

**SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION**

S.F. No. 4099

(SENATE AUTHORS: GOGGIN, Utke and Rarick)

DATE
03/09/2020

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Introduction and first reading
Referred to Jobs and Economic Growth Finance and Policy

OFFICIAL STATUS

- 1.1 A bill for an act
- 1.2 relating to occupational safety; adopting federal crane certification standards;
- 1.3 repealing Minnesota Statutes 2018, sections 182.6525; 182.659, subdivision 1a.
- 1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.5 Section 1. **REPEALER.**
- 1.6 Minnesota Statutes 2018, sections 182.6525; and 182.659, subdivision 1a, are repealed.

182.6525 CRANE OPERATION.

Subdivision 1. **Certification required.** An individual may not operate a crane with a lifting capacity of five tons or more on a construction site unless the individual has a valid crane operator certificate received from a nationally recognized and accredited certification program. No employer, and no person who is under a contract to construct an improvement to land, may permit any employee, agent, or independent contractor to perform work in violation of this section. A crane operator certification required under this subdivision must be renewed by an accredited certification program every five years.

Subd. 2. **Exceptions.** The requirements of subdivision 1 do not apply to:

(1) a crane operator trainee or apprentice, if the individual is under the direct supervision of a crane operator who holds a valid crane operator certificate as required in subdivision 1;

(2) a person directly employed by a class 1 or 2 railroad who is qualified by the employing railroad as a crane operator or boom truck operator while performing work on property owned, leased, or controlled by the employing railroad;

(3) a person who is employed by or performing work for a public utility, rural electric cooperative, municipality, telephone company, or industrial manufacturing plant;

(4) a person who is subject to inspection and regulation under the Mine Safety and Health Act, United States Code, title 30, sections 801 through 962;

(5) a person engaged in boating, fishing, agriculture, or arboriculture;

(6) a person who is a member of and performing work for a uniformed service or who is a member of and performing work for the United States Merchant Marine;

(7) a person who is operating a crane for personal use on premises owned or leased by that person; and

(8) a person who is operating a crane in an emergency situation.

Subd. 3. **Penalties.** An employer or general contractor may be cited by the commissioner for a violation of the certification requirements in this section. A citation is punishable as a serious violation under section 182.666.

182.659 INSPECTIONS.

Subd. 1a. **Proof of crane operator certification.** An individual who is operating a crane on a worksite shall provide proof of certification required under section 182.6525 upon request by an investigator.