



ADMINISTRATIVE RULES OF MONTANA

24.135.530 MINE HOISTING OPERATORS LICENSE REQUIREMENTS

- (1) No person shall operate mine hoisting equipment when used in raising or lowering persons or materials in underground mines without first obtaining a mine hoisting operator's license from the bureau, unless meeting requirements of (8).
- (2) The following hoisting licenses are issued under 50-76-102, MCA, that are applicable to mine hoisting equipment:
 - (a) first-class mine hoisting operator's license;
 - (b) second-class mine hoisting operator's license.
- (3) A person applying for a mine hoisting operator's license 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 mine hoisting operator's license shall have no less than one year of experience in the operation of mine hoisting equipment, at a minimum of 1000 hours per year. An applicant with less than one year of experience in the operation of mine hoisting equipment does not qualify for a mine 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.
- (5) The holder of a first-class mine hoisting operator's license can operate all classes of mine hoists.
- (6) An applicant for a second-class mine hoisting operator's license shall have no less than one year of experience in the operation of mine 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 mine hoisting operator's license. Applicants with 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.
- (7) The holder of a second-class mine hoisting operator's license can operate mine hoists with engines delivering up to 100 brake horsepower.
- (8) Persons operating mine hoisting equipment listed in this rule who have less than one year of experience must work under the direct supervision of a licensed mine hoisting operator or participate in a certified apprenticeship training program.

- (9) Mines using automatic hoists must have a licensed mine hoisting operator readily available.
- (10) Application for a license must be accompanied by the following:
 - (a) A notarized certificate of experience 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 upon request. 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.

Authorizing statute(s): 50-73-103, 50-76-112, MCA

Implementing statute(s): 50-73-302, 50-76-102, 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.