



ADMINISTRATIVE RULES OF MONTANA

24.135.501 HOISTING OPERATORS LICENSE REQUIREMENTS

- (1) No person shall operate any hoisting equipment except as listed under (8) of this rule, without first obtaining a hoisting operator's license from the bureau, unless meeting requirements of (6).
- (2) The following hoisting licenses are issued under 50-76-102, MCA, that are applicable to other than mine hoisting equipment:
 - (a) first-class hoisting license;
 - (b) second-class hoisting license.
- (3) A person applying for a hoisting operator's license under 50-76-102, MCA, shall meet the following requirements:
 - (a) have passed their 18th birthday;
 - (b) have passed a physical examination within 180 days prior to a new application and present this report to the department, or present proof of passing an applicable physical examination; and
 - (c) pass a written examination as prescribed by the bureau.
- (4) An applicant for a first-class hoisting operator's license shall have no less than one year of experience in the operation of hoisting equipment covered by this rule, at a minimum of 1000 hours per year. Applicants with less than one year of experience do not qualify for a first-class hoisting operator's license. Applicants with work experience acquired in states that have no licensing requirements will qualify if their notarized certificate of experience indicates they have the required work experience on the applicable equipment.
 - (a) The holder of a first-class hoisting operator's license can operate types of hoists which include but are not limited to the following:
 - (i) elevators in buildings under construction with engines delivering unlimited brake horsepower;
 - (ii) multiple drum hoists with engines delivering unlimited brake horsepower;
 - (iii) single drum hoists with engines delivering unlimited brake horsepower; and
 - (iv) all hoists allowed by second-class hoisting operators' licenses.
- (5) An applicant for a second-class hoisting operator's license shall have no less than one year of experience in the operation of hoisting equipment covered by this rule, at a minimum of 1000 hours per year. Applicants with less than one year of experience do not qualify for a second-class hoisting operator's license. Applicants with work experience acquired in states that have no

licensing requirements will qualify if their notarized certificate of experience indicates they have the required work experience on the applicable equipment.

- (a) The holder of a second-class hoisting operator's license can operate the following types of hoists:
 - (i) elevators in buildings under construction with engines delivering up to 100 brake horsepower; and
 - (ii) single drum and multiple drum hoists with engines delivering up to 100 brake horsepower.
- (6) Persons operating hoisting equipment listed in this rule who have less than one year of experience must work under the direct supervision of a licensed hoisting operator or participate in a certified apprenticeship training program.
- (7) Application for any license must be accompanied by the following:
 - (a) A notarized certificate of experience provided by the bureau and signed by a person having actual knowledge of the applicant's past work experience.
 - (b) A report of physical examination filled out and signed by the physician, physician assistant, or advanced practice registered nurse having given the examination. The form is provided by the bureau. An alternate form may be used if approved by the bureau. The physical may not be dated more than 180 days from the date the application is received by the bureau.
 - (c) A qualification and experience information form provided by the bureau.
 - (d) The license fee provided by ARM 24.135.402.
- (8) Hoisting operators' licenses need not be obtained to operate the following types of equipment:
 - (a) stiff legs;
 - (b) front-end and rear-end loaders;
 - (c) forklifts;
 - (d) hoists and elevators in completed private and public buildings;
 - (e) hydraulic man lifts.

Authorizing statute(s): 50-76-112, MCA

Implementing statute(s): 50-76-102, 50-76-103, 50-76-104, MCA

History: NEW, 1983 MAR p. 1300, Eff. 11/26/83; TRANS, from Dept. of Labor and Industry, 1995 MAR p. 1133, Eff. 7/1/95; AMD, 1995 MAR p. 2247, Eff. 10/27/95; AMD, 1998 MAR p. 453, Eff. 2/13/98; TRANS, from Commerce, 2005 MAR p. 581; AMD, 2006 MAR p. 219, Eff. 1/27/06; AMD, 2021 MAR p. 470, Eff. 5/1/21.