WEST VIRGINIA LEGISLATURE
Regular Session, 2001

ENROLLED

SENATE BILL NO. 556

(By Senator Wooton, et al)

PASSED March 27, 2001

In Effect from Passage
ENROLLED

Senate Bill No. 556

(By Senators Wooton, Burnett, Caldwell, Deem, Facemyer, Fanning, Hunter, Minard, Ross and Snyder)

[Passed March 27, 2001; in effect from passage.]

AN ACT to amend and reenact section two, article three-d, chapter twenty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to certification of crane operators; and clarifying the exceptions to the certification requirement.

Be it enacted by the Legislature of West Virginia:

That section two, article three-d, chapter twenty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 3D. CRANE OPERATOR CERTIFICATION ACT.

§21-3D-2. Certification required; exemptions.

1 (a) Commencing with the first day of September, two thousand one, a person may not operate a crane with a
lifting capacity of five tons or more without certification
issued under this article except for those persons exempted
under subsection (b) of this section.

(b) A person is not required to obtain certification under
this article if the person:

(1) Is a member of the armed forces of the United States
or an employee of the United States, when such member or
employee is engaged in the work of a crane operator
exclusively for such governmental unit; or

(2) Is primarily an operator of farm machinery who is
performing the work of a crane operator as part of an
agricultural operation; or

(3) Is operating a crane on an emergency basis; or

(4) Is operating a crane for personal use and not for
profit on the site of real property which the person owns
or leases; or

(5) Is under the direct supervision of a certified crane
operator and:

(A) Who is enrolled in an industry recognized in-house
training course based on the American national standards
institute standards for crane operators and who is em-
ployed by the entity that either taught the training course
or contracted to have the training course taught, all of
which is approved by the commissioner; or

(B) Who is enrolled in an apprenticeship program or
training program for crane operators approved by the
United States department of labor, bureau of apprentice-
ship and training;

(6) Is an employee of and operating a crane at the
direction of any manufacturing plant or other industrial
establishment, including any mill, factory, tannery, paper
or pulp mill, mine, colliery, breaker or mineral processing
operation, quarry, refinery or well or is an employee of and
(7) Is an employee of a public utility operating a crane to perform work in connection with facilities used to provide a public service under the jurisdiction of the public service commission, federal energy regulatory commission or federal communications commission; or

(8) Is operating timbering harvesting machinery associated with the production of timber and the manufacturing of wood products.
The Joint Committee on Enrolled Bills hereby certifies that
the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

In effect from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within bill is approved this the 4th Day of April, 2001.

Governor