

P.L. 2004, CHAPTER 172, *approved December 9, 2004*
Senate, No. 559 (*First Reprint*)

1 **AN ACT** prohibiting the dry cutting and dry grinding of masonry in
2 certain instances and supplementing P.L.1962, c.45 (C.34:5-166 et
3 seq.).

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. In order to protect the health and safety of employees against
9 the effects of silicosis and other respiratory diseases, the dry cutting
10 of masonry units by means of hand-held, gas-powered or electrical,
11 portable chop saws or skill saws and the dry grinding of masonry
12 materials shall be prohibited, except in instances in which it is
13 determined, in a manner consistent with all applicable standards
14 promulgated pursuant to the federal Occupational Safety and Health
15 Act of 1970 (29 U.S.C. 651 et seq.), that the use of water in the
16 cutting or grinding is not feasible. In any instance in which it is
17 determined pursuant to this section that the use of water in the cutting
18 or grinding is not feasible:

19 a. The employer shall use engineering and work practice controls
20 to control the dust, such as a vacuum with high efficiency particulate
21 air filter, or other dust control system;

22 b. Any dry cutting which occurs shall be done in a designated area
23 away from craftworkers if possible; and

24 c. The employer shall provide workers with full face respirators as
25 part of a complete respiratory program which includes training, the
26 proper selection of respiratory cartridges and fit-testing to ensure that
27 the workers are able to wear the respirators.

28 ¹The provisions of this section shall not apply to emergency service
29 personnel responding to emergency situations.¹

30
31 2. This act shall take effect immediately.

32

33

34

35

36 Prohibits dry cutting and grinding of masonry in certain cases.

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly ALA committee amendments adopted May 17, 2004.