



July 5, 2018

OSHA Docket Office
RIN No. 1218-AC86
Technical Data Center, Room N-3653
OSHA, U.S. Department of Labor
200 Constitution Ave, NW
Washington, D.C. 20210

Re: Docket No. OSHA-2007-0066, Cranes and Derricks in Construction: Operator Certification

On behalf of the more than 8,000 members of the American Road & Transportation Builders Association (ARTBA), I respectfully offer comments on the Occupational Safety and Health Administration's (OSHA) proposed rule on operator certification for cranes and derricks in construction.

ARTBA's membership includes private and public-sector members that are involved in the planning, designing, construction and maintenance of the nation's roadways, waterways, bridges, ports, airports, rail and transit systems. Our industry generates more than \$380 billion annually in U.S. economic activity and sustains more than 3.3 million American jobs.

ARTBA's public sector members adopt, approve, or fund transportation plans, programs, or projects. ARTBA's private sector members plan, design, construct and provide supplies for these federal transportation improvement projects. The health and welfare of our workers is paramount and ARTBA has received numerous OSHA grants to develop training programs that are designed to improve workplace safety in the transportation construction industry. ARTBA has developed a diverse number of training materials including hazard communication, struck-by, fall protection, trenching and health hazards.

ARTBA has been working with OSHA to develop a comprehensive rule on cranes and derricks since September 2002, when ARTBA successfully recommended a representative to serve on the Crane and Derrick Negotiated Rulemaking Committee. Since that time, OSHA has made several attempts to develop a comprehensive final rule that would be supported by the construction industry. ARTBA supports OSHA's most recent proposed update to the current rule that will, among other things, eliminate crane lifting capacity requirements. We also look forward to a rule that provides more clarity with regard to training requirements and qualifications.

Under the proposed rule, OSHA will change the categories of certifications for crane operators with the intent that more operators would be able to meet the requirement. The proposal also discontinues a 2010 requirement (which never went into effect) that crane operator certification must include the crane lifting capacity for which the operator is certified as well as expands the type of certification programs for crane operators.

ARTBA concurs with this proposed rule. As noted, OSHA has been struggling with this since the new standard came out in 2010—and actually before that—since the first negotiated rulemaking efforts in 2002. ARTBA believes this revision will give the certifying agency the option to certify cranes and derricks by types and capacity they think will be most beneficial. It also gives the certifying body the

choice to certify an individual by the type of crane he/she will operate. ARTBA believes it would be best for the safety of crane operations to certify by type and capacity. This will be better than the current rule, and certification of crane operators can move forward across the construction industry.

ARTBA looks forward to continuing this dialogue with OSHA and continuing to advance our shared goal of worker safety.

Sincerely,

A handwritten signature in black ink that reads "T. Peter Ruane". The signature is written in a cursive style with a large, stylized initial "T".

T. Peter Ruane
President & C.E.O