

CHAPTER.....

AN ACT relating to cranes; requiring the Division of Industrial Relations of the Department of Business and Industry to adopt certain regulations relating to certification as a crane operator; and providing other matters properly relating thereto.

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:

~~1-1~~ **(a)** Establishment and implementation of site safety plans and procedures for the erection and dismantling of tower cranes;

~~2-1~~ **(b)** Establishment of a clear zone around the erection, dismantling or other highly hazardous lifts with a crane;

~~3-1~~ **(c)** Annual certification of the mechanical lifting parts of the crane; *and*

~~4-1~~ **(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. ~~}; and~~

~~5- Establishment~~

2. Except as otherwise provided in subsection 3:

(a) The Division shall adopt regulations requiring the establishment and implementation of programs for the training and certification of crane operators; 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; or

*(II) Meets other criteria established by the Division; and
(2) Certifies that the person has met the standards to be a crane operator established by the American Society of Mechanical Engineers in its standards B30.3, B30.4 or B30.5 as adopted by regulation of the Division.*

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; or

(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.

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

(a) Electric service;

(b) Gas service;

(c) Water or sewer service;

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

(e) Television service, including, without limitation, community antenna television service.

Sec. 2. 1. Any regulations governing the certification of crane operators that are in effect on January 1, 2007, become void on that date and are superseded by the regulations adopted by the Division of Industrial Relations of the Department of Business and Industry pursuant to subsection 2 of NRS 618.880, as amended by this act.

2. As soon as practicable after January 1, 2007, the Legislative Counsel shall remove from the Nevada Administrative Code all regulations that are void pursuant to subsection 1.

Sec. 3. This act becomes effective upon passage and approval for the purpose of adopting regulations and on January 1, 2007, for all other purposes.

