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Senate Bill 931, An Act Concerning the Definition of Hoisting Equipment Public Safety and Security Committee February 15, 2011

CCIA Position: Opposed

Connecticut Construction Industries Association, Inc. (CCIA) represents the commercial construction industry in the state and seeks to advance and promote a better quality of life for all citizens in the state. Formed over 40 years ago, CCIA is an organization of associations, where all sectors of the commercial construction industry work together to advance and promote their shared interests. CCIA is comprised of about 350 members, including contractors, subcontractors, suppliers and affiliated organizations representing many sectors of the construction industry. CCIA members have a long history of providing quality work for the public benefit.

CCIA is **opposed** to Senate Bill 931, An Act Concerning the Definition of Hoisting Equipment, and respectfully requests that the committee not act on the bill.

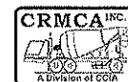
Senate Bill 931 would apply hoisting equipment operator licensing requirements to all construction sites in the state—not just those estimated to cost more than \$1.25 million, as under current law—and equipment with a manufacturer's rated lifting capacity of as low as 500 lbs. and maximum reach in excess of only 10 feet. Additionally, the bill specifies that its requirements would not apply to any person engaged in the occupation of hoisting equipment operator in the state on October 1, 2011, the effective date of the bill, provided he obtains a license within one year.

Senate Bill 931 is over-reaching, onerous, costly to administer, and could have significant unintended consequences. The reasons for this bill are unclear. It would raise costs for contractors and the state and make finding employment more difficult for persons who are entirely qualified to operate certain equipment, which the state should not do in a very fragile economy. Additionally, it would significantly upset the balance of the cost of administration and enforcement juxtaposed to the benefit to the safety of workers and protecting the public.

At a time when the construction industry is focusing on becoming more efficient, this bill creates an unnecessary obstacle to employment for qualified equipment operators. For example, a certified fork-lift operator would have to pass an exam that is comprised of technical questions relating to other equipment, such as cranes, that are totally irrelevant to the fork-lift operation. Likewise, loader-operators using a jib or excavator operators who do not need to understand the characteristics of running a crane will have to pass an



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examination comprised of irrelevant questions before they can operate the equipment that they are otherwise qualified to run.

In addition, the current hoisting equipment operator licensing requirements present administrative challenges for the Bureau of License and Permits in the Office of State Fire Marshal. With early retirements and budget cuts in recent years, the agency has fewer resources and personnel. Senate Bill 931, if enacted, will only exacerbate the problem. If administered properly, the state would have to develop and administer a variety of tests aimed at different classifications of equipment that would be covered by the bill. It will cost the agency additional resources to administer and enforce, creating a fiscal impact that lawmakers should be reluctant to impose on a state agency in the current state budget climate.

In summary, this bill would create an unnecessary obstacle to employment, add costs to an administrative agency, and yield little if any return in safety to workers or the general public.

For additional information, please contact Matthew Hallisey at CCIA at (860) 529-6855.