

**RHODE ISLAND GOVERNMENT REGISTER  
PUBLIC NOTICE OF PROPOSED RULEMAKING**

**DEPARTMENT OF LABOR AND TRAINING**

**Title of Rule:** Examining and Licensing of Hoisting Engineers (260-RICR-30-15-8)

**Rule Identifier:** 260-RICR-30-15-8

**Rulemaking Action:** Proposed Amendment

**Important Dates:**

Date of Public Notice: June 16, 2026

End of Public Comment: July 16, 2026

**Rulemaking Authority:**

28-26-1.1

28-26-4

28-26-6

**Summary of Rulemaking Action:**

The Department proposes amendments to 260-RICR-30-15-8 to clarify exemptions under R.I. Gen. Laws § 28-26-14 by defining the terms “Agriculturist,” “Horticulturist,” and “Tree Service Company,” and to strengthen safety by expressly prohibiting operation of hoisting machinery while under the influence of alcohol or drugs. The definitional updates are intended to align the regulations with statutory text by distinguishing cultivation-focused occupations (agriculture and horticulture) from commercial tree services whose primary activities involve structural tree work (e.g., pruning, dismantling, and removal). The amendments also reaffirm that licensing is equipment-based under R.I. Gen. Laws § 28-26-5 so that entities performing tree work without covered hoisting machinery remain outside the licensing requirement.

In addition, the rule text is updated for internal consistency (definitions section organization; cross-references to license categories) and to codify the Department’s longstanding safety practice that operators must be attentive and unimpaired when controlling hoisting machinery. A minor cross-referencing error and minor spelling error is fixed. No fees are created or increased.

**Additional Information and Public Comments:**

All interested parties are invited to request additional information or submit written or oral comments concerning the proposed amendment until July 16, 2026 by contacting the appropriate party at the address listed below:

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In accordance with R.I. Gen. Laws § 42-35-2.8, an oral hearing will be granted if requested by twenty-five (25) persons, by a governmental agency or by an association having at least twenty-five (25) members. A request for an oral hearing must be made within ten (10) days of the publication of this notice.

**Regulatory Analysis Summary and Supporting Documentation:**

The amendments clarify the scope of existing licensing requirements and improve enforceability without imposing new fees, staffing, or reporting obligations on regulated parties. Definitional clarity is expected to reduce disputes regarding exemptions and to promote consistent enforcement. The impairment provision reflects existing safety norms and imposes no additional cost beyond ordinary employer compliance programs (e.g., policies and supervision). The proposal is not anticipated to affect state or municipal budgets or to impose material burdens on small businesses beyond clarifying existing obligations.

For full regulatory analysis or supporting documentation contact the agency staffperson listed above.