



Oregon

John Kitzhaber MD, Governor

Department of Consumer and Business Services
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November 7, 2014

[Text of changes](#)

Oregon OSHA – Adopted Changes to Cranes and Derricks in Construction to Extend Deadline for Operator Certification

Oregon OSHA has adopted federal OSHA amendments to 1926.1427(k), extending the phase-in expiration date for crane operator certification and the employer duty to ensure competent and safe crane operations to November 10, 2017, as they appear in the September 26, 2014 Federal Register.

In February 2011, Oregon OSHA adopted by reference federal OSHA's Cranes and Derricks in Construction standard. Oregon's phase-in period for crane operator certification and employer duties located in 1926.1427, paragraph (k) of Division 3, Subdivision CC has an expiration date of November 10, 2014.

On February 10, 2014, federal OSHA published in the Federal Register a proposal to extend the phase-in expiration date by three years to November 10, 2017 to allow time to address national stakeholder concerns about equating certification with qualification as well as the requirement for operators to be certified by both type and capacity of cranes. Oregon OSHA agreed that the phase-in date deadline in 1926.1427 Operator qualification and certification, paragraph (k), should be delayed.

When Oregon OSHA proposed rulemaking in August, federal OSHA had not yet finalized extending the crane operator certification date. Oregon, at that time, proposed to repeal paragraph (k) of 1926.1427 and adopt a new Oregon-initiated rule for the purpose of extending the crane operator certification and employer duties phase-in expiration date to November 10, 2017. We also stated in the proposed rulemaking that in the event that federal OSHA published their final rule extending the phase-in expiration before Oregon OSHA completed the rule adoption process, Oregon OSHA would adopt the federal amendment as published.

Oregon OSHA received one comment during the open comment period which closed on October 10, 2014. The comment was in favor of extending the deadline date for operator certification for cranes and derricks in construction.

This is Oregon OSHA Administrative Order 7-2014, **adopted November 7, 2014, and effective November 9, 2014.**

Oregon OSHA Contact: Bryon Snapp, Central Office @ 503-947-7448; or e-mail at bryon.m.snapp@state.or.us

Please visit our web site www.orosha.org Click 'Rules' in the left vertical column and view our proposed, adopted, and final rules. Link to adopted rules: <http://www.orosha.org/standards/adopted.html>

Note: In compliance with the Americans with Disabilities Act (ADA), this publication is available in alternative formats by calling 503-378-3272.

Secretary of State
Certificate and Order for Filing
PERMANENT ADMINISTRATIVE RULES

I certify that the attached copies* are true, full and correct copies of the PERMANENT Rule(s) adopted on November 7, 2014 by the
Date prior to or same as filing date

Department of Consumer & Business Services/Oregon Occupational Safety & Health Division 437
Agency and Division Administrative Rules Chapter Number

Sue Joye 350 Winter Street NE, Salem OR 97301-3882 503-947-7449
Rules Coordinator Address Telephone

to become effective November 9, 2014 as Oregon OSHA Administrative Order 7-2014.
Date upon filing or later

Rulemaking Notice was published in the September 2014 *Oregon Bulletin*.**
Month and Year

RULE CAPTION

Adopt extension of deadline date for operator certification for cranes and derricks in construction.
Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

RULEMAKING ACTION

AMEND: OAR 437-003-0001.

ORS 654.025(2), 656.726(4)
Stat. Auth.

ORS 654.001 through 654.295
Stats. Implemented

RULE SUMMARY

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<u>/s/Michael D. Wood</u>	<u>Michael D. Wood</u>	<u>11/6/2014</u>
Authorized Signer	Printed name	Date

*With this original, file one photocopy of certificate, one paper copy of rules listed in Rulemaking Actions, and electronic copy of rules.

**The *Oregon Bulletin* is published on the 1st of each month and updates rules found in the OAR Compilation. For publication in Bulletin, rule and notice filings must be submitted by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a weekend or legal holiday, when filings are accepted until 5:00 pm on the preceding workday.

ARC 930-2005