

**Bill: 1<sup>st</sup> substitute SB 58 – Mobile Crane Amendments**

Sponsor: Senator Calvin Musselman

Floor Sponsor: TBD

**UASD Position: Oppose** (consider reconsidering with the adoption of the 1<sup>st</sup> substitute)

This Bill addresses the use of mobile cranes.

Discussion: This Bill requires an owner of property on which a mobile tilt crane will be used to obtain a geotechnical report. The property owner is required to take certain precautions if the geotechnical report states that the conditions of the property cannot support the maximum crane load. The Bill creates a presumption of negligence in a civil action resulting from an owner failing to take certain precautions recommended by the geotechnical report. The sponsor presented the 1<sup>st</sup> substitute, which was adopted by the Committee. The sponsor worked with stakeholders to narrow the language to only apply to tilt cranes. The substitute exempts state buildings. The Bill came about because cranes were being used to lift very large slabs of pre-poured cement. As the building heights increase, so does the size and weight of the cranes. Injuries and property damage have occurred when the ground is not strong enough to handle that much weight. The sponsor said that the industry has recognized that more geotechnical work should be performed before using tilt cranes.

A representative of the Association of General Contractors and Commercial Construction testified that the Utah Department of Transportation (“UDOT”) must provide a permit in order to move a crane via a highway. The individual parts being transported must meet the weight limit requirements set by UDOT so as not to damage roads. The civil damages noted in the Bill are due to a presumption of negligence. A property owner must meet geo-standards in order to utilize tilt cranes. If they do not, and a crane tips causing property damage or injury, the property owner would be liable. Leif Elder, representing UDOT, expressed support for the changes made in the 1<sup>st</sup> substitute. The Utah Mechanical Contractors Association thanked the sponsor for addressing their concerns with the substitute.

Yeas: 4

Nays: 0

N/V: 4

**Outcome: 1<sup>st</sup> substitute SB 58 passed out of the Committee with a favorable recommendation.**

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