

House File 2298 - Introduced

HOUSE FILE _____
BY WHITEAD _____

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the certification of crane operators and
2 providing an effective date.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 5744YH 82
5 ak/rj/14

PAG LIN

1 1 Section 1. Section 88.5, Code Supplement 2007, is amended
1 2 by adding the following new subsection:
1 3 NEW SUBSECTION. 12. CRANE OPERATOR CERTIFICATION.
1 4 a. For the purposes of this subsection:
1 5 (1) "Construction" means alteration, creation,
1 6 development, enlargement, erection, improvement, installation,
1 7 reconstruction, remodeling, and renovation.
1 8 (2) "Crane" means any of the following:
1 9 (a) Any hoisting equipment that lifts and rotates or moves
1 10 a load in excess of five tons horizontally or vertically.
1 11 (b) A tower crane that lifts and rotates or moves a load
1 12 in excess of at least two thousand five hundred pounds
1 13 horizontally or vertically.
1 14 b. An individual shall not operate a crane at a site where
1 15 construction or demolition is being performed unless the
1 16 individual possesses a crane operator certificate for the type
1 17 of crane being operated and such certification is issued by a
1 18 nationally recognized and accredited certification program.
1 19 c. An employer or a person who is contracted to perform
1 20 construction or demolition shall not permit an employee,
1 21 agent, or independent contractor to perform construction or
1 22 demolition involving a crane in violation of this section.
1 23 d. A crane operator shall renew the certification required
1 24 pursuant to this section through a nationally recognized and
1 25 accredited certification program every five years.
1 26 e. The requirements of this subsection do not apply to the
1 27 following:
1 28 (1) A crane operator trainee or apprentice, if the trainee
1 29 or apprentice is under the direct supervision of a crane
1 30 operator who possesses a crane operator certificate for the
1 31 type of crane being operated.
1 32 (2) A person who is employed by a public utility, rural
1 33 electric cooperative, or telephone company.
1 34 (3) A person engaged in boating, fishing, agriculture, or
1 35 arboriculture.
2 1 (4) A person who is operating a crane for personal use on
2 2 premises owned or leased by that person.
2 3 Sec. 2. EFFECTIVE DATE. This Act takes effect January 1,
2 4 2009.

EXPLANATION

2 6 This bill requires a crane operator to be certified to
2 7 operate the particular type of crane the crane operator uses
2 8 by a nationally recognized and accredited certification
2 9 program. The bill defines "crane" and "construction". The
2 10 bill applies to sites where construction or demolition occurs.
2 11 The bill prohibits employers or other persons from permitting
2 12 an employee, agent, or independent contractor to perform work
2 13 in violation of the bill. The crane operator is required to
2 14 renew the certification every five years.
2 15 The certification requirements do not apply to a crane
2 16 operator trainee or apprentice if the trainee or apprentice is
2 17 under the direct supervision of a crane operator who possesses
2 18 a crane operator certificate; a person who is employed by a
2 19 public utility, rural electric cooperative, or telephone
2 20 company; a person engaged in boating, fishing, agriculture, or

2 21 arboriculture; or a person who is operating a crane for
2 22 personal use on premises owned or leased by that person.
2 23 The bill is placed in Code chapter 88, the occupational
2 24 safety and health chapter, and all applicable provisions of
2 25 Code chapter 88 apply to the bill, including violation
2 26 citation and administrative and criminal enforcement
2 27 provisions. The bill takes effect January 1, 2009.
2 28 LSB 5744YH 82
2 29 ak/rj/l4