
STATUTORY INSTRUMENTS

2006 No. 2183

**The Merchant Shipping and Fishing Vessels (Provision
and Use of Work Equipment) Regulations 2006**

PART 3

MOBILE WORK EQUIPMENT

Workers carried on mobile work equipment

28.—(1) The employer shall ensure that no mobile work equipment is used to carry any worker, unless it is—

- (a) suitable for that purpose; and
- (b) fitted out in such a way as to minimise risks to his safety, including risks from wheels or tracks.

(2) The employer shall ensure that mobile work equipment which is used to carry any worker is designed to restrict, under the actual conditions of use, the risks arising from the work equipment rolling over.

(3) The design features to restrict the risks referred to in paragraph (2) shall include—

- (a) stabilisation of the work equipment to prevent it rolling over; or
- (b) a protection structure so that the work equipment cannot fall on its side; or
- (c) a structure giving sufficient clearance around the workers being carried if the work equipment can overturn further than that; or
- (d) another device which is equally effective in providing protection for the workers being carried.

(4) Where there would otherwise be a risk of any worker being carried by mobile work equipment being crushed by its rolling over, the employer shall ensure that it has a restraining system for him.

(5) This regulation shall not apply to a fork-lift truck having a structure described in paragraph (3) (b) or (c).

Overturning of fork-lift trucks

29. The employer shall ensure that a fork-lift truck to which regulation 28(5) refers which carries a worker is adapted or equipped to minimise the risk to safety from its overturning.

Use of mobile work equipment

30.—(1) The employer shall ensure that—

- (a) no ship's powered vehicle or powered mobile lifting appliance shall be driven in the course of a work activity except by a competent person who is authorised to do so;

- (b) where work equipment is moving around in a work area, appropriate traffic rules are drawn up and followed for the safety of workers and others;
 - (c) subject to sub-paragraph (d), workers on foot are, so far as is reasonably practicable, prevented from coming within the area of operation of self-propelled work equipment;
 - (d) where work cannot be done properly unless workers on foot are present, appropriate measures are in place to prevent them from being injured by the work equipment.
- (2) The employer shall ensure that workers are carried on mechanically driven mobile work equipment only where safe facilities are provided for this purpose.
- (3) Where workers are required to work while being carried on mechanically driven mobile work equipment, the employer shall ensure that the speed of the work equipment is adjusted as necessary for the safety of the workers.
- (4) The employer shall ensure that mobile work equipment with a combustion engine is not used in working areas, unless sufficient quantities of air can be guaranteed, such that the operation of the combustion engine presents no risk to the health or safety of workers.

Self-propelled work equipment

31. The employer shall ensure that, where self-propelled work equipment involves a risk to the safety of workers and others while in motion—

- (a) it has facilities for preventing its being started by an unauthorised person;
- (b) it has appropriate facilities for minimising the consequences of a collision where there is more than one item of rail-mounted work equipment in motion at the same time;
- (c) it has a device for braking and stopping;
- (d) where safety constraints so require, there are emergency facilities operated by a readily accessible control or automatic system for braking and stopping it if the main device fails;
- (e) where the driver's direct field of vision is inadequate to ensure safety, there are adequate devices for improving his vision;
- (f) if used in the dark—
 - (i) it is equipped with lighting appropriate to the work to be carried out; and
 - (ii) is otherwise sufficiently safe for such use;
- (g) if it or anything carried or towed by it involves a risk from fire and is liable to injure workers, it carries appropriate fire-fighting appliances, unless such appliances are kept sufficiently close to it.

Remote-controlled self-propelled work equipment

32. The employer shall ensure that, where remote-controlled self-propelled work equipment involves a risk to the safety of workers while in motion—

- (a) it stops automatically once it leaves its control range; and
- (b) in the case of work equipment which in normal conditions could involve risk to safety from crushing or other impact, it incorporates features to guard against such risk, unless other appropriate devices are able to do so.

Drive units and power take-off shafts

33.—(1) Where the seizure of the drive shaft between mobile work equipment and its accessories or anything towed might create a specific risk, the employer shall—

- (a) ensure that the equipment has a means of preventing such seizure; or

- (b) where such seizure cannot be avoided, take every possible measure to avoid any adverse effect on a worker.
- (2) The employer shall ensure that, where necessary to prevent the drive shaft becoming soiled or damaged by trailing on the ground, a means is provided for safeguarding the shaft.
- (3) In paragraph (2) “drive shaft” means the drive shaft for the transmission of energy between mobile items of work equipment.

Changes to legislation:

There are currently no known outstanding effects for the The Merchant Shipping and Fishing Vessels (Provision and Use of Work Equipment) Regulations 2006, PART 3.