

Amendment No. 283

Assembly Amendment to Assembly Bill No. 208

(BDR 53-114)

Proposed by: Assembly Committee on Commerce and Labor**Amends:** Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: No

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	☐	Lost	☐	_____	Adopted	☐	Lost	☐	_____
Concurred In	☐	Not	☐	_____	Concurred In	☐	Not	☐	_____
Receded	☐	Not	☐	_____	Receded	☐	Not	☐	_____

EXPLANATION: Matter in (1) ***blue bold italics*** is new language in the original bill; (2) ***green bold italic underlining*** is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) ~~orange double underlining~~ is deleted language in the original bill that is proposed to be retained in this amendment; and (6) ***green bold dashed underlining*** is newly added transitory language.

AAK/WLK



Date: 4/19/2009

A.B. No. 208—Revises provisions governing certification of crane operators.
(BDR 53-114)



ASSEMBLY BILL NO. 208—ASSEMBLYMEN CLABORN;
AND HAMBRICK

FEBRUARY 20, 2009

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions governing certification of crane operators.
(BDR 53-114)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to cranes; revising requirements for certification as a crane operator to include a certain amount of crane-related experience; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

This bill requires 1,000 hours of training prior to certification as either a mobile crane operator or tower crane operator. In addition, this bill requires that at least 500 of the 1,000 hours of training must be in tower crane operation in order to qualify for certification as a tower crane operator. (NRS 618.880)

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 618.880 is hereby amended to read as follows:
618.880 1. The Division shall adopt regulations establishing standards and procedures for the operation of cranes, including, without limitation, regulations requiring the:
(a) Establishment and implementation of site safety plans and procedures for the erection and dismantling of tower cranes;
(b) Establishment of a clear zone around the erection, dismantling or other highly hazardous lifts with a crane;
(c) Annual certification of the mechanical lifting parts of the crane; and
(d) Certification of tower cranes each time a tower crane is erected and additional annual certifications of tower cranes while they continue to be in use.
2. Except as otherwise provided in subsection 3:
(a) The Division shall adopt regulations requiring the establishment and implementation of programs for the certification of all persons who operate:
(1) Tower cranes; or
(2) Mobile cranes having a usable boom length of 25 feet or greater or a maximum machine rated capacity of 15,000 pounds or greater.

(b) A person shall not operate a tower crane or a mobile crane described in subparagraph (2) of paragraph (a) unless the person holds certification as a crane operator issued pursuant to this subsection for the type of crane being operated.

(c) An applicant for certification as a crane operator must hold a certificate which:

(1) Is issued by an organization whose program of certification for crane operators:

(I) Is accredited by the National Commission for Certifying Agencies or an equivalent accrediting body approved by the Division; ~~and~~

(II) Meets other criteria as may be established by the Division; ~~and~~ established by ~~the American Society of Mechanical Engineers~~ ASME International, in its standards B30.3, B30.4 or B30.5 as adopted by regulation of the Division ~~;~~;

(3) Requires a minimum of 1,000 hours of crane-related experience or training during the 5-year period immediately preceding the issuance of a mobile crane operator certification; ~~and~~

(4) Requires a minimum of 1,000 hours of crane-related experience or training, of which a minimum of 500 hours is specific to tower crane operation, during the 5-year period immediately preceding the issuance of a tower crane operator certification ~~;~~ and

(5) Does not require an examination during which the applicant must operate a crane if the applicant:

(I) Is seeking recertification for the type of crane for which he currently holds a valid certification; and

(II) Has 1,000 hours of experience operating the type of crane for which he is seeking certification during the 5-year period immediately preceding the issuance of his recertification.

(d) The organization that issues a certification pursuant to this subsection is responsible for the verification of hours of experience or training required by this subsection.

3. The provisions of subsection 2 do not apply to a person who:

(a) Is an employee of a utility while the person is engaged in work for or at the direction of the utility;

(b) Operates an electric or utility line truck that is regulated pursuant to 29 C.F.R. § 1910.269 or 29 C.F.R. Part 1926, Subpart V; ~~and~~

(c) Operates an aerial or lifting device, whether or not self-propelled, that is designed and manufactured with the specific purpose of lifting one or more persons in a bucket or basket or on a ladder or platform and holding those persons in the lifted position while they perform tasks. Such devices include, without limitation:

(1) A bucket truck or lift;

(2) An aerial platform;

(3) A platform lift; or

(4) A scissors lift ~~;~~ or

(d) Operates a crane as a trainee under the direct supervision of an operator who has a valid certification in accordance with subsection 2 for the type of crane being operated by the trainee. As used in this paragraph, "direct supervision" means that the person who is supervising the trainee:

(1) Is in the immediate area of the trainee;

(2) Can see the trainee;

(3) Is able to communicate effectively with the trainee; and

(4) Has no duties other than to observe the operation of the crane by the trainee.

1 4. A certification used to satisfy the requirements of this section for a crane
2 operator expires 5 years after the date that it is issued and may be renewed by
3 providing proof deemed acceptable by the Division that the crane operator has
4 fulfilled the requirements of subsection 2.

5 5. As used in this section, "utility" means any public or private utility,
6 whether or not the utility is subject to regulation by the Public Utilities Commission
7 of Nevada, that provides, at wholesale or retail:

8 (a) Electric service;

9 (b) Gas service;

10 (c) Water or sewer service;

11 (d) Telecommunication service, including, without limitation, local exchange
12 service, long distance service and personal wireless service; or

13 (e) Television service, including, without limitation, community antenna
14 television, cable television and other video service.

15 Sec. 2. Any person who obtains certification as a crane operator
16 pursuant to paragraph (c) of subsection 2 of NRS 618.880 before July 1, 2011,
17 is exempt from the requirements of subparagraphs (3) and (4) of paragraph (c)
18 of subsection 2 of NRS 618.880, as amended by section 1 of this act, until the
19 earlier of the date his certification expires or July 1, 2016.

20 Sec. 3. This act becomes effective upon the later of:

21 1. July 1, 2011; or

22 2. The date the Governor declares that the Federal Government has
23 adopted provisions governing the certification of crane operators.