

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: July 13, 2009
POSITION: Neutral

BILL NUMBER: SB 478
AUTHOR: L. Wolk
RELATED BILLS: AB 2629 (2008)

BILL SUMMARY: Employment Safety: Manlifts

This bill would allow an agricultural facility to designate a non-certified employee to perform routine maintenance on, repair and inspect manlifts. This bill would also require all elevator companies to disclose its status as a certified qualified conveyance company prior to bidding on or contracting for services.

FISCAL SUMMARY

This bill would not have a fiscal impact on the state.

COMMENTS

Under existing law, the Division of Occupational Safety and Health (DOSH) protects workers and the public by conducting inspections of elevators, amusement rides, aerial tramways, ski lifts, and pressure vessels. Current law specifies that no conveyance can be erected, constructed, installed, materially altered, tested, maintained, repaired or serviced by any person, firm, or corporation unless they are certified by the DOSH.

Existing law provides exemptions from specified safety-related requirements for conveyances under the jurisdiction of the United States government, and conveyances located in a single-unit private home or a multiunit residential building serving no more than two dwellings where the conveyance is not accessible to the public.

This bill would specify that an owner or operator of agricultural production, processing, and handling facilities may designate a competent employee to maintain, repair, service, lubricate, or test manlifts installed and used at the facilities if the manlifts are maintained and inspected each month as specified.

AB 2629 (Evans) of 2008 would have allowed uncertified individuals to do routine maintenance of conveyances at agricultural facilities, but would have also removed DOSH's jurisdiction over elevators in hydroelectric facilities and would have required the inspection of conveyances in private homes. In the Governor's veto message, he stated that the proposal to allow a competent person to service agricultural manlifts in lieu of an entity certified by DOSH had merit, but that the bill sought changes that significantly altered long standing practices with relation to the private residences and hydroelectric facilities provisions without providing sufficient information to justify the changes.

Code/Department Agency or Revenue Type	(Fiscal Impact by Fiscal Year)								Fund Code	
	SO	LA	PROP	FC	2009-2010	FC	2010-2011	FC		2011-2012
7350/DIR	SO	No			-----	No/Minor	Fiscal Impact	-----		3121
<u>Fund Code</u>	<u>Title</u>									
3121	Occupational Safety and Health Fund									

Analyst/Principal (0241) K. Shelton	Date	Program Budget Manager Todd Jerue	Date
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Department Deputy Director	Date
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Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

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