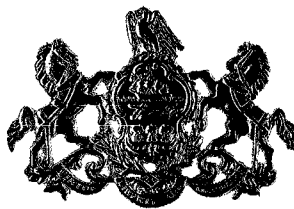


THE STATE CAPITOL
SENATE BOX 203028
ROOM 9 EAST WING
HARRISBURG, PA 17120-3028
PHONE: (717) 787-3817
FAX: (717) 783-1900
EMAIL: mwaugh@pasen.gov
WEB: www.senatorwaugh.com

Majority Caucus Chairman



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Senate of Pennsylvania
MIKE WAUGH

SENATOR

July 20, 2010

The Honorable Arthur Coccodrilli, Chairman
Independent Regulatory Review Commission
333 Market Street, 14th Floor
Harrisburg, PA 17101

RE: Proposed Regulation 16A-7101

Dear Chairman Coccodrilli:

Please accept this letter with my comments regarding the Proposed Rulemaking to implement the *Crane Operator Licensure Act* (Act 100 of 2008). Specifically, I would like to bring to the Commission's attention the Board's proposed regulation regarding *Licensure without certification* (49 Pa. Code §6.21-25).

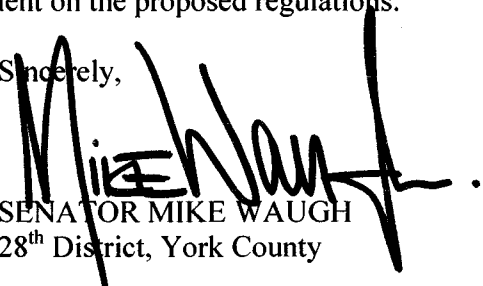
The *Crane Operator Licensure Act* requires that an individual be licensed in order to operate a crane or hold oneself out as a crane operator. However, *Section 506. Licensure without certification* provides a "grandfather" provision in which an applicant can be eligible for licensure without holding certification by the National Commission for the Certification of Crane Operators (NCCCO), as otherwise required by the Act. Act 100 provides two distinct pathways for an applicant to become licensed without certification, which the Board identifies as *Licensure without certification by practical examination* and *Licensure without certification by experience*.

Reviewing the Board's proposed regulations regarding *Licensure without certification by experience* (49 Pa. Code §6.25), I would ask the Commission consider the language and intent of the Act when reviewing the Board's proposal in two specific areas:

1. The seemingly high number of hours prescribed by the Board as necessary to be eligible for licensure without certification (5,000), and,
2. The absence of clarity regarding what the Board considers and will accept as "experience" in determining an applicant's eligibility.

Thank you for the opportunity to comment on the proposed regulations.

Sincerely,


SENATOR MIKE WAUGH
28th District, York County

MW/cn

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