

34A-6-104 Administration of chapter -- Selection of administrator -- Powers and duties of commission -- Application of chapter and exceptions.

- (1) Administration of this chapter is vested in the commission and the division. The commission:
- (a) is vested with jurisdiction and supervision over every workplace in this state and is empowered to administer all laws and lawful orders to ensure that every employee in this state has a workplace free of recognized hazards;
 - (b) through the administrator, shall carry out the state plan and this chapter, provided that the administrator is a person with at least five years experience or training in the field of industrial safety and health;
 - (c) shall make, establish, promulgate and enforce all necessary and reasonable rules and provisions to carry this chapter into effect except when the division is authorized by this chapter to make rules; and
 - (d) may in its discretion administer oaths, take depositions, subpoena witnesses, compel production of documents, books, and accounts in any inquiry, investigation, hearing, or proceeding in any part of this state.
- (2) This chapter shall apply to all workplaces in the state except that nothing in this chapter shall apply to:
- (a) working conditions of employees with respect to which federal agencies and other state agencies acting under section 274 of the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2021, exercise statutory authority to prescribe or enforce standards or regulations affecting occupational safety or health; or
 - (b) any workplace or employer not subject to the provisions of the federal Williams-Steiger Occupational Safety and Health Act of 1970 and any amendments to that act or any regulations promulgated under that act.

Amended by Chapter 13, 1998 General Session