

AMENDED IN ASSEMBLY JUNE 14, 2006

**SENATE BILL**

**No. 727**

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**Introduced by Senator Lowenthal**  
(Coauthor: Assembly Member Karnette)

February 22, 2005

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An act to add Section 7311.5 to the Labor Code, relating to safety in employment.

LEGISLATIVE COUNSEL'S DIGEST

SB 727, as amended, Lowenthal. Safety in employment: special purpose personnel elevators.

Existing law prohibits the construction, erection, installation, material alteration, testing, maintenance, repair, or service of specified conveyances by any person, firm, or corporation, unless that person, firm, or corporation is certified by the Division of Occupational Safety and Health as a certified qualified conveyance company. Existing law also generally requires that any person who, without supervision, erects, constructs, installs, alters, tests, maintains, services or repairs, removes, or dismantles specified conveyances be certified as a certified competent conveyance mechanic by the division.

This bill would provide that a person, firm, or corporation that maintains and repairs solely special purpose personnel elevators, as defined, on cranes *that utilize a rack and pinion system* in marine terminals, as defined, as part of crane maintenance activities, qualifies as a certified qualified conveyance company provided that the individual qualifying individually or on behalf of the firm or corporation meets certain experience requirements. This bill would provide that a person may qualify as a certified competent conveyance mechanic by meeting specified experience requirements. This bill

would also provide that the certifications obtained pursuant to these provisions are limited to the purpose of maintaining and repairing special purpose personnel elevators on cranes *that utilize a rack and pinion system* in marine terminals, *do not authorize the performance of other specified procedures*, and do not require an examination.

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 7311.5 is added to the Labor Code, to  
2 read:

3 7311.5. (a) A person, firm, or corporation that maintains and  
4 repairs solely special purpose personnel elevators on cranes *that*  
5 *utilize a rack and pinion system* in marine terminals as part of  
6 crane maintenance activities qualifies as a certified qualified  
7 conveyance company under Section 7311.1 if the individual  
8 qualifying individually or on behalf of the firm or corporation  
9 has five years' work experience at a journeyman level in the  
10 crane maintenance industry, including experience in the  
11 maintenance and repair of crane elevators. This experience shall  
12 be verified by a person, firm, or corporation in the business of  
13 maintaining and repairing cranes in marine terminals.

14 (b) A person qualifies as a certified competent conveyance  
15 mechanic under Section 7311.2 if the person has three years'  
16 work experience in the crane maintenance industry, including  
17 experience in the maintenance and repair of crane elevators, as a  
18 journey-level mechanic without direct and immediate  
19 supervision. This experience shall be verified by a crane  
20 maintenance company approved as a certified qualified  
21 conveyance company pursuant to subdivision (a).

22 (c) The certifications obtained pursuant to this section may  
23 only be used for *the limited* purposes of maintaining and  
24 repairing special purpose personnel elevators on cranes *that*  
25 *utilize a rack and pinion system* in marine terminals.

26 (d) *A person, firm, or corporation that qualifies for*  
27 *certification as a certified qualified conveyance company or*  
28 *certified competent conveyance mechanic is not authorized to*  
29 *perform any of the following procedures:*

1 (1) Any work on a conveyance other than a special purpose  
2 personnel elevator on cranes that utilize a rack and pinion  
3 system in marine terminals.

4 (2) Any work related to new elevator installations.

5 (3) Any modifications or alterations of existing elevator  
6 systems.

7 (4) Testing or replacing of emergency brakes, centrifugal  
8 brakes, emergency safety devices, or electrical systems.

9 (5) Annual certifications of any type of conveyance or  
10 elevator.

11 ~~(d)~~

12 (e) The certifications authorized by this section require  
13 experience but do not require an examination because the general  
14 examination given pursuant to this chapter is inapplicable to the  
15 work described in this section. The division is not required to set  
16 up specialty examinations to certify persons pursuant to this  
17 chapter.

18 ~~(e)~~

19 (f) For purposes of this section, the following terms shall have  
20 the following meanings:

21 (1) “Special purpose personnel elevators” shall have the same  
22 meaning as defined in Section 3085 of Title 8 of the California  
23 Code of Regulations.

24 (2) “Marine terminal” shall have the same meaning as used in  
25 Section 3460 of Title 8 of the California Code of Regulations.

26 (g) Nothing in this section exempts a person, firm, or  
27 corporation applying for certification as a certified qualified  
28 conveyance company or a certified competent conveyance  
29 mechanic under this section from paying the administration fees  
30 required under this chapter.