

Council of Construction Associations
#138 - 5751 Cedarbridge Way, Richmond, B.C. V6X 2A8
Telephone (604) 241-7667 Fax (604) 241-7678
email: grantmcmillan@shaw.ca
Grant McMillan, President

Ms. Anne Burch
Director, Prevention Policy and Regulation Review
WorkSafeBC
E-mail:
[Regquery@ worksafebc.com](mailto:Regquery@worksafebc.com)
P.O. Box 5350 Station Terminal
Vancouver BC V6B 5L5

May 26, 2008

Dear Ms. Burch:

Thank you for the opportunity to comment on the Public Hearing proposals for the 2008 OHS Regulation review. I am responding on behalf of COCA, which represents 17 construction associations, with members from all parts of British Columbia, from every sector and from companies small to large. We are very pleased that WorkSafeBC has withdrawn the proposed regulation for a second braking system on mobile cranes.

The regulation we opposed was:

14.63.1 (1) A mobile crane must have two brake systems on each hoist drum operated with friction controls.

We recommended that proposed regulatory change to require retrofitting cranes with a second brake **NOT** proceed for these reasons:

First, the normal, existing one brake system has a dog or pedal latch on the pedal; this provides a lock until someone releases the dog or the latch. When this system is properly used, it is safe.

Second, if an operator does not set the first brake, he may also not set the second brake. So adding a second brake does not in fact address the cause

of the problem--namely, leaving a brake unset.

Third, modifying the mobile crane with a second braking system may not be acceptable to the manufacturer and may void any warranties. This could greatly and unhelpfully complicate liability issues when the design or reliability of the manufactured crane is alleged to be a factor in an accident.

While cost should not be a determinate on issues of safety, neither should money should be spent to buy a *false* sense of security. We estimate that the retrofitting would cost \$6,000 to \$8,000 per brake. This money would perhaps be better spent developing safety procedures and providing operator training.

We are pleased with the WorkSafeBC response and we support the deletion of the earlier proposed regulation.

Sincerely Yours

Grant McMillan