

ASSEMBLY BILL

No. 871

Introduced by Assembly Member Haney

February 14, 2023

An act to amend, repeal, and add Section 7311.2 of the Labor Code, relating to safety in employment.

LEGISLATIVE COUNSEL'S DIGEST

AB 871, as introduced, Haney. Safety in employment: conveyances.

Existing law requires the Division of Occupational Safety and Health to establish requirements for certified competent conveyance mechanic applicants that require, among other things, 3 years' work experience in the conveyance industry, as specified.

This bill, beginning on July 1, 2024, would require an applicant to have 4 years' work experience in the conveyance industry.

Existing law requires, except as provided, that a person who, without supervision, installs, services, repairs, or tests a conveyance, as defined, be certified by the division as a certified competent conveyance mechanic. Existing law makes these provisions inapplicable to platform lifts and stairway chairlifts installed in private residences, as specified.

This bill would remove the exception for platform lifts and stairway chairlifts installed in private residences and would require that a person who, without supervision, constructs, services, repairs, or tests a conveyance, including a moving platform lift or stairway chairlift, be certified by the division as a certified competent conveyance mechanic, as specified. The bill would authorize a person, except as provided, to install, service, repair, or test a conveyance under the supervision of a certified competent conveyance mechanic at a 1 to 1 ratio if they are employed by a certified qualified conveyance company, enrolled in an

elevator apprenticeship program, and certified as a competent conveyance apprentice by the division, as specified. The bill would make its provisions operative on July 1, 2024.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 7311.2 of the Labor Code is amended to
2 read:

3 7311.2. (a) On and after June 30, 2003, except as provided in
4 subdivisions (b) and (c) of Section 7301.5, any person who, without
5 supervision, erects, constructs, installs, alters, tests, maintains,
6 services or repairs, removes, or dismantles any conveyance covered
7 by this chapter, shall be certified as a certified competent
8 conveyance mechanic by the division. This section does not apply
9 to platform lifts and stairway chairlifts installed in a private
10 residence as provided in paragraph (2) or (3) of subdivision (a) of
11 Section 7317.

12 (b) Before March 1, 2003, the division shall establish an
13 application procedure and all requirements for certification under
14 this section as a certified competent conveyance mechanic,
15 consistent with ~~an~~ *both* of the following:

16 (1) At a minimum, a certified competent conveyance mechanic
17 applicant shall meet both of the following requirements:

18 (A) Three years' work experience in the conveyance industry
19 in construction, maintenance, and service and repair of conveyances
20 covered by this chapter. This experience shall be verified by current
21 and previously licensed elevator contractors or by current and
22 previously certified qualified conveyance companies, as required
23 by the division.

24 (B) One of the following:

25 (i) Satisfactory completion of a written examination
26 administered by the division on the most recent applicable codes
27 and standards.

28 (ii) A certificate of completion and successfully passing the
29 mechanic examination of a nationally recognized training program
30 for the conveyance industry, such as the National Elevator Industry
31 Educational Program or its equivalent.

1 (iii) A certificate of completion of an apprenticeship program
2 for elevator mechanic, having standards substantially equal to
3 those of this chapter, and which program shall be registered with
4 the Bureau of Apprenticeship and Training of the United States
5 Department of Labor or a state apprenticeship council.

6 (iv) A certificate or license from another state having standards
7 substantially equal to or more comprehensive than those of this
8 chapter.

9 (v) The applicant applies on or before December 31, 2003, and
10 within the three years immediately prior to January 1, 2003, has
11 documented at least three years of actual work experience in the
12 conveyance industry in construction, maintenance, and service
13 and repair of conveyances covered by this chapter. This experience
14 shall be as a journey-level mechanic working without direct and
15 immediate supervision, and shall be verified by currently and
16 previously licensed conveyance contractors or by current and
17 previously certified qualified conveyance companies, as required
18 by the division.

19 (2) At a minimum, each application for certification as a certified
20 competent conveyance mechanic shall include the information
21 required by the division and the fee required by this chapter.

22 (c) *This section shall become inoperative on July 1, 2024, and*
23 *as of January 1, 2025, is repealed.*

24 SEC. 2. Section 7311.2 is added to the Labor Code, to read:

25 7311.2. (a) Except as provided in subdivisions (b) and (c) of
26 Section 7301.5, any person who, without supervision, erects,
27 constructs, installs, alters, tests, maintains, services or repairs,
28 removes, or dismantles any conveyance covered by this chapter,
29 shall be certified as a certified competent conveyance mechanic
30 by the division.

31 (b) Before March 1, 2003, the division shall establish an
32 application procedure and all requirements for certification under
33 this section as a certified competent conveyance mechanic,
34 consistent with both of the following:

35 (1) At a minimum, a certified competent conveyance mechanic
36 applicant shall meet both of the following requirements:

37 (A) Four years' work experience in the conveyance industry
38 in construction, maintenance, and service and repair of conveyances
39 covered by this chapter. This experience shall be verified by current
40 and previously licensed elevator contractors or by current and

1 previously certified qualified conveyance companies, as required
2 by the division.

3 (B) One of the following:

4 (i) Satisfactory completion of a written examination
5 administered by the division on the most recent applicable codes
6 and standards.

7 (ii) A certificate of completion and successfully passing the
8 mechanic examination of a nationally recognized training program
9 for the conveyance industry, such as the National Elevator Industry
10 Educational Program or its equivalent.

11 (iii) A certificate of completion of an apprenticeship program
12 for elevator mechanic, having standards substantially equal to
13 those of this chapter, and which program shall be registered with
14 the Bureau of Apprenticeship and Training of the United States
15 Department of Labor or a state apprenticeship council.

16 (iv) A certificate or license from another state having standards
17 substantially equal to or more comprehensive than those of this
18 chapter.

19 (v) The applicant applies on or before December 31, 2003, and
20 within the three years immediately prior to January 1, 2003, has
21 documented at least three years of actual work experience in the
22 conveyance industry in construction, maintenance, and service
23 and repair of conveyances covered by this chapter. This experience
24 shall be as a journey-level mechanic working without direct and
25 immediate supervision, and shall be verified by currently and
26 previously licensed conveyance contractors or by current and
27 previously certified qualified conveyance companies, as required
28 by the division.

29 (2) At a minimum, each application for certification as a certified
30 competent conveyance mechanic shall include the information
31 required by the division and the fee required by this chapter.

32 (c) Except as provided in subdivisions (b) and (c) of Section
33 7301.5, a person who meets the following criteria may erect,
34 construct, install, alter, test, maintain, service, repair, remove, or
35 dismantle any conveyance covered by this chapter under the
36 supervision of a certified competent conveyance mechanic at a 1
37 to 1 ratio:

38 (1) The person is employed by a certified qualified conveyance
39 company.

- 1 (2) The person is enrolled in an elevator apprenticeship program
- 2 registered with a state apprenticeship council.
- 3 (3) The person is certified as a competent conveyance apprentice
- 4 by the Division of Occupational Safety and Health.
- 5 (d) This section shall become operative on July 1, 2024.

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