

EXPRESS TERMS

CALIFORNIA CODE OF REGULATIONS TITLE 8. INDUSTRIAL RELATIONS DIVISION 1. DEPARTMENT OF INDUSTRIAL RELATIONS

This document uses strikeout and underline to specify text changes. If using assistive technology, please adjust your settings to recognize underline, strikeout and ellipsis.

Legend:

Text in single underline is proposed new text.

Text in ~~single-strikeout~~ is deleted text.

**** means there is existing text in the section that is not being amended nor repealed; therefore, it is not being included.

CHAPTER 4. DIVISION OF INDUSTRIAL SAFETY ARTICLE 98. OPERATING RULES

1. Amend Section 5006.1.

§ 5006.1. Mobile Crane and Tower Crane -- Operator Qualifications and Certification (Applicable to Cranes in General Industry Only).

(c) Accredited Certifying Entity. The crane operator testing organization providing the certification shall be accredited by an approved nationally recognized accrediting agency. The accreditation shall be based on that the accrediting agency's determination that industry-recognized criteria for written testing materials, practical examinations, test administration, grading, facilities/equipment, and personnel have been met. For purposes of this section, crane types shall correspond with the standards referenced in section 4884.

(d) Re-certification. Crane operators shall re-certify every five (5) years and shall be required to meet all of the qualifications set forth in subsection (a).

(1) Operators ~~with~~ shall not be required to take the "hands-on" examination specified in subsection (a)(4) to re-certify when they have met the following requirements:

(A) Completed at least one-thousand (1,000) hours of documented experience operating the specific type of crane for which re-certification is sought as covered by this section during the immediately preceding certification period; ~~and who~~

(B) Meet the physical examination, substance abuse, and written examination requirements set forth in subsections (a)(1), (a)(2) and (a)(3) of this section.

(2) shall not be required. An Accredited Certifying Entity may require an operator to take the "hands-on" examination despite compliance with subsections (d)(1)(A) and (B). The Accredited Certifying Entity may determine a "hands-on" examination is

necessary based on reports of accidents, safety concerns, or retraining requirements from employers or other parties specified in subsection (a)(4) to recertify.

Note: Authority cited: Section 142.3, Labor Code. Reference: Section 142.3, Labor Code.

2. Amend Section 5006.2.

§ 5006.2. Operator Training, Certification, and Evaluation for Cranes and Derricks in Construction.

(c) Operator certification and licensing. The employer shall ensure that each operator is certified or licensed to operate the equipment in accordance with subsection (d) Option 1, or (e) Option 2 as follows.

(1) Whenever operator certification or licensure is required under this section, the employer shall provide the certification or licensure at no cost to employees. For purposes of this section, crane types shall correspond with the standards referenced in section 4884.

(d) Option (1): Certification by an accredited crane operator certifying entity.

(2) For a certification to satisfy the requirements of this option, the crane operator testing organization providing the certification shall be accredited by an approved nationally recognized accrediting agency. The accreditation shall be based on that the accrediting agency's determination that industry-recognized criteria for written testing materials, practical examinations, test administration, grading, facilities/equipment, and personnel have been met.

(3) Re-certification. Crane operators shall re-certify every five (5) years and shall be required to meet all of the qualifications set forth in subsection (d)(1).

(A) Operators with shall not be required to take the "hands-on" examination specified in subsection (g)(4) to re-certify when they have met the following requirements:

(i) Completed at least one-thousand (1,000) hours of documented experience operating the specific type of crane for which re-certification is sought as covered by this section during the immediately preceding certification period; and ~~who~~

(ii) Meet the physical examination, substance abuse, and written examination requirements set forth in subsection (g)(1)-(g)(3).

(B) shall not be required. An Accredited Certifying Entity may require an operator to take the "hands-on" examination despite compliance with subsections (d)(3)(A)(i) and (ii). The Accredited Certifying Entity may determine a "hands-on" examination is necessary based on reports of accidents, safety concerns, or retraining requirements from employers or other parties specified in subsection (g)(4) to re-certify.

Note: Authority cited: Section 142.3, Labor Code. Reference: Section 142.3, Labor Code.