

**OCCUPATIONAL SAFETY  
AND HEALTH STANDARDS BOARD**

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**FINAL STATEMENT OF REASONS**

## CALIFORNIA CODE OF REGULATIONS

TITLE 8: Chapter 4, Subchapter 7, Article 92, Section 4889  
of the General Industry Safety Orders

**Warning Devices for Overhead Cranes**

There are no modifications to the information contained in the Initial Statement of Reasons except for the following nonsubstantive modification which is the result of public comments and/or Board staff evaluation.

Section 4889. Warning Devices.Subsection (d)

A comment received at the June 15, 2000 Public Hearing noted that the second sentence in subsection (d), "Temporary crane operation will be permitted if a spotter having a clear view of the crane load and operator is present" is actually an exception to the requirements contained in subsection (d) and recommended that it be shown as an "EXCEPTION".

Board staff agrees with this comment and is proposing a nonsubstantive modification without a 15-day notice pursuant to Government Code, Section 11346.8(c)(1). The modification proposes the second sentence of subsection (d) as an "EXCEPTION". The proposed modification does not change the meaning or requirements of the regulation and is necessary for consistency with the format of Section 4889 which contains an "EXCEPTION" in proposed subsection (a) and existing subsection (b).

**SUMMARY AND RESPONSE TO ORAL AND WRITTEN COMMENTS****I. Written Comments**

There were no written comments received.

**II. Oral Comments**

Oral comment received at the June 15, 2000 Public Hearing.

**Mr. William Jackson, Board Member**

Mr. Jackson stated that the last sentence in subsection (d) gives permission not to comply with the regulation and that it should be written as an exception to the regulation.

Response

The Board concurs with Mr. Jackson that the last sentence (second sentence) in proposed subsection (d) is actually an exception to the regulation and it should be written as such for consistency with the other exceptions in subsections (a) and (b). Therefore, a nonsubstantive modification has been made proposing the second sentence of subsection (d) as an "EXCEPTION".

DETERMINATION OF MANDATE

This regulation does not impose a mandate on local agencies or school districts as indicated in the Initial Statement of Reasons.

ALTERNATIVES CONSIDERED

The Board invited interested persons to present statements or arguments with respect to alternatives to the proposed regulation. No alternative considered by the Board 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 adopted action.