

HOUSE BILL NO. 655

INTRODUCED BY HARP, DRISCOLL

IN THE HOUSE

February 5, 1983	Introduced and referred to Committee on Labor and Employment Relations.
February 15, 1983	Committee recommend bill do pass as amended. Report adopted. Statement of Intent attached.
February 16, 1983	Bill printed and placed on members' desks.
February 18, 1983	Second reading, do pass as amended. Statement of Intent stricken.
February 21, 1983	Correctly engrossed.
February 22, 1983	Third reading, passed. Transmitted to Senate.

IN THE SENATE

March 1, 1983	Introduced and referred to Committee on Business and Industry.
March 15, 1983	Committee recommend bill be concurred in. Report adopted.
March 17, 1983	Second reading, concurred in.
March 19, 1983	Third reading, concurred in. Ayes, 50; Noes, 0.

IN THE HOUSE

March 19, 1983

Returned to House.

March 21, 1983

Sent to enrolling.

Reported correctly enrolled.

1 *House* BILL NO. *655*
2 INTRODUCED BY *HARP Darnell*
3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO EXCLUDE LINE TRUCKS
5 AND BUCKET TRUCKS FROM THE LAWS REGULATING HOISTING ENGINES;
6 AMENDING SECTION 50-76-101, MCA; AND PROVIDING AN IMMEDIATE
7 EFFECTIVE DATE."
8

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

10 Section 1. Section 50-76-101, MCA, is amended to read:

11 "50-76-101. Where chapter not to apply. (1) This
12 chapter shall not apply to hoisting engines, air
13 compressors, or elevators under federal control or to
14 operating elevators in completed private or public
15 buildings.

16 (2) The provisions of this chapter shall not apply to
17 forklifts and front-end and rear-end loaders or line trucks
18 and bucket trucks."

19 NEW SECTION. Section 2. Effective date. This act is
20 effective on passage and approval.

-End-

INTRODUCED BILL

STATEMENT OF INTENT

HOUSE BILL 655

House Labor and Employment Relations Committee

It is intended by this bill to amend Section 50-76-101,

MCA, to exclude from the provisions of Title 50, Chapter 76,

line trucks and bucket trucks engaged in the maintenance or

repair of existing facilities. Such trucks engaged in new

construction are not excluded.

Because line trucks and bucket trucks are similar to

other equipment included in this chapter, it is necessary to

define and distinguish them. These trucks are not

exclusively used for maintenance or repair and may be

adapted for new construction.

The Division of Workers' Compensation is delegated the

rulemaking authority to define the vehicles and exclude

those intended by this amendment.

SECOND READING

H/K 655

Approved by Committee
on Labor & Employment
Relations

HOUSE BILL NO. 655

INTRODUCED BY HARP, DRISCOLL

A BILL FOR AN ACT ENTITLED: "AN ACT TO EXCLUDE LINE TRUCKS
AND BUCKET TRUCKS FROM THE LAWS REGULATING HOISTING ENGINES;
AMENDING SECTION 50-76-101, MCA; AND PROVIDING AN IMMEDIATE
EFFECTIVE DATE."

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

Section 1. Section 50-76-101, MCA, is amended to read:

"50-76-101. Where chapter not to apply. (1) This
chapter shall not apply to hoisting engines, air
compressors, or elevators under federal control or to
operating elevators in completed private or public
buildings.

(2) The provisions of this chapter shall not apply to
forklifts and front-end and rear-end loaders ~~or line trucks~~
~~and bucket trucks.~~

~~(3) THE PROVISIONS OF THIS CHAPTER SHALL NOT APPLY TO
LINE TRUCKS AND BUCKET TRUCKS ENGAGED IN THE MAINTENANCE OR
REPAIR OF EXISTING FACILITIES IN ACCORDANCE WITH RULES
ADOPTED BY THE DEPARTMENT."~~

~~NEW SECTION.~~ Section 2. Effective date. This act is
effective on passage and approval.

-End-

SECOND READING

1 STATEMENT OF INTENT

2 HOUSE BILL 655

3 House Labor and Employment Relations Committee

4

5 ~~It is intended by this bill to amend Section 50-76-101~~
6 ~~to exclude from the provisions of Title 50, Chapter 76~~
7 ~~the trucks and bucket trucks engaged in the maintenance or~~
8 ~~repair of existing facilities. Such trucks engaged in new~~
9 ~~construction are not excluded.~~

10 ~~Because the trucks and bucket trucks are similar to~~
11 ~~other equipment included in this chapter, it is necessary to~~
12 ~~define and distinguish them. These trucks are not~~
13 ~~exclusively used for maintenance or repair and may be~~
14 ~~adapted for new construction.~~

15 ~~The Division of Workers' Compensation is delegated the~~
16 ~~rulemaking authority to define the vehicles and exclude~~
17 ~~those intended by this amendment.~~

THIRD READING

HB 655

HOUSE BILL NO. 655

INTRODUCED BY HARP, DRISCOLL

A BILL FOR AN ACT ENTITLED: "AN ACT TO EXCLUDE LINE TRUCKS AND BUCKET TRUCKS FROM THE LAWS REGULATING HOISTING ENGINES; AMENDING SECTION 50-76-101, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 50-76-101, MCA, is amended to read:

"50-76-101. Where chapter not to apply. (1) This chapter shall not apply to hoisting engines, air compressors, or elevators under federal control or to operating elevators in completed private or public buildings.

(2) The provisions of this chapter shall not apply to forklifts and front-end and rear-end loaders ~~or line trucks and bucket trucks~~ OR LINE TRUCKS AND BUCKET TRUCKS. FOR THE PURPOSES OF THIS SECTION, "LINE TRUCKS" ARE HOISTING AND DIGGING DEVICES MOUNTED ON A STANDARD MANUFACTURER'S TRUCK CHASSIS WITH AN ALL-WEATHER CAB CAPABLE OF TRANSPORTING A DRIVER AND TWO OR MORE CREWMEN. "LINE TRUCKS" ARE EQUIPPED WITH A HYDRAULICALLY OPERATED, TELESCOPING BOOM WHICH USES A NONMETALLIC CABLE FOR HOISTING. THE TELESCOPING BOOM DOES NOT EXTEND MORE THAN 36 FEET IN LENGTH WHEN FULLY EXTENDED

AS MEASURED FROM PIVOT PIN TO THE CENTER OF THE FURTHEST PULLEY OR SHEAVE. "LINE TRUCKS" MAY BE EQUIPPED WITH A ROTARY DIGGING DEVICE AND ARE CAPABLE OF ATTAINING MAXIMUM ALLOWABLE HIGHWAY SPEEDS. "BUCKET TRUCKS" ARE PERSONNEL-LIFTING DEVICES DESIGNED TO LIFT PERSONNEL TO WORK STATIONS ABOVE GROUND. "BUCKET TRUCKS" ARE NOT DESIGNED FOR THE PURPOSES INTENDED FOR A "LINE TRUCK".

~~THE PROVISIONS OF THIS CHAPTER SHALL NOT APPLY TO LINE TRUCKS AND BUCKET TRUCKS ENGAGED IN THE MAINTENANCE OR REPAIR OF EXISTING FACILITIES IN ACCORDANCE WITH RULES ADOPTED BY THE DEPARTMENT.~~

NEW SECTION. Section 2. Effective date. This act is effective on passage and approval.

-End-

1 STATEMENT OF INTENT

2 HOUSE BILL 655

3 House Labor and Employment Relations Committee

4
5 ~~It is intended by this bill to amend Section 58-76-101,~~
6 ~~MCAR to exclude from the provisions of Title 58, Chapter 76,~~
7 ~~line trucks and bucket trucks engaged in the maintenance or~~
8 ~~repair of existing facilities. Such trucks engaged in new~~
9 ~~construction are not excluded.~~

10 ~~Because line trucks and bucket trucks are similar to~~
11 ~~other equipment included in this chapter, it is necessary to~~
12 ~~define and distinguish them. These trucks are not~~
13 ~~exclusively used for maintenance or repair and may be~~
14 ~~adapted for new constructions.~~

15 ~~The Division of Workers' Compensation is delegated the~~
16 ~~rulemaking authority to define the vehicles and exclude~~
17 ~~those intended by this amendment.~~

REFERENCE BILL

HB 655

HOUSE BILL NO. 655

INTRODUCED BY HARP, DRISCOLL

A BILL FOR AN ACT ENTITLED: "AN ACT TO EXCLUDE LINE TRUCKS AND BUCKET TRUCKS FROM THE LAWS REGULATING HOISTING ENGINES; AMENDING SECTION 50-76-101, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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(2) The provisions of this chapter shall not apply to forklifts and front-end and rear-end loaders ~~or line trucks and bucket trucks~~ OR LINE TRUCKS AND BUCKET TRUCKS. FOR THE PURPOSES OF THIS SECTION, "LINE TRUCKS" ARE HOISTING AND DIGGING DEVICES MOUNTED ON A STANDARD MANUFACTURER'S TRUCK CHASSIS WITH AN ALL-WEATHER CAB CAPABLE OF TRANSPORTING A DRIVER AND TWO OR MORE CREWMEN. "LINE TRUCKS" ARE EQUIPPED WITH A HYDRAULICALLY OPERATED, TELESCOPING BOOM WHICH USES A NONMETALLIC CABLE FOR HOISTING. THE TELESCOPING BOOM DOES NOT EXTEND MORE THAN 36 FEET IN LENGTH WHEN FULLY EXTENDED

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~~(3) THE PROVISIONS OF THIS CHAPTER SHALL NOT APPLY TO LINE TRUCKS AND BUCKET TRUCKS ENGAGED IN THE MAINTENANCE OR REPAIR OF EXISTING FACILITIES IN ACCORDANCE WITH RULES ADOPTED BY THE DEPARTMENT.~~

NEW SECTION. Section 2. Effective date. This act is effective on passage and approval.

-End-