Bill as Introduced

HB 1243 - AS INTRODUCED

2001 SESSION

01-2236
05/10

HOUSE BILL ***1243***

AN ACT relative to safety devices required for transporting logs, lumber, or timber.

SPONSORS: Rep. Leber, Merr 1; Rep. Scanlan, Graf 11; Sen. Burns, Dist 1

COMMITTEE: Transportation

ANALYSIS

This bill permits a vehicle-mounted loading device to be used in conjunction with other binding devices to secure a load of logs, lumber, or timber.

Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

01-2236
05/10

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand One

AN ACT relative to safety devices required for transporting logs, lumber, or timber.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Equipment of Vehicles; Safety Devices Required for Transporting; Binding Devices; Use of Vehicle-Mounted Loading Devices. Amend RSA 266:66 to read as follows:

266:66 Binding Devices. No motor truck, trailer or semi-trailer, while being used to transport a load of logs, lumber or timber, the height of which with load is greater than 8 feet and the length of whose load is greater than 8 feet shall be driven on the ways of this state unless each such load on each such unit is bound by 3 chains, or wire ropes, or steel cables, or steel straps or nylon webbing devices together with binders. Chains shall be made of not less than 3/8 inch wire; wire ropes, steel cables, steel straps or nylon webbing devices shall have a capacity of at least 2,750 pounds working load limit as rated by the manufacturer. All chains, wire ropes, steel cables, steel straps or nylon webbing devices used to secure the above loads shall be bound firmly in place and properly spaced to secure the load. ***A vehicle-mounted loading device may be used in conjunction with chains, wire ropes, steel cables, steel straps, or nylon webbing devices to secure the load provided that the resulting securement system meets the requirements of this subdivision and 49 C.F.R. 393, subpart I, regarding protection against shifting or falling cargo.***

2 Effective Date. This act shall take effect 60 days after its passage.

Committee Minutes

ESTABLISHMENT OF SUBCOMMITTEE

TRANSPORTATION COMMITTEE

HB 1243 — 1/7/02

Bill Number — Date

Relative to safety devices required for transporting log, lumber or timber

Subject Matter

Composition of Subcommittee:

Chair: Rep. Brenda L. Ferland

Members: Rep. Jean-Guy J. Bergeron

Rep. David M. Dionne

Distribution:

Mtg: Thurs. 1/17/02 after House Session

Speaker
Deputy Speaker
Majority Leader
Director, Committee Services
Information Officer
House Clerk

Speakers

SIGN UP SHEET

11:30 Am

To Register Opinion If Not Speaking

Bill # HB 1243 Date Tuesday Jan. 8, 2002

Committee Transportation

** Please Print All Information **

Name	Address	Phone	Representing	(check one) Pro	Con
Rep. David A. Bickford	New Durham			X	

Hearing Minutes

HOUSE COMMITTEE ON TRANSPORTATION

PUBLIC HEARING ON HB 1243

BILL TITLE: relative to safety devices required for transporting logs, lumber, or timber.

DATE: January 8, 2002

LOB ROOM: 203 **Time Public Hearing Called to Order:** 11:30 am

Time Adjourned: Noon

(please circle if present)

Committee Members: Reps. Packard, J. Flanders, G. Katsakiores, Bartlett, Milligan, Kobel, Letourneau, Cossette, Rosen, Artz, Balcom, Bergeron, Chalbeck, Cardin, P. Cote, Haley, B. Ferland, Weed, Woodill and D. Dionne.

Bill Sponsors: Reps. Leber, Scanlan; Sen. Burns

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep. Bill Leber, Merrimack Co. Dist. 1, Andover, Prime Sponsor. This was a problem with misinterpretation of the current law. This amendment would also bring New Hampshire law into language recently passed.

Rep. David Scanlan, Sponsor – Licensed Forester. In his are loggers bind their loads and then lay the boom over the load. Loggers would continue to use binder chains. He was asked how this affected the loading and unloading of trailers.

***Jasen Stock, NH Timberland Owners representative, Concord, Opposed, Written Testimony.** They pride themselves on safety. HE doesn't think the bill explains the use in precise language. After talking with loggers they read the bill different ways. If you rely on the boom to hold the tension on the chains that does not stay consistent, chains loosen as the logs shift. He would rather the committee rework the language of the bill. Concern of federal guidelines is not clear.

Russell MacCleery, NHMTA representative, Opposed. Questioned about trucks that don't have a loading device.

Subcommittee will be set-up.

OPINION – NOT SPEAKING:

Rep. David A. Bickford, New Durham – PRO

Respectfully submitted,

Rep. Robert J. Letourneau, Clerk

Rep Bill Lebrx

This was a problem with misinterpretation of the current law. This admendment would also bring N.H. law into language recently passed federaly.

Rep. David Scanlan, licensed forester
In his own loggers limb their loads and then lay the boom over the load.
loggers would continues to use binder chains.
He was asked how this effected the loading and unloading of trailers.

Jason Stock, N.H. Timberland Owners representative,
They pride themselves on safety. He doesn't think the bill explains it's use in precise language.
after talking with loggers they read the bill different ways.
If you relie on the boom to hold the tension on the chains that does not stay consistance, chains loosen that the logs shift.
He would rather the committee rework the language of the bill.
Concern of federal guidelines not clear.

Russell McCleary, N.H.M.T.A. representative,
Questioned about trucks that dont have a loading devices.

Sub committee will be set up.

HOUSE COMMITTEE ON TRANSPORTATION

PUBLIC HEARING ON HB 1243

BILL TITLE: relative to safety devices required for transporting logs, lumber, or timber.

DATE: January 8, 2002

LOB ROOM: 203 **Time Public Hearing Called to Order:** 11:30 am

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Bill Sponsors: Reps. Leber, Scanlan; Sen. Burns

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Sub-Committee Minutes

HOUSE COMMITTEE ON TRANSPORTATION

SUBCOMMITTEE WORK SESSION ON HB 1243

BILL TITLE: relative to safety devices required for transporting logs, lumber, or timber.

DATE: January 29, 2002

Subcommittee Members: Reps. Brenda L. Ferland, Chair
Reps Jean-Guy J. Bergeron & David M. Dionne

Comments and Recommendations: Upon further discussion the subcommittee decided not to met an the bill was ITL'ed during Executive Session on January 29, 2002.

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. Brenda L. Ferland
Subcommittee Chairman/Clerk

Rep Ferland

HOUSE COMMITTEE ON TRANSPORTATION

SUBCOMMITTEE WORK SESSION ON HB 1243

BILL TITLE: **relative to safety devices required for transporting logs, lumber, or timber.**

DATE: **{Type DATE here}** Jan. 29, 2002

Subcommittee Members: Reps. _Brenda L. Ferland, Chair
Jean-Guy J. Bergeron & David M. Dionne

Comments and Recommendations:

Upon further discussion the sub-Committee decided not to meet and the bill was ITL'ed during executive session on Jan. 29, 2002

Amendments:

Sponsor: Rep. _____ OLS Document #: _____ Adopted/Failed

Sponsor: Rep. _____ OLS Document #: _____ Adopted/Failed

Sponsor: Rep. _____ OLS Document #: _____ Adopted/Failed

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. _____

Seconded by Rep. _____

Vote: _____

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. _____

Seconded by Rep. _____

Vote: _____

Respectfully submitted,

Rep. Brenda Ferland
Subcommittee Chairman/Clerk

Testimony

NEW HAMPSHIRE TIMBERLAND OWNERS ASSOCIATION

NH Timber Harvesting Council

TREE FARM Co-Sponsor

54 PORTSMOUTH STREET • CONCORD, NEW HAMPSHIRE 03301
PHONE (603) 224-9699 FAX (603) 225-5898

January 8, 2002

The Honorable Sherman Packard, Chair
House Transportation Committee
Room 203, Legislative Office Building
Concord, NH 03301

RE: HB 1243, *AN ACT relative to safety devices required for transporting logs, lumber or timber*

Mr. Chairman and Members of the Committee,

Thank you for the opportunity to speak to HB 1243 on behalf of the New Hampshire Timberland Owners Association (NHTOA). The NHTOA represents New Hampshire's commercial forestry community, including 1,500 landowners, loggers, forest product truckers, foresters, sawmills and other wood-using industries from Coos to the Seacoast.

Through its Timber Harvesting Council, NHTOA's logger and trucker members work to enhance the safety and professionalism of their trade. These efforts include logger and trucker training in the areas of soil and water conservation, timber harvesting law and most importantly safety.

NHTOA is concerned by the questions and uncertainty the proposed legislation adds to the existing statute. Specifically, on an operational level what are acceptable ways to use the vehicle mounted loading devise;

- Use of the grapple boom to bind the straps?
- Use of the grapple claw instead of straps or chains?

Because the proposed legislation raises these uncertainties and would compromise the safety of log transportation in the state NHTOA opposes HB 1243.

Thank you for the opportunity to comment on this legislation.

Sincerely,

Jasen A. Stock
Executive Director
New Hampshire Timberland Owners Association

Voting Sheets

HOUSE COMMITTEE ON TRANSPORTATION

EXECUTIVE SESSION on HB 1243

BILL TITLE: **relative to safety devices required for transporting logs, lumber, or timber.**

DATE: January 29, 2002

LOB ROOM: 203

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Ferland

Seconded by Rep. Dionne

Vote: 15-0 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: YES 15-0

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Robert J. Letourneau, Clerk

HOUSE COMMITTEE ON TRANSPORTATION

EXECUTIVE SESSION on HB 1243

BILL TITLE: **relative to safety devices required for transporting logs, lumber, or timber.**

DATE: 01-29-02

LOB ROOM: 203

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, (ITL), Interim Study (Please circle one.)

Moved by Rep. FERLAND

Seconded by Rep. ~~BARTLETT~~ DIONNE

Vote: 15-0 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

BARTLETT/DOTE **CONSENT CALENDAR VOTE:** {Type VOTE} ~~FERLAND~~

(Vote to place on Consent Calendar must be unanimous.) 15-0

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Robert J. Letourneau, Clerk

Robert J. Letourneau

TRANSPORTATION

Bill #: HB 1243 Title: _____

PH Date: ____/____/____ Exec Session Date: 01/29/02

Motion: ITL Amendment #: _____

MEMBER	YEAS	NAYS
Packard, Sherman A, Chairman	✓	
Flanders, John W, V Chairman	✓	
Katsakiores, George N, Honorary Chairma	✓	
Bartlett, Gordon E	✓	
Milligan, Robert H	✓	
Kobel, Rudolph J	✓	
Letourneau, Robert J, Clerk	✓	
Cossette, Larry J		
Rosen, Ralph J		
Artz, Lawrence A	✓	
Balcom, John L		
Bergeron, Jean-Guy J	✓	
Chalbeck, Kevin R	✓	
Cardin, Lori		
Cote, Peter R	✓	
Haley, Robert J		
Ferland, Brenda L	✓	
Weed, Charles F	✓	
Woodill, Rodney J	✓	
Dionne, David M	✓	
	15	0

TOTAL VOTE:
Printed:

Committee Report

COMMITTEE REPORT

COMMITTEE: **Transportation**

BILL NUMBER: **HB 1243**

TITLE: relative to safety devices required for transporting logs, lumber, or timber.

DATE: January 29, 2002 CONSENT CALENDAR YES ☒ NO ☐

☐ OUGHT TO PASS

☐ OUGHT TO PASS WITH AMENDMENT

☒ INEXPEDIENT TO LEGISLATE

☐ REFER TO COMMITTEE FOR INTERIM STUDY
(Available only in second year of biennium.)

STATEMENT OF INTENT
(Include Committee Vote)

This bill was about a vehicle-mounted loading device for logging trucks, well known as a "cherry picker" or grapple boom and claw. The prime sponsor did in fact say he knew little about this device and its use, although he testified that the operators would be using this to help secure their load of logs. The committee found it interesting that no operator of these devices testified for the bill. The language and intent was unclear. Was this item to go along with or be in place of existing safety statues? And, for this reason, the bill was assigned to a subcommittee, but the members upon speaking to other people found no reason to change the current law. The committee felt that current law on the way loads should be secured is adequate and in the best interest of the public. In fact, the New Hampshire Timberland Owners Association supports current law and sees no reason to amend it.

Vote 15-0.

Rep. Brenda L. Ferland
FOR THE COMMITTEE

Original: House Clerk
cc: Committee Bill file

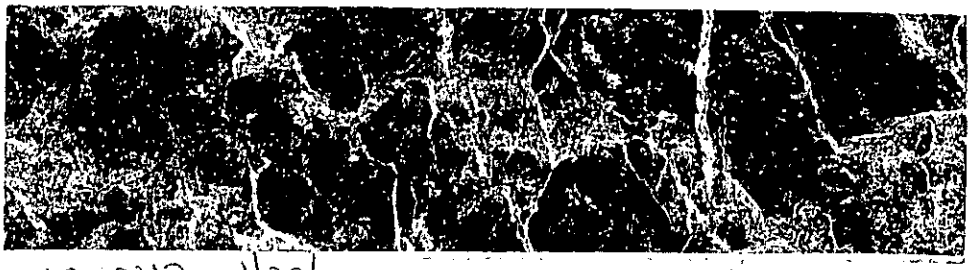
USE ANOTHER REPORT FOR MINORITY REPORT

CONSENT CALENDAR

Transportation

HB 1243, relative to safety devices required for transporting logs, lumber, or timber. **INEXPEDIENT TO LEGISLATE**

Rep. Brenda L. Ferland for Transportation: This bill was about a vehicle-mounted loading device for logging trucks, well known as a "cherry picker" or grapple boom and claw. The prime sponsor did in fact say he knew little about this device and its use, although he testified that the operators would be using this to help secure their load of logs. The committee found it interesting that no operator of these devices testified for the bill. The language and intent was unclear. Was this item to go along with or be in place of existing safety statues? And, for this reason, the bill was assigned to a subcommittee, but the members upon speaking to other people found no reason to change the current law. The committee felt that current law on the way loads should be secured is adequate and in the best interest of the public. In fact, the New Hampshire Timberland Owners Association supports current law and sees no reason to amend it. **Vote 15-0.**



HB1243 1/29/2003 VOTE 11th 15 yes – One
Rep. Brenda Ferland

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assigned to a sub committee. But the members upon speaking to the people found no reason to change the current law.

The Committee felt that current law on the way loads should be secured is adequate and in the best interest of the public.

In fact the Nth Timberland Owners Association supports current law and sees no reason to amend it.

Rep. Brenda Ferland

S Packard