

Overview of proposed amendments to

Part 18: Traffic Control

Sections 18.1 and 18.3, General Requirements

Sections 18.5 to 18.9, Traffic Control Persons (TCPS)

Sections 18.10 and 18.11, Equipment for Traffic Control Persons

Sections 18.13 to 18.15, Signals for Traffic Control Persons

Section 18.1 of the *Occupational Health and Safety Regulation* (“OHSR”) requires that traffic control procedures in BC meet the requirements of the Ministry of Transportation’s “*Traffic Control Manual*” (“TCM”), and the requirements of the *OHSR* for matters not covered by the TCM. Stakeholders note that there are inconsistencies between the TCM and sections of the *OHSR* and have requested that the TCM and the *OHSR* be revised for consistency.

As well, concerns have been expressed regarding the *OHSR* requirement for Traffic Control Persons (“TCPs”) where traffic is obstructed. Although the requirement may be waived by section 18.5 (2) where adequate protection for workers is provided by other traffic control devices or procedures, stakeholders indicate that there are situations, not addressed by the waiver, that do not pose hazards significant enough to require a fully trained TCP. Stakeholders are particularly concerned because, as of January 1, 2005, individuals must complete a two-day WorkSafeBC approved course in order to be a “certified” TCP.

The proposal:

- amends section 18.1 to require employers and workers to follow the requirements of the *OHSR* and the TCM for those traffic control issues not covered in the *OHSR*,
- amends section 18.5 to require the use of TCPs to control traffic in high risk conditions and “qualified workers” to control traffic in lower risk conditions,
- amends section 18.6 to provide training requirements for qualified workers, and
- amends other sections as necessary to reflect the introduction of a qualified worker controlling traffic.

PART 18: TRAFFIC CONTROL

GENERAL REQUIREMENTS

Traffic control manual	18.1	Traffic control procedures in British Columbia must meet the requirements of this Regulation and the requirements of the latest edition of the <i>Traffic Control Manual for Work on Roadways</i> (the " <i>Traffic Control Manual</i> ") issued by the Ministry of Transportation and Highways (MOTH), Highway Engineering Branch, and the requirements of this Regulation for matters not covered by the manual this Regulation.
Employer's responsibility	18.2	The employer must ensure that effective traffic control is provided and used whenever the uncontrolled movement of vehicle traffic could be hazardous to workers.

Explanatory Note

Existing section 18.1 of the *Occupational Health and Safety Regulation* ("OHSR") requires that traffic control procedures in British Columbia meet the requirements of the Ministry of Transportation's "*Traffic Control Manual*" and the OHSR for matters not covered by the manual. Some inconsistencies exist between the OHSR and the manual. For example, the OHSR requires that headgear be of a high visibility colour while the manual requires that headgear be orange.

It is proposed that section 18.1 be amended to require traffic control procedures in British Columbia meet the requirements of the OHSR and the requirements of the manual for matters not covered by the OHSR. This amendment will ensure that the OHSR is the primary reference for employers and workers regarding proper work procedures associated with traffic control in the province.

Traffic control supervisor Supervision	18.3	During a traffic control operation a supervisor must be designated to be responsible for ensuring that <ol style="list-style-type: none">the required traffic control devices are in place,each member of the traffic control crew wears the required personal protective clothing and equipment,traffic control persons or qualified workers are positioned in a safe location clear of potential environmental hazards such as a slide or avalanche,traffic control persons or qualified workers perform traffic control duties competently and safely, andif 2 or more traffic control persons or qualified workers are required to work as a team at the worksite, responsibility for coordination of changes in traffic flow is assigned.
Traffic control devices	18.4	(1) Traffic control devices must be put in place before commencing operations and must be removed when they are no longer required.

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- (2) Traffic control devices must be spaced at the intervals specified in the *Traffic Control Manual* and signs must be located so as to allow motorists to come to a controlled stop, with due regard for the prevailing weather and road conditions.

TRAFFIC CONTROL PERSONS (TCPS)-PERSONS CONTROLLING TRAFFIC

**When
required**

- 18.5** (1) Except as permitted by subsection (2) traffic control persons must be used **to control traffic when traffic is required to pass a worker, equipment or other obstruction which may block all or part of the travelled roadway and** any of the following conditions prevail:
- (a) ~~traffic is required to pass a worker, equipment or other obstruction which may block all or part of the travelled roadway;~~
 - (b) workers or equipment are employed on the travelled way over the brow of a hill, around a sharp curve, or at any other location where sight distance is not adequate for oncoming traffic to have adequate warning of their presence;
 - (c) it is necessary to institute a one-way traffic system ~~through a construction zone~~ where traffic volumes are heavy, approach speeds are high, and a traffic signal system is not used;
 - (d) ~~construction vehicle traffic is not coordinated with an existing traffic control system, or an existing traffic signal light system is not adequate to regulate traffic, or the work encroaches into an intersection so as to interfere with regular traffic movement;~~
 - (e) traffic speed or volume is a ~~hazard~~ **significant risk** to workers ~~while setting up or removing other traffic control devices;~~
 - (f) other traffic control devices are not available for emergency protection;
 - (g) workers are not adequately protected by other traffic control devices.
- (1.1) Except as permitted by subsection (2), a qualified worker must be used to control traffic when traffic is required to pass a worker, equipment or other obstruction which may block all or part of the travelled roadway and conditions other than those in subsection (1) prevail.**
- (2) The requirements for traffic control persons **or qualified workers** may be waived where
- (a) adequate protection for workers is provided by other traffic control devices or procedures, or
 - (b) circumstances allow self-regulating single lane traffic controlled by signs as specified in the *Traffic Control Manual*.

Explanatory Note

Currently section 18.5 (1) of the *Occupational Health and Safety Regulation* requires traffic control persons be used to conduct traffic control in a number of conditions including subsection (a) which states a traffic control person must be used "when traffic is required to pass a worker, equipment or other obstruction which may block all or part of the travelled roadway". Existing section 18.5 (1) (a) is so broad that it, in effect, requires that a traffic control person be used to conduct all traffic control.

Existing section 18.5 (2) provides a waiver from the use of a traffic control person in limited circumstances where adequate protection for workers is provided by other traffic control devices or procedures, or a self-regulation single lane traffic zone is established.

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Traffic control persons are required to successfully complete a comprehensive traffic control course acceptable to the Workers' Compensation Board ("WCB"). Currently only one course, a two-day course administered by the BC Road Construction and Maintenance Safety Network, has been deemed acceptable to the WCB.

It is recognized that there are many instances of traffic control where the conditions present a lower risk of injury to the worker(s). In these cases a fully trained traffic control person is not necessary.

It is proposed that existing section 18.5 (1) be amended to require the use of a traffic control person when traffic is required to pass a worker, equipment or other obstruction which may block all or part of the travelled roadway and a traffic control condition is present that poses a high risk of injury to the person directing traffic or to other workers working on the travelled roadway. Conditions that pose a high risk of injury to the worker(s) are currently described in section 18.5 (1) (b) through (g).

The reference to "on the travelled roadway" in existing section 18.5 (1) (b) is redundant and proposed for deletion. As well, the requirement currently found in section 18 (1) (c) is limited to construction zones. This requirement should apply to other work activities that may obstruct traffic and require the institution of a one-way traffic system (e.g., city maintenance work, work on utilities). It is proposed that the reference to "through a construction zone" be deleted to broaden the application of the requirement to other work activities. It is also proposed that the first two conditions described in existing section 18.5 (1) (d) be deleted. These conditions refer to instances where the movement of construction vehicles off and onto a construction site may be impeded by traffic as a result of an uncoordinated traffic system or a traffic signal light system that does not adequately regulate traffic. Neither of these conditions are necessarily high risk. Traffic control conducted by a qualified worker may be adequate in such conditions. It is also proposed that existing section 18.5 (1) (e) be amended to require the use of a traffic control person in any condition where traffic speed or volume poses a significant risk to workers.

In addition, it is proposed that a new requirement be added to existing section 18.5. New section 18.5 (1.1) would require that for traffic control conditions not covered by section 18.5 (1) a qualified worker must be used to control traffic. This amendment permits the use of a qualified worker to control traffic in conditions not considered to pose a high risk of injury. A guideline will provide common examples of those conditions/circumstances in which traffic control could be carried out by a qualified worker.

It is also proposed that existing section 18.5 (2) be amended to allow the requirement to use a qualified worker for controlling traffic to be waived if adequate protection for workers is provided by other traffic control devices or procedures, or a self-regulation single lane traffic zone is established. This amendment parallels the ability to waive the requirement for a traffic control person under the same set of conditions. It is anticipated that a guideline will provide common examples of those conditions/circumstances that would qualify for the waiver.

As a direct result of the proposed amendments in section 18.5, section 18.3 is amended in subsections (c), (d) and (e) to extend traffic control supervisor responsibilities to oversee both traffic control persons and qualified workers. In addition, an amendment to the topic heading is proposed to avoid any confusion with traffic control supervision outlined in the Ministry of Transportation's "*Traffic Control Manual*".

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| Selection and instruction | 18.6 | <ol style="list-style-type: none">(1) A traffic control person must be a responsible person who has been instructed in, and has demonstrated an adequate knowledge of, this Regulation and the relevant procedures from the <i>Traffic Control Manual</i>.(2) Employers of traffic control persons must train and instruct those workers in a course acceptable to the Board which covers |
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- (a) environmental factors such as heat, cold and sun,
- (b) personal protective clothing and safety equipment,
- (c) communication with the travelling public,
- (d) working around heavy equipment,
- (e) setting up traffic control devices at a worksite,
- (f) applicable requirements of the *Transportation of Dangerous Goods Act, 1992* (Canada) and the regulations made under it,
- (g) proper positioning of traffic control persons, and
- (h) proper hand signals.

(3) For the purposes of this Part, a qualified worker means a worker who has been provided by the employer with training which covers the necessary procedures to safely control traffic in conditions the worker may encounter.

Explanatory Note

Existing section 18.6 establishes the training requirements for traffic control persons. Requirements include adequate knowledge of the Ministry of Transportation's "*Traffic Control Manual*", and successful completion of a course which includes comprehensive traffic control information on issues such as environmental conditions, personal protective clothing and equipment, working around heavy equipment, and traffic control procedures. Such comprehensive training is necessary for workers who will control traffic in conditions with a high risk of injury to the worker(s).

It is proposed that section 18.6 be amended to establish training requirements for workers qualified to control traffic. A new subsection (3) requires qualified workers to complete traffic control training, provided by the employer, which provides the information and procedures necessary to safely control traffic conditions they encounter as part of their work duties. It is anticipated that a guideline will outline the basic elements needed in a training program for qualified workers and the need for employers to conduct risk assessments to determine the full extent of training required in any given instance.

Remain on duty	18.7	During traffic control operations a traffic control person or a qualified worker must remain on duty at the assigned station until relieved.
Location of TCPs persons controlling traffic	18.8	A traffic control person must <ul style="list-style-type: none">(a) stand in a safe position, preferably on the driver's side of the lane under the TCP's control, be clearly visible, and have an unobstructed view of approaching traffic, and(b) be positioned at least 25 m (80 ft) away from the work area unless circumstances or space requirements such as working at or near an intersection dictate otherwise.

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- (1) A traffic control person or qualified worker must stand in a safe position, preferably on the driver's side of the lane under the traffic control person's or qualified worker's control, be clearly visible, and have an unobstructed view of approaching traffic.
- (2) A traffic control person must be positioned at least 25 m (80 ft) away from the work area unless circumstances or space requirements, such as working at or near an intersection, dictate otherwise.

Signs

18.9

- (1) Unless otherwise specified, all traffic control signs must be installed and removed in a sequence which best protects workers during this phase of traffic control.
- (2) Except for brief traffic control operations or in an emergency, signs advising of a traffic control person **controlling traffic** ahead must be placed in advance of each traffic control person's or **qualified worker's** station, and removed promptly when traffic control persons or **qualified workers** are no longer on duty at that station.

EQUIPMENT FOR TRAFFIC CONTROL PERSONS CONTROLLING TRAFFIC

Daytime operations

18.10

- (1) Each traffic control person or **qualified worker** must be provided with and must use
 - (a) a traffic control paddle having a retroreflective finish on both sides and, if necessary to relieve fatigue, a non-conductive support staff for the paddle, **and**
 - ~~(b) Repealed. [B.C. Reg. 312/2003.]~~
 - ~~(c)~~ **(b)** safety headgear of a high visibility colour with a strip of retroreflective tape about the crown, **and**
 - ~~(d) an effective means of communication when traffic control persons are not visible to each other, which under no circumstances means a system of passing batons or similar items to indicate the last vehicle travelling through the zone under control.~~
- (2) **Each traffic control person must be provided with and must use an effective means of communication when traffic control persons are not visible to each other, which under no circumstances means a system of passing batons or similar items to indicate the last vehicle travelling through the zone under control.**

Poor visibility operations

18.11

During the hours of darkness, or in other conditions of poor visibility, each traffic control person or **qualified worker** must be provided with and must use, in addition to the equipment required by section 18.10, a flashlight fitted with a red signalling baton, and with spare batteries.

Equipment maintenance

18.12

All traffic control equipment, including signs, traffic control paddles and personal protective equipment, must be kept clean and in working condition.

SIGNALS FOR TRAFFIC CONTROL PERSONS CONTROLLING TRAFFIC

Precise motions

18.13

A traffic control person or **qualified worker** must make all traffic control motions and signals precisely and deliberately so that the meaning of signals can be clearly understood.

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Standard signals between TCPs persons controlling traffic	18.14	If manual signals are used between traffic control persons or qualified workers to initiate changes in the direction of traffic flow, the signals shown in Figure 18-1 must be used.
Traffic control signals	18.15	<ol style="list-style-type: none">(1) All signalling of traffic must conform with the requirements of the <i>Traffic Control Manual</i> and this Regulation.(2) A traffic control person (TCP) or qualified worker must use the normal signals shown in Figure 18-2 when stationed on the driver's (left) side of the traffic lane under the TCP's or qualified worker's control.(3) The alternative signals shown in Figure 18-2 must only be used when the traffic control person or qualified worker is stationed on the passenger's (right) side of the traffic lane under the TCP's or qualified worker's control.(4) The traffic control person's or qualified worker's paddle must not be used to wave traffic on and must never be displayed to traffic in other than a static manner.

Explanatory Note

Amendments are proposed to ensure that certain requirements for traffic control persons in existing sections 18.7 through 18.11, and existing sections 18.13 through 18.15 are also required by workers qualified to control traffic. These include traffic control persons and qualified workers controlling traffic requirements regarding the physical location of the worker, sign placement and removal, personal protective equipment, and traffic control signals and motions. Proposed amendments to section 18.8 and section 18.10 reflect that certain requirements found within these sections are associated with high risk traffic conditions and should continue to apply solely to traffic control persons.

G18.6-1 Selection and Instruction

Issued _____

Regulatory Excerpt

Section 18.6(3) of the OHS Regulation provides that

(3) For the purposes of this Part, a qualified worker means a worker who has been provided training by the employer which covers the necessary procedures to safely control traffic in conditions the worker may encounter.

Purpose of Guideline

The purpose of this guideline is to outline elements of training of qualified workers who are used to control traffic under s. 18.5(1.1).

Discussion

Section 18.5(1.1) requires that workers controlling traffic, other than in the situations where a traffic control person must be used in s. 18.5(1), must be qualified.

Section 18.6(3) provides that these qualified workers must be trained by the employer in the necessary procedures to safely control traffic. Such training must relate to the specific traffic situation the worker can be expected to encounter, and provide the worker with instruction relating to hazards he or she may encounter in that situation.

Hazards that should be considered include:

- Speed of traffic that the worker will be exposed to;
- Volume of traffic the worker will be exposed to;
- Road conditions, such as presence of snow, ice or rain;
- Visibility of worker, ie will the work be carried out in the evening, or in the rain?
- Length of worker's shift;
- Other hazards, such as the presence of mobile equipment, hazards of the natural environment,

Training under s. 18.6(3) should provide awareness of hazards the worker will face and how to manage those hazards. The training should address, at a minimum, the following:

- Location and positioning of worker;
- The use of hand signals;
- The appropriate use of directional equipment;
- Adequate personal protective equipment and safety equipment;
- Protection from weather conditions – ie heat, cold, rain and sun;
- The use of other traffic control devices and procedures, where applicable.