

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 45.1-161.38 of the Code of Virginia, relating to first-class mine*  
3 *foreman certification.*

4  
5 Approved

[S 850]

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That § 45.1-161.38 of the Code of Virginia is amended and reenacted as follows:**

8 § 45.1-161.38. First-class mine foreman certification.

9 A. The operator of any coal mine where three or more persons work during any part of a  
10 twenty-four-hour period shall employ a mine foreman. The operator shall employ as a mine foreman  
11 only persons holding a first-class mine foreman certificate. The holder of such a certificate shall present  
12 the certificate, or a photostatic copy thereof, to the operator where he is employed, who shall file the  
13 certificate or its copy in the office at the mine, and the operator shall make it available for inspection by  
14 interested persons.

15 B. The holder of a first-class mine foreman certificate shall be authorized to act as foreman for all  
16 underground coal mines.

17 C. Applicants for a first-class mine foreman certificate shall be not less than twenty-three years of  
18 age and have had at least five years of experience in a coal mine (at least three years shall have been in  
19 an underground coal mine). A graduate of an approved four-year college course in mining engineering  
20 shall be given credit for three of the five years of practical experience required. *An applicant who*  
21 *possesses a degree in mining technology shall be given credit for two of the five years of practical*  
22 *experience required.* If the applicant meets the above requirements, makes eighty-five percent or more  
23 on each of the subjects of the written examination, and passes required map and gas examinations, he  
24 shall be entitled to a first-class mine foreman certificate. The written examination shall address, among  
25 other relevant topics, the theory and practice of coal mining; nature and properties of noxious,  
26 poisonous, and explosive gases, and methods for their detection and control; requirements of the coal  
27 mining laws of this Commonwealth; and responsibilities and duties of a mine foreman under state law.

28 D. Each candidate for certification as a first-class mine foreman shall complete the course or courses  
29 of instruction in first aid as provided in subsection A of § 45.1-161.101 and pass an examination relating  
30 thereto, approved by the Board of Coal Mining Examiners.

ENROLLED

SB850ER