

**OCCUPATIONAL SAFETY
AND HEALTH STANDARDS BOARD**

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Website address www.dir.ca.gov/oshsb**FINAL STATEMENT OF REASONS****CALIFORNIA CODE OF REGULATIONS****TITLE 8, Chapter 4, Subchapter 6, Elevator Safety Orders:**

Amend: Group I. Administrative Regulations; Article 1, Section 3000; Article 2, Section 3001; Article 3, Section 3002; Article 4, Section 3003; Article 6, Section 3009; Group IV; Article 40; and Article 42, Section 3142.

Repeal: Article 40, Section 3140; and Article 41, Section 3141.1.

Adopt: Article 45; Article 46; Group V; Article 47; Article 47, Section 3147, Section 3147.100, Section 3147.101, Section 3147.102, Section 3147.103, Section 3147.104, Section 3147.200 and Section 3147.300.

**MODIFICATIONS AND RESPONSE TO COMMENTS RESULTING FROM
THE 45-DAY PUBLIC COMMENT PERIOD**

There are no modifications to the information contained in the Initial Statement of Reasons except for the following nonsubstantial changes that are the result of public comments and/or Board staff evaluation.

Subchapter 6. Elevator Safety Orders

Amended to delete the proposed note. The purpose and necessity of this modification is to remove, for purposes of clarity, non-regulatory/unenforceable text from the proposal.

3000. Application.

Amended to delete the proposed note. The purpose and necessity of this modification is to remove, for purposes of clarity, non-regulatory/unenforceable text from the proposal.

3000. Application, Table 1

Amended to delete the proposed note. The purpose and necessity of this modification is to remove, for purposes of clarity, non-regulatory/unenforceable text from the proposal. Reference to the note in Table 1 was removed and replaced with a specific effective date.

Subsection 3147.101(s)

Amended to delete the proposed note. The purpose and necessity of this modification is to remove, for purposes of clarity, non-regulatory/unenforceable text from the proposal.

Subsection 3147.101(cc)

Amended to delete the proposed note. The purpose and necessity of this modification is to remove, for purposes of clarity, non-regulatory/unenforceable text from the proposal.

Subsection 3147.101(cc)(5)

Amended to delete the proposed note. The purpose and necessity of this modification is to remove, for purposes of clarity, non-regulatory/unenforceable text from the proposal.

Subsection 3147.101(jj)

Amended to delete the proposed note. The purpose and necessity of this modification is to remove, for purposes of clarity, non-regulatory/unenforceable text from the proposal.

Subsection 3147.101(ll)

Amended to delete the proposed note. The purpose and necessity of this modification is to remove, for purposes of clarity, non-regulatory/unenforceable text from the proposal.

Subsection 3147.101(nn)

Amended to delete the proposed note. The purpose and necessity of this modification is to remove, for purposes of clarity, non-regulatory/unenforceable text from the proposal.

Subsection 3147.101(tt)

Amended to delete the proposed note. The purpose and necessity of this modification is to remove, for purposes of clarity, non-regulatory/unenforceable text from the proposal.

Subsection 3147.101(aaa)

Amended to delete the proposed note. The purpose and necessity of this modification is to remove, for purposes of clarity, non-regulatory/unenforceable text from the proposal.

Subsection 3147.101(jjj)

To correct unintentional error in parenthetical reference to read “(see ASME A17.1-2019, section 3.26.4)”.

Subsection 3147.300(d)

Amended to delete the proposed note. The purpose and necessity of this modification is to remove, for purposes of clarity, non-regulatory/unenforceable text from the proposal. Additionally, a typographical correction replaces “insure” with “ensure.”

Summary of and Responses to Written and Oral Comments:

I. Written Comments

Josh Josoff, Director of Codes & Standards, International Union of Elevator Constructors (IUEC), by letter dated June 3, 2026.

Comment 1.1:

The commenter states that the IUEC strongly supports the Group V proposal before the Board.

Response to Comment 1.1:

The Board thanks Josh Josoff and the IUEC for their comments.

Henry Wei, MSc, Mitsubishi Electric Us Inc., Elevator/Escalator Division, by email dated June 9, 2026.

Comment 2.1:

The commenter proposes an editorial change to 3147.101, subsection (cc) NOTE, to make it applicable to all references to “minor repairs and replacements” in the subsection to include subsections (cc)(2) through(5).

Response to Comment 2.1:

The use of notes to supplement regulatory text is unenforceable. . Accordingly, the text previously designated as a note in this section has been incorporated into the regulatory text making it applicable to along with all subsections that reference “minor repairs and replacements.”

Comment 2.2:

The commenter indicates the parenthetical reference “(ASME A17.1-2019, section 3.6.4)” in 3147.101, subsection (jjj) is irrelevant to providing a device to detect a person positioned on a pit ladder, as this subsection proposes.

Response Comment 2.2

The proposed regulation was modified to correct the unintentional error in parenthetical reference to read “(see ASME A17.1-2019, section 3.26.4)”, as intended.

Comment 2.3:

The commenter indicates the dimensions in 3147.101, subsection (y) could be increased to 45 mm (1.75 in.) without negatively affecting safety, to allow the car top to be designed to provide greater rigidity.

Response to Comment 2.3:

Strengthening elements incorporated into the design of the car top enclosure are beyond the scope of this code section. Car top enclosure strengthening elements are not considered intrusions into the horizontal area.

The Board thanks Henry Wei for their comments.

John Reynolds, Regional Vice President of Operations and Inspections, VDA, Inc., by letter dated June 13, 2026.

Comment 3.1:

The commenter notes that section 3003.0(a) of the proposal limits the certification of conveyance inspectors to people employed by a licensed insurance company carrying insurance on elevators or by a municipality which maintains an elevator conveyance inspection organization operating under ordinances or rules at least equivalent to the Elevator Safety Orders. The commenter suggests a change to section 3003.0(a) to permit licensed third-party inspection entities to perform conveyance inspections.

Response to Comment 3.1:

California Labor Code sections 7309 and 7310 allows inspections to be performed only by Division inspectors, municipality inspectors, or inspectors “employed by an insurance company.” The Labor Code makes no allowance for third-party inspection companies to perform conveyance inspections.

The Board thanks John Reynolds for their comments.

Kevin Sullivan, National Coordinator, Elevator Industry Work Preservation Fund (EIWPF), by email dated June 18, 2026.

Comment 4.1:

The commenter indicates support for the Group V proposal before the Board.

Response to Comment 4.1:

The Board thanks Kevin Sullivan and the EIWPF for their comments.

Billy Taylor, Director of Government Affairs, National Elevator Industry, Inc. (NEII), by letter dated June 18, 2026.

Comment 5.1:

The commenter states that NEII ultimately supports the Group V proposal before the Board. However, certain concerns NEII raised during the rulemaking remain unaddressed in the proposal, specifically the prohibition on machine room less hydraulic elevators (§3147.101(fff)), limitations on the use of control spaces (§3147.101(ii)), and the prohibition on retractable pit ladders (§3147.101(t)(4)).

Response to Comment 5.1:

The Board thanks Billy Taylor and NEII for their comments.

Frank Belio, International Union of Elevator Constructors (IUEC), by email dated June 19, 2026.

Comment 6.1:

The commenter states that the IUEC Local 18 does not oppose the adoption of the Group V proposal before the Board.

Response to Comment 6.1:

The Board thanks Frank Belio and the IUEC for their comments.

II. Oral Comments

Greg Hardeman, Business Representative, IUEC Local 8.

Comment 1.1:

The commenter expressed support for the Group V proposal on behalf of the IUEC members the commenter represents. The commenter believes the proposal will reduce the number of permanent variances requested from the Board and provide greater safety to the public and those who work on elevators.

Response to Comment 1.1:

The Board thanks Greg Hardeman for their comments.

Ken Michalik, Labor Representative, IUEC Local 18.

Comment 2.1:

The commenter expressed support for the Group V proposal on behalf of the IUEC members the commenter represents. The commenter indicated that the proposal addresses worker and passenger safety related to modern elevator products. The commenter also acknowledged the Board's ongoing commitment to worker safety.

Response to Comment 2.1:

The Board thanks Ken Michalik for their comments.

Ryan Lange, Labor Representative, IUEC Local 8.

Comment 3.1:

The commenter expressed support for the Group V proposal. The commenter indicated that the proposal provides for worker and passenger safety.

Response to Comment 3.1:

The Board thanks Ryan Lange for their comments.

Mike Donlon, Safety Consultant.

Comment 4.1:

The commenter expressed that the Group V proposal is comprehensive and very important to safety. The commenter urges the Board to adopt the proposal.

Response to Comment 4.1:

The Board thanks Mike Donlon for their comments.

Matt Russo, Business Manager, IUEC Local 8.

Comment 5.1:

The commenter expressed support for the Group V proposal on behalf of the IUEC members the commenter represents. The commenter believes the proposal will provide greater safety for the public and those who work on and inspect elevators.

Response to Comment 5.1:

The Board thanks Matt Russo for their comments.

Bill Chisholm, Business Representative, IUEC Local 8.

Comment 6.1:

The commenter concurred with the statements made by their IUEC colleagues. The commenter expressed appreciation at the efforts this proposal makes to enhance worker and public safety.

Response to Comment 6.1:

The Board thanks Bill Chisholm for their comments.

Eric McClaskey, Director of Safety, IUEC.

Comment 7.1:

The commenter expressed support for the Group V proposal on behalf of the IUEC members the commenter represents and urges the Board to adopt the proposal. The commenter points to the following features in the proposal as examples of enhancing worker and public safety:

- -Residual strength monitoring of belts
- -Hoistway lighting
- -Reach requirements
- -Space about the car top
- -Ladder electrical device
- -Separation of adjacent pits
- -Rooms for controls

Response to Comment 7.1:

The Board thanks Eric McClaskey for their comments.

Billy Taylor, Director of Government Affairs, National Elevator Industry, Inc. (NEII).

Comment 8.1:

The commenter indicated that NEII strongly supports the adoption of the proposal. The commenter indicated that equipment and technology have evolved significantly since

the current Elevator Code was adopted and that the proposal is the first significant change to California's Elevator Code in almost 20 years.

The commenter points out NEII has concerns about several provisions in the proposal, including a prohibition on retractable pit ladders. However, NEII does not want these concerns to impede the adoption of the proposal and urges the Board to adopt the proposal.

Response to Comment 8.1:

The Board thanks Billy Taylor for their comments.

ADDITIONAL DOCUMENTS RELIED UPON

None.

ADDITIONAL DOCUMENTS INCORPORATED BY REFERENCE

None.

DETERMINATION OF MANDATE

This standard does not impose a mandate on local agencies or school districts.

ALTERNATIVES CONSIDERED

The Board invited interested persons to present statements or arguments with respect to alternatives to the proposed standard. No alternative considered by the Board would be: (1) more effective in carrying out the purpose for which the action is proposed, or (2) would be as effective as and less burdensome to affected private persons than the adopted action, or (3) would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. Board staff were unable to come up with any alternatives or no alternatives were proposed by the public that would have the same desired regulatory effect.