

### **351.1055 Mine Equipment Review Panel -- Membership -- Recommendations.**

- (1) There is hereby established a Mine Equipment Review Panel attached to the Department for Natural Resources in the Energy and Environment Cabinet.
- (2) The Mine Equipment Review Panel shall be a permanent panel of recognized experts who shall review and make recommendations annually to the executive director of the Office of Mine Safety and Licensing and the Interim Joint Committee on Natural Resources and Environment regarding best available mine safety technologies, including but not limited to wireless tracking and communications devices for use by miners in underground mines. Subject to budgetary constraints and approval by the United States Mine Safety and Health Administration (MSHA), if there is no existing law to the contrary, the commissioner may implement the recommendations of the panel. Based on the recommendations provided by the panel, the executive director shall comprise a list of commercially available mine safety equipment, including wireless tracking and communications devices that may be approved for use by coal miners.
- (3) The panel shall meet at the call of the chair. The chair of the panel shall be the executive director of mine safety and licensing. Members of the panel shall serve without pay, but shall be entitled to reimbursement of travel-related expenses.
- (4) The Mine Equipment Review Panel shall be composed of the following members, who shall be appointed by the commissioner not less than thirty (30) days after July 12, 2006:
  - (a) One (1) member shall represent the National Institute of Occupational Safety and Health;
  - (b) One (1) member shall represent the federal Mine Safety and Health Administration;
  - (c) One (1) member shall represent the coal industry;
  - (d) One (1) member shall be appointed from the membership of the United Mine Workers of America and shall represent mine labor, preferably a member of a Kentucky mine rescue team;
  - (e) One (1) member shall represent the Department of Mining Engineering at the University of Kentucky; and
  - (f) One (1) member shall be the executive director of the Office of Mine Safety and Licensing.
- (5) The Mine Equipment Review Panel shall provide initial recommendations to the executive director of the Office of Mine Safety and Licensing not more than one hundred twenty (120) days after the panel members have been appointed and the panel is duly constituted to conduct business. Periodically, the panel shall review and make recommendations to the executive director on changes to or innovations in mine safety equipment that could be deployed in coal mines.

**Effective:** July 15, 2010

**History:** Amended 2010 Ky. Acts ch. 24, sec. 1899, effective July 15, 2010; and ch. 135, sec. 10, effective July 15, 2010. -- Amended 2007 Ky. Acts ch. 94, sec. 6,

effective June 26, 2007. -- Created 2006 Ky. Acts ch. 185, sec. 4, effective July 12, 2006.

**Legislative Research Commission Note** (7/15/2010). This section was amended by 2010 Ky. Acts chs. 24 and 135, which do not appear to be in conflict and have been codified together.