

New OSHA Crane & Derricks Rule is Effective November 8, 2010

The excerpt below explains the **exclusion** of Mechanics Trucks.

# **Department of Labor**

**Occupational Safety and Health  
Administration**

**29 CFR Part 1926**

**Cranes and Derricks in Construction;  
Final Rule Monday, August 9, 2010**

**Page 273**

Proposed paragraph (c)(9) excluded mechanics' trucks with hoisting devices when used in activities related to equipment maintenance and repair. One commenter stated that similar trucks are used in the power line industry for tasks such as installing transformers and suggested that such equipment should also be excluded. (ID-0144.1.) However, as explained in the proposed rule, this provision was not intended to exclude mechanics' trucks when used to hoist materials during construction work but only to provide a limited exception when they are used for equipment maintenance and repair activities. Their use in this manner is similar to the way automotive wreckers and tow trucks, which are excluded under paragraph (c)(3) of this section, are used. OSHA determines that this exclusion should be limited in the manner stated in the proposed rule, and paragraph (c)(9) is promulgated as proposed.