

AMENDED IN SENATE JUNE 19, 2008

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

ASSEMBLY BILL

No. 2629

Introduced by Assembly Member Evans

February 22, 2008

An act to amend Section 7317 of, and to add Section 7311.25 to, the Labor Code, relating to safety of conveyances.

LEGISLATIVE COUNSEL'S DIGEST

AB 2629, as amended, Evans. Conveyances: exclusions: ~~manlifts~~.

Existing law both prohibits a conveyance from being operated and prohibits a conveyance from being erected, constructed, installed, or materially altered unless a permit for that action is issued by or on behalf of the Division of Occupational Safety and Health of the Department of Industrial Relations and unless the permit is kept posted conspicuously on the conveyance or kept at the construction site, respectively. Existing law establishes other safety-related requirements applicable to specified conveyances.

Existing law requires a person who, without supervision, erects, constructs, installs, alters, tests, maintains, services or repairs, removes, or dismantles a conveyance to be certified as a competent conveyance mechanic by the ~~Division of Occupational Safety and Health of the Department of Industrial Relations~~ *division*.

This bill would permit manlifts that are installed and used in agricultural production, processing, and handling facilities to be inspected and maintained in accordance with specified standards by a competent person designated by the owner or operator of the facilities even if that person is not certified as a competent conveyance mechanic.

Annual inspections required by statute still would be required to be performed by a certified competent conveyance mechanic.

Existing law exempts from specified safety-related requirements conveyances under the jurisdiction of the United States government, located in a single-unit private home and not accessible to the public, and located in a multiunit residential building serving no more than 2 dwelling units and not accessible to the public, except that the conveyances in the last category are required to be inspected by the division upon completion of installation prior to being placed in service or after major alterations.

This bill would also require that conveyances located in a single-unit private home and not accessible to the public be inspected by the division upon completion of installation prior to being placed in service or after major alterations.

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 7311.25 is added to the Labor Code, to
2 read:

3 7311.25. (a) As used in this section, the following terms have
4 the following meanings:

5 (1) “Agricultural production, processing, and handling facilities”
6 includes grain elevators, feed mills, flour mills, rice mills, rice
7 dryers, and other similar facilities.

8 (2) “Applicable Elevator Safety Orders” means the Elevator
9 Safety Orders referenced in Subchapter 6 (commencing with
10 Section 3000) of Chapter 4 of Division 1 of Title 8 of the California
11 Code of Regulations, and any successors to those orders.

12 (b) Notwithstanding Section 7311.2 or any other provision of
13 this chapter, an owner or operator of agricultural production,
14 processing, and handling facilities may designate a competent
15 person in his or her employ to maintain, repair, service, lubricate,
16 or test manlifts installed and used at the facilities if the manlifts
17 are maintained and inspected in accordance with applicable
18 Elevator Safety Orders. The designated competent person need
19 not be a certified competent conveyance mechanic.

20 (c) The designated competent person may inspect the manlifts
21 each month as required by applicable Elevator Safety Orders, but

1 only a certified competent conveyance company or mechanic may
2 perform the inspection required by Section 7304 to take place at
3 least annually.

4 *SEC. 2. Section 7317 of the Labor Code is amended to read:*

5 7317. (a) Except as provided in subdivision (b), the following
6 conveyances are exempt from this chapter:

7 (1) Conveyances under the jurisdiction of the United States
8 government.

9 (2) Conveyances located in a single-unit private home and not
10 accessible to the public.

11 (3) Conveyances located in a multiunit residential building
12 serving no more than two dwelling units and not accessible to the
13 public.

14 (b) Conveyances otherwise exempted pursuant to ~~paragraph~~
15 *paragraphs (2) and (3)* of subdivision (a) shall be inspected by
16 the division upon completion of installation prior to being placed
17 in service or after major alterations. The inspection shall be for
18 safety and compliance with orders or regulations applicable to the
19 type of conveyance installed.