

*****DRAFT - NOT FOR FILING*****

4101:9-2-17 Motor vehicle occupations.

(A) The occupations of motor-vehicle driver and outside helper on any public road, highway, in or about any mine (including open pit mine or quarry), place where logging or sawmill operations are in progress, or in any excavation for construction of a building are prohibited for minors under eighteen years of age except as provided in the exemptions below.

(B) Exemptions:

Incidental and occasional driving. The finding and declaration in this rule shall not apply to the operation of automobiles or trucks not exceeding six thousand pounds gross vehicle weight if such driving is restricted to daylight hours; provided, such operation is only occasional and incidental to the child's employment; that the child holds a state license valid for the type of driving involved in the job performed and has completed a state approved driver education course; and provided further, that the vehicle is equipped with a seat belt or similar device for the driver and for each helper, and the employer has instructed each child that such belts or other devices must be used. This exemption shall not be applicable to any occupation of motor-vehicle driver which involves the towing of vehicles.

(C) Definitions:

- (1) The term "motor vehicle" shall mean any automobile, truck, truck-tractor, trailer, semitrailer, motorcycle, or similar vehicle propelled or drawn by mechanical power and designed for use as means of transportation but shall not include any vehicle operated exclusively on rails.
- (2) The term "driver" shall mean any individual who, in the course of employment, drives a motor vehicle at any time.
- (3) The term "outside helper" shall mean any individual other than a driver whose work includes riding on a motor vehicle outside the cab for the purpose of assisting in transporting or delivering goods.
- (4) The term "gross vehicle weight" includes the truck chassis with lubricants, water and full tank or tanks of fuel, plus the weight of the cab or driver's compartment, body, and special chassis and body equipment, and payload.