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NOTICE OF HEARING

Pursuant to M.G.L. c. 146, §53, 53A, and c. 30A, §2, the Division of Occupational Licensure will be holding a public hearing relative to hoisting machinery, 520 CMR 6.00.

The purpose of these amendments is to remove outdated references in these regulations as well as to make changes designed to ease pathways to obtaining and retaining licensure and removal of unnecessary requirements to assist in business operations. This includes clarifying definitions, expanding the ability to utilize temporary permits, reducing continuing education requirements, and recognizing national certifications as an alternative pathway to licensure. A small business impact statement has been filed with the Secretary of the Commonwealth's Office. The Division will hold the public hearing in person and encourages live attendance, a remote option is also being provided, the details are as follows:

Wednesday, August 20, 2025, at 10:00 a.m.:

Division of Occupational Licensure – Room 6008
1 Federal Street, 6th Floor
Boston, MA 02110

To attend by videoconference:

<https://www.microsoft.com/en-us/microsoft-teams/join-a-meeting>

Meeting ID: 248 860 541 729 4

Passcode: S8wQ7k39

Or call in to: (857) 327-9245, Phone Conference ID: 196 727 252

Interested Parties will be given an opportunity to present testimony orally or in writing at this hearing. The Division will also accept written comments regarding the regulations sent via email at Email Office of Public Safety and Inspections, Division of Occupational Licensure at OPSI-info@mass.gov or by mail at this address:

Division of Occupational Licensure
Office of Public Safety and Inspections – ATTN Hoisting Program
1 Federal Street, 6th Floor
Boston, MA 02210

Written comments must be received by 5:00 p.m. on **Monday, August 18, 2025**. A copy of the proposed regulations may be obtained at the Division's web site located at: <https://www.mass.gov/orgs/office-of-public-safety-and-inspections> or by contacting the Division office directly at the above address or by phone: (617) 727-3200.



Small Business Impact Statement

(As required by M.G.L. c. 30A §§ 2, 3 & 5)

CMR No: 520 CMR 6.00

Estimate of the Number of Small Businesses Impacted by the Regulation: Approximately 60,000

Select Yes or No and Briefly Explain

Yes <input type="checkbox"/>	No <input type="checkbox"/>	Will small businesses have to create, file, or issue additional reports? This regulation does not create a reporting requirement.
Yes <input type="checkbox"/>	No <input type="checkbox"/>	Will small businesses have to implement additional recordkeeping procedures? This regulation does not mandate recordkeeping.
Yes <input type="checkbox"/>	No <input type="checkbox"/>	Will small businesses have to provide additional administrative oversight? This regulation is not being amended to create additional administrative oversight.
Yes <input type="checkbox"/>	No <input type="checkbox"/>	Will small businesses have to hire additional employees in order to comply with the proposed regulation? This regulation does not create regulatory burdens necessitating additional employees.
Yes <input type="checkbox"/>	No <input type="checkbox"/>	Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, accountant, engineer, etc.)? This regulation does not mandate any hiring (other related regulations require that the holders of appropriate professional licenses involved in the process of operating hoisting equipment).
Yes <input type="checkbox"/>	No <input type="checkbox"/>	Does the regulation require small businesses to purchase a product or make any other capital investments in order to comply with the regulation? This regulation section does not mandate purchasing a product or making other investments (it does require machinery to have standard safety equipment, but as this equipment should be standard with the equipment, obtaining it should not constitute an additional purchase).
Yes <input type="checkbox"/>	No <input type="checkbox"/>	Are performance standards more appropriate than design/operational standards to accomplish the regulatory objective? (Performance standards express requirements in terms of outcomes, giving the regulated party flexibility to achieve regulatory objectives and design/operational standards specify exactly what actions regulated parties must take.) It would not be possible to create an effective performance standard for the prerequisites of operating hoisting machinery as design/operational standards are necessary to ensure only qualified operators following safe and effective operating procedures are utilized.
Yes <input type="checkbox"/>	No <input type="checkbox"/>	Do any other regulations duplicate or conflict with the proposed regulation? No other regulations are known to duplicate/conflict with this regulation.
Yes <input type="checkbox"/>	No <input type="checkbox"/>	Does the regulation require small businesses to cooperate with audits, inspections or other regulatory enforcement activities? This regulation mandates cooperation with inspections/regulatory enforcement activities. That requirement is not limited to small businesses.
Yes <input type="checkbox"/>	No <input type="checkbox"/>	Does the regulation require small businesses to provide educational services to keep up to date with regulatory requirements? This regulation mandates licensees obtaining continuing education (though the requirements are being

		reduced).
Yes <input type="checkbox"/>	No <input type="checkbox"/>	Is the regulation likely to <i>deter</i> the formation of small businesses in Massachusetts? This regulation adopts requirements necessary for safe operation of hoisting equipment, while those requirements may increase some costs, they are necessary for public safety and avoiding later loss of life and property, therefore it would not be anticipated to deter the formation of any businesses.
Yes <input type="checkbox"/>	No <input type="checkbox"/>	Is the regulation likely to <i>encourage</i> the formation of small businesses in Massachusetts? This regulation adopts requirements necessary for safe operation of hoisting equipment, while those requirements may increase some costs, they are necessary for public safety and avoiding later loss of life and property, therefore it would not be anticipated to encourage the formation of any businesses.
Yes <input type="checkbox"/>	No <input type="checkbox"/>	Does the regulation provide for less stringent compliance or reporting requirements for small businesses? This regulation mandates equal requirements for the safe operation of hoisting equipment, so it does not reduce those requirements for any one sector of the industry.
Yes <input type="checkbox"/>	No <input type="checkbox"/>	Does the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses? This regulation mandates equal requirements for the safe operation of hoisting equipment, so it does not reduce those requirements for any one sector of the industry.
Yes <input type="checkbox"/>	No <input type="checkbox"/>	Did the agency consolidate or simplify compliance or reporting requirements for small businesses? This regulation mandates equal requirements for the safe operation of hoisting equipment, it does not reduce those requirements for any one sector of the industry.
Yes <input type="checkbox"/>	No <input type="checkbox"/>	Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective? It would not be possible to create an effective performance standard for the safe operation of hoisting equipment as design/operational standards are necessary to ensure only qualified operators following safe and effective operating procedures are utilized.
Yes <input type="checkbox"/>	No <input type="checkbox"/>	Are there alternative regulatory methods that would minimize the adverse impact on small businesses? This regulation mandates equal requirements for all materials used in the safe operation of hoisting equipment, it does not reduce those requirements for any one sector of the industry.