

Legislative History for Connecticut Act

PA 14-29

SB291

House	4325-4334	10
Senate	1089-1090, 1211-1212	4
<u>Public Safety</u>	<u>207-208, 363-382</u>	<u>22</u>
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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
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On page 29, House Calendar 460, favorable report of the joint standing committee on Government Administration and Elections, Substitute Senate Bill 291, AN ACT CONCERNING CRANE OPERATORS, OPERATIONS.

DEPUTY SPEAKER RITTER:

Representative Dargan.

REP. DARGAN (115th):

Thank you, Madam Speaker. I move acceptance of the joint committee's favorable report and passage of the bill in concurrence with the Senate.

DEPUTY SPEAKER RITTER:

The question is acceptance of the joint committee's favorable report and passage of the bill in concurrence with the Senate. Representative Dargan, you have the floor.

REP. DARGAN (115th):

Thank you very much, Madam Speaker. This bill simply postpones to three years to October 1, of 2017, implementing of the provisions of the Public Act 12-99, which was scheduled to take effect in October of this year.

The provisions broadened the definition of cranes, expanding the examination requirements for

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crane operators. It requires period reexaminations and exempts certain people from license requirements.

And the purpose of this is so OSHA will give the State of Connecticut the proper definitions of what we need underneath our safety code. Thank you very much.

DEPUTY SPEAKER RITTER:

Will you remark further on the bill before us?
Will you remark further?

Representative Giegler, you have the floor,
ma'am.

REP. GIEGLER (138th):

Thank you, Madam Chair. This bill before us now is from the Department of Administrative Services. It addresses a bill that we had last year and it's the intent to mirror the federal regulations and I urge my colleagues to support the bill.

Thank you so much.

DEPUTY SPEAKER RITTER:

Thank you, Representative Giegler.

Will you remark further?

Representative Miner, you have the floor, sir.

REP. MINER (66th):

Thank you, Madam Speaker. Madam Speaker, if I might, a few questions to the proponent of the bill.

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DEPUTY SPEAKER RITTER:

Please proceed.

REP. MINER (66th):

Thank you, Madam Speaker. Madam Speaker, am I correct that the effects of this language in the underlying bill would push out the requirements for testing and course creation for those that are subject to the underlying hoisting and crane legislation in our statutes? Through you.

DEPUTY SPEAKER RITTER:

Representative Dargan.

REP. DARGAN (115th):

Through you, Madam Speaker, that is correct.

DEPUTY SPEAKER RITTER:

Representative Miner.

REP. MINER (66th):

Thank you, Madam Speaker, and I thank the gentleman for his answer. And so, am I correct that that requirement would pertain to any operator of hoisting equipment or cranes except those exempted in Section 3 of 29-221? Through you.

DEPUTY SPEAKER RITTER:

Representative Dargan.

REP. DARGAN (115th):

Thank you very much, Madam Speaker. That is correct.

DEPUTY SPEAKER RITTER:

Will the House members please try to take their conversations outside or keep them to a lower level so we can hear the questioning?

Representative Miner, were you able to hear Representative Dargan's answer to your question?

REP. MINER (66th):

Thank you, Madam Speaker. I was.

DEPUTY SPEAKER RITTER:

Please proceed.

REP. MINER (66th):

And so through you, Madam Speaker, as the gentleman understands it, the intent of the requirement is to provide some guidance, some training for individuals who operate hoisting equipment that exceeds a certain weight threshold?

Through you, Madam Speaker.

DEPUTY SPEAKER RITTER:

Representative Dargan.

REP. DARGAN (115th):

Through you, Madam Speaker, that is correct.

DEPUTY SPEAKER RITTER:

Representative Miner.

REP. MINER (66th):

Thank you, Madam Speaker. And so, Madam Speaker, if the gentleman could tell me, also through you, the weight that we are seeking to provide that training for, has to do with that object that's being picked up and not the weight restriction let's say, on the equipment doing the hoisting. Is that correct?

Through you, Madam Speaker.

DEPUTY SPEAKER RITTER:

Representative Dargan.

REP. DARGAN (115th):

Through you, that is correct.

DEPUTY SPEAKER RITTER:

Representative Miner.

REP. MINER (66th):

Madam Speaker, I apologize. That one I did not hear.

DEPUTY SPEAKER RITTER:

Representative Dargan, could you repeat your answer.

REP. DARGAN (115th):

Through you, Madam Speaker, that is correct.

DEPUTY SPEAKER RITTER:

Representative Miner.

REP. MINER (66th):

Thank you, Madam Speaker. And so, Madam Speaker, as I understand it, there are companies that deliver cemetery vaults and they might send a truck out with two or three cemetery vaults on it and those vaults might weigh let's say, something less than 2,000 pounds and if the vault itself weighs less than the threshold established in the statute, would I be correct that they would not be obligated to take this training?

They could take it if they chose to, but they would not be obligated under the law unless the weight of that object being picked up exceeded the threshold that we have established in the underlying law. Thank you, Madam Speaker.

DEPUTY SPEAKER RITTER:

Representative Dargan.

REP. DARGAN (115th):

Through you, Madam Speaker, that is correct unless OSHA over the next couple of years changes some of those requirements. Through you.

DEPUTY SPEAKER RITTER:

Representative Miner.

REP. MINER (66th):

Thank you, Madam Speaker, and so am I correct that if OSHA were to change those requirements, we would then revisit this issue in terms of re-establishing the baseline and that they would not automatically be obligated without us having that conversation here in the Chamber. Through you.

DEPUTY SPEAKER RITTER:

Representative Dargan.

REP. DARGAN (115th):

Through you, Madam Speaker, that is correct. I am also looking at an e-mail from Representative Miner of two years ago to DAS on some of the questions that he's asking today. That is correct. Through you.

DEPUTY SPEAKER RITTER:

Representative Miner.

REP. MINER (66th):

Thank you, Madam Speaker, and I thank the gentleman for his answer. Madam Speaker, I have an amendment that I won't call. The bill that we're discussing actually came from the Senate, and I think we've been able to establish between Representative Dargan and myself that what I would have intended to do, which is protect some of these jobs and some of

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these individuals that we currently have in place from the obligations of the underlying bill, even though we're moving the date out.

It was my opinion then and it's my opinion now that we should be focused on what they're lifting and not so much what the rating on the crane is, because to some degree equipment like cranes on trucks are over-rated for what's being actually picked up.

And so, Madam Speaker, I am satisfied with the answers from the gentleman and I would also urge passage because I think it sets the date out a little farther that will let the agency work toward developing a curriculum and a testing process and that it will also test those that most probably would benefit from this kind of a test rather than everybody that operates what I would call a rather light truck with a rather small boom and a piece of concrete.

Thank you.

DEPUTY SPEAKER RITTER:

Thank you, Representative Miner.

Will you remark further?

Representative Guerrero. You have the floor, sir.

REP. GUERRERA (29th):

Thank you, Madam Speaker, and just a comment in regard. I do appreciate Representative Miner's comments in clarifying the objects that are being lifted. It is not so much the weight on the crane, but it is the object that we're talking about and I want to thank Representative Dargan for those answers and I think this is a good bill and that we should pass it along. Thank you.

DEPUTY SPEAKER RITTER:

Thank you, Representative.

Will you remark further on the bill before us?
Will you remark further on the bill before us? Will
you remark further?

If not, will staff and guests please come to the well of the House. Will members please take your seats. The machine will be opened.

THE CLERK:

The House of Representatives is voting by roll.

The House of Representatives is voting by roll. Will members please return to the chamber immediately.

DEPUTY SPEAKER RITTER:

Have all the members voted? Have all the members voted? Would the members please check the board to determine if your vote has been properly cast.

If all the members have voted, the machine will be locked and the Clerk will take a tally. The Clerk will please announce the tally.

THE CLERK:

Calendar Number 291 in concurrence with the Senate.

Total number voting	145
Necessary for passage	73
Those voting Yea	145
Those voting Nay	0
Those absent and not voting	6

DEPUTY SPEAKER RITTER:

The bill passes in concurrence with the Senate.

Will the Clerk please call Calendar Number 398.

THE CLERK:

On page 40, Calendar 398, favorable report of the joint standing committee on Planning and Development, Substitute House Bill 5448, AN ACT CONCERNING THE DISCONTINUANCE OF HIGHWAYS AND PRIVATE WAYS BY MUNICIPALITIES.

DEPUTY SPEAKER RITTER:

Representative Matt Ritter, you have the floor.

DEPUTY SPEAKER RITTER:

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THE CHAIR:

Thank you.

Mr. Clerk.

THE CLERK:

On page 29, Calendar 115, substitute for Senate Bill
Number 291, AN ACT CONCERNING CRANE OPERATIONS.
Favorable report of the Committee on Public Safety.

THE CHAIR:

Good afternoon, Senator Hartley.

SENATOR HARTLEY:

Good afternoon, Madam President.

I move acceptance of the Joint Committee's favorable report, Madam, and passage of the bill.

THE CHAIR:

Motion is on acceptance and passage. Will you remark, please?

SENATOR HARTLEY:

Yes. Thank you, Madam President.

This bill is the postponement until 2007 (sic) of the implementation of provisions of Public Act 1299, which was scheduled to take effect this October 14th. This is in relation to the actions of the federal OSHA, who have delayed their implementation of the underlining bill.

It's a bill which we adopted in '12 was the result of actually about 10 to 12 years of work in the industry with experts of all of the representatives dealing with regulations for cranes and derricks, and the operations of those equipment.

And now that the feds have postponed the final rule and there is indication that they, in fact, might be

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making modifications on the rule, it is prudent for us to postpone our enactment so that we are in sync once again with the federal rule.

So with that, Madam, I move passage of the bill.

THE CHAIR:

The motion is on passage. Will you remark? Will you remark?

Seeing none. Senator Hartley?

SENATOR HARTLEY:

Yes, thank you very much, Madam President.

I would ask that this, if there is no objection, can be moved to the Consent Calendar, Madam?

THE CHAIR:

Seeing no objection, so ordered, ma'am.

SENATOR HARTLEY:

Thank you.

THE CHAIR:

Mr. Clerk.

THE CLERK:

On page 29, Calendar 123, Senate Bill Number 290, AN ACT CONCERNING TUITION RAFFLES. Favorable report of the Committee on Public Safety.

THE CHAIR:

Senator Hartley.

SENATOR HARTLEY:

Good afternoon again, Madam.

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that we might proceed to a vote on the Consent Calendar.

THE CHAIR:

Madam would the people please take their conversations outside the chamber so the Clerk can so we can all hear the items on the Consent Calendar? Madam Clerk.

THE CLERK:

Items on the Consent Calendar. Page 1, Calendar Number 325, House Joint Resolution 66, and Calendar Number 326, House Joint Resolution 67.

Page 5, Calendar Number 102, Senate Bill 258. Page 6, Calendar Number 143, Senate Bill 363. Page 10, Calendar Number 287, Senate Bill 257.

Page 16, Calendar Number 368, Senate Bill 262. Page 17, Calendar Number 370, Senate Bill 411, and Calendar Number 372, Senate Bill 463.

Page 19, Calendar Number 391, Senate Bill 154. Page 20, Calendar Number 411, Senate Bill 493.

Page 27, Senate Bill 101, excuse me, Calendar 101, Senate Bill 156.

Page 28, Calendar Number 105, Senate Bill 221, and Calendar Number 115, Senate Bill 291.

And Calendar Number 114, Senate Bill 295.

Page 29, Calendar Number 123, Senate Bill 290. Page 31, Calendar Number 172, Senate Bill 314.

And Calendar Number 169, Senate Bill 70. And page 33, Calendar Number 217, Senate Bill 318.

THE CHAIR:

Thank you, Madam Clerk. Please announce the pendency for roll call vote, and the machine will be open.

THE CLERK:

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There will be an immediate roll call vote in the Senate. All senators report to the Chambers.
Immediate roll call vote for Consent Calendar in the Senate. All senators report to the Chambers.

THE CHAIR:

Senator Frantz.

Have all members voted? If all members have voted, please check the board to make sure your vote is accurately recorded. If all members have voted, the machine will be closed and the Clerk will announce the tally.

THE CLERK:

Total voting	36
Aye	36
Nay	0
Absent	0

THE CHAIR:

Consent Calendar Number 1 passes. Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. I would yield the floor for members if there are announcements of any other committee meetings or other points of personal privilege to be announced before adjournment.

THE CHAIR:

Any members with additional announcements or points of personal privilege? Seeing none, Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President, since there are a number of committee meetings tomorrow morning, it's our intention to begin the day with a Senate caucus at noon, and then session to follow. And with that I move the Senate stand adjourned subject to the call of the Chair.

**JOINT
STANDING
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HEARINGS**

**PUBLIC
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NATHAN BROWN: Good afternoon, Senator Hartley, Representative Dargan and the distinguished members of the Committee on Public Safety and Security. My name is Nate Brown. I'm the referral manager and government community relations director with the International Union of Operating Engineers, a Connecticut labor organization that represents over 3,000 equipment operators here in Connecticut.

I am here today to testify in strong support of Senate Bill 291, AN ACT CONCERNING CRANE OPERATIONS. I would like to -- I would like to ask for your support on Senate Bill 291 with the substitute language provided by the Department of Administrative Services and the Department of Construction Services. The substitute language is supported by the employers and operators throughout the crane industry here in Connecticut. Extending the effective date simply enables the state of Connecticut to comply with the federal regulations set forth by OSHA and has many benefits to the holders of the Connecticut State Crane License and the companies that employ these men and women.

OSHA is publishing a notice, a proposed rulemaking to extend for three years. The employer duty to ensure crane operator competency for construction work from November 10, 2014 to November 10, 2017. OSHA is also extending the enforcement date for crane operator certification for three years from November 10, 2014, to November 10, 2017. Connecticut continues to lead the -- Connecticut continues to lead the country and the crane industry by being out in front of the current changes. The Connecticut State Crane Board has already approved new categories for type and capacity of cranes required by OSHA

along with the State Fire Marshal's office has created and approved tests for all new and existing categories.

The retest practical test is posted online at the Department of Construction Services site and testing as already begun. By extending this date, a comfortable and convenient pace can be maintained by testing all applicants. All of Connecticut license tests meet OSHA's criteria for testing. The domains that must be incorporated in these tests are listed in OSHA's 1926(c)(c). The requirements makes for a comprehensive test. Extending the date would give Connecticut's crane industry employers and the men and women operators more time to being more proficient.

Once again, I would ask for the support of the committee of this substitute language for Senate Bill 291 that you have before you.

Thanks for your time. If you have any questions, I would be happy to answer them.

REP. VERRENGIA: Thank you.

Are there any questions?

Representative Boukus.

REP. BOUKUS: Good afternoon. Thank you, Mr. Chairman.

Thank you. I had an opportunity to talk with you a few minutes before -- a few minutes -- how many hours ago was it -- to talk about this bill and I'll basically simplify it. It's a good bill. It's timely. It ought to get our support and we have Walker Crane in Plainville and I expect that they are very much in support of this. It's a good bill. Thank you.

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S.B. 291, An Act Concerning Crane Operation

Committee on Public Safety and Security

March 4, 2014

CCIA Position: Supports

The Connecticut Construction Industries Association is comprised of a number of substantial firms in various sectors of the construction industry who have a long history of providing quality work for the public benefit and a great deal of experience performing work equipment that falls under Federal OSHA crane regulations. Those firms include building contractors, heavy civil contractors, environmental contractors, utility contractors, transportation contractors, quarry operators, asphalt producers, ready mixed concrete producers, and equipment dealers that rely on the operation of equipment covered under these federal regulations as part of the normal course of conducting business. Safety is a priority at CCIA and with our member organizations. CCIA and its safety committee in particular always appreciate the opportunity to work with government agencies and officials on all levels to address concerns relating to safe operation of cranes and other hoisting equipment.

CCIA **supports** An Act Concerning Crane Operations, and respectfully request that the committee act in favor of the substitute language provided by the Department of Administrative Services. This bill is a measured proposal that aligns the section of state statute that authorizes the State Crane Board to develop and administer written and practical examinations by Oct. 1, 2014, which was the original implementation date of the proposed federal crane rule, with federal rulemaking. Last year, the state enacted a law which required that state crane licensing rules coincide with the federal crane statute. Federal OSHA has since decided to propose that the original implementation date of their crane rule be extended to November 10, 2017, and S.B. 291 is an appropriate measure in anticipation of that extension.

Please contact John Butts, Liaison to the CCIA Safety Committee, at 860-529-6855, or at jbutts@ctconstruction.org if you have any questions or if you need additional information.

For more than 80 years, CCIA has represented the commercial construction industry in Connecticut, carrying on its founding members' belief in the power of collective action and cooperation to grow the industry. One of the Association's oldest entities, the Connecticut Road Builders Association, was formed in 1933. CCIA is an organization of associations, where various segments of the commercial construction industry work together to advance and promote their shared interests. CCIA is comprised of over 300 members, including contractors, subcontractors, material producers, equipment and material suppliers, professionals such as accountants, attorneys, engineers, surety and insurance companies, as well as other professionals allied with the state's construction industry.



AGCCT



Shaping the future of the construction industry



UTILITY CONTRACTORS ASSOCIATION OF CONNECTICUT

342 North Main Street | West Hartford, Connecticut 06117
Phone: 860-586-7522 | Fax: 860-586-7550 | website: ucac.pro

Senate Bill 291, An Act Concerning Crane Operations
Public Safety and Security Committee
March 4, 2014

The Utility Contractors Association of Connecticut represents contractors, suppliers and vendors in the utility and site work construction industry in Connecticut. UCAC contractor members perform work to improve and enhance the utility infrastructure in the state. Additionally, UCAC members who set trench boxes or deep pipe and pump stations while using cranes, for example, would be subject to the crane licensing requirements.

Senate Bill 291, An Act Concerning Crane Operations, would repeal certain provisions adopted in 2012 in Public Act 12-99. Public Act 12-99 made several changes in the laws governing cranes and hoisting equipment to comply with new federal Occupational Safety and Health Administration (OSHA) requirements. Many of its provisions codified current state regulations and were to become effective October 1, 2014. Public Act 12-99 expanded the types of equipment and operators subject to state regulation, including operator licensing and training, and the scope of the state safety code for operating and maintaining cranes and hoisting equipment.

Since OSHA is seeking to delay implementation of its standards, and may make some modifications to the Final Rule, the Department of Administrative Services explains in support of the bill, Connecticut should follow suit and delay implementation of its conforming statutes and processes. As a result, the bill seeks to delay implementation of the provisions of PA 12-99 until October 1, 2017.

Additionally, the amendments will allow the Crane Operators Examining Board and other private testing entities to hold off on any testing and practical examination changes relating to cranes and hoisting equipment until it is clearer what OSHA's Final Rule includes.

UCAC supports the delay in implementation of the new law until October 1, 2017, when OSHA and the state are prepared to enforce the new rules, and construction contractors and the industry will be better prepared to absorb the changes.

For additional information or any questions concerning Senate Bill 291, please contact Matthew Hallisey, Executive Director of UCAC, at 860-978-7346.



165 Capitol Avenue
Hartford, CT 06106-1658

Senate Bill 291
An Act Concerning Crane Operations

Public Safety & Security Committee
March 4, 2014

The Department of Administrative Services (DAS), on behalf of the Crane Examining Board as established by C.G.S. 29-222, thanks the Public Safety & Security Committee for raising Senate Bill 292. Attached for the Committee's consideration is the agency's proposed substitute language, which accurately reflects the agency and the Administration's request to delay by three years the implementation of the provisions of Public Act 12-99, related to the OSHA Final Rule.

During the 2012 legislative session, the Public Safety & Security Committee and the affected industries were instrumental in the Legislature's passage of Public Act 12-99, An Act Concerning Crane Operations. That Act was Connecticut's implementation of the revised OSHA standards governing cranes and derrick operations (29 CFR Part 1926, Subpart CC). The revised OSHA standards were the product of twelve years of work by OSHA and included extensive input from industry experts, stakeholders and members of the public. In order to be consistent with OSHA's implementation of its Final Rule, certain provisions of the Public Act were to go into effect in October 2014, while other provisions went into effect on October of 2012.

In 2013, OSHA made the decision to seek a delay of adoption of its Final Rule. Specifically, OSHA proposes to delay adoption of these standards until November 2017: https://www.osha.gov/cranes-derricks/extcertdate_FAQ.html.

Since P.A. 12-99 incorporated the revised OSHA standards, many of the provisions of that Act were made effective October 2014 in keeping with the OSHA timetable for implementation. However, since OSHA is seeking to delay implementation of its standards, and may make some modifications to the Final Rule, Connecticut should follow suit and delay implementation of its conforming statutes and processes.

As a result, this technical proposal seeks to delay, rather than repeal, the implementation of certain provisions of P.A. 12-99 to remain consistent with the implementation date of OSHA's Final Rule. By so doing, the industry would have a clear understanding of the commitment this State has to implementing the Final Rule as part of the Connecticut licensing of crane operators, which would encourage crane

operators to continue their efforts to meet the new requirement of re-testing every four years.

Thank you for the opportunity to provide comments today. Please don't hesitate to contact Terrence Tulloch-Reid, Terrence.reid@ct.gov if the Committee needs additional information or has any questions or concerns.

DAS PROPOSED SUBSTITUTUTE LANGUAGE TO SB 291

An Act Concerning Crane Operations

Section 1. Section 29-223 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

(a) The board shall keep a record of its proceedings and a roster of persons licensed or registered by it. The commissioner shall, with the advice and assistance of the board, adopt regulations, in accordance with chapter 54, for crane operators and hoisting equipment operators, specifying qualifications for applicants for licensure, requirements for examinations, procedures for issuance and renewal of licenses and certificates of registration and examination and application fees sufficient to meet the costs of administration of this chapter. The board shall administer and establish passing grades for licensure examinations. The board shall hold examinations at times and locations determined by the board and shall give written notice to applicants for examination of the time and place of examinations. Examinations may be written or practical or both.

(b) Prior to October 1, [2014] 2017, the board may develop and administer written and practical examinations for, and issue licenses to, operators of cranes as defined in section 29-221, as amended by section 2 of public act 12-99, including cranes which have a manufacturer's rated hoisting or lifting capacity exceeding two thousand pounds but not exceeding ten thousand pounds. The provisions of this subsection shall not be construed to eliminate the licensure requirements in effect prior to October 1, [2014] 2017, for operators of cranes or hoisting equipment, as those terms are defined in section 29-221, as amended by this act.

(c) The board shall adopt regulations, in accordance with the provisions of chapter 54, establishing a safety code for the operation and maintenance of cranes and hoisting equipment.

Sec. 2. Section 29-221 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2017*):

As used in this chapter: (1) "Board" means the Examining Board for Crane Operators established under section 29-222; (2) "commissioner" means the Commissioner of [Construction] Administrative Services; (3) "crane" means [(A) a tower crane used in construction, demolition or excavation work, (B) a hydraulic crane, (C) a power-operated derrick, or (D) a mobile crane which is a mobile, carrier-mounted, power-operated hoisting machine utilizing a power-operated boom which moves laterally by

rotation of the machine on the carrier and which has a manufacturers' maximum rated capacity exceeding five tons] power-operated equipment that can hoist, lower and horizontally move a suspended load and which has a manufacturer's maximum rated hoisting or lifting capacity exceeding two thousand pounds, including, but not limited to: (A) Articulating cranes such as knuckle-boom cranes, (B) crawler cranes, (C) floating cranes, (D) cranes on barges, (E) locomotive cranes, (F) mobile cranes such as wheel-mounted, rough terrain, all-terrain, commercial truck-mounted and boom truck cranes, (G) multi-purpose machines when configured to hoist and lower, by means of a winch or hook, and horizontally move a suspended load, (H) industrial cranes such as carry-deck cranes, (I) dedicated pile drivers when used in construction, demolition or excavation work, (J) service or mechanic trucks with a hoisting device, (K) cranes on monorails, (L) tower cranes such as fixed jib hammerhead boom, luffing boom and self-erecting, (M) pedestal cranes, (N) portal cranes, (O) overhead and gantry cranes, (P) straddle cranes, (Q) side boom cranes, (R) derricks, and (S) variations of such equipment; (4) "hoisting equipment", other than cranes, means motorized equipment (A) used in construction, demolition or excavation work, (B) at a construction site for a project, other than a project involving residential structures of less than four stories, the estimated cost of which is more than one million two hundred fifty thousand dollars, and (C) which has a manufacturer's rated hoisting or lifting capacity exceeding five tons and a manufacturer's rated maximum reach in excess of thirty-two feet; (5) "department" means the Department of Construction Services; and (6) "apprentice" means a person who is not licensed under this chapter, who has filed an application for a license with the board and whose employer has registered him or her with the board to learn crane operations or hoisting equipment operations under the direct supervision of a licensed operator in accordance with section 29-224c.

Sec. 3. (NEW) (*Effective October 1, 2017*) (a) Notwithstanding subdivisions (3) and (4) of section 29-221 of the general statutes, as amended by section 2 of this act, the following items are excluded from the scope of chapter 539 of the general statutes: (1) Machinery included in subdivisions (3) and (4) of section 29-221 of the general statutes, as amended by section 2 of this act, while it has been converted or adapted for a nonhoisting or nonlifting use, including power shovels, excavators and concrete pumps, (2) power shovels, excavators, wheel loaders, backhoes, loader backhoes and track loaders, including when this machinery is used with chains, slings or other rigging to lift suspended loads, (3) automotive wreckers and tow trucks including rotators registered as wreckers and operated by a person, firm or corporation licensed as a motor vehicle dealer or repairer in accordance with the provisions of subpart (D) of part III of chapter 246 of the general statutes when used in such licensed business, whose functions may include consensual or nonconsensual vehicle recovery and load transfer and consensual or nonconsensual towing and transportation of wrecked or disabled vehicles from the point at which the accident occurred or the vehicle became disabled, (4) digger derricks when used for augering holes for poles carrying electric and telecommunication lines, placing and removing the poles and handling associated materials to be installed on or

removed from the poles, (5) machinery originally designed as vehicle-mounted aerial devices for lifting personnel and self-propelled elevating work platforms, (6) telescopic or hydraulic gantry systems, (7) stacker cranes, (8) powered industrial forklifts, except when configured to hoist and lower, by means of a winch or hook, and horizontally move a suspended load, (9) mechanic trucks with a hoisting device when used in activities related to equipment maintenance and repair, (10) machinery that hoists by using a come-a-long or chain fall, (11) gin poles when used for the erection of communication towers, (12) anchor handling or dredge-related operations with a vessel or barge using an affixed A-frame, (13) roustabouts, (14) helicopter cranes, (15) propane service vehicles that are equipped with a crane to load or offload Department of Transportation (DOT) approved propane tanks or American Society of Mechanical Engineers (ASME) approved propane tanks having a capacity of two thousand gallons or less, (16) overhead and gantry cranes when used for non-construction-related work, and (17) dedicated drill rigs.

(b) Articulating or knuckle-boom truck cranes that deliver material to a construction site are excluded from the scope of chapter 539 of the general statutes when used to (1) transfer materials from the truck crane to the ground without arranging the materials in a particular sequence for hoisting, or (2) transfer building supply sheet goods or building supply packaged materials including, but not limited to, sheets of sheetrock, sheets of plywood, bags of cement, sheets or packages of roofing shingles and rolls of roofing felt from the truck crane onto a structure, using a fork or cradle at the end of the boom, but only when the truck crane is equipped with a properly functioning automatic overload prevention device.

(c) The exclusion set forth in subsection (b) of this section does not apply when (1) the articulating or knuckle-boom crane is used to hold, support or stabilize the material to facilitate a construction activity, such as holding material in place while it is attached to the structure, (2) the material being handled by the articulating or knuckle-boom crane is a prefabricated component including, but not limited to, precast concrete members or panels, roof trusses, prefabricated building sections such as floor panels, wall panels, roof panels, roof structures or similar items, (3) the material being handled by the crane is a structural steel member such as joists, beams, columns and steel decking or a component of a systems-engineered metal building, or (4) the activity is not otherwise excluded under subsection (b) of this section.

Sec. 4. Section 29-223 of the general statutes, as amended by section 1 of this act, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2017*):

(a) The board shall keep a record of its proceedings and a roster of persons licensed or registered by it. The commissioner shall, with the advice and assistance of the board, adopt regulations, in accordance with chapter 54, for crane operators and hoisting equipment operators, specifying qualifications for applicants for licensure, requirements for examinations, procedures for issuance and renewal of licenses and

certificates of registration and examination and application fees sufficient to meet the costs of administration of this chapter. The board shall administer and establish passing grades for licensure examinations. The board shall hold examinations at times and locations determined by the board and shall give written notice to applicants for examination of the time and place of examinations. [Examinations may be written or practical or both.] An applicant for a license shall be required to take both a written and practical examination.

(b) The written examination shall determine whether the applicant (1) knows the information necessary for the safe operation of the specific type of crane or hoisting equipment that the applicant will operate including (A) the controls and operational or performance characteristics, (B) use of, and the ability to calculate, manually or with a calculator, load or capacity information on a variety of configurations of the equipment, (C) procedures for preventing and responding to power line contact, (D) technical knowledge applicable to the specific type of equipment the individual will operate concerning (i) site information, (ii) operations, and (iii) load information, and (E) technical knowledge applicable to site suitability, site hazards and site access, and (2) is able to read and locate relevant information in the equipment manual and other materials containing information referred to in subdivision (1) of this subsection.

(c) The practical examination shall determine whether the applicant has the skills necessary for safe operation of the crane or hoisting equipment including (1) the ability to recognize, from visual and auditory observation, all items required in a shift inspection, (2) operational and maneuvering skills, (3) application of load chart information, and (4) application of safe shutdown and securing procedures.

(d) Any license, or renewal thereof, issued pursuant to this section shall be valid for a period of two years from the date of issuance. Every four years the licensee shall take and pass, prior to the issuance of a license renewal, an examination developed by the board that is designed to ensure that the licensee continues to meet the technical knowledge and skills requirements set forth in subsections (b) and (c) of this section.

[(b)] (e) Prior to October 1, 2017, the board may develop and administer written and practical examinations for, and issue licenses to, operators of cranes as defined in section 29-221, as amended by section 2 of this act, including cranes which have a manufacturer's rated hoisting or lifting capacity exceeding two thousand pounds but not exceeding ten thousand pounds. The provisions of this subsection shall not be construed to eliminate the licensure requirements in effect prior to October 1, 2017, for operators of cranes or hoisting equipment, as those terms are defined in section 29-221.

[(c)] (f) The board shall adopt regulations, in accordance with the provisions of chapter 54, establishing a safety code for the operation and maintenance of cranes and hoisting equipment.

Sec. 5. Section 29-223a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2017*):

(a) No person shall engage in, practice or offer to perform the work of a hoisting equipment operator, except as provided in subsection (b) of this section, who is not the holder of a valid crane operator's license or hoisting equipment operator's license issued by the board. Each licensed hoisting equipment operator shall carry his or her license on his or her person when operating hoisting equipment. No person may engage in, practice or perform the work of a hoisting equipment operator apprentice unless he or she has obtained a certificate of registration from the board. An apprentice's certificate may be issued for the performance of work of a hoisting equipment operator for the purpose of training, provided such work may be performed only under the direct supervision of a licensed hoisting equipment operator and is in compliance with the provisions of section 29-224c.

(b) The provisions of this section shall not apply to: (1) [Any person engaged in the occupation of hoisting equipment operator in the state on October 1, 2003, provided such person shall be required to obtain a license not later than one year of October 1, 2004, (2) engineers] Engineers under the jurisdiction of the United States, [(3)] (2) engineers or operators employed by public utilities or industrial manufacturing plants, [(4)] (3) any person operating either a bucket truck or a digger derrick designed and used for an electrical generation, electrical transmission, electrical distribution, electrical catenary or electrical signalization project, if such person: (A) Holds a valid limited electrical line contractor or journeyman's license issued pursuant to chapter 393 or any regulation adopted pursuant to said chapter, or (B) has engaged in the installation of electrical line work for more than one thousand hours, or (C) has enrolled in or has graduated from a federally recognized electrical apprenticeship program, or [or (5)] (4) persons engaged in [boating, fishing,] the recreational boating or fishing industry, except when engaged in construction-related work, or in agriculture or arboriculture, or (5) persons engaged in activities, or using equipment, excluded under section 3 of this act.

Sec. 6. Section 29-224 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2017*):

(a) No person shall engage in, practice or offer to perform the work of a crane operator, except as provided in subsection (b) of this section, who is not the holder of a valid license issued by the board. Each licensed crane operator shall carry his or her license on his or her person when operating a crane. No person may engage in, practice or perform the work of a crane operator apprentice unless he or she has obtained a certificate of registration from the board. An apprentice's certificate may be issued for the performance of work of a crane operator for the purpose of training, provided such

work may be performed only under the direct supervision of a licensed crane operator and is in compliance with the provisions of section 29-224c. No crane owner may operate or permit the operation of any of his or her cranes in this state unless he or she has obtained a certificate of registration from the board. Nothing in this subsection shall be construed to require a hoisting equipment owner to obtain a certificate of registration from the board.

(b) The provisions of subsection (a) of this section shall not apply to: (1) [Any person engaged in the occupation of crane operator in the state on October 1, 1981, provided such person shall be required to obtain a license within one year of October 1, 1981, (2) engineers] Engineers under the jurisdiction of the United States, [(3)] (2) engineers or operators employed by public utilities or industrial manufacturing plants, [(4)] (3) any person operating either a bucket truck or a digger derrick designed and used for an electrical generation, electrical transmission, electrical distribution, electrical catenary or electrical signalization project, if such person: (A) Holds a valid limited electrical line contractor or journeyman's license issued pursuant to chapter 393 or any regulation adopted pursuant to said chapter, or (B) has engaged in the installation of electrical line work for more than one thousand hours, or (C) has enrolled in or has graduated from a federally recognized electrical apprenticeship program, or [or (5)] (4) persons engaged in [boating, fishing,] the recreational boating or fishing industry, except when engaged in construction-related work, or in agriculture or arboriculture, (5) persons engaged in activities, or using equipment, excluded under section 3 of this act, or (6) persons operating equipment, except a tower crane, that can hoist, lower and horizontally move a suspended load and has a manufacturer's maximum rated hoisting or lifting capacity exceeding two thousand pounds but not exceeding ten thousand pounds who, pursuant to federal Occupational Safety and Health Administration Standard 1926.1427, are (A) certified by an accredited crane operator testing organization, (B) qualified by an audited employer program, (C) qualified by the United States Military, or (D) licensed pursuant to this chapter.

Sec. 7. Sections 2, 3, 6, 8 and 10 of public act 12-99 are repealed (*Effective upon passage*)

DAS Requested S Language—3 year Delay

An Act Delaying Implementation of Changes to Crane Operations Statutes to Ensure Conformity with OSHA's Final Rule

Section 1. Section 29-223 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

(a) The board shall keep a record of its proceedings and a roster of persons licensed or registered by it. The commissioner shall, with the advice and assistance of the board, adopt regulations, in accordance with chapter 54, for crane operators and hoisting equipment operators, specifying qualifications for applicants for licensure, requirements for examinations, procedures for issuance and renewal of licenses and certificates of registration and examination and application fees sufficient to meet the costs of administration of this chapter. The board shall administer and establish passing grades for licensure examinations. The board shall hold examinations at times and locations determined by the board and shall give written notice to applicants for examination of the time and place of examinations. Examinations may be written or practical or both.

(b) Prior to October 1, [2014] 2017, the board may develop and administer written and practical examinations for, and issue licenses to, operators of cranes as defined in section 29-221, as amended by section 2 of public act 12-99, including cranes which have a manufacturer's rated hoisting or lifting capacity exceeding two thousand pounds but not exceeding ten thousand pounds. The provisions of this subsection shall not be construed to eliminate the licensure requirements in effect prior to October 1, [2014] 2017, for operators of cranes or hoisting equipment, as those terms are defined in section 29-221, as amended by this act.

(c) The board shall adopt regulations, in accordance with the provisions of chapter 54, establishing a safety code for the operation and maintenance of cranes and hoisting equipment.

Sec. 2. Section 29-221 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2017*):

As used in this chapter: (1) "Board" means the Examining Board for Crane Operators established under section 29-222; (2) "commissioner" means the Commissioner of [Construction] Administrative Services; (3) "crane" means [(A) a tower crane used in construction, demolition or excavation work, (B) a hydraulic crane, (C) a power-operated derrick, or (D) a mobile crane which is a

mobile, carrier-mounted, power-operated hoisting machine utilizing a power-operated boom which moves laterally by rotation of the machine on the carrier and which has a manufacturers' maximum rated capacity exceeding five tons] power-operated equipment that can hoist, lower and horizontally move a suspended load and which has a manufacturer's maximum rated hoisting or lifting capacity exceeding two thousand pounds, including, but not limited to: (A) Articulating cranes such as knuckle-boom cranes, (B) crawler cranes, (C) floating cranes, (D) cranes on barges, (E) locomotive cranes, (F) mobile cranes such as wheel-mounted, rough terrain, all-terrain, commercial truck-mounted and boom truck cranes, (G) multi-purpose machines when configured to hoist and lower, by means of a winch or hook, and horizontally move a suspended load, (H) industrial cranes such as carry-deck cranes, (I) dedicated pile drivers when used in construction, demolition or excavation work, (J) service or mechanic trucks with a hoisting device, (K) cranes on monorails, (L) tower cranes such as fixed jib hammerhead boom, luffing boom and self-erecting, (M) pedestal cranes, (N) portal cranes, (O) overhead and gantry cranes, (P) straddle cranes, (Q) side boom cranes, (R) derricks, and (S) variations of such equipment; (4) "hoisting equipment", other than cranes, means motorized equipment (A) used in construction, demolition or excavation work, (B) at a construction site for a project, other than a project involving residential structures of less than four stories, the estimated cost of which is more than one million two hundred fifty thousand dollars, and (C) which has a manufacturer's rated hoisting or lifting capacity exceeding five tons and a manufacturer's rated maximum reach in excess of thirty-two feet; (5) "department" means the Department of Construction Services; and (6) "apprentice" means a person who is not licensed under this chapter, who has filed an application for a license with the board and whose employer has registered him or her with the board to learn crane operations or hoisting equipment operations under the direct supervision of a licensed operator in accordance with section 29-224c.

Sec. 3. (NEW) (*Effective October 1, 2017*) (a) Notwithstanding subdivisions (3) and (4) of section 29-221 of the general statutes, as amended by section 2 of this act, the following items are excluded from the scope of chapter 539 of the general statutes: (1) Machinery included in subdivisions (3) and (4) of section 29-221 of the general statutes, as amended by section 2 of this act, while it has been converted or adapted for a nonhoisting or nonlifting use, including power shovels, excavators and concrete pumps, (2) power shovels, excavators, wheel loaders, backhoes, loader backhoes and track loaders, including when this machinery is used with chains, slings or other rigging to lift suspended loads, (3) automotive wreckers and tow trucks including rotators registered as wreckers and operated by a person, firm or corporation licensed as a motor vehicle dealer or repairer in accordance with the provisions of subpart (D) of part III of chapter 246 of the general statutes when used in such licensed business, whose functions

may include consensual or nonconsensual vehicle recovery and load transfer and consensual or nonconsensual towing and transportation of wrecked or disabled vehicles from the point at which the accident occurred or the vehicle became disabled, (4) digger derricks when used for augering holes for poles carrying electric and telecommunication lines, placing and removing the poles and handling associated materials to be installed on or removed from the poles, (5) machinery originally designed as vehicle-mounted aerial devices for lifting personnel and self-propelled elevating work platforms, (6) telescopic or hydraulic gantry systems, (7) stacker cranes, (8) powered industrial forklifts, except when configured to hoist and lower, by means of a winch or hook, and horizontally move a suspended load, (9) mechanic trucks with a hoisting device when used in activities related to equipment maintenance and repair, (10) machinery that hoists by using a come-a-long or chain fall, (11) gin poles when used for the erection of communication towers, (12) anchor handling or dredge-related operations with a vessel or barge using an affixed A-frame, (13) roustabouts, (14) helicopter cranes, (15) propane service vehicles that are equipped with a crane to load or offload Department of Transportation (DOT) approved propane tanks or American Society of Mechanical Engineers (ASME) approved propane tanks having a capacity of two thousand gallons or less, (16) overhead and gantry cranes when used for non-construction-related work, and (17) dedicated drill rigs.

(b) Articulating or knuckle-boom truck cranes that deliver material to a construction site are excluded from the scope of chapter 539 of the general statutes when used to (1) transfer materials from the truck crane to the ground without arranging the materials in a particular sequence for hoisting, or (2) transfer building supply sheet goods or building supply packaged materials including, but not limited to, sheets of sheetrock, sheets of plywood, bags of cement, sheets or packages of roofing shingles and rolls of roofing felt from the truck crane onto a structure, using a fork or cradle at the end of the boom, but only when the truck crane is equipped with a properly functioning automatic overload prevention device.

(c) The exclusion set forth in subsection (b) of this section does not apply when (1) the articulating or knuckle-boom crane is used to hold, support or stabilize the material to facilitate a construction activity, such as holding material in place while it is attached to the structure, (2) the material being handled by the articulating or knuckle-boom crane is a prefabricated component including, but not limited to, precast concrete members or panels, roof trusses, prefabricated building sections such as floor panels, wall panels, roof panels, roof structures or similar items, (3) the material being handled by the crane is a structural steel member such as joists, beams, columns and steel decking or a component of a

systems-engineered metal building, or (4) the activity is not otherwise excluded under subsection (b) of this section.

Sec. 4. Section 29-223 of the general statutes, as amended by section 1 of this act, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2017*):

(a) The board shall keep a record of its proceedings and a roster of persons licensed or registered by it. The commissioner shall, with the advice and assistance of the board, adopt regulations, in accordance with chapter 54, for crane operators and hoisting equipment operators, specifying qualifications for applicants for licensure, requirements for examinations, procedures for issuance and renewal of licenses and certificates of registration and examination and application fees sufficient to meet the costs of administration of this chapter. The board shall administer and establish passing grades for licensure examinations. The board shall hold examinations at times and locations determined by the board and shall give written notice to applicants for examination of the time and place of examinations. [Examinations may be written or practical or both.] An applicant for a license shall be required to take both a written and practical examination.

(b) The written examination shall determine whether the applicant (1) knows the information necessary for the safe operation of the specific type of crane or hoisting equipment that the applicant will operate including (A) the controls and operational or performance characteristics, (B) use of, and the ability to calculate, manually or with a calculator, load or capacity information on a variety of configurations of the equipment, (C) procedures for preventing and responding to power line contact, (D) technical knowledge applicable to the specific type of equipment the individual will operate concerning (i) site information, (ii) operations, and (iii) load information, and (E) technical knowledge applicable to site suitability, site hazards and site access, and (2) is able to read and locate relevant information in the equipment manual and other materials containing information referred to in subdivision (1) of this subsection.

(c) The practical examination shall determine whether the applicant has the skills necessary for safe operation of the crane or hoisting equipment including (1) the ability to recognize, from visual and auditory observation, all items required in a shift inspection, (2) operational and maneuvering skills, (3) application of load chart information, and (4) application of safe shutdown and securing procedures.

(d) Any license, or renewal thereof, issued pursuant to this section shall be valid for a period of two years from the date of issuance. Every four years the licensee shall take and pass, prior to the issuance of a license renewal, an examination

developed by the board that is designed to ensure that the licensee continues to meet the technical knowledge and skills requirements set forth in subsections (b) and (c) of this section.

[(b)] (e) Prior to October 1, 2017, the board may develop and administer written and practical examinations for, and issue licenses to, operators of cranes as defined in section 29-221, as amended by section 2 of this act, including cranes which have a manufacturer's rated hoisting or lifting capacity exceeding two thousand pounds but not exceeding ten thousand pounds. The provisions of this subsection shall not be construed to eliminate the licensure requirements in effect prior to October 1, 2017, for operators of cranes or hoisting equipment, as those terms are defined in section 29-221.

[(c)] (f) The board shall adopt regulations, in accordance with the provisions of chapter 54, establishing a safety code for the operation and maintenance of cranes and hoisting equipment.

Sec. 5. Section 29-223a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2017*):

(a) No person shall engage in, practice or offer to perform the work of a hoisting equipment operator, except as provided in subsection (b) of this section, who is not the holder of a valid crane operator's license or hoisting equipment operator's license issued by the board. Each licensed hoisting equipment operator shall carry his or her license on his or her person when operating hoisting equipment. No person may engage in, practice or perform the work of a hoisting equipment operator apprentice unless he or she has obtained a certificate of registration from the board. An apprentice's certificate may be issued for the performance of work of a hoisting equipment operator for the purpose of training, provided such work may be performed only under the direct supervision of a licensed hoisting equipment operator and is in compliance with the provisions of section 29-224c.

(b) The provisions of this section shall not apply to: (1) [Any person engaged in the occupation of hoisting equipment operator in the state on October 1, 2003, provided such person shall be required to obtain a license not later than one year of October 1, 2004, (2) engineers] Engineers under the jurisdiction of the United States, [(3)] (2) engineers or operators employed by public utilities or industrial manufacturing plants, [(4)] (3) any person operating either a bucket truck or a digger derrick designed and used for an electrical generation, electrical transmission, electrical distribution, electrical catenary or electrical signalization project, if such person: (A) Holds a valid limited electrical line contractor or journeyman's license issued pursuant to chapter 393 or any regulation adopted

pursuant to said chapter, or (B) has engaged in the installation of electrical line work for more than one thousand hours, or (C) has enrolled in or has graduated from a federally recognized electrical apprenticeship program, or [or (5)] (4) persons engaged in [boating, fishing,] the recreational boating or fishing industry, except when engaged in construction-related work, or in agriculture or arboriculture, or (5) persons engaged in activities, or using equipment, excluded under section 3 of this act.

Sec. 6. Section 29-224 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2017*):

(a) No person shall engage in, practice or offer to perform the work of a crane operator, except as provided in subsection (b) of this section, who is not the holder of a valid license issued by the board. Each licensed crane operator shall carry his or her license on his or her person when operating a crane. No person may engage in, practice or perform the work of a crane operator apprentice unless he or she has obtained a certificate of registration from the board. An apprentice's certificate may be issued for the performance of work of a crane operator for the purpose of training, provided such work may be performed only under the direct supervision of a licensed crane operator and is in compliance with the provisions of section 29-224c. No crane owner may operate or permit the operation of any of his or her cranes in this state unless he or she has obtained a certificate of registration from the board. Nothing in this subsection shall be construed to require a hoisting equipment owner to obtain a certificate of registration from the board.

(b) The provisions of subsection (a) of this section shall not apply to: (1) [Any person engaged in the occupation of crane operator in the state on October 1, 1981, provided such person shall be required to obtain a license within one year of October 1, 1981, (2) engineers] Engineers under the jurisdiction of the United States, [(3)] (2) engineers or operators employed by public utilities or industrial manufacturing plants, [(4)] (3) any person operating either a bucket truck or a digger derrick designed and used for an electrical generation, electrical transmission, electrical distribution, electrical catenary or electrical signalization project, if such person: (A) Holds a valid limited electrical line contractor or journeyman's license issued pursuant to chapter 393 or any regulation adopted pursuant to said chapter, or (B) has engaged in the installation of electrical line work for more than one thousand hours, or (C) has enrolled in or has graduated from a federally recognized electrical apprenticeship program, or [or (5)] (4) persons engaged in [boating, fishing,] the recreational boating or fishing industry, except when engaged in construction-related work, or in agriculture or arboriculture, (5) persons engaged in activities, or using equipment, excluded under section 3 of this act, or (6) persons operating equipment, except a tower

crane, that can hoist, lower and horizontally move a suspended load and has a manufacturer's maximum rated hoisting or lifting capacity exceeding two thousand pounds but not exceeding ten thousand pounds who, pursuant to federal Occupational Safety and Health Administration Standard 1926.1427, are (A) certified by an accredited crane operator testing organization, (B) qualified by an audited employer program, (C) qualified by the United States Military, or (D) licensed pursuant to this chapter.

Sec. 7. Sections 2, 3, 6, 8 and 10 of public act 12-99 are repealed (*Effective upon passage*)



Connecticut Chapter

Testimony by Chris Syrek, Vice President of
Associated Builders & Contractors

Before the Public Safety and Security Committee on March 4, 2014

SB 291 An Act Concerning Crane Operations

Good afternoon, my name is Chris Syrek; I am the Vice President of Associated Builders and Contractors of Connecticut (CT ABC). CT ABC is a statewide trade association of almost 200 members that represents merit shop contractors.

CT ABC would like to voice our support for SB 291, An Act Concerning Crane Operations, with the substitute language you have before you. In fact, we are not aware of a single industry stakeholder that doesn't adamantly support this bill.

It is in the best interest of the state, the construction industry, and the crane operators who rely on their crane license to earn a living, that the deadline for crane operators to pass a written and practical test be moved from October 2014 until October 2017.

Federal OSHA, even with their vast resources, found both legal and logistical challenges in implementing the test and making sure that operators were having their licenses renewed in a timely manner. It would be complicated for the Department of Public Safety and its lone Crane Inspector to administer the test and reissue licenses in time for the originally imposed October, 2014 deadline.

This could also raise major safety concerns. Given the Department of Public Safety's limited resources, it would shift the focus of the Crane Inspector entirely to administering tests and renewing licenses instead of inspecting cranes and ensuring that each crane is safe to be operating on job sites.

There is also the possibility that during their review of the crane testing requirements, that Federal OSHA could further change these requirements or change the deadline again. Connecticut should mirror the federal law and move the testing deadline to October of 2017, while the federal regulations are being reconsidered.

**JOINT
STANDING
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HEARINGS**

**PUBLIC
SAFETY
PART 2
382 – 761**

2014



LOCAL 478 • CONNECTICUT
INTERNATIONAL UNION OF OPERATING ENGINEERS

1965 Dixwell Avenue • Hamden, Connecticut 06514

(17)

**Testimony in Support of Senate Bill 291
 An Act Concerning Crane Operations**

Good Afternoon, Senator Hartley, Representative Dargan and distinguished members of the Committee on Public Safety and Security. My name is Nate Brown. I am the Referral Manager and Government Community Relations Director with the International Union of Operating Engineers, a CT Labor Organization that represents over 3,000 Heavy Equipment Operators in CT. I am here today to testify in strong support of Senate Bill 291, An Act Concerning Crane Operations.

I would like to ask for your support for SB 291, An Act Concerning Crane Operations, with the substitute language provided by the Department of Administrative Services/Construction Services. This substitute language is supported by the employers and operators throughout the crane industry here in Connecticut. Extending the effective date simply enables the State of Connecticut to comply with the federal regulations set forth by OSHA and has many benefits to holders of the Connecticut State Crane License and the companies that employ these men and women.

OSHA is publishing a Notice of Proposed Rulemaking to extend - for three years - the employer duty to ensure crane operator competency for construction work, from November 10, 2014, to November 10, 2017. OSHA is also extending the enforcement date for crane operator certification by three years from November 10, 2014, to November 10, 2017

Connecticut continues to lead the county in the crane industry by being out in front of the current changes. The Connecticut State Crane Board has already approved new categories for type and capacity of cranes (required by OSHA) and along with the Fire Marshalls office, has created and approved tests for all of the new and existing categories. The retest practical test is posted online at The Department of Construction Services site and testing has already begun. By extending the date a comfortable and convenient pace can be maintained in testing all applicants.

All of Connecticut's license tests meet OSHA's criteria for testing. The domains that must be incorporated in the tests are listed in OSHA 1926 subpart cc. This requirement makes for a comprehensive test. Extending the date would give Connecticut's crane industry employers and the men and women operators more time to become proficient. Once again I would like to ask the support of the committee of the substitute language for SB 291 that you have before you. Thank you for your time.

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