



ILA-USMX JOINT SAFETY COMMITTEE

OSH Circular 2026-02 (05 February 2026)

Protecting Workers Going Aloft



With a few more months left in which substantial amounts of snow may fall and collect on the roofs of intermodal freight containers that populate our marine terminals and depots, it's important for terminal operators (and workers) to appreciate that most (if not all) States have enacted laws which mandate that such snow accumulations must be cleared before entry onto roadways. In example, here's a link to New Jersey's statute: <https://law.justia.com/codes/new-jersey/title-39/section-39-4-77-1/>

Please take particular note of 39-4-77-1 (b), which reads:

*(b) in the case of any trailer or semitrailer being drawn by a motor vehicle or of any vehicle or combination of vehicles carrying an intermodal freight container, **the person**, including, but not limited to a shipper or consignee, **who is in physical possession of the trailer, semitrailer, or container at the time snow or ice accumulates on such trailer, semitrailer, or container shall be responsible for removing the accumulated snow or ice from the trailer, semitrailer, or container and shall be liable for a violation of the duty to remove accumulated snow or ice prior to operation of a motor vehicle** pursuant to paragraph (1) of this subsection. If the driver of the motor vehicle was not in physical possession of the trailer, semitrailer, or container at the time the snow or ice accumulated, then such driver shall not be liable for a violation of paragraph (1) of this subsection. [Emphasis supplied]*

Got an OSH-related question? Write to the JSC at: blueoceana@optonline.net

Working Together for the Benefit of All

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