HOUSE DOCKET, NO. 3525 FILED ON: 2/19/2021

HOUSE . . . . . No. 2495

The Commonwealth of Massachusetts

PRESENTED BY:

John J. Mahoney

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act establishing a board of hoisting machinery regulations.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
John J. Mahoney	*13th Worcester*	*2/19/2021*
Peter Capano	*11th Essex*	*2/23/2021*
David Henry Argosky LeBoeuf	*17th Worcester*	*3/19/2021*
Joseph W. McGonagle, Jr.	*28th Middlesex*	*3/4/2021*
Adrian C. Madaro	*1st Suffolk*	*3/19/2021*
Tram T. Nguyen	*18th Essex*	*3/4/2021*
Jon Santiago	*9th Suffolk*	*3/19/2021*
Erika Uyterhoeven	*27th Middlesex*	*3/19/2021*
Walter F. Timilty	*Norfolk, Bristol and Plymouth*	*4/16/2021*

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By Mr. Mahoney of Worcester, a petition (accompanied by bill, House, No. 2495) of John J. Mahoney and others relative to establishing a board of hoisting machinery regulations. Public Safety and Homeland Security.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

An Act establishing a board of hoisting machinery regulations.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 146 of the General Laws is hereby amended by striking out section 53A, as appearing in the 2018 Official Edition, and inserting in place thereof the following section:-

Section 53A. There shall be in the department a board to be known as the board of hoisting machinery regulations, which shall consist of six members to be appointed by the governor, with the advice and consent of the council, for terms of four years each. One such member shall be the chief inspector in said department, who shall serve as chair and act as a nonvoting member of said board, except in the case of a tie vote, one shall be a an employee of a public utility who is actively engaged in hoisting machinery operations in the Commonwealth, one shall be a member from a private construction contractor who is actively engaged in hoisting machinery operations in the Commonwealth, one shall be a safety trainer who is authorized by the department to do continuing education classes for hoisting licenses in Massachusetts, one

shall be an expert in the Occupational Safety and Health Administration who is actively involved in hoisting machinery related operations, and one shall be from the International Union of Operating engineers Local with jurisdictions in Massachusetts who has been actively engaged in hoisting machinery related operations in the commonwealth for not less than five years immediately preceding appointment.

Said board shall promulgate rules and regulations, pursuant to chapter 30A, embodying the classifications of hoisting machinery and establishing criteria and procedures for the issuance, denial, renewal, suspension and revocation of licenses of apprentice operators of such machinery. However, a final adjudication that there has been a violation of federal or state occupational safety and health regulations, or any rule or regulation adopted by the department, shall be cause for the denial, revocation or suspension of any license issued under this section. Criteria for issuance of such licenses shall include, but not be limited to, training and experience requirements appropriate to the categories of machinery for which the license is intended, and registration with the apprenticeship council within the department of labor standards. A holder of such apprentice license may operate hoisting machinery only under the guidance and supervision of a holder of a license to operate for the category of hoisting machinery to be operated by the apprentice

A majority of said board, constituted as above provided, may transact business, but a lesser number may adjourn from time to time.

The board may, subject to appropriation and with the approval of the commissioner, employ an executive secretary who shall not be subject to the provisions of chapter thirty-one and may employ such clerical, technical and other assistants as may be required by said board.