



## **S.F. No. 1346 – Permitting and occupational safety requirements for commercial diving operations (1st Engrossment, as Amended by the A-15)**

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**S.F. 1346** would add safety requirements for commercial diving operations that use self-contained underwater breathing apparatus (scuba) equipment to the natural resources permitting process and workplace occupational safety laws.

Section 1. **Citation.** Provides that this act be cited as the “Brady Aune and Joseph Anderson Safety Act.”

Section 2. **[103G.615, subd. 1] Issuance; validity.** Specifies the conditions under which the commissioner of natural resources (DNR) may issue a commercial mechanical control permit for aquatic plants. Requires an applicant to inform the commissioner whether scuba diving equipment will be used during any activity authorized by the permit. If scuba equipment will be used: (1) the commissioner must provide the applicant with the information sheet required under the statute and (2) the applicant must provide documentation, including a written report, of a third-party on-site hazard survey of the applicant’s work using scuba diving equipment completed by a qualified safety professional.

Section 2 is effective October 1, 2025, and applies to permits issued on or after that date.

Section 3. **[103G.615, subdivision 3] Permit standards.** Prohibits the DNR commissioner from issuing or renewing an aquatic plant management permit to a person who has, or has contested, one or more willful violations of an occupational safety and health (OSHA) standard involving scuba diving in the previous two years or during the pendency of a contested case. Prohibits issuance of a permit to a successor person. Provides a definition of “successor person.” Requires revocation of a commercial mechanical control permittee who has unlawfully used scuba equipment. Requires the

commissioner of labor and industry (DLI) to provide the DNR with timely information necessary to implement this subdivision.

Section 3 is effective October 1, 2025, and applies to violations committed on or after that date.

Section 4. **[182.679] Commercial diving operations.** Subdivision 1. **Application.** Applies this section to individuals who conduct scuba diving at a place of employment when making improvements to land, including the removal of aquatic plants. Clarifies that mere issuance of a permit does not make the DNR an employer.

Subdivision 2. **Certification required for commercial diving operations.** Prohibits an employer from allowing an individual subject to this section to conduct scuba diving unless the individual has a valid open water scuba diver certificate, or a more advanced certificate, from a nationally recognized and accredited certification program or agency.

Subdivision 3. **Equipment requirements.** Requires use of prescribed equipment when an individual subject to this section is scuba diving, including (1) a buoyancy control device; (2) an illuminated dive beacon; and (3) a depth-monitoring device.

Subdivision 4. **Hazard assessment.** Requires the employer of an individual subject to this section to assess each planned dive to determine if hazards are likely to present which necessitate the issuance of the following additional equipment, including: (1) fins, mask, and snorkel; (2) a compressed gas cylinder and valve; (3) a primary regulator and alternate air source; (4) a breathing gas monitor; (5) a quick-release weight system and weights; (6) adequate exposure protection; and (7) at least one audible emergency surface-signaling device.

Subdivision 5. **Standby diver required.** Requires an employer to have an individual with a valid rescue diver certificate and related equipment to be onsite when an individual subject to this section is scuba diving.

Subdivision 6. **First aid and CPR training required.** Requires an employer to mandate that all individuals subject to this section conducting scuba diving are trained in CPR and first aid.

Subdivision 7. **Penalties.** Authorizes an employer to be cited for violations of the scuba certification and equipment requirements.

Subdivision 8. **Information for employers.** Requires the commissioner to develop an information sheet explaining the requirements for employers who have employees that use scuba diving equipment in the workplace.

Section 4 is effective May 1, 2025.



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