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Subject: OPEI petition for revision/amendment of Title 8 - §3563. Power Lawn Mowers.
Date: Friday, April 17, 2026 8:16:32 AM
Attachments: [OPEI-5395-026 \(www.dir.ca.gov/title8_3563\).docx](#)

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To whom it may concern:

Please accept this as a written petition for consideration of the revision/amendment of Title 8 - §3563. Power Lawn Mowers.

The attached MSWord document is text of the affected code clause, with our proposed changes highlighted to include updates to current voluntary standards.

As background, OPEI is the national trade association for lawn mower manufacturers and in that role serves as the industry's American National Standards Institute accredited standards development organization, including the role of facilitator of U.S. participation in the development of international voluntary standards through both ISO and IEC.

Please confirm if this information is sufficient to initiate the petition process, or if further/different information is necessary, and what the next steps will likely be and a general timeframe. Thank you for the consideration.

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Legend for Document Accessibility:

Text in single underline is proposed new text.

Text in single strikeout is deleted text.

To represent the start of single underline text [begin underline] will be used and to represent the end of single underline text [end underline] will be used.

To represent the start of single strikeout text [begin strikeout] will be used and to represent the end of single strikeout text [end strikeout] will be used.

§3563. Power Lawn Mowers.

(a) Scope. These regulations apply to power lawn mowers and cover walk-behind reel and rotary power lawn mowers, riding reel and rotary power lawn mowers, lawn riding tractors with mower attachments, and lawn and garden riding tractors with mower attachments. They are intended to provide safety requirements and to help ensure uniform operator environments. These regulations do not apply to sulky-type units, flail mowers, sickle bar mowers, or tractors as defined in Article 25 of these Orders unless the tractor is designed primarily for mowing lawns and manufactured in conformance with the [begin underline] applicable standards in clause (b) below. [end underline] [begin strikeout] ANSI B71.1 or B71.4 national consensus standards for power lawn mowers. Requirements for tractors and attachments used in mowing operations that are manufactured in conformance with the ANSI B71.1 and B71.4 standards are provided in this Section. [end strikeout]

(b) General.

(1) Power lawn mowers placed in service after March 29, 1975 through April 15, 1999, shall meet the requirements of ANSI B71.1-1972 and B71.1a-1974 or ANSI B71.1-1980, Safety Specifications for Power Lawn Mowers, Lawn and Garden Tractors and Lawn Tractors, or shall meet the requirements of the applicable ANSI B71.1 or B71.4 standard in effect at the time the mower was manufactured.

(2) Power lawn mowers manufactured after April 15, 1999, shall meet the requirements of one of the following ANSI [begin underline] /OPEI [end underline] B71.1 or B71.4 standards [begin underline], or ANSI/OPEI 5395-2, 5395-3, or UL 62841-4-3, 1447, 2753, [end underline] as applicable, based on the mower design and date of manufacture. These [begin strikeout] ANSI [end strikeout] standards are hereby incorporated by reference:

ANSI/OPEI B71.1-1998 standard for Consumer Turf Care Equipment-Walk-Behind Mowers and Ride-On Machines with Mowers-Safety Specifications,

ANSI /OPEI B71.1-2003 standard for Consumer Turf Care Equipment-Walk-Behind Mowers and Ride-On Machines with Mowers-Safety Specifications,

ANSI/OPEI B71.1-2012 standard for Consumer Turf Care Equipment-Walk-Behind Mowers and Ride-On Machines with Mowers-Safety Specifications,

ANSI/OPEI B71.1-2017 standard for Consumer Turf Care Equipment-Walk-Behind Mowers and Ride-On Machines with Mowers-Safety Specifications, [end underline]

ANSI/OPEI B71.4-1999 standard for Commercial Turf Care Equipment-Safety Specifications,

ANSI /OPEI B71.4-2004 standard for Commercial Turf Care Equipment-Safety Specifications.

ANSI/OPEI B71.4-2012 standard for Commercial Turf Care Equipment-Safety Specifications.

ANSI/OPEI B71.4-2017 standard for Commercial Turf Care Equipment-Safety Specifications.

ANSI/OPEI 5395-2-2024 standard for Combustion-Engine-Powered Lawnmowers – Part 2: Pedestrian-Controlled Lawnmowers

ANSI/OPEI 5395-3-2024 standard for Combustion-Engine-Powered Lawnmowers – Part 3: Ride-On Lawnmowers

UL 62841-4-3-2023 standard for Electric Motor-Operated Hand-Held Tools, Transportable Tools and Lawn and Garden Machinery – Safety – Part 4-3: Particular Requirements for Pedestrian Controlled Walk-Behind Lawnmowers

UL 1447-2017 standard for Electric Lawn Mowers

UL 2753-2018 Outline of Investigation for Battery Operated Ride-On Lawn Mowers [end underline]

~~[begin strikeout] (3) Power lawn mowers manufactured after September 2, 2010, shall be affixed with a durable label stating that the power lawn mower is manufactured in accordance with the applicable ANSI B71.1 or B71.4 standard.² [end strikeout]~~

- Petitioner (OPEI) requests that this clause be deleted for three reasons 1) none of the current edition cited standards include this as a requirement, 2) this requirement provides no safety benefit, 3) this requirement is an undue burden as it is unique to California and disparate with all other U.S. states.

(c) Roll-Over Protective Structures (ROPS) and Seat Belts. Effective March 1, 2011, when visual inspection or technical information from the manufacturer indicates that a riding lawn mower is designed by the manufacturer to be equipped with ROPS, or to accept ROPS as an option, ROPS engineered and approved for the mower shall be provided and used. Approved seat belt assemblies shall be provided and used on all riding lawn mowers where ROPS are installed.

Exception: The use of ROPS and seat belts may be temporarily suspended only when operating in areas where the vertical clearance is insufficient to allow a ROPS equipped mower to operate.

NOTE: The requirements for ROPS on agricultural and industrial tractors are provided in Article 25 of the General Industry Safety Orders.

(d) Prohibited use of Ride-on, Sit-down Lawn Mowers.

(1) Ride-on, sit-down lawn mowers shall not be used on slopes that exceed the angle limitation when specified by the manufacturer.

(2) When the manufacturer's instructions are not obtainable or do not specify the angle limits for operating ride-on, sit-down lawn mowers on sloped surfaces, a qualified person shall evaluate the terrain and slope conditions to ensure the mower is operated in a safe manner.

(3) Ride-on, sit-down lawn mowers shall not be operated in areas where the traction drive wheels, as measured from the outside wheel edge, are within 5 feet of the unprotected edges of retaining walls, embankments, levees, ditches, culverts, excavations or similar locations that present an overturn hazard.

(4) When it is necessary to operate a ride-on, sit-down mower near ponds, creeks, reservoirs, canals, sloughs, lakes, golf course water hazards and similar bodies of water, a qualified person shall evaluate the terrain and any slope conditions to ensure the mower is operated at safe speeds and at safe distances from such hazards.

(e) Powered Lawn Mower Operator Training.

(1) Safe operation.

The employer shall ensure that each power lawn mower operator is competent to operate the mower safely, as demonstrated by the successful completion of the training and evaluation specified in this subsection. Prior to permitting an employee to operate a power lawn mower (except for training purposes), the employer shall ensure that each operator

has successfully completed the training required by this subsection, except as permitted in subsection (e)(5).

(2) Training program implementation.

(A) All operator training and evaluation shall be conducted by qualified persons who have the knowledge, training and experience to train power lawn mower operators and evaluate their competence.

(B) Trainees may operate a power lawn mower only under the direct supervision of qualified persons provided that such operation does not endanger the trainee or other employees.

(C) Training shall consist of a combination of formal instruction (e.g., lecture, discussion, written material, audio visual material) and also include demonstrations by the trainer and practical exercises performed by the trainee and evaluation of the operator's performance.

(3) Training program content. Operators shall receive initial training to ensure that each employee who operates a power lawn mower has been provided training in the hazards associated with the operation of mowers and other topics necessary for the safe operation of mowers. Training shall include at least the following:

(A) Review of the manufacturer's operator's manual including operating instructions, warnings and precautions for the types of power lawn mowers the operator will be authorized to operate.

(B) Review of the operator controls and instrumentation for safe operation of the equipment.

(C) Review all safety devices to ensure guards and shields are kept securely in place.

(D) The importance of surveying the terrain for hazards prior to mowing to identify obstacles in the mowing path, such as large rocks, tree stumps, soft or wet spots, and the prohibited use areas for ride-on, sit-down mowers provided in subsection (d) of this section.

(E) Speed control, steering and maneuvering the mower.

(F) Review of stability and rollover hazards associated with operating riding lawn mowers on surfaces, terrains or areas such as, but not limited to loading ramps, wet surfaces, slopes, and areas near drop offs, retaining walls/embankments, water or ponds, unprotected ditches, culverts, or excavations.

(G) The use of ROPS and seatbelts for riding mowers that are equipped with ROPS.

(4) Refresher training and evaluation. Refresher training, including an evaluation of the effectiveness of that training, shall be conducted as required by this subsection to ensure

that the operator has the knowledge and skills needed to operate the power lawn mower safely.

Refresher training in relevant topics shall be provided to the operator when:

(A) The operator has been observed to operate a mower in an unsafe manner;

(B) The operator has been involved in an accident or near-miss incident;

(C) The operator has received an evaluation that reveals that the operator is not operating a mower safely; or

(D) The operator receives a new job assignment that includes operating a mower or machinery that the operator is unfamiliar with or includes mowing lawns on terrain or surfaces that present hazards unfamiliar to the operator in their current or past work assignments.

(5) Avoidance of duplicative training. If an operator has previously received training in a topic specified in subsection (e)(3) of this section, and such training is appropriate for the type of power lawn mower authorized for use and the working conditions encountered, additional training in that topic is not required if the operator has been evaluated and found competent to operate the mower safely.

(6) Recordkeeping. All safety instruction and training shall be documented in accordance with Section 3203 of the General Industry Safety Orders.

Note: Authority cited: Section 142.3, Labor Code. Reference: Section 142.3, Labor Code.

HISTORY

1. Amendment filed 12-19-78; effective thirtieth day thereafter (Register 79, No. 1).

2. Amendment filed 11-22-85; effective thirtieth day thereafter (Register 85, No. 48).

3. Amendment of subsections (b)(1) and (b)(2) filed 3-16-99; operative 4-15-99 (Register 99, No. 12).

4. Amendment filed 8-3-2010; operative 9-2-2010 (Register 2010, No. 32).

[begin underline] 5. Amendment filed [end underline]



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