

**DIVISION OF MINES GUIDELINES FOR APPLICATION OF REGULATORY STANDARDS  
MANUAL**

<b>COAL MINE SAFETY ACT</b>	<b>CHAPTER 14.2</b>
<b>ARTICLE 3</b>	<b>CERTIFICATION OF COAL MINE WORKERS</b>
<b>Issue Date: 4/10/00 Revised Date:</b>	<b>Page 1 of 1</b>

**Section 45.1-161.30. A.**

**Performance of Certain Tasks by Uncertified  
Persons; Penalty**

To perform duties requiring certification under provisions of the MSA, a person must possess the valid certification required and issued by the Board of Coal Mining Examiners.

If an uncertified person is found to be performing any task requiring certification by the Board of Coal Mining Examiners, a separate notice of violation shall be issued to the person performing the task and to the operator or his agent. If an examination required by the MSA was performed by an uncertified person, the examination should be considered invalid and those miners affected by the examination removed from the area until the required examination is performed by a properly certified person.

Since performance of certain tasks by uncertified persons constitutes a Class 1 misdemeanor, all violations of the section of the MSA must be thoroughly investigated and documented by the inspector, and reviewed with the inspector supervisor for possible referral to the Commonwealth Attorney.