



September 26, 2016

The Department of Public Safety
Attn: Stephen Carley
One Ashburton Place, Room 1301
Boston, MA 02108

Dear Mr. Carley:

Thank you for the opportunity to comment on proposed revisions to 520 CMR 6.00, pertaining to hoisting machinery as defined under Chapter 146, § 53 of the Massachusetts General Laws.

The Massachusetts Chemistry & Technology Alliance, Inc., (MCTA) is a professional association that represents the manufacturers, distributors, and users of chemistry who do business in Massachusetts. MCTA supports the Department of Public Safety's commitment to revising the regulations to make them less onerous on industry and more consistent with hoisting regulations in other states.

Of particular interest to members is 520 CMR 6.02 requiring that applicants for hoisting licensure show proof of a valid Massachusetts driver's license. MCTA believes this requirement is unnecessary, as the skill sets required to operate stationary and mobile hoists in a confined industrial setting are different than those required to operate motor vehicles on public roads. As the pool of licensed drivers in the Commonwealth declines, this requirement is creating significant hurdles in recruiting otherwise qualified employees to become licensed to operate hoists, while not increasing operational safety.

By extension, MCTA supports changes to 520 CMR 6.07 which requires that an employee (or employees) provide a valid driver license in order for a company to be eligible for an in-service training program exemption and that the licensed person/persons be on site whenever hoists are in operation. This provides a burden on both the licensed employee and the employers and does not contribute to facility safety. Companies using hoists are responsible for the safe operation of their facilities under OSHA regulations, and are liable for incidents that happen within their facilities due to inadequate training and safety measures.

Thank you again for the opportunity to comment on the proposed revisions to the Commonwealth's hoisting Regulations. If you have any questions, please do not hesitate to call me a

Sincerely,

A handwritten signature in black ink, appearing to read "Kathy Robertson", written in a cursive style.

Katherine Robertson
Executive Director