

HOUSE BILL No. 4503

April 1, 2003, Introduced by Reps. Rocca, Wojno, Bieda, Gleason, Gaffney, Richardville, Hopgood, Vagnozzi, Julian, Meisner, Accavitti, Gielegem, Dennis, Palsrok, DeRoche, Sheen, Byrum and Woodward and referred to the Committee on Regulatory Reform.

A bill to amend 1974 PA 154, entitled
"Michigan occupational safety and health act,"
(MCL 408.1001 to 408.1094) by adding section 66.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 66. (1) As used in this section, "crane-related rules"
2 means, subject to subsection (4), the following rules adopted by
3 the director of the department under this act:

4 (a) Part 10 of the construction safety standards, being
5 R 408.41001a to R 408.41099a of the Michigan administrative
6 code.

7 (b) Part 19 of the general industry safety standards,
8 crawler, locomotive and truck cranes, being R 408.11901 to
9 R 408.11972 of the Michigan administrative code.

10 (2) An employer and employee engaged in operating a crane
11 shall comply with the applicable crane-related rules.

1 (3) In addition to complying with the applicable
2 crane-related rules and beginning 24 months after the effective
3 date of the amendatory act that added this section, an employer
4 engaged in construction operations shall require an employee
5 operating a crane in the course of employment or under the
6 employer's authority to meet all of the following standards in
7 existence on the effective date of this act, which are hereby
8 incorporated by reference and subject to subsection (4):

9 (a) The standards of the national commission for the
10 certification of crane operators, Fairfax, Virginia, 2000.

11 (b) Written and practical examinations that meet the
12 requirements of the American national standard institute
13 (ANSI)/American society of mechanical engineers (ASME)
14 B30.5-1999. An additional 12 months are allowed for completion
15 of the practical examination after successful completion of the
16 written examination.

17 (c) Federal occupational safety and health administration
18 standards for educational and psychological tests developed by
19 the joint committee of the American educational research
20 association, Washington, D.C.

21 (d) Physical qualifications specified in the American
22 society of mechanical engineers (ASME) standard B30.5-1999,
23 section 5-3.1.2(a), unless it can be demonstrated in a manner
24 acceptable to the department at an informal hearing that failure
25 to meet the qualifications will not affect safe crane operation.

26 (4) The director of the department may promulgate rules to
27 amend or supplement the standards incorporated by reference under

1 subsection (1) or to add standards for any new crane-related
2 applications.

3 (5) Crane-related rules in effect on the effective date of
4 the amendatory act that added this section shall remain in
5 effect. Any crane-related rules in conflict with standards
6 adopted under subsection (1) are superseded to the extent
7 inconsistent with this act upon the expiration of 18 months after
8 the effective date of this act.

9 (6) This section does not apply to construction operations
10 involving either or both of the following:

11 (a) A public utility regulated under 1939 PA 3, MCL 460.1 to
12 460.10z.

13 (b) A municipal utility.