

Kansas Administrative Regulations

Department of Labor

Article 1.—Hours and Working Conditions; Women and Minors

49-1-53. Occupations of motor-vehicle driver and outside helper.

(1) *Occupations.* Except as provided in paragraph (2). 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 of the type identified in 49-1-68.

(2) *Exemptions.* Incidental and occasional driving. The finding and declaration in paragraph (1) shall not apply to the operation of automobiles or trucks not exceeding 6,000 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 which he performs 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 subparagraph shall not be applicable to any occupation of motor-vehicle driver which involves the towing of vehicles.

(3) *Definitions.*

(a) 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 a means of transportation but shall not include any vehicle operated exclusively on rails.

(b) The term "driver" shall mean any individual who, in the course of his employment, drives a motor vehicle at any time.

(c) 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.

(d) 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.

(Authorized by K.S.A. 38-602; effective May 1, 1975.)

***** Authenticated Kansas Administrative Regulation *****