

1065 Ahua Street
Honolulu, HI 96819
Phone: 808-833-1681 FAX: 839-4167
Email: info@gcahawaii.org
Website: www.gcahawaii.org



GCA of Hawaii
GENERAL CONTRACTORS ASSOCIATION OF HAWAII
Quality People. Quality Projects.

Uploaded via Capitol Website

March 30, 2016

TO: HONORABLE JILL TOKUDA, CHAIR, HONORABLE DONOVAN DELA CRUZ,
VICE CHAIR, SENATE COMMITTEE ON WAYS AND MEANS

SUBJECT: **COMMENTS REGARDING H.B. 2009, HD1, SD1, RELATING TO HOISTING MACHINE OPERATORS.** Requires the hoisting machine operators advisory board to submit a comprehensive report to the legislature no later than twenty days prior to the convening of the regular session of 2017. Effective July 1, 2091. (SD1)

HEARING

DATE: Wednesday, March 30, 2016
TIME: 9:15 a.m.
PLACE: Conference Room 211

Dear Chair Tokuda and Vice Chair Dela Cruz and Members,

The General Contractors Association of Hawaii (GCA) is an organization comprised of over five hundred seventy general contractors, subcontractors, and construction related firms. The GCA was established in 1932 and is the largest construction association in the State of Hawaii. GCA's mission is to represent its members in all matters related to the construction industry, while improving the quality of construction and protecting the public interest.

GCA **appreciates** the current version of H.B. 2009, HD1, SD1 Relating to Hoisting Machine Operators ("Board"), which now requires the Hoisting Machine Operators Advisory Board's Certification Revolving Fund to submit a comprehensive report to the legislature no later than twenty days prior to convening of the regular session of 2017. This version of the bill is a better approach to addressing how the State will deal with incoming federal rules and regulations regarding crane and hoisting machine operators. The previous versions of the bill were premature and potentially problematic and were not appropriate as the Board attempts to address future administrative rules governing Hawaii's crane operators. While there has been discussion that federal oversight may be on the horizon with regard to oversight of crane operators, such decisions have yet to be implemented, therefore it would be shortsighted to dismantle the Board's funding mechanism without such confirmation in place.

The role of the Hoisting Board is to provide public and worker safety regarding crane use and operation. The Board was created in 1998 by Hawaii State Legislature and was tasked to adopt Hawaii Administrative Rules (HAR) for the certification of hoisting machine operators. This was done by adding Sections 19 and 20 to the Occupational Safety and Health Law, [Chapter 396](#) of the Hawaii Revised Statutes (HRS). The HMOAB developed and adopted [Chapter 12-48](#) (HAR), Hoisting Machine Operators, which became effective on December 6, 2002. Under these rules, certification is required for operators using equipment covered by American Society of Mechanical Engineers (ASME) B30.5 Mobile and Locomotive Cranes, having a lifting capacity of more than one ton and that are used to perform construction work as defined by Section 12-50-2 HAR.

The rules require operators to show that they have the experience, training, qualifications and certification to safely operate these hoisting machines. Enforcement of this requirement is covered in Section 12-110-50 HAR.

Thank you for the opportunity to share our comments to H.B. 2009, HD1, SD1.