STATE OF NEW YORK

8032

2025-2026 Regular Sessions

IN ASSEMBLY

April 22, 2025

Introduced by M. of A. BRONSON -- read once and referred to the Committee on Labor

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:

Section 1. Subdivisions 4 and 5 of section 954 of the labor law, as added by section 1 of subpart O of part XX of chapter 55 of the laws of 2020, are amended and a new subdivision 7 is added to read as follows:

4. Alternative qualifications. Applicants for an elevator mechanic's license or accessibility lift technician's license who do not possess the industry certifications identified above may demonstrate their qualifications and abilities, training, and continuing education by providing acceptable proof of:

(a) a certificate of successful completion and successfully passing the mechanic examination of a nationally recognized training program for the elevator industry including, but not limited to, the national elevator industry educational program or its equivalent, supplemented with continuing education as may be required by this section; or

(b) a certificate of successful completion of the state registered apprenticeship programs for the apprenticeable trades of Elevator Servicer Repairer, including the joint apprentice and training committee of the elevator industry of local 3, IBEW, EE division training program, or equivalent registered apprenticeship program for elevator mechanics, having standards substantially equivalent to those programs and registered with the bureau of apprenticeship and training, U.S. department of labor or a state apprenticeship council, supplemented with continuing education as may be required by this section; or

(c) [~~work on elevator construction, maintenance or repair with direct and immediate supervision in this state for a period of not less than four years immediately prior to the effective date of this article~~

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

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~~supplemented with continuing education and testing as may be required by this section; or~~

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

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

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

7. Special provisions. No person shall erect, construct, alter, replace, maintain, remove, or dismantle any conveyance, or wire any conveyance from the mainline feeder terminals on the controller in existing buildings or structures in the jurisdiction of this state unless such person is a licensed elevator mechanic working under the direct supervision of a licensed elevator contractor. A licensed elevator contractor is not required for removing or dismantling conveyances, which are destroyed as a result of a complete demolition of an existing building or structure.

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

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

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

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

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

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

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

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

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

6. All inspections of elevators and other conveyances shall be performed by a licensed elevator inspector to ensure compliance with applicable code requirements for such conveyances as adopted or determined by the department.

7. When any tests on elevators or other conveyances are performed pursuant to this section and such tests are required to be witnessed by a licensed elevator inspector in accordance with this section or applicable industry codes or standards incorporated herein, such inspections shall be conducted by a licensed elevator inspector who is employed by the state and who shall be physically present during the tests to witness such tests to ensure they are properly administered and to verify test results.

8. Subsequent to any inspection, the licensed elevator inspector shall supply the property owner and the department with a written inspection report verifying code compliance or describing any code violations

found. It shall be the responsibility of the department to verify compliance with the requirements of this chapter and applicable code requirements, as adopted or required by the department.

§ 4. This act shall take effect immediately.