

STATE OF NEW YORK

8032--A

2025-2026 Regular Sessions

IN ASSEMBLY

April 22, 2025

Introduced by M. of A. BRONSON, LEVENBERG, REYES, BURKE, BERGER, JACOBSON -- read once and referred to the Committee on Labor -- reported and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the labor law, in relation to clarifying key provisions around elevator licensing on examinations and experience

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivisions 4 and 5 of section 954 of the labor law, as
2 added by section 1 of subpart O of part XX of chapter 55 of the laws of
3 2020, are amended and a new subdivision 7 is added to read as follows:
4 4. Alternative qualifications. Applicants for an elevator mechanic's
5 license or accessibility lift technician's license who do not possess
6 the industry certifications identified above may demonstrate their qual-
7 ifications and abilities, training, and continuing education by provid-
8 ing acceptable proof of:
9 (a) a certificate of successful completion and successfully passing
10 the mechanic examination of a nationally recognized training program for
11 the elevator industry including, but not limited to, the national eleva-
12 tor industry educational program or its equivalent, supplemented with
13 continuing education as may be required by this section; or
14 (b) a certificate of successful completion of the state registered
15 apprenticeship programs for the apprenticeable trades of Elevator Servi-
16 cer Repairer, including the joint apprentice and training committee of
17 the elevator industry of local 3, IBEW, EE division training program, or
18 equivalent registered apprenticeship program for elevator mechanics,
19 having standards substantially equivalent to those programs and regis-
20 tered with the bureau of apprenticeship and training, U.S. department
21 of labor or a state apprenticeship council, supplemented with continuing
22 education as may be required by this section; or

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [-] is old law to be omitted.

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1 (c) [~~work on elevator construction, maintenance or repair with direct~~
2 ~~and immediate supervision in this state for a period of not less than~~
3 ~~four years immediately prior to the effective date of this article~~
4 ~~supplemented with continuing education and testing as may be required by~~
5 ~~this section; or~~

6 ~~(d)]~~ successful completion of an examination established by the New
7 York state civil service commission or a municipal civil service commis-
8 sion having jurisdiction as defined by subdivision four of section two
9 of the civil service law, subsequent appointment to a position related
10 to work on elevator construction, maintenance, mechanics, inspection, or
11 repair as may be properly classified by the commissioner of civil
12 service or a municipal civil service commission having jurisdiction, and
13 work on elevator construction, maintenance, mechanics, inspection, or
14 repair, with direct and immediate supervision in this state for a period
15 of not less than four years immediately prior to the effective date of
16 this article supplemented with continuing education as may be required
17 by this section[~~+~~]; or

18 (d) in the event an elevator contractor encounters a verifiable short-
19 age of licensed mechanics, an elevator contractor may request that the
20 department issue a temporary elevator mechanic license to an elevator
21 apprentice who can provide documentation demonstrating that such appren-
22 tice is currently enrolled in an elevator apprenticeship program and has
23 a minimum of four thousand hours of elevator industry experience. A
24 verifiable shortage can be declared by a majority vote of the board, and
25 may be extended at each subsequent meeting of the board. Each temporary
26 elevator mechanic license shall be valid for forty-five days so long as
27 such temporary elevator mechanic is employed by the licensed elevator
28 contractor that requested the temporary elevator mechanic license and
29 shall be renewable so long as the shortage of license holders exists.
30 Fees shall be determined by the board.

31 5. Continuing education. The renewal of all licenses granted under the
32 provisions of subdivision four of this section shall be conditioned upon
33 acceptable proof of completion of a course designed to ensure the
34 continuing education of licensees on new and existing national, state,
35 and local conveyances codes and standards and on technology and techni-
36 cal education and workplace safety, provided the applicant was notified
37 of the availability of such courses when the license was previously
38 granted or renewed. Such course shall consist of not less than eight
39 contact hours (.8 CEU) annually and completed preceding any such license
40 renewal. The [~~commissioner~~] board shall establish requirements for
41 continuing education and training programs, and shall approve such
42 programs and providers, as well as maintain a list of approved programs
43 which shall be made available to license applicants, permit applicants,
44 renewal applicants and other interested parties upon request. The
45 [~~commissioner~~] board may promulgate rules and regulations setting forth
46 the criteria for approval of such programs, the procedures to be
47 followed in applying for such approval, and other rules and regulations
48 as the commissioner deems necessary and proper to effectuate the
49 purposes of this section.

50 7. Special provisions. No person shall erect, construct, alter,
51 replace, maintain, remove, or dismantle any conveyance, or wire any
52 conveyance from the mainline feeder terminals on the controller in
53 existing buildings or structures in the jurisdiction of this state
54 unless such person is a licensed elevator mechanic working under the
55 direct supervision of a licensed elevator contractor. A licensed eleva-
56 tor contractor is not required for removing or dismantling conveyances,

1 which are destroyed as a result of a complete demolition of an existing
2 building or structure.

3 § 2. Paragraph (a) of subdivision 4 of section 955 of the labor law,
4 as added by section 1 of subpart 0 of part XX of chapter 55 of the laws
5 of 2020, is amended to read as follows:

6 (a) Except as provided in paragraph (b) of this subdivision, if the
7 commissioner finds, after notice and hearing, that an individual has
8 violated any provision of this article, [~~he or she~~] such commissioner
9 may impose a civil penalty not to exceed [~~one~~] ten thousand dollars for
10 each such violation. In cases where a contractor employed or relied on
11 unlicensed mechanics, the commissioner shall impose civil penalties on
12 the contractor or other party responsible for each person found to be
13 working without a license by such contractor or party. Upon a second or
14 subsequent violation within three years of the determination of a prior
15 violation, the commissioner may impose a civil penalty not to exceed
16 [~~two~~] twenty thousand dollars per violation.

17 § 3. The labor law is amended by adding a new section 958 to read as
18 follows:

19 § 958. Inspection of elevators and conveyances. Except in a city with
20 a population of one million or more, it shall be the responsibility of
21 the owner of all elevators and other conveyances subject to this article
22 to ensure that such equipment conforms to the following inspection and
23 testing requirements:

24 1. New or altered conveyances shall be inspected and tested in accord-
25 ance with the American Society of Mechanical Engineers safety code for
26 elevators and escalators version A17.1/CSA B-44, section 8.10.

27 2. Existing conveyances shall be inspected and tested in accordance
28 with the American Society of Mechanical Engineers safety code for eleva-
29 tors and escalators version A17.1/CSA B-44, section 8.11.

30 3. Inspections and tests of conveyances required under this section
31 shall be conducted to ensure the conveyances are operated and maintained
32 in accordance with applicable code requirements for such conveyances as
33 adopted or determined by the department.

34 4. It shall be the responsibility of the owner of all conveyances to
35 ensure that the inspections and tests required pursuant to this section
36 are performed in compliance with the applicable code requirements for
37 such conveyances as adopted or determined by the department.

38 5. All work required for inspections and the associated tests of
39 elevators and other conveyances shall be performed by a licensed eleva-
40 tor mechanic and shall be physically witnessed by a licensed elevator
41 inspector to ensure compliance with applicable code requirements for
42 such conveyances as adopted or determined by the department.

43 6. All inspections of elevators and other conveyances shall be
44 performed by a licensed elevator inspector to ensure compliance with
45 applicable code requirements for such conveyances as adopted or deter-
46 mined by the department.

47 7. When any tests on elevators or other conveyances are performed
48 pursuant to this section and such tests are required to be witnessed by
49 a licensed elevator inspector in accordance with this section or appli-
50 cable industry codes or standards incorporated herein, such inspections
51 shall be conducted by a licensed elevator inspector who is employed by
52 the state and who shall be physically present during the tests to
53 witness such tests to ensure they are properly administered and to veri-
54 fy test results.

55 8. Subsequent to any inspection, the licensed elevator inspector shall
56 supply the property owner and the department with a written inspection

1 report verifying code compliance or describing any code violations
2 found. It shall be the responsibility of the department to verify
3 compliance with the requirements of this chapter and applicable code
4 requirements, as adopted or required by the department.

5 § 4. This act shall take effect immediately.