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Respiratory Protection Standard for Certain Types of Respirators/Medical Evaluation Requirements: American Road & Transportation Builders Association Comments on Proposed Occupational Safety and Health Administration Proposed Rulemaking

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The American Road & Transportation Builders Association and several other organizations submitted November 1st comments to the Occupational Safety and Health Administration's ("OSHA") addressing the following proposed rule:

Amending the Medical Evaluation Requirements in the Respiratory Protection Standard for Certain Types of Respirators: Docket No. OSHA-2025-0006 ("Proposed Rule").

The other organizations submitting the comments include:

- Associated General Contractors of America
- Mason Contractors Association of American
- National Paving Association of America
- National Roofing Contractors Association

(Collectively, "ARTBA").

ARTBA states by way of introduction that it is in "measured support of the proposed rule." It further states that:

... While safety is a top priority for our associations and our members, not every best practice on the job site needs to be required by regulation.

The organizations do state that while they do consider the use of medical questionnaires and evaluations for filtering facepiece respirators (FFR) and loose-fitting powered air-purifying respirators (PAPR) to be a best practice, that their members:

... think this best practice can be included as a newly adopted Nonmandatory Appendix E within 1910.134.

The rationale for this position is stated to be that it would provide the organizations with guidance on whether a medical evaluation might be beneficial, while providing flexibility in situations where the process may be unnecessary.

The ARTBA comments include a section titled “Justification and Suggested Language for a Nonmandatory Appendix E to Subpart I §1910.134.” This section argues:

- In some instances, the use of respiratory protection may cause a physiological burden on the employee.
- Existing medical questionnaire and a follow-up medical evaluation are best practices used to identify underlying medical conditions that could result in adverse effects while wearing certain types of respiratory protection.
- This may include filtering facepiece respirators (FFR) and loose-fitting powered air-purifying respirators (PAPR).

ARTBA suggests that OSHA create and adopt the following:

- Nonmandatory Appendix E to § 1910.134, Guidance on OSHA Respirator Medical Evaluation for Filtering Facepiece Respirators (FFR) and Loose-Fitting Powered Air-Purifying Respirators (PAPR).

The comments include suggested language that would accompany the Nonmandatory Regulatory Appendix.

A copy of the comments can be found [here](#).