

**INDEPENDENT REGULATORY REVIEW COMMISSION  
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held September 23, 2021

George D. Bedwick, Chairman  
John F. Mizner, Esq., Vice Chairman  
John J. Soroko, Esq.  
Murray Ufberg, Esq.  
Dennis A. Watson, Esq.

Regulation No. 16A-7103 (#3273)  
Bureau of Professional and Occupational  
Affairs  
Schedule of Civil Penalties - Crane Operators

On October 8, 2020, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Bureau of Professional and Occupational Affairs (Bureau). This rulemaking amends 49 Pa. Code Section 43b.28. The proposed regulation was published in the October 24, 2020 *Pennsylvania Bulletin* with a public comment period ending on November 23, 2020. The final-form regulation was submitted to the Commission on August 17, 2021. At its June 17, 2021 public meeting, the Commission voted to disapprove the final-form regulation. On August 17, 2021, the revised final-form regulation was submitted to the Commission.

This rulemaking implements a schedule of civil penalties for the following offenses: operating a crane without a license; employing, allowing, directing, retaining or hiring an unlicensed individual to operate a crane; holding oneself out as a crane operator or using the title "licensed crane operator" without holding a license; operating a crane on a lapsed or expired license; failing to notify the Board in writing within 10 days of a criminal proceeding in a court case against a licensed crane operator; and failing to maintain certification or to submit evidence of renewal of certification before the expiration date of certification.

We have determined this regulation is consistent with the statutory authority of the Bureau (63 Pa. C.S. § 3108(a)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

**BY ORDER OF THE COMMISSION:**

This regulation is approved.



  
George D. Bedwick, Chairman