, dozers, backhoes, excavators, skidders, forwarders, tree-harvesters, scrapers, compactors, rollers, graders, agricultural tractors and industrial tractors, but does not include industrial lift trucks or mobile cranes.”

According to our definition, 4-wheelers or other amphibious vehicles are not powered mobile equipment, therefore they are not required to meet section 220(1). However, according to the *Occupational Health and Safety Act*, an employer must take every reasonable precaution to ensure the health and safety of all its employees, including those who operate or ride on such vehicles. Therefore, the employer, in conjunction with the JHSC or the health and safety representative, should analyze whether there is a risk of overturning. Factors, including but not limited to slope, terrain, speed of travel, and loading should be considered. If a risk of overturning is determined, ROPS and seatbelts should be provided. If the equipment cannot support ROPS, then it should not be operated if there is a risk of overturning.

A lawn tractor would be considered powered mobile equipment and would therefore be required to meet section 220(1). However, lawn tractors do not meet the scope of the CSA standard, which applies to agricultural, construction, earthmoving, forestry, industrial, and mining machines. Therefore, the lawn tractors are also not required to have ROPS. But again, due to the employer’s responsibility, an analysis to determine if there is a risk of overturning should be performed in conjunction with the JHSC or the health and safety representative. Factors, including but not limited to, slope, terrain, speed of travel, and loading should be considered. If a risk of overturning is determined, ROPS and seatbelts should be provided. If

the equipment cannot support ROPS, then it should not be operated if there is a risk of overturning.