

**OCCUPATIONAL SAFETY  
AND HEALTH STANDARDS BOARD**

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Attachment No. 2

**INITIAL STATEMENT OF REASONS**

## CALIFORNIA CODE OF REGULATIONS

TITLE 8: Section 5001, Plate I  
of the General Industry Safety Orders

**Update and Harmonization of Crane Hand Signals Standards and Illustrations****SUMMARY**

Board staff proposes amendments to Plate I (illustrative drawings) of General Industry Safety Orders (GISO), Section 5001 that depict the various hand signals given by a signalperson to the crane operator to communicate various types of crane action (e.g., raise, lower boom, stop, rotate). The Construction Safety Orders, Section 1617.1 (d)(1) refers to the hand signals found in GISO, Section 5001.

The proposal is to adopt Appendix A of Subpart CC of 29 CFR Part 1926 of the federal Crane and Derrick regulations and retain the other hand signals that are not part of the federal standard.

**SPECIFIC PURPOSE AND FACTUAL BASIS OF PROPOSED ACTION**

This regulatory proposal is intended to provide worker safety at places of employment in California.

This proposed rulemaking action:

- Is based on the following authority and reference: Labor Code Section 142.3, which states, at subsection (a)(1) that the Board “is the only agency in the state authorized to adopt occupational safety and health standards”. When read in its entirety, Section 142.3 requires that California have a system of occupational safety and health regulations that at least mirror the equivalent federal regulations and that may be more protective of worker health and safety than are the federal occupational safety and health regulations.
- In conformance with Government Code Section 11346.9(c), the Board provides the following information. Federal OSHA promulgated regulation addressing crane hand signals on August 9, 2010, as 29 CFR Part 1926, Subpart CC Appendix A. The Board is relying on the explanation of the provisions of the federal regulations in Federal Register,

Volume 75, No. 152, pages 48173-48175, August 9, 2010, as the justification for the Board's proposed rulemaking action.

- Is not inconsistent or incompatible with existing state regulations. This proposal is part of a system of occupational safety and health regulations. The consistency and compatibility of that system's component regulations is provided by such things as: (1) the requirement of the federal government and the Labor Code to the effect that the state's regulations be at least as effective as their federal counterparts, and (2) the requirement that all state occupational safety and health rulemaking be channeled through a single entity (the Standards Board).
- Would update the recommended hand signals to reflect the current hand signals used in general and construction industries.

### Section 5001. Signals

#### Plate I - Recommended Hand Signals for Controlling Crane Operations

Section 5001 speaks of general requirements for the signaling operation between the signalperson and crane operator. It contains a reference to illustrative drawings depicting the recommended hand signals. Updating the illustrative drawings would clarify to employer and employees a set of standardized hand signals to facilitate safe handling and movement of loads. These amendments are necessary to reflect the current hand signals used in industry and make the illustrative drawings consistent with federal standards.

#### DOCUMENTS RELIED UPON

- 29 CFR Part 1926, Subpart CC Appendix A, Federal Register, Volume 75, No. 152, pages, 48173-75 (August 9, 2010).

These documents are available for review Monday through Friday from 8:00 a.m. to 4:30 p.m. at the Standards Board Office located at 2520 Venture Oaks Way, Suite 350, Sacramento, California.

#### REASONABLE ALTERNATIVES THAT WOULD LESSEN ADVERSE ECONOMIC IMPACT ON SMALL BUSINESSES

No reasonable alternatives were identified by the Board and no reasonable alternatives identified by the Board or otherwise brought to its attention would lessen the impact on small businesses.

#### SPECIFIC TECHNOLOGY OR EQUIPMENT

This proposal will not mandate the use of specific technologies or equipment.

## COST ESTIMATES OF PROPOSED ACTION

### Costs or Savings to State Agencies

No costs or savings to state agencies will result as a consequence of the proposed action.

### Impact on Housing Costs

The Board has made a determination that this proposal will not significantly affect housing costs.

### Economic Impact Analysis/Assessment

The Board has made a determination that this proposal will not result in a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. The proposal amends the illustrations depicting the recommended hand signals for crane operations for clarity. It does not add additional regulatory requirement, and thus will not have an economic impact.

Therefore, the adoption of the proposed amendments to these standards will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California.

This regulatory proposal is intended to provide worker safety at places of employment in California.

### Cost Impact on Private Persons or Businesses

The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

### Costs or Savings in Federal Funding to the State

The proposal will not result in costs or savings in federal funding to the state.

### Costs or Savings to Local Agencies or School Districts Required to be Reimbursed

No costs to local agencies or school districts are required to be reimbursed. See explanation under "Determination of Mandate".

### Other Nondiscretionary Costs or Savings Imposed on Local Agencies

This proposal does not impose nondiscretionary costs or savings on local agencies.

### DETERMINATION OF MANDATE

The Occupational Safety and Health Standards Board has determined that the proposed regulation does not impose a local mandate. There are no costs to any local government or school district which must be reimbursed in accordance with Government Code Sections 17500 through 17630.

### EFFECT ON SMALL BUSINESSES

The Board has determined that the proposed amendments may affect small businesses. However, no economic impact is anticipated. The clarification of the recommended hand signals will likely improve the communication between signalperson and crane operator.

### RESULTS OF THE ECONOMIC IMPACT ANALYSIS/ASSESSMENT

The proposal concerns recommended, non-mandatory hand signals. As a result, the proposal will not have any effect on the creation or elimination of California jobs or the creation or elimination of California businesses or affect the expansion of existing California businesses.

### BENEFITS OF THE REGULATION

The clarification of the recommended hand signals would benefit the employer because it would improve communication between the hand signal person and crane operator. This would facilitate the safe movement and handling of load, thereby preventing accidents and cost incurred due to property damage and medical cost.

### ALTERNATIVES THAT WOULD AFFECT PRIVATE PERSONS

No reasonable alternatives have been identified by the Board or have otherwise been identified and brought to its attention that would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.