

21-JUN-2023

Subject: Protective Pty Ltd MEWP Shield system

Subject to the terms and conditions of this letter, Genie Industries Inc. conditionally approves the installation of the Protective Pty Ltd MEWP Shield system on Genie booms, scissors, and vertical masts. The installing entity would be responsible for the installation of the system on the MEWP. Protective Pty Ltd is responsible for the functionality of the system including ensuring the modified machines comply with all applicable standards, obtaining appropriate third-party certification, and providing all warranty, liability, service parts and support.

**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 a Protective Pty Ltd MEWP Shield system on Genie machines sold into the Australian market.

**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 always accompany the operator's manual in the weather resistant storage compartment located on the equipment at the jobsite where this modification/application is approved and authorized by the user/employer.
- 3) Fabrication, attachment, and use of the Protective Pty Ltd MEWP Shield system must be approved and authorized by the equipment owner.
- 4) It is the responsibility of Protective Pty Ltd to perform a hazard analysis on the design, installation, and use of the Protective Pty Ltd MEWP Shield 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 Protective Pty Ltd MEWP Shield 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) MEWP control system
- 9) No drilling, welding, or other modification to the scissor lift structure or components is permitted in the installation of the slab scissor magnetic assembly
- 10) The weight of the Protective Pty Ltd MEWP Shield 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.**