§ 954. Qualifications, training, and continuing education. 1. No license or application for renewal shall be granted to any business or person who has not paid the required application fee and demonstrated his or her qualifications and abilities, training, and any applicable continuing education, by obtaining and maintaining in good standing the industry certifications and continuing education identified or required in this section.

(a) Applicants for an elevator mechanic's license must possess a current industry certification issued by the National Association of Elevator Contractors (NAEC) as a Certified Elevator Technician (CET), or equivalent certification recognized by the commissioner.

(b) Applicants for an accessibility lift technician license must possess a current industry certification issued by the National Association of Elevator Contractors (NAEC) as a certified accessibility and private residence lift technician (CAT) program or an equivalent certification recognized by the commissioner.

(c) Applicants for an elevator inspector's license must possess a current industry certification issued by the Qualified Elevator Inspector Training Fund (QEITF) or by the National Association of Elevator Safety Authorities (NAESA) as a qualified elevator inspector (QEI) or an equivalent license recognized by the commissioner.

2. Applicants for an elevator contractor's license must demonstrate to the commissioner that such elevator contractor employs licensed elevator mechanics who perform elevator and conveyance work and have proof of compliance with the insurance requirements of this article.

3. Applicants for an elevator inspection contractor's license must demonstrate to the satisfaction of the commissioner that such applicant is a certified elevator inspector, or employs certified elevator inspectors, or both, to perform elevator and conveyance inspections and have proof of compliance with the insurance requirements of this article.

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) 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 commissioner 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 determined by the commissioner in consultation with the board. Each temporary elevator mechanic license shall be valid for ninety 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 verifiable shortage of license holders exists. Fees shall be determined by the commissioner.

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 board shall be empowered to make recommendations to the commissioner on nationally recognized continuing education and training programs. The commissioner shall establish requirements for continuing education and training programs which shall be reviewed by the board annually, 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 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.

6. Examinations. The board shall determine, if after the successful completion of the first renewal, if an examination is warranted as a condition of a subsequent renewal provided the applicant was notified of the availability of such examination when the license was previously granted or renewed. The board shall take into consideration previous years' experience, training, and previous relevant examinations that the applicant has already completed.

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.