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STATUTORY INSTRUMENTS

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**1998 No. 2306**

**The Provision and Use of Work Equipment Regulations 1998**

**PART III**

**MOBILE WORK EQUIPMENT**

**Employees carried on mobile work equipment**

- 25.** Every employer shall ensure that no employee is carried by mobile work equipment unless—
- (a) it is suitable for carrying persons; and
  - (b) it incorporates features for reducing to as low as is reasonably practicable risks to their safety, including risks from wheels or tracks.

**Rolling over of mobile work equipment**

**26.—(1)** Every employer shall ensure that where there is a risk to an employee riding on mobile work equipment from its rolling over, it is minimised by—

- (a) stabilising the work equipment;
- (b) a structure which ensures that the work equipment does no more than fall on its side;
- (c) a structure giving sufficient clearance to anyone being carried if it overturns further than that; or
- (d) a device giving comparable protection.

(2) Where there is a risk of anyone being carried by mobile work equipment being crushed by its rolling over, the employer shall ensure that it has a suitable restraining system for him.

(3) This regulation shall not apply to a fork-lift truck having a structure described in subparagraph (b) or (c) of paragraph (1).

(4) Compliance with this regulation is not required where—

- (a) it would increase the overall risk to safety;
- (b) it would not be reasonably practicable to operate the mobile work equipment in consequence; or
- (c) in relation to an item of work equipment provided for use in the undertaking or establishment before 5th December 1998 it would not be reasonably practicable.

**Overturning of fork-lift trucks**

**27.** Every employer shall ensure that a fork-lift truck to which regulation 26(3) refers and which carries an employee is adapted or equipped to reduce to as low as is reasonably practicable the risk to safety from its overturning.

**Self-propelled work equipment**

**28.** Every employer shall ensure that, where self-propelled work equipment may, while in motion, involve risk to the safety of persons—

- (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, emergency facilities operated by readily accessible controls or automatic systems are available for braking and stopping the work equipment in the event of failure of the main facility;
- (e) where the driver's direct field of vision is inadequate to ensure safety, there are adequate devices for improving his vision so far as is reasonably practicable;
- (f) if provided for use at night or in dark places—
  - (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, constitutes a fire hazard and is liable to endanger employees, it carries appropriate fire-fighting equipment, unless such equipment is kept sufficiently close to it.

**Remote-controlled self-propelled work equipment**

**29.** Every employer shall ensure that where remote-controlled self-propelled work equipment involves a risk to safety while in motion—

- (a) it stops automatically once it leaves its control range; and
- (b) where the risk is of crushing or impact it incorporates features to guard against such risk unless other appropriate devices are able to do so.

**Drive shafts**

**30.—(1)** Where the seizure of the drive shaft between mobile work equipment and its accessories or anything towed is likely to involve a risk to safety every employer shall—

- (a) ensure that the work equipment has a means of preventing such seizure; or
- (b) where such seizure cannot be avoided, take every possible measure to avoid an adverse effect on the safety of an employee.

**(2)** Every employer shall ensure that—

- (a) where mobile work equipment has a shaft for the transmission of energy between it and other mobile work equipment; and
- (b) the shaft could become soiled or damaged by contact with the ground while uncoupled, the work equipment has a system for safeguarding the shaft.