

**338.131 Abatement of danger -- Commissioner may apply for injunction.**

- (1) Whenever an authorized representative of the commissioner determines that conditions in any place of employment are of an imminent danger which reasonably could be expected to cause death or serious physical harm, then he or she shall order the danger to be immediately abated. Any order issued under this section may require such steps to be taken as may be necessary to avoid, correct, or remove such imminent danger and prohibit the employment or presence of any individual in locations or under conditions where such imminent danger exists, except individuals whose presence is necessary to avoid, correct, or remove such imminent danger or to maintain the capacity of a continuous process operation to resume normal operations without a complete cessation of operations, or where a cessation of operations is necessary, to permit such to be accomplished in a safe and orderly manner.
- (2) In the event the danger is not abated immediately, the commissioner shall apply to the Franklin Circuit Court for an order to restrain such condition or practice.

**Effective:** July 15, 2010

**History:** Amended 2010 Ky. Acts ch. 24, sec. 1759, effective July 15, 2010. --  
Created 1972 Ky. Acts ch. 251, sec. 14.