

IC 22-10-12

Chapter 12. Safety Equipment and Safeguards

IC 22-10-12-1

Repealed

(Repealed by P.L.35-2007, SEC.26.)

IC 22-10-12-2

Repealed

(Repealed by P.L.35-2007, SEC.26.)

IC 22-10-12-3

Repealed

(Repealed by P.L.35-2007, SEC.26.)

IC 22-10-12-4

Repealed

(Repealed by P.L.165-1997, SEC.12.)

IC 22-10-12-5

Repealed

(Repealed by P.L.165-1997, SEC.12.)

IC 22-10-12-6

Repealed

(Repealed by P.L.35-2007, SEC.26.)

IC 22-10-12-7

Repealed

(Repealed by P.L.35-2007, SEC.26.)

IC 22-10-12-8

Repealed

(Repealed by Acts 1978, P.L.2, SEC.2251.)

IC 22-10-12-9

Repealed

(Repealed by Acts 1978, P.L.2, SEC.2251.)

IC 22-10-12-10

Mine rescue team equipment

Sec. 10. The bureau of mines and mine safety shall acquire and maintain at all times the breathing apparatuses, universal testers, booster pumps, and related equipment required to equip two (2) complete rescue teams. This mine rescue equipment shall be housed under the direction of the bureau.

As added by P.L.232-1983, SEC.1. Amended by P.L.37-1985, SEC.52.

IC 22-10-12-11

Mine rescue team; training; compensation

Sec. 11. (a) The bureau of mines and mine safety shall maintain either one (1) or two (2) mine rescue teams. Each team must consist of at least five (5) members and two (2) alternate members. At the discretion of the commissioner of labor, the requirement to maintain either one (1) or two (2) mine rescue teams may be met by using an operator to provide the team members, equipment, and supplies necessary for not more than one (1) team. The board shall:

- (1) require active underground mines to provide personnel for the mine rescue teams; and
- (2) consult with operators to determine the number of personnel that each operator of an active underground mine is required to furnish for the mine rescue teams.

The director, in consultation with the board, shall determine the training and retraining requirements for the mine rescue teams, consistent with Mine Safety Administration requirements.

(b) When practical, members of a mine rescue team shall be made up of supervisory and nonsupervisory employees.

(c) A member of a mine rescue team shall be fully compensated by the owner or operator for wages lost and expenses incurred while being trained under this section if the employee elects to be compensated.

(d) Compensation for damages arising from the injury or death of a member of a mine rescue team while performing rescue operations shall be limited to the rights and remedies provided by the injured person's employer. However, the employer of the injured or fatally injured mine rescue team member is entitled to reimbursement from the operator whose mine is the subject of the rescue attempt for the actual cost to the employer that is attributable to the injury or death.

(e) The operator of the mine that is the subject of the rescue attempt shall reimburse the bureau for the actual cost of a mine rescue operation, including compensation for all mine rescue team members.

As added by P.L.232-1983, SEC.2. Amended by P.L.37-1985, SEC.53; P.L.243-1987, SEC.13; P.L.215-1989, SEC.6; P.L.1-1990, SEC.239; P.L.35-2007, SEC.21.

IC 22-10-12-12

Mine disaster rescue operations

Sec. 12. In the event of an underground mine disaster affecting mine personnel, the director of the bureau of mines and mine safety shall:

- (1) report immediately to the mine;
- (2) cooperate with the Mine Safety Administration; and
- (3) assist the rescue operations.

As added by P.L.232-1983, SEC.3. Amended by P.L.37-1985, SEC.54; P.L.35-2007, SEC.22.

IC 22-10-12-13

Annual statistical report; list of rescue teams

Sec. 13. The director of the bureau of mines and mine safety shall provide an annual statistical report including a list of all trained mine rescue teams. The report shall be sent to all mines that have mine rescue teams.

As added by P.L.232-1983, SEC.4. Amended by P.L.37-1985, SEC.55.

IC 22-10-12-14

Application of certain sections to surface coal mines

Sec. 14. Sections 10, 11, 12, and 13 of this chapter apply to any surface coal mine at the request of the mine owner or operator.

As added by P.L.232-1983, SEC.5.

IC 22-10-12-15

Repealed

(Repealed by P.L.35-2007, SEC.26.)

IC 22-10-12-16

Mine safety fund; establishment; administration

Sec. 16. (a) The mine safety fund is established to provide funding for the purchase and maintenance of underground mine rescue equipment.

(b) The department of labor shall administer the fund.

(c) The fund consists of:

(1) assessments collected by the mining board under IC 22-10-1.5-5(a)(4) and deposited into the fund;

(2) fees:

(A) from examinations under IC 22-10-3-10(g);

(B) for duplicate certificates under IC 22-10-3-11(a); and

(C) from applicants for a certificate under IC 22-10-3-13(d);
and

(3) interest from investments as accrued and deposited under subsection (d).

(d) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested. Interest that accumulates from these investments shall be deposited into the fund.

(e) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

As added by P.L.187-2003, SEC.3. Amended by P.L.35-2007, SEC.23.