

1 *Senate* BILL NO. *272*  
 2 INTRODUCED BY *Blaylock*

3  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTIONS  
 5 69-1601.1 AND 69-1607, R.C.M. 1947, RELATING TO THE  
 6 LICENSING OF CRANE OPERATORS, BY CLARIFYING THE PROVISIONS  
 7 OF THE LICENSING REQUIREMENTS AND PENALTY PROVISIONS; AND  
 8 REPEALING SECTION 69-1609."

9  
 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Section 69-1601.1, R.C.M. 1947, is amended  
 12 to read as follows:

13 "69-1601.1. Crane and hoist licenses. (1) It is  
 14 unlawful for a person to operate any hoisting equipment,  
 15 when used in hoisting or lowering personnel or material,  
 16 that has a manufacturer's rating of above ~~six-(6)~~ tons and  
 17 ~~or~~ a boom length of more than ~~twenty-five-(25)~~ feet, without  
 18 first obtaining a license from the division. This equipment  
 19 includes overhead trolley cranes used in construction only  
 20 and excludes equipment with excavation attachments or log  
 21 loading equipment when in use. In emergencies, section  
 22 69-1517 shall apply to the operation of the equipment named  
 23 in this section.

24 (2) Licensing is as follows:

25 (a) First-class hoisting engineers are licensed to

1 operate any hoisting equipment in industrial or construction  
 2 operations.

3 (b) An applicant for a first-class hoisting engineer's  
 4 license shall have: (i) no less than ~~three-(3)~~ years'  
 5 experience operating equipment requiring a second-class  
 6 hoisting engineer's license, ~~or four-(4)~~ years' ~~experience~~  
 7 ~~operating--hoisting--equipment--covered--by--this--section~~ or  
 8 shall otherwise be shown to be equivalently competent by  
 9 examination; (ii) passed his ~~eighteenth~~ ~~18th~~ birthday; and  
 10 (iii) passed a written test prescribed by the division. An  
 11 annual physical exam is required of all licensees.

12 (c) Second-class hoisting engineers are licensed to  
 13 operate hoisting equipment with a manufacturer's rating of  
 14 ~~six-(6)~~ tons or a boom length of ~~twenty-five-(25)~~ feet up to  
 15 equipment with a rating of ~~fifteen-(15)~~ tons and ~~or~~ a boom  
 16 length of ~~sixty-(60)~~ feet.

17 (d) Applicants for a second-class hoisting engineer's  
 18 license shall: (i) have no less than ~~two-(2)~~ years'  
 19 experience in actual operation of hoisting equipment covered  
 20 by this section or shall otherwise be shown to be  
 21 equivalently competent by examination; (ii) successfully  
 22 pass a written examination prescribed by the division; and  
 23 (iii) have passed their ~~eighteenth~~ ~~18th~~ birthday. An annual  
 24 physical exam is required of all licensees.

25 (e) Third-class hoisting engineers are licensed to

1 move all truck cranes driven by any power and of any  
2 capacity. This license ~~requirement~~ applies to truck crane  
3 oilers ~~only who move truck cranes.~~

4 (f) Applicants for a third-class hoisting engineer's  
5 license shall successfully pass a written test prescribed by  
6 the division, and shall be at least ~~eighteen (18)~~ years old,  
7 before receiving this license.

8 (3) The division shall reexamine each licensed  
9 engineer or operator every ~~five (5)~~ years during the  
10 anniversary month of his license, if the licensee has not  
11 worked at the trade for five (5) years."

12 Section 2. Section 69-1607, R.C.M. 1947, is amended to  
13 read as follows:

14 "69-1607. Penalty for operating machinery without  
15 license. Every person who operates any of the engines and  
16 machinery named in section 69-1601 or ~~69-1601a~~ for which a  
17 license is required, without first obtaining a license as  
18 required by the ~~provisions of this act~~ sections referred to  
19 above, and every owner, employer, or manager of any such  
20 engines or machinery who permits any unlicensed person to  
21 operate ~~the same~~ such engines or machinery or any person  
22 who violates any of the provisions of this act, ~~shall be~~  
23 deemed is guilty of a misdemeanor, ~~and upon conviction~~  
24 ~~thereof shall be punished by a fine of not more than five~~  
25 ~~hundred dollars (\$500), or by imprisonment in the county~~

1 ~~jeit not more than six (6) months, or by both such fine and~~  
2 ~~imprisonment."~~

3 Section 3. Repealer. Section 69-1609, R.C.M. 1947, is  
4 repealed.

-End-

Approved by Committee  
on Labor & Employment  
Relations

1 SENATE BILL NO. 272  
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14 unlawful for a person to operate any hoisting equipment,  
15 when used in hoisting or lowering personnel or material,  
16 that has a manufacturer's rating of above ~~six-(6)~~ tons and  
17 ~~or AND~~ a boom length of more than ~~twenty-five-(25)~~ feet,  
18 without first obtaining a license from the division. This  
19 equipment includes overhead trolley cranes used in  
20 construction only and excludes equipment with excavation  
21 attachments or log loading equipment when in use. In  
22 emergencies, section 69-1517 shall apply to the operation of  
23 the equipment named in this section.  
24 (2) Licensing is as follows:  
25 (a) First-class hoisting engineers are licensed to

1 operate any hoisting equipment in industrial or construction  
2 operations.  
3 (b) An applicant for a first-class hoisting engineer's  
4 license shall have: (i) no less than ~~three-(3)~~ years'  
5 experience operating equipment requiring a second-class  
6 hoisting engineer's license, ~~or-four-(4)-years'-experience~~  
7 ~~operating-hoisting-equipment--covered--by--this--section~~ or  
8 shall otherwise be shown to be equivalently competent by  
9 examination; (ii) passed his ~~eighteenth 18th~~ birthday; and  
10 (iii) passed a written test prescribed by the division. An  
11 annual physical exam is required of all licensees.  
12 (c) Second-class hoisting engineers are licensed to  
13 operate hoisting equipment with a manufacturer's rating of  
14 ~~six-(6)~~ tons or AND a boom length of ~~twenty-five-(25)~~ feet  
15 up to equipment with a rating of ~~fifteen-(15)~~ tons and ~~or~~  
16 AND a boom length of ~~sixty-(60)~~ feet.  
17 (d) Applicants for a second-class hoisting engineer's  
18 license shall: (i) have no less than ~~two-(2)~~ years'  
19 experience in actual operation of hoisting equipment covered  
20 by this section or shall otherwise be shown to be  
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25 (e) Third-class hoisting engineers are licensed to

1 move all truck cranes driven by any power and of any  
 2 capacity. This license requirement applies to truck crane  
 3 oilers ~~only who move truck cranes.~~

4 (f) Applicants for a third-class hoisting engineer's  
 5 license shall successfully pass a written test prescribed by  
 6 the division, and shall be at least ~~eighteen-(18)~~ years old,  
 7 before receiving this license.

8 (3) The division shall reexamine each licensed  
 9 engineer or operator every ~~five--(5)~~ years during the  
 10 anniversary month of his license, if the licensee has not  
 11 worked at the trade for five (5) years."

12 Section 2. Section 69-1607, R.C.M. 1947, is amended to  
 13 read as follows:

14 "69-1607. Penalty for operating machinery without  
 15 license. Every person who operates any of the engines and  
 16 machinery named in section 69-1601 ~~or 69-1601.1~~ for which a  
 17 license is required, without first obtaining a license as  
 18 required by the ~~provisions of this act~~ sections referred to  
 19 above, and every owner, employer, or manager of any such  
 20 engines or machinery who permits any unlicensed person to  
 21 operate ~~the--same~~ such engines or machinery or any person  
 22 who violates any of the provisions of this act ~~shall--be~~  
 23 ~~deemed is~~ guilty of a misdemeanor, ~~and upon conviction~~  
 24 ~~thereof shall be punished by a fine of not more than five~~  
 25 ~~hundred dollars--(\$500),--or by imprisonment in the county~~

1 ~~jail not more than six-(6) months or by both such fine and~~  
 2 ~~imprisonment."~~

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