



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB3429

Introduced 2/24/2011, by Rep. Brandon W. Phelps

SYNOPSIS AS INTRODUCED:

New Act
5 ILCS 80/4.31
30 ILCS 105/5.786 new

Creates the Crane Licensing Public Safety Act. Provides for the licensure of crane operators and apprentice crane operators by the Department of Financial and Professional Regulation. Creates the Crane Operators Licensing Board. Sets forth qualifications for licensure, grounds for disciplinary action, and administrative procedures. Amends the Regulatory Sunset Act to set a repeal date for the new Act of January 1, 2021. Amends the State Finance Act to create the Crane Operators Licensing Fund. Effective immediately.

LRB097 06785 CEL 46876 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the Crane
5 Licensing Public Safety Act.

6 Section 5. Legislative purpose. The General Assembly finds
7 that in order to promote job safety and to protect life, limb,
8 and property, the operation of crane and hoisting equipment is
9 a matter of public interest. It is further declared to be a
10 matter of public interest that the operation of cranes and
11 hoisting equipment used in the performance of construction,
12 renovation, and demolition should merit and receive the
13 confidence of the public and that the State of Illinois should
14 license persons who operate or assist in the operation of crane
15 and hoisting equipment. This Act should be liberally construed
16 to carry out these subjects and purposes.

17 Section 10. Definitions. For the purposes of this Act,
18 unless the context otherwise requires:

19 "Articulating crane" or "knuckle-boom crane" means a crane
20 on which the boom consists of a series of folding, pin
21 connected structural members, typically manipulated to extend
22 or retract by power from hydraulic cylinders.

1 "Board" means the Crane Operators Licensing Board.

2 "Boom" means an inclined spar, strut, or other long
3 structural member which supports the upper hoisting tackle on a
4 crane or derrick. Typically, the length and vertical angle of
5 the boom can be varied to achieve increased height or height
6 and reach when lifting loads. Booms can usually be grouped into
7 general categories of hydraulically extendible, cantilevered
8 type, latticed section, cable supported type or articulating
9 type. On tower cranes, if the principle horizontal structure is
10 fixed, it is referred to as a jib; if it is moveable up and
11 down, it is referred to as a boom.

12 "Crane" means any hoisting equipment that can lift, rotate,
13 or move a suspended load in excess of 10,000 pounds
14 horizontally or vertically, including without limitation
15 hydraulic cranes, friction cranes, derricks, jib hoists,
16 gantry, bridge cranes, floating cranes of any kind,
17 articulating or knuckle-boom, crawler cranes, mobile cranes
18 such as wheel mounted, rough-terrain, all-terrain, truck
19 mounted, carry deck, and mini-cranes, air-borne hoisting
20 equipment, and tower cranes.

21 "Department" means the Department of Financial and
22 Professional Regulation.

23 "Derrick" means an apparatus consisting of a mast or
24 equivalent member held at the head by guys or braces, with or
25 without a boom, for use with a hoisting mechanism and operating
26 ropes.

1 "Electric line truck" means a truck used to transport
2 workers, tools, and materials and to serve as a traveling
3 workshop for electric power line construction and maintenance
4 work. Electric line trucks are sometimes equipped with a boom
5 and auxiliary equipment for setting poles, digging holes, and
6 elevating material or workers, including service trucks with
7 mobile lifting devices designed specifically for use in the
8 power line and electric service industries, such as digger
9 derricks, when used for auguring holes to set power and utility
10 poles or handling associated materials to be installed or
11 removed from utility poles.

12 "Hoist" means and includes without limitation a material
13 hoist (construction elevator), air tugger (one drum),
14 multi-drum hoist, overhead hoist, sideboom, A-frame boom
15 truck, or behind the cab truck mounted boom.

16 "Long boom" means a boom of a crane with or without any jib
17 or extension that exceeds 90 feet when the crane is in
18 operation.

19 "Luffing jib" means an attachment to the main boom of a
20 crane that can be raised or lowered independently of the main
21 boom to change the horizontal reach of the crane.

22 "Mini-crane" means a small self propelled crane designed to
23 lift, rotate, or move a suspended load in excess of 500 pounds
24 horizontally or vertically by using cables that run
25 unencumbered over the boom or jib sheave.

26 "Overhead crane" means overhead or bridge cranes,

1 semi-gantry, cantilever gantry, wall cranes, storage bridge
2 cranes, launching gantry cranes, and similar equipment,
3 irrespective of whether it travels on tracks, wheels, or other
4 means.

5 "Person" means an individual, partnership, corporation,
6 business trust, limited liability company, or other legal
7 entity.

8 "Qualified person" means a person who, by possession of a
9 recognized degree, certificate, or professional standing or
10 who, by extensive knowledge, training, and experience, has
11 successfully demonstrated the ability to solve or resolve
12 problems relating to the subject matter, the work, or the
13 project. "Qualified person" includes crane operators licensed
14 under this Act.

15 "Secretary" means the Secretary of Financial and
16 Professional Regulation.

17 "Technician" means a crane manufacturer's trained
18 representative or a person trained by a crane manufacturer for
19 that type of crane.

20 "Tower crane" means any fixed jib, hammerhead, luffing
21 boom, or self-erecting or pedestal crane that can lift, rotate,
22 or move a suspended load in excess of 1,000 pounds horizontally
23 or vertically.

24 Section 15. License required; application of Act.

25 (a) Beginning January 1, 2012, it shall be unlawful for a

1 person to operate a power-driven crane or hoist used in the
2 performance of construction, renovation, or demolition without
3 first obtaining a crane operator's license from the Department.
4 This Act shall only apply to construction, renovation, or
5 demolition projects where a permit is required from a local,
6 State, or federal government body, department, or agency before
7 work may commence or any construction, renovation, or
8 demolition projects of a public road.

9 (b) Beginning January 1, 2012, it shall be unlawful for a
10 person to assist in the operation of a power-driven crane or
11 hoist used in the performance of construction, renovation, or
12 demolition without first obtaining an apprentice crane
13 operator's license from the Department.

14 (c) The provisions of this Act do not apply to operators of
15 powered industrial forklift trucks, pallet trucks, rider
16 trucks, fork trucks, lift trucks, or telehandlers.

17 (d) The provisions of this Act do not apply to equipment
18 involved in grading, drainage, field tile, or irrigation.

19 (e) The provisions of this Act do not apply to activities
20 connected with agriculture or farming, other than
21 construction, renovation, and demolition.

22 (f) The provisions of this Act do not apply to the
23 operation of a crane or a hoist under the jurisdiction of the
24 United States.

25 (g) The provisions of this Act do not apply to the
26 operation of a crane or hoist used in a manufacturing operation

1 for purposes other than construction, renovation, or
2 demolition.

3 (h) The provisions of this Act do not apply to the
4 operation of an electric line truck.

5 (i) The provisions of this Act do not apply to any
6 signalmen or riggers.

7 (j) The provisions of this Act do not apply to equipment
8 originally designed as a vehicle-mounted aerial device for
9 lifting personnel and self propelled elevating platforms.

10 (k) The provisions of this Act do not apply to equipment
11 that hoists by using a come-a-long or chainfall.

12 (l) The provisions of this Act do not apply to a mechanic's
13 truck with a hoisting device when used in activities related to
14 equipment maintenance and repair.

15 (m) The provisions of this Act do not apply to hydraulic
16 jacking systems.

17 (n) The provisions of this Act do not apply to automotive
18 wreckers and tow trucks when used to clear wrecks and haul
19 vehicles.

20 Section 20. Qualifications for original crane operator's
21 license. A person is qualified to obtain an original crane
22 operator's license under this Act if he or she meets all of the
23 following requirements:

24 (1) Is at least 21 years of age and has submitted a
25 certified record showing at least 2,000 hours of crane

1 operation or related experience in the 5-year period
2 preceding his or her application.

3 (2) Has not violated any of the provisions of this Act
4 for which disciplinary action could be taken.

5 (3) Has passed a written examination prescribed by the
6 Board.

7 (4) Has passed a practical examination prescribed by
8 the Board.

9 (5) Has taken and passed a United States Department of
10 Transportation drug test in the 90 days immediately
11 preceding his or her application.

12 (6) Has taken and passed a United States Department of
13 Transportation physical in the 90 days immediately
14 preceding his or her application.

15 (7) Does not have a crane operator's license or crane
16 operator's apprentice license that is currently revoked or
17 suspended by the Board or by the comparable licensing body
18 in another jurisdiction.

19 Section 25. Qualifications for crane operator's apprentice
20 license. A person is qualified to obtain a crane operator's
21 apprentice license under this Act if he or she meets all of the
22 following requirements:

23 (1) Is at least 18 years of age.

24 (2) Has passed a written examination as prescribed by
25 the Board.

1 (3) Has not violated any of the provisions of this Act
2 for which disciplinary action could be taken.

3 (4) Has taken and passed a United States Department of
4 Transportation drug test in the 90 days immediately
5 preceding his or her application.

6 (5) Has taken and passed a United States Department of
7 Transportation physical in the 90 days immediately
8 preceding his or her application.

9 (6) Does not have a crane operator's license or crane
10 operator's apprentice license that is currently revoked or
11 suspended by the Board or by a comparable licensing body in
12 another jurisdiction.

13 Section 30. Application for original crane operator's
14 license.

15 (a) Applications for original licenses shall be made to the
16 Department in writing on forms prescribed by the Board and
17 shall be accompanied by the required fee, which shall not be
18 returnable. The application shall require the information
19 that, in the judgment of the Board, will enable the Department
20 to pass on the qualifications of the applicant for a license.

21 (b) The Department may authorize the examination of
22 applicants at any time and place that it may determine. The
23 Department shall make reasonable efforts to provide testing
24 sites reflecting the geographical distribution of applicants'
25 residences. The Department may contract with joint

1 apprenticeship and training committees operated under the
2 federal Labor Management Relations Act for the conducting and
3 administering of written and practical exams of applicants. The
4 Department may contract with public utilities for conducting
5 and administering written and practice exams of applicants in
6 their employment. The examination of applicants shall be of a
7 character to give a fair test of the qualifications of the
8 applicant to practice. The Department may employ consultants
9 for the purpose of preparing and conducting examinations.

10 (c) Applicants for examination shall be required to pay,
11 either to the Department or the designated testing service, a
12 fee covering the cost of providing the examination. If an
13 applicant neglects, fails, or refuses to take an examination or
14 fails to pass an examination for a license under this Act
15 within 3 years after filing his or her application, the
16 application is denied. However, the applicant may thereafter
17 make a new application accompanied by the required fee.

18 (d) Crane operator's licenses shall be valid for a period
19 of 5 years.

20 Section 35. License classifications.

21 (a) The Department may issue various classes of licenses
22 reflecting the different levels of competency of a crane
23 operator. The classification of licenses shall include all of
24 the following:

25 (1) Tower crane operator's license. This license shall

1 authorize the operation of tower cranes and derricks
2 operated from a fixed location within, attached to, or
3 adjacent to the building undergoing construction, repair,
4 or demolition. Classes of tower crane operator's license
5 shall include all of the following:

6 (A) Stationary tower cranes.

7 (B) Self-erecting or mobile.

8 (2) Mobile crane operator's license. This license
9 shall authorize the operation of mobile cranes regardless
10 of mounting or means of mobility, including track-mounted
11 cranes, crawler cranes, truck-mounted cranes. Classes of
12 mobile crane operator's license shall include all of the
13 following:

14 (A) Friction crawler and truck with a lattice boom
15 of 90 feet or less without luffing jib.

16 (B) Hydraulic lattice boom crawler and truck with a
17 boom of 90 feet or less without luffing jib.

18 (C) All hydraulic cranes with a telescoping boom of
19 90 feet or less without luffing jib.

20 (D) Any mobile crane with a long boom or luffing
21 jib.

22 (3) Boom truck operator's license. This license shall
23 authorize the operation of boom trucks regardless of
24 mounting or means of mobility. Classes of boom truck
25 operator's license shall include all of the following:

26 (A) Boom truck.

1 (B) A-frame.

2 (C) Hydraulic sign truck.

3 (D) Articulating or knuckle-boom.

4 (4) Overhead crane operator's license. This license
5 shall authorize the operation of overhead trolley type
6 cranes.

7 (5) Derrick crane operator license. This license shall
8 authorize the operation of derrick cranes regardless of
9 mounting or mobility. Classes of derrick crane operator
10 license shall include the following:

11 (A) Stiff leg.

12 (B) Guy.

13 (6) Mini-crane operator license. This license shall
14 authorize the operation of mini-cranes.

15 (7) Apprentice crane operator's license. This license
16 shall authorize an individual for the performance of work
17 as an apprentice crane operator under the direct
18 supervision of a licensed crane operator.

19 (b) While operating a crane or hoist under this Act, an
20 apprentice shall be continuously supervised by a licensed crane
21 operator and follow each of the following requirements:

22 (1) For equipment other than tower cranes, the licensed
23 crane operator and the apprentice shall be in the direct
24 line of sight of each other and shall communicate verbally
25 or by hand signals. For tower cranes, the operator and the
26 apprentice shall be in direct communication with each

1 other.

2 (2) The apprentice shall be supervised by the crane
3 operator at all times, except for short breaks where the
4 following circumstances exist:

5 (A) The break lasts no longer than 15 minutes and
6 there is no more than one break per hour.

7 (B) Immediately prior to the break the crane
8 operator informs the apprentice of the specific tasks
9 that the apprentice is to perform and limitations that
10 he or she is to adhere to during the crane operator's
11 break.

12 (C) The specific tasks that the apprentice will
13 perform during the crane operator's break are within
14 the apprentice's abilities.

15 (D) The apprentice may not operate the equipment in
16 any of the following circumstances:

17 (i) If any part of the crane, load line, or
18 load, including rigging and lifting accessories,
19 if operated up to the crane's maximum working
20 radius in the work zone could get within 20 feet of
21 a power line that is up to 350 kV or within 50 feet
22 of a power line that is over 350 kV.

23 (ii) If the equipment is used to hoist
24 personnel.

25 (iii) In multiple-crane lifts.

26 (iv) If the equipment is used over a shaft,

1 cofferdam, or in a tank farm.

2 (v) For multiple-lift rigging, except where
3 the crane operator determines that the
4 apprentice's skills are sufficient for this
5 high-skill work.

6 (c) The Board shall set up appropriate written and
7 practical testing requirements for each type of license to be
8 issued. The Board may add additional classifications of
9 licenses by rule as necessary to meet the changing technologies
10 in the crane, hoisting, and construction industries.

11 Section 40. Testing. The Department shall conduct
12 examinations of applicants for crane operator's licenses and
13 for crane operator's apprentice licenses in accordance with
14 subsection (b) of Section 30 of this Act.

15 Section 45. Renewal of crane operator's license.

16 (a) At the expiration of a crane operator's license, a
17 licensee may apply for renewal of his or her crane operator's
18 license. A person is qualified to renew his or her crane
19 operator's license if he or she meets all of the following
20 requirements:

21 (1) Has submitted a certified record showing crane
22 operation of at least 2,000 hours in the 5-year period
23 immediately preceding the application for renewal or has
24 passed a practical examination prescribed by the Board. If

1 applying for renewal of a tower crane license, the
2 applicant must submit a certified record showing at least
3 500 hours of operation of a tower crane in the 5-year
4 period immediately preceding his or her application for
5 renewal or have passed a practical examination prescribed
6 by the Board.

7 (2) Has not violated any of the provisions of this Act
8 for which disciplinary action could be taken.

9 (3) Has passed a written examination prescribed by the
10 Board.

11 (4) Has taken and passed a United States Department of
12 Transportation drug test in the 90 days preceding his or
13 her application.

14 (5) Has taken and passed a United States Department of
15 Transportation physical in the 90 days immediately
16 preceding his or her application.

17 (6) Does not have a crane operator's license that is
18 currently revoked or suspended by the Board or by the
19 comparable licensing body in another jurisdiction.

20 (b) Renewal crane operator's licenses shall be valid for a
21 period of 5 years after the date of issue.

22 Section 50. Military exemption. The Department shall
23 reinstate a crane operator's license that expires while a
24 licensee is in active military service of the United States
25 upon application to the Department by the licensee within 2

1 years after termination of the military service, payment of the
2 annual license fee, and submission of evidence of the military
3 service. The license shall be reinstated without examination
4 and without payment of the lapsed renewal fee.

5 Section 55. Fees; Crane Operators Licensing Fund.

6 (a) The Department shall impose the following fees for an
7 original license certification, replacement license, and for a
8 renewal license issued under this Act:

9 Original crane operator's license - \$150

10 Each certification - \$50

11 Renewal license - \$100

12 Apprentice crane operator's license - \$75

13 Replacement crane operator's license - \$25.

14 (b) All fees and fines received by the Department pursuant
15 to this Section shall be deposited into the Crane Operators
16 Licensing Fund, a special fund created in the State Treasury.
17 Moneys in the Fund may be used by the Department, subject to
18 appropriation, solely for the administration of this Act.

19 Section 60. Board.

20 (a) The Crane Operators Licensing Board is created within
21 the Department and shall consist of the following voting
22 members appointed by the Secretary:

23 (1) Three members of the Board shall be members of
24 unions representing operating engineers. These members

1 shall serve 3-year terms, except that of the initial
2 members appointed, one shall be appointed for a term of one
3 year, one for a term of 2 years, and one for a term of 3
4 years.

5 (2) One member of the Board shall be a representative
6 of the construction industry. This member shall serve a
7 3-year term, except that the initial member shall be
8 appointed for a term of 2 years.

9 (3) One member of the Board shall be a representative
10 of the property and casualty insurance industry. This
11 member shall serve a 3-year term, except that the initial
12 member shall be appointed for a term of one year.

13 (4) One member of the Board shall be a representative
14 of the building and construction trades. This member shall
15 serve a 3-year term, except that the initial member shall
16 be appointed for a term of 2 years.

17 (5) Two members of the Board shall be public members.
18 These members shall serve 3-year terms, except that of the
19 initial members appointed, one shall be appointed for a
20 term of 2 years and one shall be appointed for a term of 3
21 years.

22 (b) Each member shall have experience, knowledge, and
23 expertise relating to the subject matter of this Act.

24 (c) Board members shall receive no compensation for their
25 services on the Board, but they may be reimbursed for their
26 actual expenses in serving on the Board.

1 (d) The Board shall annually elect one of its members as
2 chairperson, one as vice-chairperson, and one as secretary. No
3 officer of the Board shall be elected more than twice in
4 succession to a full term in the same office. Each officer
5 shall serve until his or her successor has been elected and
6 qualified. If there is a vacancy in an officer's position, the
7 remaining Board members shall promptly fill it by appointing a
8 member of the Board to the vacant position for the unexpired
9 portion of the term.

10 (e) Four members of the Board shall constitute a quorum. A
11 vacancy in the membership of the Board shall not impair the
12 right of a quorum to exercise all the rights and perform all of
13 the duties of the Board.

14 (f) The Secretary shall promptly appoint a person to fill
15 any vacancy on the Board for the unexpired portion of the term.

16 Section 65. Grounds for disciplinary action.

17 (a) The Board may refuse to issue or renew or may revoke or
18 suspend a license or place on probation, censure, or reprimand
19 a licensee, for one or any combination of the following causes:

20 (1) The practice of any fraud or deceit in obtaining or
21 attempting to obtain a license.

22 (2) Any gross negligence, incompetence, or misconduct
23 in the operation of a crane or hoisting equipment while
24 under the influence of alcohol or another drug.

25 (3) Any gross negligence, incompetence, or misconduct

1 as an apprentice assisting in the operation of a crane or
2 hoisting equipment while under the influence of alcohol or
3 another drug.

4 (4) The entry of any order by any circuit court
5 establishing that a person holding a license under this Act
6 is a person subject to involuntary admission under the
7 Mental Health and Developmental Disabilities Code. The
8 person may have his or her license restored only upon the
9 determination by a circuit court that he or she has
10 recovered from the mental illness that subjected him or her
11 to involuntary admission and upon the determination of the
12 Board that the license be restored. Where the circumstances
13 so indicate, the Board may require an examination prior to
14 restoring any license.

15 (5) Failure to comply with any of the provisions of
16 this Act or any rules adopted by the Department under this
17 Act.

18 (6) Revocation or suspension of a license as a crane or
19 hoist operator or apprentice in another jurisdiction.

20 (7) Failure within 60 days to provide information
21 requested by the Board as a result of a formal or informal
22 complaint to the Department that would indicate a violation
23 of this Act.

24 (b) The Board shall refuse to issue or renew and shall
25 revoke the license of a licensee who has been determined by the
26 Board to have more than 3 violations of operating a crane

1 without possessing a crane operator's license under subsection
2 (a) of Section 115 or more than 3 violations of assisting in
3 operating a crane without possessing an apprentice crane
4 operator's license under subsection (c) of Section 115.

5 Section 70. Crane inspectors.

6 (a) The Department shall employ and the Board shall approve
7 crane inspectors. Crane inspectors shall have all of the
8 following powers and duties:

9 (1) To assist the Board in carrying out its duties
10 under this Act.

11 (2) To periodically inspect cranes.

12 (3) To investigate accidents involving cranes.

13 (4) To inspect job sites to ensure that all crane and
14 hoisting equipment personnel are duly licensed or
15 inspected.

16 (5) Crane inspectors shall meet the requirements for an
17 original crane operators' license under this Act.

18 (6) Crane inspectors shall have the authority to issue
19 violations under this Act.

20 (b) The Department may employ additional personnel to
21 assist in enforcing the provisions of this Act.

22 Section 75. Assembly and disassembly.

23 (a) This Section applies to all assembly and disassembly
24 operations of cranes covered under this Act. In this Section,

1 "assembly and disassembly" includes the erecting, climbing,
2 and dismantling of tower cranes, except as otherwise set forth
3 in Section 85 of this Act.

4 (b) Assembly or disassembly must be supervised by a
5 qualified person. A licensed crane operator shall be present
6 during all assembly and disassembly operations. Where the
7 assembly or disassembly is being performed by only one person,
8 that person shall be a licensed crane operator.

9 (c) During all phases of assembly or disassembly, rated
10 capacity limits for loads imposed on the equipment, equipment
11 components (including rigging), lifting lugs, and equipment
12 accessories must be met for the equipment being assembled or
13 disassembled.

14 (d) Except as otherwise provided in this subsection (d),
15 when pins or similar devices are being removed, employees must
16 not be under the boom, jib, or other components. Where the
17 employer demonstrates that site constraints require one or more
18 employees to be under the boom, jib, or other components when
19 pins or similar devices are being removed, the assembly or
20 disassembly supervisor must implement procedures that minimize
21 the risk of unintended dangerous movement and minimize the
22 duration and extent of exposure under the boom.

23 (e) The assembly or disassembly supervisor supervising the
24 assembly or disassembly operation must address the hazards
25 associated with the operation with methods to protect the
26 employees from these hazards, as follows:

1 (1) Site and ground bearing conditions. Site and ground
2 conditions must be adequate for safe assembly or
3 disassembly operations and to support the equipment during
4 assembly or disassembly.

5 (2) Blocking material. The size, amount, condition,
6 and method of stacking blocking must be sufficient to
7 sustain the loads and maintain stability.

8 (3) Proper location of blocking. When used to support
9 lattice booms or components, blocking must be
10 appropriately placed to (i) protect the structural
11 integrity of the equipment and (ii) prevent dangerous
12 movement and collapse.

13 (f) When using an assist crane, the loads that will be
14 imposed on the assist crane at each phase of assembly or
15 disassembly must be verified in accordance with subsection (n)
16 of this Section or the weight of the load shall be determined
17 from a reliable source (such as the load's manufacturer), by a
18 reliable calculation method (such as calculating a steel beam
19 from measured dimensions and a known per foot weight), or by
20 other equally reliable means. This information shall be
21 provided to the operator prior to the lift and before assembly
22 or disassembly begins, in order to prevent exceeding rated
23 capacity limits for the assist crane.

24 (g) The points of attachment of rigging to a boom, boom
25 sections, jib, or jib sections must be suitable for preventing
26 structural damage and facilitating safe handling of these

1 components.

2 (h) The center of gravity of the load must be identified if
3 that is necessary for the method used for maintaining
4 stability. Where there is insufficient information to
5 accurately identify the center of gravity, measures designed to
6 prevent unintended dangerous movement resulting from an
7 inaccurate identification of the center of gravity must be
8 used.

9 (i) The boom sections, boom suspension systems, such as
10 gantry A-frames and jib struts, or components, must be rigged
11 or supported to maintain stability upon the removal of the
12 pins.

13 (j) Where reliance is placed on the boom hoist brake to
14 prevent boom movement during assembly or disassembly, the brake
15 shall be tested to determine if it is sufficient to prevent
16 boom movement. If it is not sufficient, a boom hoist pawl,
17 other locking device, back-up braking device, or another method
18 of preventing dangerous movement of the boom, such as blocking
19 or using an assist crane, from a boom hoist brake failure shall
20 be used.

21 (k) Backward stability must be considered before swinging
22 the upper-works, travel, and when attaching or removing
23 equipment components.

24 (l) Wind speed and weather must be considered so that the
25 safe assembly or disassembly of the equipment is not
26 compromised.

1 (m) Manufacturer limitations on the maximum amount of boom
2 supported only by cantilevering shall not be exceeded. Where
3 these are unavailable, a professional engineer familiar with
4 the type of equipment involved shall determine this limitation
5 in writing, which may not be exceeded.

6 (n) The weight of the components must be readily available.

7 (o) The selection of components and configuration of the
8 equipment that effect the capacity or safe operation of the
9 equipment must be in accordance with the following:

10 (1) manufacturer instructions, limitations, and
11 specifications; where these are unavailable, a
12 professional engineer familiar with the type of equipment
13 involved must approve, in writing, the selection and
14 configuration of components; or

15 (2) the modifications, additions, or repairs are done
16 in accordance with Section 90 of this Act. Upon completion
17 of assembly, the equipment must be inspected to ensure
18 compliance with this Section.

19 (p) The employer must comply with applicable manufacturer
20 prohibitions.

21 Section 80. Annual and comprehensive inspections.

22 (a) At least every 12 months, all cranes operated by a
23 licensee under this Act, including tower cranes, shall be
24 inspected by a qualified person for the following:

25 (1) Equipment structure (including the boom and, if

1 equipped, the jib):

2 (A) Structural members deformed, cracked, or
3 significantly corroded.

4 (B) Bolts, rivets, and other fasteners loose,
5 failed, or significantly corroded.

6 (C) Welds for cracks.

7 (2) Sheaves and drums for cracks or significant wear.

8 (3) Parts such as pins, bearings, shafts, gears,
9 rollers, and locking devices for distortion, cracks, or
10 significant wear.

11 (4) Brake and clutch system parts, linings, pawls, and
12 ratchets for excessive wear.

13 (5) Safety devices and operational aids for proper
14 operation (including significant inaccuracies).

15 (6) Gasoline, diesel, electric, or other power plants
16 for safety-related problems (such as leaking exhaust and
17 emergency shut-down feature), conditions, and proper
18 operation.

19 (7) Chains and chain drive sprockets for excessive wear
20 of sprockets and excessive chain stretch.

21 (8) Travel steering, brakes, and locking devices for
22 proper operation.

23 (9) Tires for damage or excessive wear, if equipped.

24 (10) Hydraulic, pneumatic, and other pressurized
25 hoses, fittings, and tubing, as follows:

26 (A) flexible hose or its junction with the fittings

1 for indications of leaks;

2 (B) threaded or clamped joints for leaks;

3 (C) outer covering of the hose for blistering,
4 abnormal deformation or other signs of failure or
5 impending failure; and

6 (D) outer surface of a hose, rigid tube, or fitting
7 for indications of excessive abrasion or scrubbing.

8 (11) Hydraulic and pneumatic pumps and motors, as
9 follows:

10 (A) performance indicators for unusual noises or
11 vibration, low operating speed, excessive heating of
12 the fluid, and low pressure;

13 (B) loose bolts or fasteners; and

14 (C) shaft seals and joints between pump sections
15 for leaks.

16 (12) Hydraulic and pneumatic valves, as follows:

17 (A) spools for sticking, improper return to
18 neutral, and leaks;

19 (B) leaks;

20 (C) valve housing cracks; and

21 (D) relief valves for failure to reach correct
22 pressure (if there is a manufacturer procedure for
23 checking pressure, it must be followed).

24 (13) Hydraulic and pneumatic cylinders, as follows:

25 (A) drifting caused by fluid leaking across the
26 piston;

1 (B) rod seals and welded joints for leaks;
2 (C) cylinder rods for scores, nicks, or dents;
3 (D) case (barrel) for significant dents; and
4 (E) rod eyes and connecting joints loose or
5 deformed.

6 (14) Outrigger pads or floats and slider pads for
7 excessive wear or cracks.

8 (15) Electrical components and wiring for cracked or
9 split insulation and loose or corroded terminations.

10 (16) Warning labels and decals required under this
11 standard missing or unreadable.

12 (17) Operator seat missing or unusable.

13 (18) Originally equipped steps, ladders, handrails,
14 guards missing.

15 (19) Steps, ladders, handrails, guards in unusable or
16 unsafe condition.

17 (b) This inspection shall include functional testing to
18 determine that the equipment as configured in the inspection is
19 functioning properly.

20 (c) If any deficiency is identified, an immediate
21 determination shall be made by the crane operator, mechanic, or
22 technician as to whether the deficiency constitutes a safety
23 hazard or, though not yet a safety hazard, needs to be
24 monitored in the daily, shift, or monthly inspections.

25 (d) If the crane operator, mechanic, or technician
26 determines that a deficiency is a safety hazard, the equipment

1 shall be removed from service until it has been corrected.

2 (e) If the crane operator, mechanic, or technician
3 determines that, though not presently a safety hazard, the
4 deficiency needs to be monitored, the employer shall ensure
5 that the deficiency is checked in the daily or shift
6 inspections.

7 (f) All of the following information shall be documented
8 and maintained by the employer that conducts the inspection:

9 (1) The items checked and the results of the
10 inspection.

11 (2) The name and signature of the person who conducted
12 the inspection and the date.

13 (3) This document shall be retained for a minimum of 5
14 years.

15 (g) Where the severity of use or conditions is such that
16 there is a reasonable probability of damage or excessive wear,
17 such as loading that may have exceeded rated capacity, shock
18 loading that may have exceeded rated capacity or prolonged
19 exposure to a corrosive atmosphere, the employer shall stop
20 using the equipment and a qualified person shall do each of the
21 following:

22 (1) Inspect the equipment for structural damage.

23 (2) Determine whether any items or conditions listed in
24 this Section need to be inspected and, if so, the qualified
25 person shall inspect those items and conditions.

26 (3) If a deficiency is found, the employer shall follow

1 the applicable requirements set forth in subsections (c),
2 (d), and (e) of this Section.

3 (h) Any part of a manufacturer's procedures regarding
4 inspections that relate to safe operation (such as to a safety
5 device or operator aid, critical part of a control system,
6 power plant, braking system, load-sustaining structural
7 components, load hook, or in-use operating mechanism) that is
8 more comprehensive or has a more frequent schedule than the
9 requirements of this Section shall be followed. Additional
10 documentation requirements by the manufacturer are not
11 required.

12 (i) After any accident, incident, or event resulting in
13 injury to property or a crane operated by a licensee under this
14 Act, including, but not limited to, the failure of a component,
15 attachment, boom, or structure of a crane, it shall be
16 inspected in accordance with this Section.

17 (j) Penalties for a violation of this Section shall be a
18 petty offense punishable by a fine of not less than \$300 plus
19 costs for a first violation and \$500 plus costs for a second or
20 subsequent violation. If a person is injured or killed due to
21 knowingly operating a crane or allowing the operation of a
22 crane in violation of this Section, the offending party is
23 guilty of a Class A misdemeanor.

24 (k) In this Section, "assembly" includes the erection of
25 tower cranes.

1 Section 85. Tower crane erecting, climbing, dismantling,
2 and inspection.

3 (a) Employees shall not be in or under the tower, jib, or
4 rotating portion of the crane during erecting, climbing, and
5 dismantling operations of a self-erecting tower crane until the
6 crane is secured in a locked position and the operator in
7 charge indicates it is safe to enter the area, unless the
8 manufacturer's instructions direct otherwise and only the
9 necessary personnel are permitted in this area.

10 (b) The assembly or disassembly supervisor shall address
11 the following:

12 (1) Foundations and structural supports. Tower crane
13 foundations and structural supports shall be designed by
14 the manufacturer or a professional engineer.

15 (2) Loss of backward stability. Backward stability
16 must be considered before swinging self-erecting cranes or
17 cranes on traveling or static undercarriages.

18 (3) Wind speed. Wind must not exceed the speed
19 recommended by the manufacturer or, where the manufacturer
20 does not specify this information, the speed determined by
21 a licensed crane operator, unless otherwise stated in this
22 Act.

23 (4) Signs. The size and location of signs installed on
24 tower cranes must be in accordance with manufacturer
25 procedures. Where these are unavailable, a professional
26 engineer familiar with the type of equipment involved must

1 approve in writing the size and location of any signs.

2 (5) Plumb tolerance. Towers shall be erected plumb to
3 the manufacturer's tolerance and verified by a qualified
4 person. Where the manufacturer does not specify plumb
5 tolerance, the crane tower shall be plumb to a tolerance of
6 at least 1:500 (approximately 1 inch in 40 feet).

7 (6) Multiple tower crane jobsites. On jobsites where
8 more than one fixed jib (hammerhead) tower crane is
9 installed, the cranes shall be located such that no crane
10 may come in contact with the structure of another crane.
11 Cranes are permitted to pass over one another.

12 (7) Climbing procedures. Prior to and during all
13 climbing (jumping) procedures, including inside climbing
14 and top climbing, the employer shall:

15 (A) comply with all manufacturer prohibitions;

16 (B) have a professional engineer verify that the
17 host structure is strong enough to sustain the forces
18 imposed through the braces, brace anchorages, and
19 supporting floors;

20 (C) ensure that no part of the climbing procedure
21 takes place when wind exceeds 20 miles per hour; and

22 (D) during climbing or jumping operations, the
23 operator shall be in communication with the crew
24 climbing or jumping the crane with a hard wired
25 communications system.

26 (c) Equipment shall not be erected, dismantled, or operated

1 without the amount and position of counterweight or ballast in
2 place as specified by the manufacturer or a professional
3 engineer familiar with the equipment. The maximum
4 counterweight or ballast approved by the manufacturer or
5 professional engineer familiar with the equipment shall not be
6 exceeded.

7 (d) Whenever a stationary tower crane is assembled, all
8 sections shall be assembled and bolts torqued to specification
9 on site.

10 (e) Whenever a turntable is split or replaced ,only new
11 bolts shall be used and torqued to specification.

12 (f) All bolts for tower sections shall be replaced every 12
13 months. If the tower crane is in continuous operation for
14 longer than 12 months, the bolts shall be replaced upon the
15 next assembly.

16 (g) All of the following safety devices are required on all
17 tower cranes unless otherwise specified:

18 (1) Boom stops on luffing boom type tower cranes.

19 (2) Jib stops on luffing boom type tower cranes, if
20 equipped with a jib attachment.

21 (3) Travel rail end stops at both ends of travel rail.

22 (4) Travel rail clamps on all travel bogies.

23 (5) Integrally mounted check valves on all load
24 supporting hydraulic cylinders.

25 (6) Hydraulic system pressure limiting device.

26 (7) The following brakes, which shall automatically

1 set in the event of pressure loss or power failure, are
2 required:

- 3 1) hoist brake on all hoists;
- 4 2) swing brake;
- 5 3) trolley brake; and
- 6 4) rail travel brake.

7 (8) Deadman control or forced neutral return control
8 (hand) levers.

9 (9) Emergency stop switch at the operator's station.

10 (h) Operations shall not begin unless the devices listed in
11 this Section are in proper working order. If a device stops
12 working properly during operations, the operator shall safely
13 stop operations. Operations shall not resume until the device
14 is again working properly. Alternative measures are not
15 permitted to be used unless otherwise specified in this
16 Section.

17 (i) The operational aid devices listed in this Section are
18 required on all tower cranes covered by this Act, unless
19 otherwise specified.

20 Operations shall not begin unless the operational aids are
21 in proper working order. More protective alternative measures
22 specified by the tower crane manufacturer, if any, shall be
23 followed.

24 If an operational aid stops working properly during
25 operations, the operator shall safely stop operations until the
26 device is again working properly. If a replacement part is no

1 longer available, the use of a substitute device that performs
2 the same type of function is permitted and is not considered a
3 modification.

4 All of the following shall apply concerning operational
5 aids and alternative measures.

6 (1) Trolley travel limiting device. The travel of the
7 trolley shall be restricted at both ends of the jib by a
8 trolley travel limiting device to prevent the trolley from
9 running into the trolley end stops.

10 (2) Boom hoist limiting device. The range of the boom
11 shall be limited at the minimum and maximum radius.

12 (3) Anti two-blocking device. The tower crane shall be
13 equipped with a device which automatically prevents damage
14 from contact between the load block, overhaul ball, or
15 similar component, and the boom tip (or fixed upper block
16 or similar component). The devices must prevent such damage
17 at all points where two-blocking could occur.

18 (4) Hoist drum lowering device. Tower cranes
19 manufactured after January 1, 2008 shall be equipped with a
20 device that prevents the last 2 wraps of hoist cable from
21 being spooled off the drum.

22 (5) Load moment limit device. The tower crane shall
23 have a device that prevents moment overloading.

24 (6) Hoist line pull limiting device. The capacity of
25 the hoist shall be limited to prevent overloading,
26 including each individual gear ratio if equipped with a

1 multiple speed hoist transmission.

2 (7) Rail travel limiting device. The travel distance in
3 each direction shall be limited to prevent the travel
4 bogies from running into the end stops or buffers.

5 (8) Boom hoist drum positive locking device. The boom
6 hoist drum shall be equipped with a device to positively
7 lock the boom hoist drum. As a temporary alternative
8 measure, the device may be manually set when required, if
9 an electric, hydraulic, or automatic type is not
10 functioning.

11 (9) Boom angle or hook radius indicator, as follows:

12 (A) Luffing boom tower cranes shall have a boom
13 angle indicator readable from the operator's station.

14 (B) Hammerhead tower cranes manufactured after
15 January 1, 2008, shall have a hook radius indicator
16 readable from the operator's station.

17 (C) As a temporary alternative measure, hook radii
18 or boom angle may be determined by measuring the hook
19 radii or boom angle with a measuring device.

20 (10) Trolley travel deceleration device. The trolley
21 speed shall be automatically reduced prior to the trolley
22 reaching the end limit in both directions. As a temporary
23 alternative measure, the operator may reduce the trolley
24 speed when approaching the trolley end limits.

25 (11) Boom, hoist deceleration device. The boom speed
26 shall be automatically reduced prior to the boom reaching

1 the minimum or maximum radius limit.

2 (12) Load hoist deceleration device. The load speed
3 shall be automatically reduced prior to the hoist reaching
4 the upper limit.

5 (13) Wind speed indicator. A device shall be provided
6 to display the wind speed and shall be mounted above the
7 upper rotating structure on tower cranes. On self-erecting
8 cranes, it shall be mounted at or above the jib level.

9 (14) Load indicating device. Cranes manufactured after
10 January 1, 2008 shall have a device that displays the
11 magnitude of the load on the hook. Displays that are part
12 of load moment limiting devices that display the load on
13 the hook meet this requirement. Temporary alternative
14 measures: The weight of the load shall be determined from a
15 reliable source (such as the load's manufacturer), by a
16 reliable calculation method (such as calculating a steel
17 beam from measured dimensions and a known per foot weight),
18 or by other equally reliable means. This information shall
19 be provided to the operator prior to the lift.

20 If one or more of the devices listed in this subsection (i)
21 fails or becomes inoperable, as soon as it is practical and
22 safe, the crane operator shall cease all operations, unless
23 necessary to aid in the prevention of loss of life or personal
24 injury.

25 (j) In addition to the post-assembly requirements set forth
26 in subsection (o) of Section 75 of this Act, the following

1 requirements shall be met:

2 (1) A load test using certified weights, or scaled
3 weights using a certified scale with a current certificate
4 of calibration, shall be conducted after each erection.

5 (2) The load test shall be conducted in accordance with
6 the manufacturer's instructions. Where these instructions
7 are unavailable, a registered professional engineer
8 familiar with the type of equipment involved shall develop
9 written load test procedures.

10 Each of the following additional items shall be included in
11 monthly inspections:

12 (1) Tower (mast) bolts and other structural bolts
13 from the base of the tower crane up or, if the crane is
14 tied to or braced by the structure, those above the
15 upper-most brace support.

16 (2) The upper-most tie-in, braces, floor supports,
17 and floor wedges where the tower crane is supported by
18 the structure for loose or dislodged components.

19 (k) Penalties for a violation of this Section shall be a
20 petty offense punishable by a fine of not less than \$300 plus
21 costs for a first violation and \$500 plus costs for a second or
22 subsequent violation. If a person is injured or killed due to
23 knowingly operating a crane or allowing the operation of a
24 crane in violation of this Section, the offending party is
25 guilty of a Class A misdemeanor.

1 Section 90. Repaired and adjusted equipment.

2 (a) Equipment that has had a repair or adjustment that
3 relates to safe operation, such as a repair or adjustment to a
4 safety device or operator aid or to a critical part of a
5 control system, power plant, braking system, load-sustaining
6 structural components, load hook, or in-use operating
7 mechanism, shall be inspected by a qualified person after such
8 a repair or adjustment has been completed, prior to initial
9 use. The inspection shall meet the following requirements:

10 (1) The qualified person shall determine if the repair
11 or adjustment meets manufacturer equipment criteria, where
12 applicable and available.

13 (2) Where manufacturer equipment criteria are
14 unavailable or inapplicable, the qualified person shall do
15 each of the following:

16 (A) Determine if a professional engineer is needed
17 to develop criteria for the repair or adjustment. If a
18 professional engineer is not needed, the employer
19 shall ensure that the criteria are developed by the
20 qualified person. If an professional engineer is
21 needed, the employer shall ensure that they are
22 developed by an professional engineer.

23 (B) Determine if the repair or adjustment meets the
24 criteria developed in accordance with this Act.

25 The inspection shall include functional testing.

26 (b) Equipment shall not be used until an inspection under

1 this Section demonstrates that the repair or adjustment meets
2 the requirements of this Section.

3 (c) Any repair to a load-sustaining structural component
4 that requires the component to be welded shall be inspected by
5 a certified welding inspector before the crane is placed back
6 in operation.

7 (d) Modifications or additions that effect the capacity or
8 safe operation of the equipment are prohibited, except where
9 any of the following requirements are met:

10 (1) The manufacturer approves the modifications and
11 additions in writing.

12 (2) The manufacturer is provided a detailed
13 description of the proposed modification, is asked to
14 approve the modification or addition, but it declines to
15 review the technical merits of the proposal or fails,
16 within 30 days, to acknowledge the request or initiate the
17 review, and all of the following are met:

18 (A) A professional engineer who is a qualified
19 person with respect to the equipment involved (i)
20 approves the modification or addition and specifies
21 the equipment configurations to which that approval
22 applies and (ii) modifies load charts, procedures,
23 instruction manuals, and instruction plates, tags, or
24 decals as necessary to accord with the modification or
25 addition.

26 (B) The original safety factor of the equipment is

1 not reduced.

2 (C) The manufacturer is unavailable and the
3 requirements of items (A) and (B) of paragraph (2) of
4 subsection (a) of this Section have been met.
5 Modifications or additions that effect the capacity or
6 safe operation of the equipment are prohibited where
7 the manufacturer, after a review of the technical
8 safety merits of the proposed modification and
9 addition, rejects the proposal and explains the
10 reasons for the rejection in a written response.

11 (e) The following information shall be documented and
12 maintained for a period of at least 5 years by the employer
13 that conducts the repair inspection:

14 (1) Compliance with items (A) and (B) of paragraph (2)
15 of subsection (a) of this Section.

16 (2) The items checked and the results of the
17 inspection.

18 (3) The name and signature of the person who conducted
19 the inspection and the date.

20 Section 95. Load charts. All cranes, derricks, or hoists
21 covered under this Act shall have the appropriate legible load
22 chart for the crane with the crane at all times. Penalties for
23 a violation of this Section shall be a petty offense punishable
24 by a fine of not less than \$300 plus costs for a first
25 violation and \$500 plus costs for a second or subsequent

1 violation. If a person is injured or killed due to knowingly
2 operating a crane or allowing the operation of a crane in
3 violation of this Section, the offending party is guilty of a
4 Class A misdemeanor.

5 Section 100. Hearing.

6 (a) The Board may upon its own motion, and shall upon the
7 sworn complaint in writing of any person setting forth charges
8 that, if proved, would constitute grounds under Section 65 for
9 refusal, suspension, or revocation of a license, investigate
10 the actions of any person holding or claiming to hold a
11 license.

12 (b) The Board shall, at least 10 days prior to the date set
13 for the hearing and before refusing to issue, suspend, or
14 revoke any license, notify the applicant or holder of the
15 license, in writing, of any charges made, and shall afford him
16 or her an opportunity to be heard in person or by counsel. The
17 notice may be served by personal delivery to the accused person
18 or by registered mail to the last place of business specified
19 by the accused person in the notification to the Agency.

20 (c) At the time and place fixed in the notice, the Board
21 shall proceed to the hearing of the charges and both the
22 accused person and the complainant shall be accorded ample
23 opportunity to present, in person or by counsel, any statement,
24 testimony, evidence, or argument that may be pertinent to the
25 charges or to any defense against the charges. The Board may

1 continue the hearing from time to time. If the Board is not
2 sitting at the time and place to which the hearing has been
3 continued, the Department may continue the hearing for a period
4 not to exceed 30 days, and all parties in interest shall be
5 given notice in writing of the date and hour to which the
6 hearing has been continued and the place at which it is to be
7 held.

8 Section 105. Review.

9 (a) All final administrative decisions of the Department
10 shall be subject to judicial review pursuant to the provisions
11 of the Administrative Review Law, and all amendments and
12 modifications thereof, and the rules adopted pursuant thereto.
13 The term "administrative decision" is defined as in Section
14 3-101 of the Code of Civil Procedure. The proceedings for
15 judicial review shall be commenced in the circuit court of the
16 county in which the party applying for review resides. If the
17 party is not a resident of this State, the venue shall be in
18 Sangamon County.

19 (b) The Department shall not be required to certify any
20 record to the court or file any answer in court or otherwise
21 appear in any court in a judicial review proceeding unless
22 there is filed in the court with the complaint a receipt from
23 the Department acknowledging payment of the costs of furnishing
24 and certifying the record, which costs shall be computed at the
25 rate of 20 cents per page of the record. Exhibits shall be

1 certified without cost. Failure on the part of the plaintiff to
2 file the receipt with the court shall be grounds for dismissal
3 of the action.

4 Section 110. Injunction.

5 (a) Operating or assisting in the operation of a crane in
6 this State or offering to operate, assist, or use or to
7 advertise or otherwise represent to the public any title or
8 description implying that the person is a crane or hoisting
9 equipment operator or apprentice by a person who does not
10 possess a valid and current license under this Act is declared
11 to be against the public welfare and to constitute a public
12 nuisance.

13 (b) The Attorney General, the Secretary, the State's
14 Attorney for any county in the State, or any resident citizen
15 may maintain an action in the name of the people of the State
16 of Illinois to perpetually enjoin any person from unlawfully
17 operating as a crane or hoisting equipment operator or
18 apprentice and from committing or continuing any such unlawful
19 act.

20 (c) In all proceedings, the court, in its discretion, may
21 apportion the costs among the parties interested in the suit,
22 including the costs of filing the complaint, service of
23 process, witness fees and expenses, court reporter charges, and
24 reasonable attorneys' fees. This proceeding is in addition to
25 and not in lieu of criminal prosecution.

1 Section 115. Penalties.

2 (a) Any person who operates a crane or a hoist in this
3 State without obtaining an operator's license under this Act
4 from the Agency shall be guilty of a business offense and for
5 the first violation shall be fined not more than \$1,000, for a
6 second violation shall be fined not more than \$3,000, and for a
7 third or subsequent conviction shall be fined not more than
8 \$5,000.

9 (b) Any employer, contractor or agent who knowingly permits
10 any individual to operate a crane or a hoist in this State
11 without the individual possessing a valid operator's license
12 issued under this Act shall be guilty of a Class A misdemeanor
13 and may be fined not more than \$1,000 for the first offense,
14 not more than \$3,000 for the second offense, and not more than
15 \$5,000 for a third or subsequent offense.

16 (c) Any person who assists in the operation of a crane or
17 hoist in this State without obtaining an apprentice's license
18 under this Act from the Board shall be guilty of (i) a petty
19 offense for the first violation and shall be fined not more
20 than \$1,000, (ii) a business offense for a second violation and
21 shall be fined not more than \$3,000, and (iii) a business
22 offense for a third or subsequent violation and shall be fined
23 not more than \$5,000.

24 (d) Any employer, contractor or agent who knowingly permits
25 any individual to assist in the operation of a crane or hoist

1 in this State without the individual possessing a valid
2 apprentice's license issued under this Act shall be guilty of a
3 Class A misdemeanor and may be fined not more than \$1,000 for
4 the first offense, not more than \$3,000 for the second offense,
5 and not more than \$5,000 for a third or subsequent offense.

6 (e) It shall be unlawful for any person to threaten,
7 coerce, or intimidate a crane operator into operating a crane
8 that such person feels is unsafe.

9 (f) Penalties for a violation of this Act not otherwise
10 stated shall be a petty offense punishable by a fine of not
11 less than \$300 plus costs for a first violation and \$500 plus
12 costs for a second or subsequent violation. If a person is
13 injured or killed due to knowingly operating a crane or
14 allowing the operation of a crane in violation of this Section,
15 the offending party is guilty of a Class A misdemeanor.

16 Section 120. Rules.

17 (a) The Department shall exercise the power and duties
18 prescribed by the Civil Administrative Code of Illinois for the
19 administration of licensing Acts and shall exercise any other
20 powers and duties invested by this Act.

21 (b) The Board may adopt rules consistent with the
22 provisions of this Act, for the administration and enforcement
23 thereof and may prescribe forms that shall be issued in
24 connection therewith.

1 Section 125. Documents and records. Any documents or
2 records required to be kept under this Act shall be made
3 available to the Department or inspectors upon request.

4 Section 130. OSHA compliance. This Act shall be construed
5 to comply with the requirements and regulations of the federal
6 Occupational Safety and Health Administration in the licensing
7 of crane operators by a governmental agency.

8 Section 900. The Regulatory Sunset Act is amended by adding
9 Section 4.31 as follows:

10 (5 ILCS 80/4.31)

11 Sec. 4.31. Acts Act repealed on January 1, 2021. The
12 following Acts are Act is repealed on January 1, 2021:

13 The Crane Licensing Public Safety Act.

14 The Crematory Regulation Act.

15 The Cemetery Oversight Act.

16 The Illinois Health Information Exchange and Technology
17 Act.

18 The Radiation Protection Act of 1990.

19 (Source: P.A. 96-1041, eff. 7-14-10; 96-1331, eff. 7-27-10;
20 incorporates P.A. 96-863, eff. 3-1-10; revised 9-9-10.)

21 Section 905. The State Finance Act is amended by adding
22 Section 5.786 as follows:

1 (30 ILCS 105/5.786 new)

2 Sec. 5.786. The Crane Operators Licensing Fund.

3 Section 999. This Act takes effect upon becoming law.