

July 13, 2020

Subject: EQSS Model6253

Subject to the terms and conditions of this letter, Genie Industries Inc. conditionally approves the installation of the EQSS Model6253 Operator Detection System on Genie scissors. EQSS or the party responsible for the modification assumes the responsibility of the manufacturer including ensuring the modified machines comply with all applicable standards, obtaining appropriate third party certification, and providing all warranty, liability, service parts and support.

This approval is valid for EQSS Model6253 Operator Detection Systems installed from February 2020 through February 2021, and is only valid for Genie scissors sold in Australia.

Warning:

Failure to comply with all restrictions, instructions and warnings contained in this letter, the Operators Manual and the applicable safety or owner's manual could result in death or serious injury.

Modification Description:

Installation of an EQSS Model6253 Operator Detection System

Owner/Employer/User/Operator Requirements:

- 1) No modification to the Genie equipment, or use of it outside the proposed application, is permitted outside the approval criteria contained hereinafter.
- 2) A copy of this letter must accompany the operators manual at all times in the weather resistant storage compartment located on the equipment at the job-site where this modification/application is approved and authorized by the user/employer.
- 3) Fabrication, attachment, and use of the EQSS Model6253 Operator Detection must be approved and authorized by the equipment owner.
- 4) It is the responsibility of Equipment Safety Systems Pty Ltd (EQSS) to perform a hazard analysis on the design, installation, and use of the EQSS Model6253 Operator Detection System, and to ensure that the equipment complies with the essential health and safety requirements applicable to the jobsite, as well as local, state, provincial, and federal rules and regulations, and standards related to the use of the equipment.
- 5) Operators must be trained and qualified how to safely operate the modified equipment, or use it in the proposed application, and be familiar with the specific model of Genie equipment as follows:
 - a) Be familiar, and comply, with the equipment operating and safety manuals.
 - b) Understand all control functions, decals and warnings.
 - c) Be aware of and understand all safety devices specific to the equipment being used.
 - d) Be instructed regarding the specific hazards associated with using the Genie equipment, in its modified state, or in the proposed application, and utilize all means, including those provided by the user/employer, to avoid them.
- 6) The user/employer and the operator shall comply with all applicable jobsite, local, state, provincial, or federal rules, regulations, and standards related to the use of the equipment and its modification.

- 7) The Genie equipment must be in proper working condition and configuration.
- 8) The EQSS Model6253 Operator Detection System should not interfere with, or obstruct, the safe use or normal operation of the machine in any way, including but not limited to:
 - a) lanyard attachment points
 - b) operator controls
 - c) entry and exit points, including ladders etc.
 - d) moving components
 - e) scissor lift control system
- 9) No drilling, welding, or other modification to the scissor lift structure or components is permitted in the installation of the assembly
- 10) The weight of the EQSS Model6253 Operator Detection System must be considered as part of the platform load

In consideration for Genie's authorization herein, the equipment owner hereby agrees to indemnify and hold harmless Genie Industries Inc. and its parent and affiliated companies against any and all liability, claims, suits, losses, costs and legal fees caused by, arising out of, or resulting from the approved modification/application of the Genie equipment; any negligent act in the operation of the equipment by the owner, user and/or operator; the failure to comply with the criteria set forth in this letter related to the modification/application; the design, manufacture and installation of any modification; the safety rules and operating instructions in the Operator's Manual; the design and placement of any safety decals; the operation of the equipment by the owner, user and/or operator; and any negligent act or omission related to the equipment, its use or its modification.

BY PROCEEDING WITH THE MODIFICATION/APPLICATION AUTHORIZED HEREIN, YOU AGREE TO THE CONTENTS OF THIS LETTER AND ITS CONDITIONS. IF YOU DO NOT AGREE, DO NOT PROCEED WITH THE PROPOSED MODIFICATION/APPLICATION.