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**Comments – State Board of Crane Operators
Initial Rulemaking – Proposed Regulation**

PPL Corporation offers the following comments on the proposed regulation for Crane Operator Licensure

Regulatory Analysis Form

Section 1: Profile

No Comment

Section II: Statement of Need

PPL believes the affected number of individuals who are not certified but who may be eligible for licensure under Section 506 will far exceed the 250 individuals you have estimated. PPL alone has approximately 80 individuals who will require this certification.

Section III: Cost and Impact Analysis

PPL feels the cost of licensure per employee will be approximately \$1,000. We have estimated medical, travel and other miscellaneous costs into our calculation. The State has this figure at \$100 per person.

A general comment for this section is that the regulation should be consistent with any similar OSHA regulations and the National Commission for the Certification of Crane Operators (NCCCO) to assist employers in the implementation process.

Initial General Rulemaking

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In the second paragraph there is discussion about the grace period for certification. The proposed rulemaking allows a 90-day grace period which will allow time for the application to be filed and processed. We do not see this same grace period for the recertification period. We feel the recertification process should be the same. An operator applying for recertification would have already been a licensed operator.

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PPL utilizes crane operators as part of their everyday operation. We feel our training programs, both classroom and hands-on, provide excellent training for employees who operate the various cranes used at PPL. This said, we feel *Section 6.25 Licensure without Certification by Experience*, is too stringent from a requirement standpoint

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The section titled *The Principle of Sufficiency of Quality and Experience* is another area where we feel the requirements are too stringent. Our crane operators do not operate cranes on a daily basis; therefore we feel this cannot be met.

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There is confusion on the term "immediately preceding" as it relates to the biennial period discussed in the last paragraph. An individual would demonstrate proficiency by a passing score on the NCCCO practical examination administered during the biennial period "immediately preceding" the date of application for renewal. What does this mean?

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The Board requires employees to self-report any type of criminal proceedings. How will the employer know about events reported to the Board? It is important for the employer to know about these events as well.

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PPL believes we should be able to set up our own training facility and also have the ability to certify our operators. The Crane Board can inspect and require documentation on a regular basis, but not being able to train and certify our employees will involve more costs and be an inconvenience. OSHA allows for us to train and certify in their proposed regulation. It is important the State regulation be consistent with OSHA.

General Provisions

6.3 Definitions

The term "Engage in the Operation of a Crane or Operate a Crane" has to do with performing any physical function related to the activation or movement of a crane. We have mechanics that perform maintenance on our cranes such as general repairs, installing new cables, etc. We do not see any type of exemption for them. Would we have to certify our mechanics as licensed crane operators to perform this type of work? The proposed regulation does not address this issue. We feel this would be a hardship to train our mechanics.

6.11 (a) General Requirements

Paragraph (a) states that an individual who engages in the operation of a crane shall be licensed. Again, we have mechanics that perform repair work on cranes. They should not be required to obtain a license. (See 6.3 above)

6.11 (e) General Requirements

Paragraph (e) requires applicants to report certain convictions to the Board. All convictions should also be reported to the employer.

6.15 Qualifications and Supervision of Trainees

There should be more clarification on the steps necessary to become a trainee. This section seems unclear.

6.19 (b) Licensure of a Crane Operator from another Jurisdiction

Contractors are required to report convictions to the Board. Will there be a responsibility to report same to the company they are contracted to? Will the company they are contracted to be required to keep and track these records?

General Overall Comments and Questions on Proposed Regulation

Medical

- The NCCCO accepts the Commercial Drivers License (CDL) medical certification. Will this be accepted by the State?
- There seems to be some confusion as to what will be required in the medical certification. Will this be clarified?
- Will a standard form be used as proof of meeting the medical requirements?

Other

- The NCCCO testing uses a timed testing criterion. We teach our operators to handle the load slow and steady; with a tag line which provides a cushion for safety. This provides a level of safety we expect on our job sites. PPL feels that a timed test does not provide that same level of safety
- Will the NCCCO certification be required and will it be sufficient for out-of-state operators?
- In the actual proposed regulation, the term "immediately before" is confusing in various sections of the document.
- Is a crane operator license required if we are only using a crane on our property (private property)?