



# Senate

General Assembly

**File No. 120**

February Session, 2014

Substitute Senate Bill No. 291

*Senate, March 25, 2014*

The Committee on Public Safety and Security reported through SEN. HARTLEY, J. of the 15th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

## **AN ACT CONCERNING CRANE OPERATIONS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (b) of section 29-223 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective from*  
3 *passage*):

4 (b) Prior to October 1, [2014] 2017, the board may develop and  
5 administer written and practical examinations for, and issue licenses  
6 to, operators of cranes as defined in section 29-221, as amended by  
7 section 2 of public act 12-99 and section 3 of this act, including cranes  
8 which have a manufacturer's rated hoisting or lifting capacity  
9 exceeding two thousand pounds but not exceeding ten thousand  
10 pounds. The provisions of this subsection shall not be construed to  
11 eliminate the licensure requirements in effect prior to October 1, [2014]  
12 2017, for operators of cranes or hoisting equipment, as those terms are  
13 defined in section 29-221.

14       Sec. 2. Section 29-223 of the general statutes, as amended by section  
15 6 of public act 12-99 and section 3 of this act, is repealed and the  
16 following is substituted in lieu thereof (*Effective October 1, 2017*):

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

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

45       (c) The practical examination shall determine whether the applicant  
46 has the skills necessary for safe operation of the crane or hoisting

47 equipment including (1) the ability to recognize, from visual and  
 48 auditory observation, all items required in a shift inspection, (2)  
 49 operational and maneuvering skills, (3) application of load chart  
 50 information, and (4) application of safe shutdown and securing  
 51 procedures.

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

59 (e) Prior to October 1, [2014] 2017, the board may develop and  
 60 administer written and practical examinations for, and issue licenses  
 61 to, operators of cranes as defined in section 29-221, as amended by  
 62 section 2 of public act 12-99 and section 3 of this act, including cranes  
 63 which have a manufacturer's rated hoisting or lifting capacity  
 64 exceeding two thousand pounds but not exceeding ten thousand  
 65 pounds. The provisions of this subsection shall not be construed to  
 66 eliminate the licensure requirements in effect prior to October 1, [2014]  
 67 2017, for operators of cranes or hoisting equipment, as those terms are  
 68 defined in section 29-221.

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

72 Sec. 3. (*Effective from passage*) Sections 2, 3, 6, 8 and 10 of public act  
 73 12-99 shall take effect October 1, 2017.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	29-223(b)
Sec. 2	<i>October 1, 2017</i>	29-223
Sec. 3	<i>from passage</i>	New section

**PS**      *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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**OFA Fiscal Note**

**State Impact:**

Agency Affected	Fund-Effect	FY 15 \$	FY 16 \$
Dept. of Administrative Services	GF - Precludes Revenue Gain	Less than \$35,000	Less than \$35,000

**Municipal Impact:** None

**Explanation**

The bill, which delays certain provisions of PA 12-99, An Act Concerning Crane Operations, precludes a revenue gain to the state of less than \$35,000. PA 12-99 requires crane operators to take reexaminations every four years when renewing their license effective October 1, 2014. This bill precludes a revenue gain as it delays reexaminations for three years, until October 1, 2017. The Department of Administrative Services estimates that 700 renewals occur annually at a reexamination fee of \$50.

**The Out Years**

The annualized ongoing fiscal impact identified above would continue through FY 17. The fiscal impact would be eliminated in FY 18 as the bill would require reexaminations to begin in FY 18.

**OLR Bill Analysis****sSB 291*****AN ACT CONCERNING CRANE OPERATIONS.*****SUMMARY:**

This bill postpones by three years, to October 1, 2017, implementation of the provisions of PA 12-99 scheduled to take effect on October 1, 2014. These provisions broaden the definition of cranes, expand examination requirements for crane operators, require periodic reexaminations, and exempt certain people from licensing requirements.

Before October 1, 2014 when the new definition of crane was scheduled to take effect, PA 12-99 allowed the Crane Examiners Board to develop and administer written and practical examinations for, and issue licenses to operators of cranes meeting the new definition. This bill allows them to do so before the definition takes effect on October 1, 2017.

EFFECTIVE DATE: Upon passage

**BACKGROUND*****Crane and Public Act 12-99***

Public Act 12-99 broadened the definition of "crane," thereby expanding the (1) types of equipment and operators subject to state regulation and (2) scope of the state safety code for operating and maintaining cranes and hoisting equipment. The law was expanded in anticipation of new federal Occupational Safety and Health Administration's (OSHA) standards. Some changes were scheduled to take effect on October 1, 2012 and others on October 1, 2014, when OSHA's rules were to go into effect. OSHA has decided to delay adoption of its final rule until November 2017.

**COMMITTEE ACTION**

Public Safety and Security Committee

Joint Favorable Substitute

Yea 24 Nay 0 (03/11/2014)