

# BRITISH INDUSTRIAL TRUCK ASSOCIATION



GUIDANCE NOTE

GN 60

Operator Restraint

February  
1999

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## IMPORTANT NOTICE

### PLEASE READ CAREFULLY

- (a) The recommendations and advice contained in this Guidance Note are based on specifications, procedures and other information which have been collected by the British Industrial Truck Association Limited ("BITA") from its members. They represent what is, so far as BITA is aware, the best available data at the time of publication on the construction and use of industrial trucks in the general conditions described, and are intended to provide guidance for such use.
- (b) However, there are a wide variety of situations in which industrial trucks may be used, consequently in all cases the suitability and safety of this Guidance Note must be determined by the person seeking to apply it on the basis of his own judgment, in the light of the conditions in which use is envisaged and subject to all relevant statutory requirements.
- (c) BITA accepts no responsibility for the recommendations, advice, statements, opinions and conclusions expressly or impliedly set out below and give no warranty, representation of assurance in respect of the accuracy or validity of the same.

#### 1. SCOPE

This Guidance Note provides information on the implementation of Directive 95/63/EC with respect to operator restraint for industrial trucks.

#### 2. LEGISLATION

Operator restraint was introduced as a requirement by Directive 95/63/EC (AUWED) that amended directive 89/655/EEC Use of work equipment by workers at work (UWED).

- Two Statutory Instruments introduced AUWED into UK legislation, they are
- SI 1998 No 2306 – Health and Safety – The Provision and Use of Work Equipment Regulations 1998 (PUWER 98)
  - SI 1998 No 2307 – Health and Safety – the Lifting Operations and Lifting Equipment Regulations 1998 (LOLER 98)

- These Statutory Instruments are supported by Approved Codes of Practice and Guidance published by the Health and Safety Commission, they are
- Safe use of work equipment – Provision and use of Work Equipment Regulations 1998
  - Safe use of lifting equipment – Lifting Operations and Lifting Equipment Regulations 1998

The Approved Codes of Practice and Guidance contain the regulations, code of practice and guidance material. They are available from HSE Books, PO Box 1999, Sudbury, Suffolk, CO10 6FS. Tel: 01787 881165 Fax 01787 313995. Price £8.00 each.

This legislation is addressed to anyone with responsibility directly or indirectly for work equipment and its use, for example employers, employees, the self-employed and those who hire work equipment.

The requirement for operator restraint is contained in PUWER 98 regulations 26 and 27.

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### 3. EFFECTIVE DATE

The effective date for new trucks is 5 December 1998, for trucks already in use on 5 December 1998 the effective date is 5 December 2002.

As this is legislation implementing a "user" directive, trucks on lease or hire, whatever their age, are treated in the same way as new trucks when they are introduced onto a site after the legislation came into force. The Health and Safety Executive (HSE) has recognised that there are practical problems, because of time scale, for all necessary trucks in lease and hire fleets to be fitted with operator restraint, and ROPS for rough terrain variable reach trucks, by 5 December 1998. HSE has agreed with the hire industry that time will be given to assimilate the requirements; an action plan for fitting operator restraint must be prepared not later than 31 March 1999. Details of this agreement are contained in the HSE Information Sheet MISC156 - Hiring and leasing out of plant: application of PUWER 98, regulations 26 and 27.

### 4. RECOMMENDATION

The recommendation developed by BITA and agreed by FEM Section IV reads:

Counterbalanced lift trucks that have a centre control, sit down, non elevating operator position, including industrial variable reach trucks, with a rated capacity up to and including 10 000 kg and single side loading trucks shall have a restraint device, system or enclosure that is intended to reduce the entrapment of the operators head and/or torso between the truck and the ground in the event of a tip over. Such means shall not unduly restrict the operation of the truck, e.g. the operator's mounting, dismounting, movement and/or visibility.

A means, or guidance on the action to be taken in the event of a tip over, to minimise the residual risk associated with the operators head impacting a solid surface shall be provided on the truck and described in the operators manual.

Warnings and instructions on the purpose and use of the operator protection provided and the action to be taken in the event of a tip over shall be displayed in clear view of the operator on the truck and included in the operator's manual.

Rough terrain variable reach trucks are fitted with cabs or overhead guards that must comply with the requirements of:

ISO 3449:1992 Earth moving machinery - Falling object protective structures (FOPS) - laboratory test and performance requirements and

ISO 3471:1994 Earth moving machinery - Roll over protection structures (ROPS) - Test and performance requirements.

EN 1459 calls for the fitting of seat belts with ROPS.

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**NOTE:** The UK authorities believe that the requirement for FOPS and ROPS should also apply to industrial variable reach trucks up to 10 000 kg capacity and clarification of the safety belt requirement is necessary, a proposal will be put forward to modify EN 1459.

For all other truck types, principally end control and/or stand on operator position e.g. reach trucks, straddle trucks; a risk assessment shows that the risk of being trapped by the truck structure is low and it is better that the operator is not restrained but can step off and away from the truck.

Counterbalanced trucks over 10 000 kg capacity do not require operator restraint to be fitted because of a low risk of tip over due to their wide track and there normally being a large clearance between the side of the truck and the operator position.

The operator restraint systems fitted to counterbalanced trucks up to and including 10 000 kg and side loaders shall comply with the FEM IV technical note – Operator restraint systems – Specification and test procedure currently being approved for publication by FEM IV.