

PART 1205—SAFETY STANDARD FOR WALK-BEHIND POWER LAWN MOWERS

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AUTHORITY: Secs. 2, 3, 7, 9, 14, 19, Pub. L. 92-573, 86 Stat. 1207, 1208, 1212-1217, 1220, 1224; 15 U.S.C. 2051, 2052, 2056, 2058, 2063, 2068; sec. 1212, Pub. L. 97-35, 95 Stat. 357.

SOURCE: 44 FR 10024, Feb. 15, 1979, unless otherwise noted.

Subpart A—The Standard

§ 1205.1 Scope of the standard.

(a) *General.* This subpart A of part 1205 is a consumer product safety standard which prescribes safety requirements for certain walk-behind power lawn mowers, including labeling and performance requirements. The performance requirements of the standard apply to rotary mowers. The labeling requirements apply to both rotary and reel-type mowers. The standard is intended to reduce the risk of injury to consumers caused by contact, primarily of the foot and hand, with the rotating blade of the mower. A detailed discussion of the risk of injury and of the anticipated costs, benefits, and other factors associated with the standard is contained in §1205.8 *Findings*.

(b) *Scope.* (1) Except as provided in paragraph (c) of this section, all walk-behind rotary and reel-type power lawn

mowers manufactured or imported on or after the effective date of the standard are subject to the requirements of this standard if they are "consumer products". "Walk behind power lawn mower" is defined as a grass cutting machine with a minimum cutting width of 12 in (305 mm) that employs an engine or motor as a power source. Section 3(a)(1) of the Consumer Product Safety Act ("CPSA"), 15 U.S.C. 2052(a)(1), defines the term *consumer product* as an "article, or component part thereof, produced or distributed (i) for sale to a consumer for use in or around a permanent or temporary household or residence, a school, in recreation, or otherwise, or (ii) for the personal use, consumption or enjoyment of a consumer in or around a permanent or temporary household or residence, a school, in recreation, or otherwise." The term does not include products that are not customarily produced or distributed for sale to, or for the use or consumption by, or enjoyment of, a consumer.

(2) It is unlawful to manufacture for sale, offer for sale, distribute in commerce, or import into the United States any product subject to this standard that is not in conformity with the standard. The Commission is not applying the standard to rental transactions or to the ultimate sale of used rental mowers by rental firms.

(c) *Exclusions*—(1) *General.* Mowers that have all three of the following characteristics are not covered by the standard:

- (i) A cutting width of 30 in (762 mm) or greater,
- (ii) A weight of 200 lb (90.7 kg) or more, and
- (iii) For engine-powered mowers, an engine of 8 horsepower (6 kw) or more.

(2) *Reel-type mowers.* Reel-type power lawn mowers need not meet the performance requirements of the standard but they must be labeled as required by §1205.6.

§ 1205.2 Effective date.

This standard applies to all rotary walk behind power lawn mowers manufactured after June 30, 1982, except §1205.6 *Warning labels*, applies to rotary and reel-type walk-behind power lawn