

MAINE STATE LEGISLATURE

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Date 6/20/23

(Filing No. H-593)

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INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS

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STATE OF MAINE HOUSE OF REPRESENTATIVES 131ST LEGISLATURE FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to HP 1098, LD 1709, "An Act to Establish a Baseline of Consistency and Safety for the Operation of Construction Cranes and Elevators"

Amend the bill by striking out the title and substituting the following 'An Act to Update the Elevator and Tramway Safety Laws Regarding Construction Hoists'

Amend the bill by striking out everything after the enacting clause and inserting the following:

Sec. 1. 32 MRSA §15202, sub-§3-A is enacted to read

3-A. Construction hoist. "Construction hoist" means a hoist that is not an integral part of a building or structure, is installed inside or outside the building or structure during the construction, alteration or demolition of the building or structure, and is used to raise and lower workers, other personnel and materials "Construction hoist" does not include

A An elevator that is temporarily installed in a hoistway during the construction of a building or structure and that incorporates a part of a permanent elevator that will be installed later,

B A hoist for raising and lowering materials that is not designed to carry workers or other personnel,

C A manlift that operates through a counterbalance mechanism or through the use of a continuous belt,

D A mine hoist,

E A wire rope hoist, whether guided or unguided, or

F A transport platform

Sec. 2. 32 MRSA §15202, sub-§3-B is enacted to read

COMMITTEE AMENDMENT

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1 **3-B. Construction hoist operator.** "Construction hoist operator" means a person who
2 operates or is responsible for the operation of a construction hoist

3 **Sec. 3. 32 MRSA §15230** is enacted to read

4 **§15230. Construction hoist operators; rules**

5 The director shall adopt rules regarding the proper operation of construction hoists and
6 training requirements for construction hoist operators. After adoption of the rules, a person
7 may not operate a construction hoist except as in accordance with the rules adopted by the
8 director. Rules adopted under this section are routine technical rules as defined in Title 5,
9 chapter 375, subchapter 2-A.'

10 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
11 number to read consecutively

12 **SUMMARY**

13 This amendment replaces the bill and changes the title. The amendment defines
14 "construction hoist" and requires the Director of the Office of Professional and
15 Occupational Regulation within the Department of Professional and Financial Regulation
16 to adopt rules regarding the proper operation of construction hoists and training
17 requirements for construction hoist operators. The amendment provides that, after the rules
18 are adopted, a person may not operate a construction hoist except as in accordance with the
19 rules

20 **FISCAL NOTE REQUIRED**

21 (See attached)



131st MAINE LEGISLATURE

LD 1709

LR 2160(02)

An Act to Establish a Baseline of Consistency and Safety for the Operation of Construction Cranes and Elevators

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-593)
Committee: Innovation, Development, Economic Advancement and Business
Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - Other Special Revenue Funds

Fiscal Detail and Notes

Additional costs to the Department of Professional and Financial Regulation, Office of Professional and Occupational Regulation associated with the rulemaking process can be absorbed within existing budgeted resources