Occupational Safety and Health Standards Board

Public and Business Meeting

Meeting Agenda

Prepared by the Department of Industrial Relations
Available on the DIR web page: Standards Board (OSHSB) 2026 Meeting Schedule

OCCUPATIONAL SAFETY
AND HEALTH STANDARDS BOARD
2520 Venture Oaks Way, Suite 350
Sacramento, CA 95833
(916) 274-5721
www.dir.ca.gov/oshsb

MISSION STATEMENT

The mission of the Occupational Safety and Health Standards Board is to promote, adopt, and maintain reasonable and enforceable standards that will ensure a safe and healthy workplace for California workers.

AGENDA

OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD MEETING

PLEASE NOTE: In accordance with section 11123 of the Government Code, Board members as well as members of the public may elect to participate via videoconference.

May 21, 2026
10:00 a.m.

In-Person:

Ronald Reagan State Building
Auditorium
300 South Spring Street
Los Angeles, CA 90013

Videoconference:

1. Go to https://tkoworks.zoom.us/j/87501250331
2. Enter Webinar ID: 875 0125 0331
3. Join the meeting through the Zoom application OR through your web browser
4. Videoconference will be opened to the public at 9:50 a.m.

Teleconference:

1. Dial 1 (669) 444-9171
2. Enter Webinar ID: 875 0125 0331 and follow the prompts
3. Teleconference will be opened to the public at 9:50 a.m.

Live video stream and audio stream (English and Spanish):

1. Go to https://videobookcase.com/california/oshsb/
2. Video stream and audio stream will launch as the meeting starts at 10:00 a.m.

Public Comment Queue:
If attending the Occupational Safety and Health Standards Board (Board) meeting in person, you will be added to the public comment queue upon completing a comment card on the day of the meeting.

If attending the meeting remotely and you wish to comment on agenda items, you may submit a request to be added to the public comment queue either in advance of or during the meeting through one of the following methods:

ONLINE: Provide your information through the online comment queue portal at https://videobookcase.org/oshsb/public-comment-queue-form/

PHONE: Call **(510) 868-2730** to access the automated comment queue voicemail and provide†: 1) your name as you would like it listed; 2) your affiliation or organization; and 3) the topic you would like to comment on.

† Information requested is voluntary and not required to address the Board.

I. CALL TO ORDER AND INTRODUCTIONS

A. Spanish translation instructions

II. REMARKS FROM THE CHAIR

III. PRESENTATIONS

A. Engineered Stone Silicosis in California: CDPH Updates

Amy Heinzerling, MD, MPH
Chief, Emerging Workplace Hazards Unit
Occupational Health Branch, California Department of Public Health

- Public Comment
- Board Member Comments and Questions

IV. BUSINESS MEETING

Note: The purpose of the Business Meeting is for the Board to conduct its monthly business. All matters on this agenda are subject to discussion and action as determined to be appropriate by the Board Chair.

For item D below, public comment will be limited to two minutes per speaker or four minutes for speakers requiring concurrent English translation.

A. PROPOSED PETITION DECISION FOR ADOPTION

1. Western Occupational and Environmental Medical Association (WOEMA)
   Petition 609

Petitioner requests to amend title 8, section 5204 Occupational Exposures to Respirable Crystalline Silica through expedited rulemaking process to prohibit all fabrication and installation tasks on engineered stone that contains more than 1% crystalline silica. The Petitioner states that this action is necessary in light of the continuing epidemic of silicosis that is causing disabling disease and death among California fabrication workers as a result of their workplace exposure to silica dust from engineered stone containing crystalline silica and will open the market for safer products, which are already commercially available. They add that the most effective approach to preventing occupational disease is elimination of hazardous products and substitution with safer and less toxic materials.

The Petitioner believes that the evidence is now clear that engineered stone containing crystalline silica is too toxic to fabricate and install safely, and education and enforcement alone will not be sufficient to curtail the escalating occupational health emergency caused by this product. Among their rationale is that the progressive nature and relatively short latency of silicosis among workers exposed to engineered stone dust suggests unique toxicity that cannot be attributed solely to the high levels of respirable crystalline silica produced by these materials. As long as exposure to crystalline silica dust from engineered stone continues, they expect the total number of silicosis cases and deaths to continue to grow unless there is expedited Cal/OSHA rulemaking that effectively prohibits all fabrication and installation (processing that generates dust) of engineered stone. Petitioner notes that a recent Australian

government evaluation confirmed that Australia's prohibition is largely working as expected, creating a rapid change in the market and new opportunities for safer products, while protecting workers from exposure to respirable crystalline silica. If the Standards Board adopts the Australian approach and implements revisions to section 5204 that prohibit all fabrication and installation tasks on all engineered stone that contain more that 1% crystalline silica, it is highly likely that these safer products will be made immediately available in the California market, without significant economic consequences for fabrication businesses and their workers.

B. PROPOSED VARIANCE DECISIONS FOR ADOPTION

- Consent Calendar
- Vote on consent calendar

C. REPORTS

- Executive Officer's Report
- Legislative Update
- Cal/OSHA Report
- State Response Subcommittee Report

D. PUBLIC COMMENT ON NON-AGENDA ITEMS OR TO PROPOSE NEW OR REVISED STANDARDS

This portion of the meeting is open to any interested person proposing new or revised standards to the Board or commenting on occupational safety and health issues (Labor Code section 142.2) not on the agenda. The Board is prohibited to act on items that are not noticed on the agenda but may refer items to staff for future consideration.

Public comment will be limited to two minutes per speaker or four minutes for speakers requiring concurrent English translation.

The Board encourages comments on occupational safety and health matters not included on the monthly agenda. If you have a comment and cannot attend during the non-agenda comment period, OSHSB staff will do their best to read emailed comments into the record. Please send your non-agenda comment to oshsb_nacomments@dir.ca.gov by 5:00 PM the day prior to the meeting. Your comment should be clear, concise and 500 words or less.

Any individual or group wanting to make a presentation during the Public Meeting should visit https://www.dir.ca.gov/oshsb/presentations-for-oshsb.html for further information.

E. COMMENTS BY BOARD MEMBERS

Any Board member may identify a topic of interest during the Board meeting. However, the Board may not substantially discuss or act on any matter raised during the meeting that is not included on this agenda, except to decide to place the matter on the agenda of a future meeting. (GC sections 11125 & 11125.7(a).).

F. CLOSED SESSION

- Public comment on Closed Session Agenda Items

Pending Decisions

- Permanent Variance No. 20-V-096 (Tutor Perini/O&G JV)
- Permanent Variance No. 23-V-580 (Dragados)
- Permanent Variance No. 20-V-300 (Pepsi Bottling Group, LLC)

Matters Pending Litigation

- Western States Petroleum Association (WSPA) v. California Occupational Safety and Health Standards Board (OSHSB), et al. United States District Court (Eastern District of California) Case No. 2:19-CV-01270
- WSPA v. OSHSB, et al., County of Sacramento, CA Superior Court Case No. 34-2019-00260210

Personnel

G. RETURN TO OPEN SESSION

- Report from closed session

H. ADJOURNMENT OF THE MEETING

Next Meeting: June 18, 2026
Hampton Inn & Suites Napa
945 Hartle Court
Napa, CA 92262
10:00 a.m.

CLOSED SESSION

- If necessary, consideration of personnel matters. (GC section 11126(a)(1)).
- If necessary, consideration of pending litigation pursuant to GC section 11126(e)(1).
- If necessary, to deliberate on a pending decision. (GC section 11126(c)(3)).

PUBLIC COMMENT

Public Hearing
During the Public Hearing, members of the public may provide comments regarding standards that have been noticed to the public for a 45-day comment period. An individual wishing to comment must complete a speaker comment card. Efforts will be made to accommodate everyone who signs up to speak. However, given time constraints, there is no guarantee that all who have signed up will be able to address the Board.

Each individual who submits a comment card will get up to two minutes to speak. The Board Chair may extend the speaking time allotted when practical. The total time for public comment is 120 minutes unless extended by the Board Chair.

Business Meeting Non-Agendized
During the Business Meeting Non-Agendized, members of the public can address the Board on items of interest that are within the Board's jurisdiction but are not on the noticed agenda. The Board is not permitted to take action on items that are not on the noticed agenda but may refer items to staff for future consideration. The Board reserves the right to limit the time for speakers.

DISABILITY ACCOMMODATION NOTICE

Under Government Code section 11123(a), all meetings of a state body are open and public, and all persons are permitted to attend any meeting of a state body, except as otherwise provided in the Bagley-Keene Open Meeting Act.

If disability-related modifications or accommodations are required to participate in the meeting, please contact the Diversity and Inclusion Office at DIO@DIR.CA.GOV. To ensure the availability of your requested accommodation, please submit your request at least 10 days in advance.

Please contact the California Relay Service by dialing 711 or (800) 735-2929 (TTY) or (800) 855-3000 (TTY-Spanish).

TRANSLATION

Requests for translation services should be made no later than five (5) days before the meeting. Request may be made to by email to oshsb@dir.ca.gov.

2026 Upcoming OSHSB Advisory Committee Meetings

1. Petition 589 – Construction Passenger Elevator – Article 14
   June 30 (added meeting to complete review of sections that committee wasn't able to consider during the April 1-2, 2026, meeting.)
   9am-4pm
   Zoom Meeting

2. Petition 605 –Horizontal Sliding and Swinging Gates
   July 23
   9am-4pm
   In-Person
   Location TBD
   *Roster being finalized, invitation to committee members be sent out by Monday, May 25.

Occupational Safety and Health Standards Board

Public and Business Meeting

Meeting Notice

Prepared by the Department of Industrial Relations
Available on the DIR web page: Standards Board (OSHSB) 2026 Meeting Schedule

OCCUPATIONAL SAFETY
AND HEALTH STANDARDS BOARD
2520 Venture Oaks Way, Suite 350
Sacramento, CA 95833
(916) 274-5721
Website address www.dir.ca.gov/oshsb

NOTICE OF PUBLIC MEETING AND BUSINESS MEETING OF THE OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD

Pursuant to Government Code section 11346.4 and the provisions of Labor Code Sections 142.1, 142.2, 142.3, 142.4, and 144.6, the Occupational Safety and Health Standards Board ("Board") of the State of California has set the time and place for a Public Meeting and Business Meeting:

QR Code for Access:

On **May 21, 2026**, at 10:00 a.m.
Ronald Reagan State Building
Auditorium
300 South Spring Street
Los Angeles, California 90013

as well as via the following:

- Videoconference at https://tkoworks.zoom.us/j/87501250331
- Teleconference at (669) 444-9171 (Webinar ID 875 0125 0331)
- Live video stream and audio stream (English and Spanish) at: https://videobookcase.com/california/oshsb/

At the Public Meeting, the Board will make time available to receive comments or proposals from interested people on any item concerning occupational safety and health.

At the Business Meeting, the Board will conduct its monthly business.

DISABILITY ACCOMMODATION NOTICE: Disability accommodation is available upon request. Any person with a disability requiring an accommodation, auxiliary aid or service, or a modification of policies or procedures to ensure effective communication and access to the public hearings/meetings of the Board should contact the Disability Accommodation Coordinator at (916) 274-5721 or the state-wide Disability Accommodation Coordinator at 1 (866) 326-1616 (toll free). The state-wide Coordinator can also be reached through the California Relay Service, by dialing 711 or 1 (800) 735-2929 (TTY) or 1 (800) 855-3000 (TTY-Spanish).

Accommodations can include modifications of policies or procedures or provision of auxiliary aids or services. Accommodations include, but are not limited to, an Assistive Listening System (ALS), a Computer-Aided Transcription System or Communication Access Realtime Translation (CART), a sign-language interpreter, documents in Braille, large print or on computer disk, and audio cassette recording. Accommodation requests should be made as soon as possible. Requests for an ALS or CART should be made no later than five (5) days before the hearing.

OCCUPATIONAL SAFETY AND HEALTH
STANDARDS BOARD

JOSEPH M. ALIOTO JR., Chairman

Occupational Safety and Health Standards Board

Public and Business Meeting

Petition 609

Prepared by the Department of Industrial Relations
Available on the DIR web page: Standards Board (OSHSB) 2026 Meeting Schedule

THE DOCUMENTS PERTAINING TO PETITION 609 (WESTERN OCCUPATIONAL AND ENVIRONMENTAL MEDICAL ASSOCIATION) WILL BE PROVIDED WHEN THEY ARE READY FOR THE BOARD'S CONSIDERATION AND WILL BE POSTED ON THE PETITION 609 PAGE OF THE OSHSB WEBSITE.

Occupational Safety and Health Standards Board

Business Meeting Proposed Variance Decisions

Prepared by the Department of Industrial Relations
Available on the DIR web page: Standards Board (OSHSB) 2026 Meeting Schedule

CONSENT CALENDAR—PROPOSED VARIANCE DECISIONS
MAY 21, 2026, MONTHLY BUSINESS MEETING
OF THE OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
PROPOSED DECISIONS FOR BOARD CONSIDERATION, HEARD ON APRIL 22, 2026

Docket Number	Applicant Name	Safety Order(s) at Issue	Proposed Decision Recommendation
1. 19-V-226M1	Intuitive Surgical Inc.	ELEVATOR	GRANT
2. 21-V-410M1	Metro West Owners Association	ELEVATOR	GRANT
3. 21-V-411M1	Metro West Owners Association	ELEVATOR	GRANT
4. 21-V-412M1	Metro West Owners Association	ELEVATOR	GRANT
5. 21-V-413M1	Metro West Owners Association	ELEVATOR	GRANT
6. 21-V-414M1	Metro West Owners Association	ELEVATOR	GRANT
7. 21-V-602M1	Mark A. Almeida Living Trust	ELEVATOR	GRANT
8. 24-V-065M1	RMMK-II, LLC	ELEVATOR	GRANT
9. 24-V-136M1	1929 Auto Center West LLC	ELEVATOR	GRANT
10. 24-V-137M1	1929 Auto Center West LLC	ELEVATOR	GRANT
11. 24-V-156M1	Metflo, L.P.	ELEVATOR	GRANT
12. 24-V-174M1	PHK Pano, L.P.	ELEVATOR	GRANT
13. 24-V-382	All for Health, Health for All	ELEVATOR	GRANT
14. 24-V-383M1	Delaware Vanderval, LLC	ELEVATOR	GRANT
15. 24-V-422M1	Adair Suisun, LLC.	ELEVATOR	GRANT
16. 24-V-424M1	Vose, LP	ELEVATOR	GRANT
17. 24-V-519M1	Folsom Hotel Development, LP	ELEVATOR	GRANT
18. 24-V-522M1	Arden Armory Affordable LP	ELEVATOR	GRANT
19. 25-V-120	GMMR Stone LLC	ELEVATOR	GRANT
20. 25-V-158M1	City of Los Angeles A Muni Corp	ELEVATOR	GRANT

Docket Number	Applicant Name	Safety Order(s) at Issue	Proposed Decision Recommendation
21. 25-V-178M1	Casa Del Milagro LLC	ELEVATOR	GRANT
22. 25-V-233	Pepperdine University	ELEVATOR	GRANT
23. 25-V-236	San Bernardino County	ELEVATOR	GRANT
24. 25-V-354	Fresno Hospitality LLC	ELEVATOR	GRANT
25. 25-V-486M1	USS Trafalgar LLC	ELEVATOR	GRANT
26. 26-V-061	California State University San Marcos	ELEVATOR	GRANT
27. 26-V-068	Capalina SMA, LLC	ELEVATOR	GRANT
28. 26-V-077	Omni Marina Shores LLC	ELEVATOR	GRANT
29. 26-V-079	AFH Casa Colibri LP	ELEVATOR	GRANT
30. 26-V-080	AFH Casa Colibri LP	ELEVATOR	GRANT
31. 26-V-087	UCSF Benioff Children's Hospital	ELEVATOR	GRANT
32. 26-V-088	UCSF Benioff Children's Hospital	ELEVATOR	GRANT
33. 26-V-089	Alliant University	ELEVATOR	GRANT
34. 26-V-090	Flying Leatherneck Historical Foundation	ELEVATOR	GRANT
35. 26-V-092	Toyon Gardens, L.P.	ELEVATOR	GRANT
36. 26-V-093	1400 Long Beach, LP	ELEVATOR	GRANT
37. 26-V-095	Bar Investors, JV	ELEVATOR	GRANT
38. 26-V-100	The Regents of the University of California	ELEVATOR	GRANT
39. 26-V-120	Riverside Community College District	ELEVATOR	GRANT
40. 26-V-121	Riverwalk Family LP	ELEVATOR	GRANT
41. 26-V-122	VMJ Company, LLC	ELEVATOR	GRANT
42. 26-V-123	Julio C. Vargas	ELEVATOR	GRANT
43. 26-V-124	2300-2310 Ellsworth, LLC a Delaware Limited Liability Company	ELEVATOR	GRANT

Docket Number	Applicant Name	Safety Order(s) at Issue	Proposed Decision Recommendation
44. 26-V-125	Arnold Associates LLC	ELEVATOR	GRANT
45. 26-V-126	1616 Euclid Home LLC	ELEVATOR	GRANT
46. 26-V-127	California State University Long Beach	ELEVATOR	GRANT
47. 26-V-128	Archway Recovery Services	ELEVATOR	GRANT
48. 26-V-129	Liminal Line LLC	ELEVATOR	GRANT
49. 26-V-131	San Bernardino Valley College	ELEVATOR	GRANT
50. 26-V-132	GS Campanile Owner, LLC	ELEVATOR	GRANT
51. 26-V-133	Gurvinder Singh	ELEVATOR	GRANT
52. 26-V-134	Legal Aid Foundation of Los Angeles	ELEVATOR	GRANT
53. 26-V-135	BC Idaho Two, LLC	ELEVATOR	GRANT
54. 26-V-136	Lone Oak – Rancho, L.L.C.	ELEVATOR	GRANT
55. 26-V-137	Timber Ridge Residences LLC	ELEVATOR	GRANT
56. 26-V-138	Imperial Community College District	ELEVATOR	GRANT
57. 26-V-139	PREG Kifer, LP	ELEVATOR	GRANT
58. 26-V-140	Passo Centinela, LP	ELEVATOR	GRANT
59. 26-V-141	Passo Centinela 2, LP	ELEVATOR	GRANT
60. 26-V-142	Passo Stoner, LP	ELEVATOR	GRANT
61. 26-V-143	Passo Barrington, LP	ELEVATOR	GRANT
62. 26-V-144	California State University, Fullerton	ELEVATOR	GRANT
63. 26-V-145	Avalon San Ramon, L.P.	ELEVATOR	GRANT
64. 26-V-146	Sacred Heart Cathedral Preparatory	ELEVATOR	GRANT
65. 26-V-147	Pacific Place HOA	ELEVATOR	GRANT
66. 26-V-148	Alpine County Unified School District	ELEVATOR	GRANT
67. 26-V-150	Soto DC LLC	ELEVATOR	GRANT

Docket Number	Applicant Name	Safety Order(s) at Issue	Proposed Decision Recommendation
68. 26-V-151	Pacific Place HOA	ELEVATOR	GRANT
69. 26-V-152	Rose Ventures III, Inc. & Granite 1200, LLC	ELEVATOR	GRANT
70. 26-V-153	Central Pointe Phase I Development Partners LP	ELEVATOR	GRANT
71. 26-V-154	2533 Mansfield Owner, L.P.	ELEVATOR	GRANT
72. 26-V-155	Mission Housing Development Corporation	ELEVATOR	GRANT
73. 26-V-157	GDCB Berkeley Propco LLC	ELEVATOR	GRANT

ADDITIONAL PROPOSED DECISIONS FOR BOARD CONSIDERATION

Docket Number	Applicant Name	Safety Order(s) at Issue	Proposed Decision Recommendation
74. 20-V-096	Tutor Perini/O&G JV	Sections 1604.24(a)(2), 1604.26(c), and 8495(b)(1)	DENY

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application to Modify Permanent Variance by:

Intuitive Surgical Inc.

Permanent Variance No: 19-V-226M1

PROPOSED DECISION

Hearing Date: April 22, 2026
Location: Zoom

A. Subject Matter

1. The following person or entity ("Applicant") has applied for a modification of permanent variance from a provision of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, all references in this matter are to the California Code of Regulations, title 8. The variance applications are as follows:

Preexisting Permanent Variance No.	Preexisting Variance Holder of Record
19-V-226	Kifer Dev LLC

2. This proceeding is conducted in accordance with Labor Code section 143 and section 401, et seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026, via videoconference, by the Board with Hearing Officer Michelle Iorio, both presiding and hearing the matter on its merit in accordance with section 426.

2. At the hearing, Brian Larson appeared as the Applicant; Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Documentary and oral evidence was received at the hearing, and by stipulation of all parties, documents were admitted into evidence:

Exhibit Number	Description of Exhibit
PD1	Application for Modification of Permanent Variance
PD2	OSHSB Notice of Hearing
PD3	Cal/OSHA Review of Variance Application
PD4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the safety regulation requirements from which variance shall issue. On March 25, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Findings of Fact

1. The Applicant requests modification of the variance holder specified within Board records for each conveyance the subject of previously granted Permanent Variance No. 19-V-226.
2. The modification application submitted by applicant, declared to be wholly truthful under penalty of perjury by the signatory, states that Intuitive Surgical Inc. became the owner of the conveyance(s) subject to the existing variance.
3. Cal/OSHA has evaluated the request for modification of person or entity of record holding Permanent Variance No. 19-V-226M1, finds no issue with it, and recommends that the application for modification be granted subject to the same conditions of the Decision and Order in Permanent Variance No. 19-V-226.
4. The Board finds the declaratory statements of the Applicant signatory to be credible, uncontroverted, and consistent with available, sufficient facts, and of no bearing as to the finding of equivalent occupational health and safety upon which, in substantial part, grant of preexisting Permanent Variance No. 19-V-226.
5. The Board finds the current person or entity having custody of each conveyance the subject of Permanent Variance No. 19-V-226M1, to be:

Intuitive Surgical Inc.

D. Decision and Order

1. Variance application 19-V-226M1 is conditionally GRANTED, as specified below, such that, within Board records, the person or entity holding Permanent Variance No. 19-V-226 shall be:

Intuitive Surgical Inc.

2. Permanent Variance No(s). 19-V-226, only being modified as specified in above Decision and Order section 1, is otherwise unchanged and remaining in full force and effect, as hereby incorporated by reference into this Decision and Order of Permanent Variance No. 19-V-226M1.
3. The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way and to the same extent that employees and authorized representatives are to be notified of docketed permanent variance applications pursuant to sections 411.2 and 411.3.
4. This Decision and Order shall remain in effect unless modified or revoked upon application by the Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in the manner prescribed.

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

DATED: April 23, 2026

Michelle Iorio, Hearing Officer

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application to Modify Permanent Variance by:

Metro West Owners Association

Permanent Variance No: 21-V-410M1

PROPOSED DECISION

Hearing Date: April 22, 2026
Location: Zoom

A. Subject Matter

1. The following person or entity ("Applicant") has applied for a modification of permanent variance from a provision of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, all references in this matter are to the California Code of Regulations, title 8. The variance applications are as follows:

Preexisting Permanent Variance No.	Preexisting Variance Holder of Record
21-V-410	Toll West Coast LLC

2. This proceeding is conducted in accordance with Labor Code section 143 and section 401, et seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026, via videoconference, by the Board with Hearing Officer Michelle Iorio, both presiding and hearing the matter on its merit in accordance with section 426.

2. At the hearing, Briana Shields, with The Helsing Group, appeared on behalf of each Applicant; Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Documentary and oral evidence was received at the hearing, and by stipulation of all parties, documents were admitted into evidence:

Exhibit Number	Description of Exhibit
PD1	Application for Modification of Permanent Variance
PD2	OSHSB Notice of Hearing
PD3	Cal/OSHA Review of Variance Application
PD4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the safety regulation requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Findings of Fact

1. The Applicant requests modification of the variance holder specified within Board records for each conveyance the subject of previously granted Permanent Variance No. 21-V-410.
2. The modification application submitted by applicant, declared to be wholly truthful under penalty of perjury by the signatory, states that Metro West Owners Association became the owner of the conveyance(s) subject to the existing variance.
3. Cal/OSHA has evaluated the request for modification of person or entity of record holding Permanent Variance No. 21-V-410M1, finds no issue with it, and recommends that the application for modification be granted subject to the same conditions of the Decision and Order in Permanent Variance No. 21-V-410.
4. The Board finds the declaratory statements of the Applicant signatory to be credible, uncontroverted, and consistent with available, sufficient facts, and of no bearing as to the finding of equivalent occupational health and safety upon which, in substantial part, grant of preexisting Permanent Variance No. 21-V-410.
5. The Board finds the current person or entity having custody of each conveyance the subject of Permanent Variance No. 21-V-410M1, to be:

Metro West Owners Association

D. Decision and Order

1. Variance application 21-V-410M1 is conditionally GRANTED, as specified below, such that, within Board records, the person or entity holding Permanent Variance No. 21-V-410 shall be:

Metro West Owners Association

2. Permanent Variance No(s). 21-V-410, only being modified as specified in above Decision and Order section 1, is otherwise unchanged and remaining in full force and effect, as hereby incorporated by reference into this Decision and Order of Permanent Variance No. 21-V-410M1.
3. The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way and to the same extent that employees and authorized representatives are to be notified of docketed permanent variance applications pursuant to sections 411.2 and 411.3.
4. This Decision and Order shall remain in effect unless modified or revoked upon application by the Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in the manner prescribed.

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

DATED: April 23, 2026

Michelle Iorio, Hearing Officer

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application to Modify Permanent Variance by:

Metro West Owners Association

Permanent Variance No: 21-V-411M1

PROPOSED DECISION

Hearing Date: April 22, 2026
Location: Zoom

A. Subject Matter

1. The following person or entity ("Applicant") has applied for a modification of permanent variance from a provision of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, all references in this matter are to the California Code of Regulations, title 8. The variance applications are as follows:

Preexisting Permanent Variance No.	Preexisting Variance Holder of Record
21-V-411	Toll West Coast LLC

2. This proceeding is conducted in accordance with Labor Code section 143 and section 401, et seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026, via videoconference, by the Board with Hearing Officer Michelle Iorio, both presiding and hearing the matter on its merit in accordance with section 426.

2. At the hearing, Briana Shields, with The Helsing Group, appeared on behalf of each Applicant; and Mark Wickens and Jose Ceja appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Documentary and oral evidence was received at the hearing, and by stipulation of all parties, documents were admitted into evidence:

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4. Official notice is taken of the Board's files, records, recordings and decisions concerning the safety regulation requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Findings of Fact

1. The Applicant requests modification of the variance holder specified within Board records for each conveyance the subject of previously granted Permanent Variance No. 21-V-411.
2. The modification application submitted by applicant, declared to be wholly truthful under penalty of perjury by the signatory, states that Metro West Owners Association became the owner of the conveyance(s) subject to the existing variance.
3. Cal/OSHA has evaluated the request for modification of person or entity of record holding Permanent Variance No. 21-V-411M1, finds no issue with it, and recommends that the application for modification be granted subject to the same conditions of the Decision and Order in Permanent Variance No. 21-V-411.
4. The Board finds the declaratory statements of the Applicant signatory to be credible, uncontroverted, and consistent with available, sufficient facts, and of no bearing as to the finding of equivalent occupational health and safety upon which, in substantial part, grant of preexisting Permanent Variance No. 21-V-411.
5. The Board finds the current person or entity having custody of each conveyance the subject of Permanent Variance No. 21-V-411M1, to be:

Metro West Owners Association

D. Decision and Order

1. Variance application 21-V-411M1 is conditionally GRANTED, as specified below, such that, within Board records, the person or entity holding Permanent Variance No. 21-V-411 shall be:

Metro West Owners Association

2. Permanent Variance No(s). 21-V-411, only being modified as specified in above Decision and Order section 1, is otherwise unchanged and remaining in full force and effect, as hereby incorporated by reference into this Decision and Order of Permanent Variance No. 21-V-411M1.
3. The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way and to the same extent that employees and authorized representatives are to be notified of docketed permanent variance applications pursuant to sections 411.2 and 411.3.
4. This Decision and Order shall remain in effect unless modified or revoked upon application by the Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in the manner prescribed.

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

DATED: April 23, 2026

Michelle Iorio, Hearing Officer

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application to Modify Permanent Variance by:

Metro West Owners Association

Permanent Variance No: 21-V-412M1

PROPOSED DECISION

Hearing Date: April 22, 2026
Location: Zoom

A. Subject Matter

1. The following person or entity ("Applicant") has applied for a modification of permanent variance from a provision of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, all references in this matter are to the California Code of Regulations, title 8. The variance applications are as follows:

Preexisting Permanent Variance No.	Preexisting Variance Holder of Record
21-V-412	Toll West Coast LLC

2. This proceeding is conducted in accordance with Labor Code section 143 and section 401, et seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026, via videoconference, by the Board with Hearing Officer Michelle Iorio, both presiding and hearing the matter on its merit in accordance with section 426.

2. At the hearing, Briana Shields, with The Helsing Group, appeared on behalf of each Applicant; Mark Wickens and Jose Ceja appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Documentary and oral evidence was received at the hearing, and by stipulation of all parties, documents were admitted into evidence:

Exhibit Number	Description of Exhibit
PD1	Application for Modification of Permanent Variance
PD2	OSHSB Notice of Hearing
PD3	Cal/OSHA Review of Variance Application
PD4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the safety regulation requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Findings of Fact

1. The Applicant requests modification of the variance holder specified within Board records for each conveyance the subject of previously granted Permanent Variance No. 21-V-412.
2. The modification application submitted by applicant, declared to be wholly truthful under penalty of perjury by the signatory, states that Metro West Owners Association became the owner of the conveyance(s) subject to the existing variance.
3. Cal/OSHA has evaluated the request for modification of person or entity of record holding Permanent Variance No. 21-V-412M1, finds no issue with it, and recommends that the application for modification be granted subject to the same conditions of the Decision and Order in Permanent Variance No. 21-V-412.
4. The Board finds the declaratory statements of the Applicant signatory to be credible, uncontroverted, and consistent with available, sufficient facts, and of no bearing as to the finding of equivalent occupational health and safety upon which, in substantial part, grant of preexisting Permanent Variance No. 21-V-412.
5. The Board finds the current person or entity having custody of each conveyance the subject of Permanent Variance No. 21-V-412M1, to be:

Metro West Owners Association

D. Decision and Order

1. Variance application 21-V-412M1 is conditionally GRANTED, as specified below, such that, within Board records, the person or entity holding Permanent Variance No. 21-V-412 shall be:

Metro West Owners Association

2. Permanent Variance No(s). 21-V-412, only being modified as specified in above Decision and Order section 1, is otherwise unchanged and remaining in full force and effect, as hereby incorporated by reference into this Decision and Order of Permanent Variance No. 21-V-412M1.
3. The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way and to the same extent that employees and authorized representatives are to be notified of docketed permanent variance applications pursuant to sections 411.2 and 411.3.
4. This Decision and Order shall remain in effect unless modified or revoked upon application by the Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in the manner prescribed.

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

DATED: April 23, 2026

Michelle Iorio, Hearing Officer

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application to Modify Permanent Variance by:

Metro West Owners Association

Permanent Variance No: 21-V-413M1

PROPOSED DECISION

Hearing Date: April 22, 2026
Location: Zoom

A. Subject Matter

1. The following person or entity ("Applicant") has applied for a modification of permanent variance from a provision of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, all references in this matter are to the California Code of Regulations, title 8. The variance applications are as follows:

Preexisting Permanent Variance No.	Preexisting Variance Holder of Record
21-V-413	Toll West Coast LLC

2. This proceeding is conducted in accordance with Labor Code section 143 and section 401, et seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026, via videoconference, by the Board with Hearing Officer Michelle Iorio, both presiding and hearing the matter on its merit in accordance with section 426.

2. At the hearing, Briana Shields, with The Helsing Group, appeared on behalf of each Applicant; Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Documentary and oral evidence was received at the hearing, and by stipulation of all parties, documents were admitted into evidence:

Exhibit Number	Description of Exhibit
PD1	Application for Modification of Permanent Variance
PD2	OSHSB Notice of Hearing
PD3	Cal/OSHA Review of Variance Application
PD4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the safety regulation requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Findings of Fact

1. The Applicant requests modification of the variance holder specified within Board records for each conveyance the subject of previously granted Permanent Variance No. 21-V-413.
2. The modification application submitted by applicant, declared to be wholly truthful under penalty of perjury by the signatory, states that Metro West Owners Association became the owner of the conveyance(s) subject to the existing variance.
3. Cal/OSHA has evaluated the request for modification of person or entity of record holding Permanent Variance No. 21-V-413M1, finds no issue with it, and recommends that the application for modification be granted subject to the same conditions of the Decision and Order in Permanent Variance No. 21-V-413.
4. The Board finds the declaratory statements of the Applicant signatory to be credible, uncontroverted, and consistent with available, sufficient facts, and of no bearing as to the finding of equivalent occupational health and safety upon which, in substantial part, grant of preexisting Permanent Variance No. 21-V-413.
5. The Board finds the current person or entity having custody of each conveyance the subject of Permanent Variance No. 21-V-413M1, to be:

Metro West Owners Association

D. Decision and Order

1. Variance application 21-V-413M1 is conditionally GRANTED, as specified below, such that, within Board records, the person or entity holding Permanent Variance No. 21-V-413 shall be:

Metro West Owners Association

2. Permanent Variance No(s). 21-V-413, only being modified as specified in above Decision and Order section 1, is otherwise unchanged and remaining in full force and effect, as hereby incorporated by reference into this Decision and Order of Permanent Variance No. 21-V-413M1.
3. The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way and to the same extent that employees and authorized representatives are to be notified of docketed permanent variance applications pursuant to sections 411.2 and 411.3.
4. This Decision and Order shall remain in effect unless modified or revoked upon application by the Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in the manner prescribed.

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

DATED: April 23, 2026

Michelle Iorio, Hearing Officer

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application to Modify Permanent Variance by:

Metro West Owners Association

Permanent Variance No: 21-V-414M1

PROPOSED DECISION

Hearing Date: April 22, 2026
Location: Zoom

A. Subject Matter

1. The following person or entity ("Applicant") has applied for a modification of permanent variance from a provision of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, all references in this matter are to the California Code of Regulations, title 8. The variance applications are as follows:

Preexisting Permanent Variance No.	Preexisting Variance Holder of Record
21-V-414	Toll West Coast LLC

2. This proceeding is conducted in accordance with Labor Code section 143 and section 401, et seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026, via videoconference, by the Board with Hearing Officer Michelle Iorio, both presiding and hearing the matter on its merit in accordance with section 426.

2. At the hearing, Briana Shields, with The Helsing Group, appeared on behalf of each Applicant; Jose Ceja and Mark WIckens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Documentary and oral evidence was received at the hearing, and by stipulation of all parties, documents were admitted into evidence:

Exhibit Number	Description of Exhibit
PD1	Application for Modification of Permanent Variance
PD2	OSHSB Notice of Hearing
PD3	Cal/OSHA Review of Variance Application
PD4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the safety regulation requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Findings of Fact

1. The Applicant requests modification of the variance holder specified within Board records for each conveyance the subject of previously granted Permanent Variance No. 21-V-414.
2. The modification application submitted by applicant, declared to be wholly truthful under penalty of perjury by the signatory, states that Metro West Owners Association became the owner of the conveyance(s) subject to the existing variance.
3. Cal/OSHA has evaluated the request for modification of person or entity of record holding Permanent Variance No. 21-V-414M1, finds no issue with it, and recommends that the application for modification be granted subject to the same conditions of the Decision and Order in Permanent Variance No. 21-V-414.
4. The Board finds the declaratory statements of the Applicant signatory to be credible, uncontroverted, and consistent with available, sufficient facts, and of no bearing as to the finding of equivalent occupational health and safety upon which, in substantial part, grant of preexisting Permanent Variance No. 21-V-414.
5. The Board finds the current person or entity having custody of each conveyance the subject of Permanent Variance No. 21-V-414M1, to be:

Metro West Owners Association

D. Decision and Order

1. Variance application 21-V-414M1 is conditionally GRANTED, as specified below, such that, within Board records, the person or entity holding Permanent Variance No. 21-V-414 shall be:

Metro West Owners Association

2. Permanent Variance No(s). 21-V-414, only being modified as specified in above Decision and Order section 1, is otherwise unchanged and remaining in full force and effect, as hereby incorporated by reference into this Decision and Order of Permanent Variance No. 21-V-414M1.
3. The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way and to the same extent that employees and authorized representatives are to be notified of docketed permanent variance applications pursuant to sections 411.2 and 411.3.
4. This Decision and Order shall remain in effect unless modified or revoked upon application by the Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in the manner prescribed.

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

DATED: April 23, 2026

Michelle Iorio, Hearing Officer

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application to Modify Permanent Variance by: Mark A. Almeida Living Trust	Permanent Variance No.: 21-V-602M1 **PROPOSED DECISION** Hearing Date: April 22, 2026 Location: Zoom

A. Subject Matter

1. The following person or entity ("Applicant") has applied for a modification of permanent variance from provisions of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, references are to the California Code of Regulations, title 8. The relevant information is as follows:

Preexisting Permanent Variance No.	Applicant Name	Preexisting Variance Elevator Type Granted	Number of Elevators
21-V-602	Mark A. Almeida Living Trust	Schindler 3300	1

2. This proceeding is conducted in accordance with Labor Code section 143 and section 401, et. seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026, via videoconference, by the Board, with Hearing Officer, Michelle Iorio, both presiding and hearing the matter on its merit, in accordance with section 426.

2. At the hearing Pete Cuellar with Schindler Elevator Corporation, appeared on behalf of the Applicant; Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Documentary and oral evidence was received at the hearing, and by stipulation of all parties, documents were admitted into evidence:

Exhibit Number	Description of Exhibit
PD-1	Application for modification of Permanent Variance
PD-2	OSHSB Notice of Hearing
PD-3	Cal/OSHA Review of Variance Application
PD-4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the Elevator Safety Order requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Findings of Fact

1. The Applicant requests modification of the existing permanent variance to include a "Variant Governor", referencing OSHSB Master File "Schindler Variant Governor Ropes and Sheaves (Group IV)" dated February 1, 2021.

2. Due to the use of a 6 mm (0.25 in.) governor rope with 6-strand construction, the provided governor sheave pitch diameter is less than that required by the Elevator Safety Orders. The Applicant intends to install a governor rope that provides an increased factor of safety in order to compensate for the use of a governor sheave of reduced diameter.

3. The Applicant is seeking to amend the existing permanent variance to include a permanent variance from the provision of the California Code of Regulations, Title 8, Section 3141 [ASME A17.1-2004, Section 2.18.7.4] of the Elevator Safety Orders regarding governor sheave diameter for the one (1) elevator located at the address of record.

4. Cal/OSHA, by way of written submissions to the record (Exhibit PD-3), and position stated at hearing, is of the well informed opinion that grant of requested modification of permanent variance, as limited and conditioned per the below Decision and Order will provide employment, places of employment, and subject conveyances, as safe and healthful as would prevail given non-variant conformity with the Elevator Safety Order requirements from which variance has been requested.

D. Decision and Order

1. Permanent Variance Application No. 21-V-602M1 is conditionally GRANTED, thereby modifying Board records, such that each elevator being the subject of Permanent Variance Nos. 21-V-602 and 21-V-602M1 is subject to the same conditions stated in Permanent Variance No. 21-V-602 along with the additional conditions and limitations noted below:

Elevator Safety Orders:

- **Pitch diameter: 2.18.7.4 (Only to the extent necessary to permit the use of the speed-reducing system proposed by the Applicant, where the rope sheave pitch diameter is reduced to 200 mm [7.87 in.]);**

Conditions:

The speed governor rope and sheaves shall comply with the following:

1. The governor shall be used in conjunction with a steel 6 mm (0.25 in.) diameter governor rope with 6 strand, regular lay construction.

2. The governor rope shall have a factor of safety of 8 or greater as related to the strength necessary to activate the safety.

3. The governor sheaves shall have a pitch diameter of not less than 200 mm (7.87 in.).

2. Permanent Variance No. 21-V-602M1, being only modified as to the additional variances sought specified in above Decision and Order, is otherwise unchanged and remaining in full force and effect, as hereby incorporated by reference into this Decision and Order of Permanent Variance No. 21-V-602M1.

3. The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way and to the same extent that employees and authorized representatives are to be notified of docketed permanent variance applications pursuant to sections 411.2 and 411.3.

4. This Decision and Order shall remain in effect unless modified or revoked upon application by the Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in the manner prescribed.

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

Dated: April 23, 2026

Michelle Iorio

Michelle Iorio, Hearing Officer

EXHIBIT 1

October 6, 2010

CIRCULAR LETTER E-10-04

TO: Installers, Manufacturers of Conveyances and Related Equipment and, Other Interested Parties

SUBJECT: Coated Steel Belt Monitoring

The Elevator Safety Orders require routine inspection of the suspension means of an elevator to assure its safe operation.

The California Labor Code Section 7318 allows the Division to promulgate special safety orders in the absence of regulation.

As it is not possible to see the steel cable suspension means of a Coated Steel Belt, a monitoring device which has been accepted by the Division is required on all Coated Steel Belts which will automatically stop the car if the residual strength of any belt drops below 60%. The Device shall prevent the elevator from restarting after a normal stop at a landing.

The monitoring device must be properly installed and functional. A functioning device may be removed only after a determination has been made that the residual strength of each belt exceeds 60%. These findings and the date of removal are to be conspicuously documented in the elevator machine room. The removed device must be replaced or returned to proper service within 30 days.

If upon routine inspection, the monitoring device is found to be in a non-functional state, the date and findings are to be conspicuously documented in the elevator machine room.

If upon inspection by the Division, the monitoring device is found to be non-functional or removed, and the required documentation is not in place, the elevator will be removed from service.

If the device is removed to facilitate belt replacement, it must be properly installed and functional before the elevator is returned to service.

A successful test of the device's functionality shall be conducted once a year.

This circular does not preempt the Division from adopting regulations in the future, which may address the monitoring of Coated Steel Belts or any other suspension means.
This circular does not create an obligation on the part of the Division to permit new conveyances utilizing Coated Steel Belts.

Debra Tudor
Principal Engineer
DOSH-Elevator Unit HQS

EXHIBIT 2
Suspension Means – Replacement Reporting Condition

Beginning on the date the Board adopts this Proposed Decision and continuing for a period of two years, the Applicant shall report to the Division within 30 days any and all replacement activity performed on the elevator(s) pursuant to the requirements of ASME A17.1-2004, Section 8.6.3 involving the suspension means or suspension means fastenings. Further:

1. A separate report for each elevator shall be submitted, in a manner acceptable to the Division, to the following address (or to such other address as the Division might specify in the future): DOSH Elevator Unit, 2 MacArthur Pl., Suite 700, Santa Ana, CA 92707, Attn: Engineering Section.

2. Each such report shall contain, but not necessarily be limited to, the following information:

    a. The State-issued conveyance number, complete address, and OSHSB file number that identifies the permanent variance.

    b. The business name, complete address, telephone number, and contact person of the elevator responsible party (presumably the Applicant or the subsequent holder of this variance).

    c. The business name, complete address, telephone number, and Certified Qualified Conveyance Company (CQCC) certification number of the firm performing the replacement work.

    d. The name (as listed on certification), Certified Competent Conveyance Mechanic (CCCM) certification number, certification expiration date, and signature of each CCCM performing the replacement work.

    e. The date and time the elevator was removed from normal service for suspension replacement, the date and time the replacement work commenced, the date and time the replacement work was completed, and the date and time the elevator was returned to normal service.

    f. A detailed description of, and clear color photographs depicting, (1) all the conditions that existed in the suspension components requiring their replacement and (2) any conditions that existed to cause damage or distress to the suspension components being replaced.

    g. A detailed list of all elevator components adjusted, repaired, or replaced in conjunction with the suspension component replacement.

    h. All information provided on the crosshead data plate per ASME Al7.l-2004, Section 2.20.2.1, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

    i. For the suspension means being replaced, all information provided on the data tag required per ASME A17.1-2004, Section 2.20.2.2, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

    j. For the replacement suspension means, all information provided on the data tag required by ASME A17.1-2004, Section 2.20.2.2, unless that ASME requirement is modified by the conditions of a variance

that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

k. Any other information requested by the Division regarding the replacement of the suspension means or fastenings.

3. In addition to the submission of the report to the Division, the findings of any testing, failure analysis, or other engineering evaluations performed on any portion of the replaced suspension components, or other elevator components replaced in conjunction therewith, shall be submitted to the Division referencing the information contained in item 2a above.

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application to Modify Permanent Variance by:

RMMK-II, LLC

Permanent Variance No: 24-V-065M1

PROPOSED DECISION

Hearing Date: April 22, 2026
Location: Zoom

A. Subject Matter

1. The following person or entity ("Applicant") has applied for a modification of permanent variance from a provision of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, all references in this matter are to the California Code of Regulations, title 8. The variance applications are as follows:

Preexisting Permanent Variance No.	Applicant Name	Variance Address of Record	No. of Conveyances
24-V-065	RMMK-II, LLC	251 S. Olive St. Los Angeles, CA	4

2. This proceeding is conducted in accordance with Labor Code section 143 and section 401, et seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026, via videoconference, by the Board with Hearing Officer Michelle Iorio, both presiding and hearing the matter on its merit in accordance with section 426.

2. At the hearing, Pete Cuellar, with SCHINDLER ELEVATOR CORPORATION, appeared on behalf of each Applicant; Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Documentary and oral evidence was received at the hearing, and by stipulation of all parties, documents were admitted into evidence:

Exhibit Number	Description of Exhibit
PD1	Application for Modification of Permanent Variance
PD2	OSHSB Notice of Hearing
PD3	Cal/OSHA Review of Variance Application
PD4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the safety regulation requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Findings of Fact

1. The Applicant requests modification as to the quantity of conveyances being the subject of previously granted Permanent Variance No. 24-V-065, and any previously granted modifications therewith.
2. Cal/OSHA has evaluated the immediate request for modification of variance, finds no issue with it, and recommends that the application for modification be granted subject to the same conditions of the Decision and Order in Permanent Variance File No. 24-V-065 and any previously granted modifications therewith.
3. The Board finds the declaration of the Applicant Signatory to be credible, uncontroverted, and consistent with available, sufficient facts, and finds the modification changing the quantity of subject conveyances from 3 to 4, to be of no bearing as to the finding of equivalent occupational health and safety upon which Grant of preexisting Permanent Variance 24-V-065 and any previously granted modifications therewith was, in part, based.

D. Decision and Order

1. Application for Modification of Permanent Variance, No. 24-V-065M1, is conditionally GRANTED, as specified below, such that a total of 4 conveyances are the subject of Permanent Variance No. 24-V-065 and any previously granted modifications therewith.
2. Permanent Variance No. 24-V-065 being only modified as to the subject quantity of conveyances specified in above Decision and Order section 1, is otherwise unchanged and remaining in full force and effect, as hereby incorporated by reference into Modification of Permanent Variance 24-V-065M1.
3. The applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way that the Applicant was required to notify them of the application for permanent variance, per sections 411.2 and 411.3.
4. This Decision and Order shall remain in effect unless modified or revoked upon application by the Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in the procedural manner prescribed.

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

DATED: April 23, 2026

Michelle Iorio

Michelle Iorio, Hearing Officer

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application to Modify Permanent Variance by:

1929 Auto Center West LLC

Permanent Variance No: 24-V-136M1

PROPOSED DECISION

Hearing Date: April 22, 2026
Location: Zoom

A. Subject Matter

1. The following person or entity ("Applicant") has applied for a modification of permanent variance from a provision of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, all references in this matter are to the California Code of Regulations, title 8. The variance applications are as follows:

Preexisting Permanent Variance No.	Preexisting Variance Holder of Record
24-V-136	Lithia Motors Inc.

2. This proceeding is conducted in accordance with Labor Code section 143 and section 401, et seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026, via videoconference, by the Board with Hearing Officer Michelle Iorio, both presiding and hearing the matter on its merit in accordance with section 426.

2. At the hearing, Pete Cuellar, with SCHINDLER ELEVATOR CORPORATION, appeared on behalf of each Applicant; Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Documentary and oral evidence was received at the hearing, and by stipulation of all parties, documents were admitted into evidence:

Exhibit Number	Description of Exhibit
PD1	Application for Modification of Permanent Variance
PD2	OSHSB Notice of Hearing
PD3	Cal/OSHA Review of Variance Application
PD4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the safety regulation requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Findings of Fact

1. The Applicant requests modification of the variance holder specified within Board records for each conveyance the subject of previously granted Permanent Variance No. 24-V-136.
2. The modification application submitted by applicant, declared to be wholly truthful under penalty of perjury by the signatory, states that 1929 Auto Center West LLC became the owner of the conveyance(s) subject to the existing variance.
3. Cal/OSHA has evaluated the request for modification of person or entity of record holding Permanent Variance No. 24-V-136M1, finds no issue with it, and recommends that the application for modification be granted subject to the same conditions of the Decision and Order in Permanent Variance No. 24-V-136.
4. The Board finds the declaratory statements of the Applicant signatory to be credible, uncontroverted, and consistent with available, sufficient facts, and of no bearing as to the finding of equivalent occupational health and safety upon which, in substantial part, grant of preexisting Permanent Variance No. 24-V-136.
5. The Board finds the current person or entity having custody of each conveyance the subject of Permanent Variance No. 24-V-136M1, to be:

1929 Auto Center West LLC

D. Decision and Order

1. Variance application 24-V-136M1 is conditionally GRANTED, as specified below, such that, within Board records, the person or entity holding Permanent Variance No. 24-V-136 shall be:

1929 Auto Center West LLC

2. Permanent Variance No(s). 24-V-136, only being modified as specified in above Decision and Order section 1, is otherwise unchanged and remaining in full force and effect, as hereby incorporated by reference into this Decision and Order of Permanent Variance No. 24-V-136M1.
3. The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way and to the same extent that employees and authorized representatives are to be notified of docketed permanent variance applications pursuant to sections 411.2 and 411.3.
4. This Decision and Order shall remain in effect unless modified or revoked upon application by the Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in the manner prescribed.

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

DATED: April 23, 2026

Michelle Iorio, Hearing Officer

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application to Modify Permanent Variance by:

1929 Auto Center West LLC

Permanent Variance No: 24-V-137M1

PROPOSED DECISION

Hearing Date: April 22, 2026
Location: Zoom

A. Subject Matter

1. The following person or entity ("Applicant") has applied for a modification of permanent variance from a provision of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, all references in this matter are to the California Code of Regulations, title 8. The variance applications are as follows:

Preexisting Permanent Variance No.	Preexisting Variance Holder of Record
24-V-137	Lithia Motors Inc.

2. This proceeding is conducted in accordance with Labor Code section 143 and section 401, et seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026, via videoconference, by the Board with Hearing Officer Michelle Iorio, both presiding and hearing the matter on its merit in accordance with section 426.

2. At the hearing, Pete Cuellar, with SCHINDLER ELEVATOR CORPORATION, appeared on behalf of each Applicant; Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Documentary and oral evidence was received at the hearing, and by stipulation of all parties, documents were admitted into evidence:

Exhibit Number	Description of Exhibit
PD1	Application for Modification of Permanent Variance
PD2	OSHSB Notice of Hearing
PD3	Cal/OSHA Review of Variance Application
PD4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the safety regulation requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Findings of Fact

1. The Applicant requests modification of the variance holder specified within Board records for each conveyance the subject of previously granted Permanent Variance No. 24-V-137.
2. The modification application submitted by applicant, declared to be wholly truthful under penalty of perjury by the signatory, states that 1929 Auto Center West LLC became the owner of the conveyance(s) subject to the existing variance.
3. Cal/OSHA has evaluated the request for modification of person or entity of record holding Permanent Variance No. 24-V-137M1, finds no issue with it, and recommends that the application for modification be granted subject to the same conditions of the Decision and Order in Permanent Variance No. 24-V-137.
4. The Board finds the declaratory statements of the Applicant signatory to be credible, uncontroverted, and consistent with available, sufficient facts, and of no bearing as to the finding of equivalent occupational health and safety upon which, in substantial part, grant of preexisting Permanent Variance No. 24-V-137.
5. The Board finds the current person or entity having custody of each conveyance the subject of Permanent Variance No. 24-V-137M1, to be:

1929 Auto Center West LLC

D. Decision and Order

1. Variance application 24-V-137M1 is conditionally GRANTED, as specified below, such that, within Board records, the person or entity holding Permanent Variance No. 24-V-137 shall be:

1929 Auto Center West LLC

2. Permanent Variance No(s). 24-V-137, only being modified as specified in above Decision and Order section 1, is otherwise unchanged and remaining in full force and effect, as hereby incorporated by reference into this Decision and Order of Permanent Variance No. 24-V-137M1.
3. The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way and to the same extent that employees and authorized representatives are to be notified of docketed permanent variance applications pursuant to sections 411.2 and 411.3.
4. This Decision and Order shall remain in effect unless modified or revoked upon application by the Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in the manner prescribed.

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

DATED: April 23, 2026

Michelle Iorio, Hearing Officer

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application to Modify Permanent Variance by:

Metflo, L.P.

Permanent Variance No: 24-V-156M1

PROPOSED DECISION

Hearing Date: April 22, 2026
Location: Zoom

A. Subject Matter

1. The following person or entity ("Applicant") has applied for a modification of permanent variance from a provision of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, all references in this matter are to the California Code of Regulations, title 8. The variance applications are as follows:

Preexisting Permanent Variance No.	Applicant Name	Preexisting Variance Address of Record
24-V-156	Metflo, L.P.	7220 Maie Ave. Los Angeles, CA

2. This proceeding is conducted in accordance with Labor Code section 143 and section 401, et seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026, via videoconference, by the Board with Hearing Officer Michelle Iorio, both presiding and hearing the matter on its merit in accordance with section 426.

2. At the hearing, Dan Leacox, with Leacox & Associates, appeared on behalf of each Applicant; Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Documentary and oral evidence was received at the hearing, and by stipulation of all parties, documents were admitted into evidence:

Exhibit Number	Description of Exhibit
PD1	Application for Modification of Permanent Variance
PD2	OSHSB Notice of Hearing
PD3	Cal/OSHA Review of Variance Application
PD4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the safety regulation requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Findings of Fact

1. The Applicant requests modification of the address of the unchanging variance location specified within Board records for each conveyance the subject of previously granted Permanent Variance No. 24-V-156.
2. The Application declared to be wholly truthful under penalty of perjury by Application signatory, states facts upon which reasonably may be based a finding that the address, specified in the records of the Board, at which Permanent Variance No. 24-V-156M1 is in effect, in fact is more completely, and correctly the different combination of addresses specified in below subsection D.1.
3. Cal/OSHA has evaluated the request for modification of variance location address, finds no issue with it, and recommends that the application for modification be granted subject to the same conditions of the Decision and Order in Permanent Variance No. 24-V-156.
4. The Board finds the above subpart C.2 referenced declaration to be credible, uncontroverted, and consistent with available, sufficient facts, and of no bearing as to the finding of equivalent occupational health and safety upon which Grant of preexisting Permanent Variance 24-V-156.
5. The Board finds the correct address by which to designate the location of each conveyance the subject of Permanent Variance No. 24-V-156, to be:

1642 E. Florence Ave.
Los Angeles, CA

D. Decision and Order

1. Permanent Variance Application No. 24-V-156M1 is conditionally GRANTED, thereby modifying Board records, such that, without change in variance location, each conveyance being the subject of Permanent Variance No. 24-V-156 shall have the following address designation:

1642 E. Florence Ave.
Los Angeles, CA

2. Permanent Variance No. 24-V-156, being only modified as to the subject location address specified in above Decision and Order section 1, is otherwise unchanged and remaining in full force and effect, as hereby incorporated by reference into this Decision and Order of Permanent Variance No. 24-V-156M1.
3. The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way and to the same extent that employees and authorized representatives are to be notified of docketed permanent variance applications pursuant to sections 411.2 and 411.3.
4. This Decision and Order shall remain in effect unless modified or revoked upon application by the Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in the

manner prescribed.

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

DATED: April 24, 2026

Michelle Iorio

Michelle Iorio, Hearing Officer

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application to Modify Permanent Variance by:

PHK Pano, L.P.

Permanent Variance No: 24-V-174M1

PROPOSED DECISION

Hearing Date: April 22, 2026
Location: Zoom

A. Subject Matter

1. The following person or entity ("Applicant") has applied for a modification of permanent variance from a provision of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, all references in this matter are to the California Code of Regulations, title 8. The variance applications are as follows:

Preexisting Permanent Variance No.	Applicant Name	Preexisting Variance Address of Record
24-V-174	PHK Pano, L.P.	8209 Sepulveda Blvd. Van Nuys, CA

2. This proceeding is conducted in accordance with Labor Code section 143 and section 401, et seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026, via videoconference, by the Board with Hearing Officer Michelle Iorio, both presiding and hearing the matter on its merit in accordance with section 426.

2. At the hearing, Dan Leacox, with Leacox & Associates, appeared on behalf of each Applicant; Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Documentary and oral evidence was received at the hearing, and by stipulation of all parties, documents were admitted into evidence:

Exhibit Number	Description of Exhibit
PD1	Application for Modification of Permanent Variance
PD2	OSHSB Notice of Hearing
PD3	Cal/OSHA Review of Variance Application
PD4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the safety regulation requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Findings of Fact

1. The Applicant requests modification of the address of the unchanging variance location specified within Board records for each conveyance the subject of previously granted Permanent Variance No. 24-V-174.
2. The Application declared to be wholly truthful under penalty of perjury by Application signatory, states facts upon which reasonably may be based a finding that the address, specified in the records of the Board, at which Permanent Variance No. 24-V-174M1 is in effect, in fact is more completely, and correctly the different combination of addresses specified in below subsection D.1.
3. Cal/OSHA has evaluated the request for modification of variance location address, finds no issue with it, and recommends that the application for modification be granted subject to the same conditions of the Decision and Order in Permanent Variance No. 24-V-174.
4. The Board finds the above subpart C.2 referenced declaration to be credible, uncontroverted, and consistent with available, sufficient facts, and of no bearing as to the finding of equivalent occupational health and safety upon which Grant of preexisting Permanent Variance 24-V-174.
5. The Board finds the correct address by which to designate the location of each conveyance the subject of Permanent Variance No. 24-V-174, to be:

8211 N. Sepulveda Blvd.
Van Nuys, CA

D. Decision and Order

1. Permanent Variance Application No. 24-V-174M1 is conditionally GRANTED, thereby modifying Board records, such that, without change in variance location, each conveyance being the subject of Permanent Variance No. 24-V-174 shall have the following address designation:

8211 N. Sepulveda Blvd.
Van Nuys, CA

2. Permanent Variance No. 24-V-174, being only modified as to the subject location address specified in above Decision and Order section 1, is otherwise unchanged and remaining in full force and effect, as hereby incorporated by reference into this Decision and Order of Permanent Variance No. 24-V-174M1.
3. The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way and to the same extent that employees and authorized representatives are to be notified of docketed permanent variance applications pursuant to sections 411.2 and 411.3.
4. This Decision and Order shall remain in effect unless modified or revoked upon application by the Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in the

manner prescribed.

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

DATED: April 24, 2026

Michelle Iorio

Michelle Iorio, Hearing Officer

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application for Permanent Variance Regarding: TK Elevator EOX MRL (Group IV)	Permanent Variance No: See section A.1 table below **PROPOSED DECISION** Hearing Date: April 22, 2026 Location: Zoom

A. Subject Matter

1. The applicants ("Applicant") below have applied for permanent variance from provisions of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, all references in this matter are to the California Code of Regulations, title 8. The variance applications are as follows:

Variance No.	Applicant Name	Variance Location Address	No. of Conveyances
24-V-382	All for Health, Health for All	730 E. Broadway Glendale, CA	1
25-V-120	GMMR Stone LLC	375 W. El Pintado Rd. Danville, CA	2
26-V-137	Timber Ridge Residences LLC	1941 W Atherton Dr. Manteca, CA	1

2. These proceedings are conducted in accordance with Labor Code section 143, and section 401, et seq. of the Occupation Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026, via videoconference by the Board with Hearing Officer, Michelle Iorio, presiding and hearing the matter on its merit in accordance with section 426.

2. At the hearing, James Day with TK Elevator, appeared on behalf of the Applicant.

Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Documentary and oral evidence was received at the hearing, and by stipulation of all parties, documents were admitted into evidence:

Exhibit Number	Description of Exhibit
PD-1	Application(s) for Permanent Variance per section A.1 table
PD-2	OSHSB Notice of Hearing
PD-3	Cal/OSHA Review of Variance Application
PD-4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the Elevator Safety Order requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Relevant Safety Orders

Variance Request No. 1 (ASME A17.1-2004, section 2.14.1.7.1)

2.14.1.7.1 A standard railing conforming to 2.10.2 shall be provided on the outside perimeter of the car top on all sides where the perpendicular distance between the edges of the car top and the adjacent hoistway enclosure exceeds 300 mm (12 in.) horizontal clearance.

Variance Request No. 2A (ASME A17.1-2004, section 2.20.1)

2.20.1 Suspension Means

Elevator cars shall be suspended by steel wire ropes attached to the car frame or passing around sheaves attached to the car frame specified in 2.15.1. Ropes that have previously been installed and used on another installation shall not be reused.

Only iron (low-carbon steel) or steel wire ropes, having the commercial classification "Elevator Wire Rope," or wire rope specifically constructed for elevator use, shall be used for the suspension of elevator cars and for the suspension of counterweights. The wire material for ropes shall be manufactured by the open-hearth or electric furnace process or their equivalent.

Variance Request No. 2B (ASME A17.1-2004, section 2.20.2[.1])

2.20.2.1 On Crosshead Data Plate.

The crosshead data plate required by 2.16.3 shall bear the following wire-rope data:

(a) the number of ropes

(b) the diameter in millimeters (mm) or inches (in.)

(c) the manufacturer's rated breaking strength per rope in kilo Newton (kN) or pounds (lb)

Variance Request No. 2C (ASME A17.1-2004, section 2.20.2.2)

2.20.2.2 On Rope Data Tag.

A metal data tag shall be securely attached to one of the wire-rope fastenings. This data tag shall bear the following wire-rope data:

(a) the diameter in millimeters (mm) or inches (in.)

[…]

(f) whether the ropes were nonpreformed or preformed

[…]

Variance Request No. 2D. (ASME A17.1-2004, section 2.20.3)

2.20.3 Factor of Safety

The factor of safety of the suspension wire ropes shall be not less than shown in Table 2.20.3. Figure 8.2.7 gives the minimum factor of safety for intermediate rope speeds. The factor of safety shall be based on the actual rope speed corresponding to the rated speed of the car.

The factor of safety shall be calculated by the following formula:

$$f = \frac{S \times N}{W}$$

Where

N = number of runs of rope under load. For 2:1 roping, N shall be two times the number of ropes used, etc.

S = manufacturer's rated breaking strength of one rope

W = maximum static load imposed on all car ropes with the car and its rated load at any position in the hoistway

Variance Request No. 2E (ASME A17.1-2004, section 2.20.4)

2.20.4 Minimum Number and Diameter of Suspension Ropes

The minimum number of hoisting ropes used shall be three for traction elevators and two for drum-type elevators.

Where a car counterweight is used, the number of counterweight ropes used shall be not less than two.

The term" diameter," where used in reference to ropes, shall refer to the nominal diameter as given by the rope manufacturer.

The minimum diameter of hoisting and counterweight ropes shall be 9.5 mm (0.375 in.). Outer wires of the ropes shall be not less than 0.56 mm (0.024 in.) in diameter.

Variance Request No. 2F (ASME A17.1-2004, section 2.20.9[.1])

2.20.9 Suspension-Rope Fastening

2.20.9.1 Type of Rope Fastenings. The car and counterweight ends of suspension wire ropes, or the stationary hitch-ends where multiple roping is used, shall be fastened in such a manner that all portions of the rope, except the portion inside the rope sockets, shall be readily visible.

Fastening shall be

(a) by individual tapered rope sockets (see 2.20.9.4) or other types of rope fastenings that have undergone adequate tensile engineering tests, provided that

(1) such fastenings conform to 2.20.9.2 and 2.20.9.3;

(2) the rope socketing is such as to develop at least 80% of the ultimate breaking strength of the strongest rope to be used in such fastenings; or

(b) by individual wedge rope sockets (see 2.20.9.5); and

(c) U-bolt-type rope clamps or similar devices shall not be used for suspension rope fastenings.

Variance Request No. 3 (ASME A17.1-2004, section 2.26.9.4)

2.26.9.4 Redundant devices used to satisfy 2.26.9.3 in the determination of the occurrence of a single ground, or the failure of any single magnetically operated switch, contactor or relay, or of any single solid state device, or any single device that limits the leveling or truck zone, or a software system failure, shall be checked prior to each start of the elevator from a landing, when on automatic operation. When a single ground or failure, as specified in 2.26.9.3, occurs, the car shall not be permitted to restart. Implementation of redundancy by a software system is permitted, provided that the removal of power from the driving-machine motor and brake shall not be solely dependent on software-controlled means.

Variance Request No. 4 (ASME A17.1-2004, section 2.26.9.6.1)

2.26.9.6.1 Two separate means shall be provided to independently inhibit the flow of alternating-current through the solid state devices that connect the direct-current power source to the alternating-current driving motor. At least one of the means shall be an electromechanical relay.

Variance Request No. 5 (ASME A17.1-2004, section 2.26.1.4.4 (a))

2.26.1.4.4 Machine Room Inspection Operation

(a) When machine room inspection operation is provided, it shall conform to 2.26.1.4.1, and the transfer switch shall be located in the machine room.

Variance Request No. 6 (ASME A17.1-2004, section 8.4.10.1.1(a)(2)(b))

8.4.10.1.1 Earthquake Equipment (See Also Fig. 8.4.10.1.1)

(a) All traction elevators operating at a rated speed of 0.75 m/s (150 ft/min) or more and having counterweights located in the same hoistway shall be provided with the following:

(1) seismic zone 3 or greater: a minimum of one seismic switch per building

(2) seismic zone 2 or greater:

(a) a displacement switch for each elevator

(b) an identified momentary reset button or switch for each elevator, located in the control panel in the elevator machine room [see 8.4.10.1.3(i)]

D. Findings of Fact

1. This application for a newly introduced elevator product with features similar to

the TK Elevator EVO model.

2. The Applicant proposes to in-set the car top railings to provide greater hand clearance to objects and surfaces in the hoistway. ESO requires that these railings be located at the outside perimeter of the car top. The in-setting of the car top railings from the outside perimeter of the car top does not comply with the ESO.

3. TK Elevator model EOX machine room-less (MRL) elevators are not suspended by circular steel wire ropes as required by the ESO. They utilize non-circular elastomeric-coated steel belts (ECSB) and specialized suspension fastenings that do not comply with the ESO. This belt-type suspension is similar to that found on other elevator model products (e.g. TK EVO, Otis Gen2 and Schindler 3300).

4. Similar to the TK EVO, the TK EOX features a control system that includes software systems and circuits having a Safety Integrity Level (SIL) rating to monitor, process, and execute specific elevator safety functions. The use of these SIL-rated software systems and circuits to perform these safety functions does not comply with the ESO.

5. The TK EOX MRL elevator design prevents the inspection transfer and seismic reset switches from being located in a "machine room". To provide access to the inspection transfer switch the Applicant proposes relocating them to the room containing the elevator controls (control room). The Applicant's proposed location does not comply with the ESO.

6. Cal/OSHA believes the application and its amendments seek a permanent variance from CCR, Title 8, Section 3141, [ASME A17.1-2004, sections]:

   • 2.14.1.7.1; to permit the use of the car top railing system where the railing system is located in-set from the elevator car top perimeter.

   • 2.20.1, 2.20.2.1, 2.20.2.2(a), 2.20.2.2(f), 2.20.3, 2.20.4, and 2.20.9.1; to permit the use of the Elastomeric Coated Steel Belts in lieu of circular steel suspension ropes.

   • 2.26.9.4; to permit the use of a software reliant means to remove power from the driving motor.

   • 2.26.9.6.1; to permit the use of SIL-rated circuitry in place of an electromechanical relay to inhibit current flow to the drive machine motor.

   • 2.26.1.4.4(a); to permit the inspection transfer switch to reside at a location other than a machine room.

   • 8.4.10.1.1(a)(2)(b); to permit the seismic reset switch to reside at a location other than a machine room.

E. Decision and Order

Applicant is hereby conditionally GRANTED Permanent Variance as specified below, and to the limited extent, as of the date the Board adopts this Proposed Decision, with respect to the section A specified number of TKE EOX MRL elevator(s), at the specified location, each shall conditionally hold permanent variance from the following subparts of ASME A17.1-2004, currently incorporated by reference into section 3141 of the Elevator Safety Orders:

- Car-Top Railing: 2.14.1.7.1 (Limited to the extent necessary to permit the use of an inset car-top railing)
- Suspension Means: 2.20.1, 2.20.2.1, 2.20.2.2(a), 2.20.2.2(f), 2.20.3, 2.20.4, and 2.20.9.1 (Limited to the extent necessary to permit the use of the elastomeric-coated steel belts in lieu of circular steel suspension ropes)
- Inspection transfer switch: 2.26.1.4.4(a) (Limited to the extent necessary to permit the inspection transfer switch to reside at a location other than the machine room)
- Software Reliant Means to Remove Power: 2.26.9.4 (Limited to the extent necessary to permit the exclusive use of SIL-rated software systems as a means to remove power from the driving machine motor and brake)
- SIL-Rated Circuitry to Inhibit Current Flow: 2.26.9.6.1 (Limited to the extent necessary to permit the use of SIL-rated circuitry in place of an electromechanical relay to inhibit current flow to the drive motor)
- Seismic reset switch: 8.4.10.1.1(a)(2)(b) (Limited to the extent necessary to permit the seismic reset switch to reside at a location other than the machine room)

Recommended Conditions:

1. If there is an inset car top railing:

a. Serviceable equipment shall be positioned so that mechanics and inspectors do not have to climb on the railings to perform adjustments, maintenance, repairs, or inspections. The Applicant shall not permit anyone to stand or climb over the car top railing.

b. The distance that the railing can be inset shall be limited to not more than 6 inches.

c. All exposed areas of the car top outside the car top railing where the distance from the railing to the edge of the car top exceeds 2 inches, shall be beveled with metal, at an angle of not less than 75 degrees with the horizontal, from the mid or top rail to the outside of the car top, such that no person or object can stand, sit, kneel, rest, or be placed in the exposed areas.

d. The top of the beveled area and/or car top outside the railing shall be clearly marked. The markings shall consist of alternating 4-inch diagonal red and white stripes.

e. The applicant shall provide durable signs with lettering not less than 1/2 inch on a contrasting background on each inset railing; each sign shall state:

CAUTION

STAY INSIDE RAILING

NO LEANING BEYOND RAILING

NO STEPPING ON, OR BEYOND, RAILING

f. The Group IV requirements for car top clearances shall be maintained (car top clearances outside the railing will be measured from the car top and not from the required bevel).

2. The elevator suspension system shall comply to the following:

a. The elastomeric coated steel belts (ECSBs) and their associated fastenings shall conform to the applicable requirements of ASME A17.1-2019, sections:

2.20.4.3 – Minimum Number of Suspension Members

2.20.3 – Factor of Safety

2.20.9 – Suspension Member Fastening

b. The Applicant shall not utilize the elevator unless the manufacturer has written procedures for the installation, maintenance, inspection and testing of the ECSBs and fastenings and related monitoring and detection systems and criteria for ECSB replacement, and the Applicant shall make those procedures and criteria available to the Certified Competent Elevator Mechanic (CCCM) at the location of the elevator, and to the Cal/OSHA upon request.

ECSB mandatory replacement criteria shall include:

1. Any exposed wire, strand or cord;

2. Any wire, strand, or cord breaks through the elastomeric coating;

3. Any evidence of rouging (steel tension element corrosion) on any part of the elastomeric coated steel suspension member;

4. Any deformation in the elastomeric suspension member such as, but not limited to, kinks or bends;

c. Traction drive sheaves must have a minimum diameter of 112 mm. The maximum speed of ECSBs running on 112 mm drive sheaves shall be no greater than 6.1 m/s.

d. If any one ECSB needs replacement, the complete set of suspension members on the elevator shall be replaced. Exception: If a new suspension member is damaged during installation, and prior to any contemporaneously installed ECSB having been placed into service, it is permissible to replace the individual damaged suspension member. ECSBs that have been installed on another installation shall not be re-used.

e. A traction loss detection means shall be provided that conforms to the requirements of

ASME A17.1-2019, section 2.20.8.1. The means shall be tested for correct function annually in accordance with ASME A17.1-2019, section 8.6.4.19.12.

f. A broken suspension member detection means shall be provided that conforms to the requirements of ASME A17.1-2019, section 2.20.8.2. The means shall be tested for correct function annually in accordance with ASME A17.1-2019, section 8.6.4.19.13(a).

g. An elevator controller integrated bend cycle monitoring system shall monitor actual ECSB bend cycles, by means of continuously counting, and storing in nonvolatile memory, the number of trips that the ECSB makes traveling, and thereby being bent, over the elevator sheaves. The bend cycle limit monitoring means shall automatically stop the car normally at the next available landing before the bend cycle correlated residual strength of any single ECSB drops below 60 percent of full rated strength. The monitoring means shall prevent the car from restarting. The bend cycle monitoring system shall be tested annually in accordance with the procedures required by condition 2b above.

h. The elevator shall be equipped with a device to monitor the remaining residual strength of each ECSB. The device shall conform to the requirements of Cal/OSHA Circular Letter E-10-04, a copy of which is attached hereto as Exhibit 1 and incorporated herein by reference.

i. The elevator crosshead data plate shall comply with the requirements of ASME A17.1-2019, Section 2.20.2.1.

j. A suspension means data tag shall be provided that complies with the requirements of ASME A17.1-2019, Section 2.20.2.2.

k. Comprehensive visual inspections of the entire length of each and all installed suspension members, to the criteria developed in condition 2b, shall be conducted and documented every six months by a CCCM.

l. The Applicant shall be subject to the requirements set out in Exhibit 2 of this Decision and Order, "Suspension Means Replacement Reporting Condition," Incorporated herein by this reference.

m. Records of all tests and inspections shall be maintenance records subject to ASME A17.1-2004, Sections 8.6.1.2 and 8.6.1.4, respectively.

3. The SIL-rated software system and related circuits used to provide device/circuit redundancy and to inhibit electrical current flow in accordance with ASME A17.1-2004 – 2.26.9.4 and 2.26.9.6.1 shall comply with the following:

a. The driving-machine motor control system shall consist of a TKE, model HVI-22 or HVI-44 Inverter containing a Safe Torque Off printed circuit board assembly (STO). The STO shall be labeled or marked with a SIL rating (not less than SIL 3), the name or mark of the certifying organization and the SIL certification number FS/71/220, followed by the applicable revision number (as in FS/71/220/23/1060).

b. The software system and related circuits shall be certified for compliance with the

applicable requirements of ASME A17.1-2019 Section 2.26.9.3.2(b), 2.26.4.3.2, 2.26.9.6.1(b) and 2.26.9.4.

c. The access door or cover of the enclosures containing the SIL-rated components shall be clearly labeled or tagged on their exterior with the statement:

Assembly contains SIL-rated devices.

Refer to Maintenance Control Program and wiring diagrams prior to performing work.

d. Unique maintenance procedures or methods required for the inspection, testing, or replacement of the SIL-rated circuits shall be developed and a copy maintained in the elevator machine/control room/space. The procedures or methods shall include clear color photographs of each SIL-rated component, with notations identifying parts and locations.

e. Wiring diagrams that include part identification, SIL, and certification information shall be maintained in the elevator machine/control room/space.

f. A successful test of the SIL-rated software system and its related circuits shall be conducted initially and not less than annually in accordance with the testing procedure. The test shall demonstrate that SIL-rated devices, safety functions, and related circuits operate as intended.

g. Any alterations to the SIL-rated software system and its related circuits shall be made in compliance with the Elevator Safety Orders. If the Elevator Safety Orders do not contain specific provisions for the alteration of SIL-rated devices, the alterations shall be made in conformance with ASME A17.1-2019, Section 8.7.1.9.

h. Any replacement of the SIL-rated software system or its related circuits shall be made in compliance with the Elevator Safety Orders. If the Elevator Safety Orders do not contain specific provisions for the replacement of SIL-rated devices, the replacement shall be made in conformance with ASME A17-1-2019, section 8.6.3.14.

i. Any repairs to the SIL-rated software system and its related circuits shall be made in compliance with the Elevator Safety Orders. If the Elevator Safety Orders do not contain specific provisions for the repair of SIL-rated devices, the repairs shall be made in conformance with ASME A17.1-2019, section 8.6.2.6.

j. Any space containing SIL-rated software or circuits shall be maintained within the temperature and humidity range specified by TK Elevator Corporation. The temperature and humidity range shall be posted on each enclosure containing SIL-rated software or circuits.

k. Field software changes to the SIL-rated system are not permitted. Any changes to the SIL-rated system's software or circuitry will require recertification and all necessary updates to the documentation and diagrams required by conditions d. and e. above.

4. If the inspection transfer switch required by ASME A17.1-2004, Rule 2.26.1.4.4 does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the control/machinery room/space containing the elevator's control equipment in an enclosure secured by a lock openable by a Group 1 security key. The enclosure is to remain locked at all times

when not in use.

5. If the seismic reset switch does not reside in the machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the control/machinery room/space containing the elevator's control equipment, in an enclosure secured by a lock openable by a Group 1 security key. The enclosure is to remain locked at all times when not in use.

6. Cal/OSHA shall be notified when the elevator is ready for inspection. The elevator shall be inspected by Cal/OSHA, and all applicable requirements met, including conditions of this permanent variance, prior to a Permit to Operate the elevator being issued. The elevator shall not be placed in service prior to the Permit to Operate being issued by Cal/OSHA.

7. The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way and to the same extent that employees and authorized representatives are to be notified of docketed permanent variance applications pursuant to California Code of Regulations, sections 411.2, and 411.3.

8. This Decision and Order shall remain in effect unless duly modified or revoked upon application by Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in the procedural manner prescribed.

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

Date: April 23, 2026

Michelle Iorio

Michelle Iorio, Hearing Officer

EXHIBIT 1

CIRCULAR LETTER E-10-04, October 6, 2010

TO: Installers, Manufacturers of Conveyances and Related Equipment and, Other Interested Parties

SUBJECT: Coated Steel Belt Monitoring

The Elevator Safety Orders require routine inspection of the suspension means of an elevator to assure its safe operation.

The California Labor Code section 7318 allows Cal/OSHA to promulgate special safety orders in the absence of regulation.

As it is not possible to see the steel cable suspension means of a Coated Steel Belt, a monitoring device which has been accepted by Cal/OSHA is required on all Coated Steel Belts which will automatically stop the car if the residual strength of any belt drops below 60%. The Device shall prevent the elevator from restarting after a normal stop at a landing.

The monitoring device must be properly installed and functional. A functioning device may be removed only after a determination has been made that the residual strength of each belt exceeds 60%. These findings and the date of removal are to be conspicuously documented in the elevator machine room. The removed device must be replaced or returned to proper service within 30 days.

If upon routine inspection, the monitoring device is found to be in a non-functional state, the date and findings are to be conspicuously documented in the elevator machine room.

If upon inspection by Cal/OSHA, the monitoring device is found to be non-functional or removed, and the required documentation is not in place, the elevator will be removed from service.

If the device is removed to facilitate belt replacement, it must be properly installed and functional before the elevator is returned to service.

A successful test of the device's functionality shall be conducted once a year.

This circular does not preempt Cal/OSHA from adopting regulations in the future, which may address the monitoring of Coated Steel Belts or any other suspension means.

This circular does not create an obligation on the part of Cal/OSHA to permit new conveyances utilizing Coated Steel Belts.

Debra Tudor
Principal Engineer
Cal/OSHA-Elevator Unit HQ

EXHIBIT 2

SUSPENSION MEANS REPLACEMENT REPORTING REQUIREMENTS

Beginning on the date the Board adopts this Proposed Decision and continuing for a period of two years, the Applicant shall report to Cal/OSHA within 30 days any and all replacement activity performed on the elevator(s) pursuant to the requirements of ASME A17.1-2004, section 8.6.3 involving the suspension means or suspension means fastenings.

Further:

(1) A separate report for each elevator shall be submitted, in a manner acceptable to Cal/OSHA, to the following address (or to such other address as Cal/OSHA might specify in the future): Cal/OSHA Elevator Unit, Attn: Engineering section, 2 MacArthur Place Suite 700, Santa Ana, CA 92707.

(2) Each such report shall contain, but not necessarily be limited to, the following information:

(a) The State-issued conveyance number, complete address, and Permanent Variance file number that identifies the permanent variance.

(b) The business name, complete address, telephone number, and contact person of the elevator responsible party (presumably the Applicant or the subsequent holder of this variance).

(c) The business name, complete address, telephone number, and Certified Qualified Conveyance Company (CQCC) certification number of the firm performing the replacement work.

(d) The name (as listed on certification), Certified Competent Conveyance Mechanic (CCCM) certification number, and certification expiration date of each CCCM performing the replacement work.

(e) The date and time the elevator was removed from normal service for suspension replacement, the date and time the replacement work commenced, the date and time the replacement work was completed, and the date and time the elevator was returned to normal service.

(f) A detailed description of, and clear color photographs depicting, (1) all the conditions that existed in the suspension components requiring their replacement and (2) any conditions that existed to cause damage or distress to the suspension components being replaced.

(g) A detailed list of all elevator components adjusted, repaired, or replaced in conjunction with the suspension component replacement.

(h) All information provided on the crosshead data plate per ASME A17.1-2004, section

2.20.2.1, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

(i) For the suspension means being replaced, all information provided on the data tag required per ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

(j) For the replacement suspension means, all information provided on the data tag required by ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

(k) Any other information requested by Cal/OSHA regarding the replacement of the suspension means or fastenings.

(3) In addition to the submission of the report to Cal/OSHA, the findings of any testing, failure analysis, or other engineering evaluations performed on any portion of the replaced suspension components, or other elevator components replaced in conjunction therewith, shall be submitted to Cal/OSHA referencing the information contained in item 2(a) above.

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application to Modify Permanent Variance by:

Delaware Vanderval, LLC

Permanent Variance No: 24-V-383M1

PROPOSED DECISION

Hearing Date: April 22, 2026
Location: Zoom

A. Subject Matter

1. The following person or entity ("Applicant") has applied for a modification of permanent variance from a provision of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, all references in this matter are to the California Code of Regulations, title 8. The variance applications are as follows:

Preexisting Permanent Variance No.	Applicant Name	Preexisting Variance Address of Record
24-V-383	Delaware Vanderval, LLC	1357 5th Ave. San Diego, CA

2. This proceeding is conducted in accordance with Labor Code section 143 and section 401, et seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026, via videoconference, by the Board with Hearing Officer Michelle Iorio, both presiding and hearing the matter on its merit in accordance with section 426.

2. At the hearing, Matt Jaskiewicz, with MITSUBISHI ELECTRIC US, INC., appeared on behalf of each Applicant; Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Documentary and oral evidence was received at the hearing, and by stipulation of all parties, documents were admitted into evidence:

Exhibit Number	Description of Exhibit
PD1	Application for Modification of Permanent Variance
PD2	OSHSB Notice of Hearing
PD3	Cal/OSHA Review of Variance Application
PD4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the safety regulation requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Findings of Fact

1. The Applicant requests modification of the address of the unchanging variance location specified within Board records for each conveyance the subject of previously granted Permanent Variance No. 24-V-383.
2. The Application declared to be wholly truthful under penalty of perjury by Application signatory, states facts upon which reasonably may be based a finding that the address, specified in the records of the Board, at which Permanent Variance No. 24-V-383M1 is in effect, in fact is more completely, and correctly the different combination of addresses specified in below subsection D.1.
3. Cal/OSHA has evaluated the request for modification of variance location address, finds no issue with it, and recommends that the application for modification be granted subject to the same conditions of the Decision and Order in Permanent Variance No. 24-V-383.
4. The Board finds the above subpart C.2 referenced declaration to be credible, uncontroverted, and consistent with available, sufficient facts, and of no bearing as to the finding of equivalent occupational health and safety upon which Grant of preexisting Permanent Variance 24-V-383.
5. The Board finds the correct address by which to designate the location of each conveyance the subject of Permanent Variance No. 24-V-383, to be:

1351 5th Ave.
San Diego, CA

D. Decision and Order

1. Permanent Variance Application No. 24-V-383M1 is conditionally GRANTED, thereby modifying Board records, such that, without change in variance location, each conveyance being the subject of Permanent Variance No. 24-V-383 shall have the following address designation:

1351 5th Ave.
San Diego, CA

2. Permanent Variance No. 24-V-383, being only modified as to the subject location address specified in above Decision and Order section 1, is otherwise unchanged and remaining in full force and effect, as hereby incorporated by reference into this Decision and Order of Permanent Variance No. 24-V-383M1.
3. The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way and to the same extent that employees and authorized representatives are to be notified of docketed permanent variance applications pursuant to sections 411.2 and 411.3.
4. This Decision and Order shall remain in effect unless modified or revoked upon application by the Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in the

manner prescribed.

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

DATED: April 23, 2026

Michelle Iorio

Michelle Iorio, Hearing Officer

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application to Modify Permanent Variance by: Adair Suisun, LLC.	Permanent Variance No.: 24-V-422M1 **PROPOSED DECISION** Hearing Date: April 22, 2026 Location: Zoom

A. Subject Matter

1. The following person or entity ("Applicant") has applied for a modification of permanent variance from provisions of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, references are to the California Code of Regulations, title 8. The relevant information is as follows:

Preexisting Permanent Variance No.	Preexisting Variance Holder of Record	Preexisting Variance Elevator Type Granted	Number of Elevators
24-V-422	Adair Winery, Inc.	Schindler 3300 W/Variant Governor Ropes and Sheaves	1

2. This proceeding is conducted in accordance with Labor Code section 143 and section 401, et. seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026, via videoconference, by the Board, with Hearing Officer, Michelle Iorio, both presiding and hearing the matter on its merit, in accordance with section 426.

2. At the hearing Pete Cuellar with Schindler Elevator Corporation, appeared on behalf of the Applicant; Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Documentary and oral evidence was received at the hearing, and by stipulation of all parties, documents were admitted into evidence:

Exhibit Number	Description of Exhibit
PD-1	Application for modification of Permanent Variance
PD-2	OSHSB Notice of Hearing
PD-3	Cal/OSHA Review of Variance Application
PD-4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the Elevator Safety Order requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Findings of Fact

1. The Applicant requests modification of the variance holder specified within Board records for each conveyance the subject of previously granted Permanent Variance No. 24-V-422 and any previously granted modifications therewith.

2. Cal/OSHA has evaluated the aforementioned request for modification, finds no issue with it, and recommends that the application for modification be granted subject to the same conditions of the Decision and Order in Permanent Variance No. 24-V-422 and any previously granted modifications therewith.

3. The Board finds the declaratory statements of the Applicant signatory to be credible, uncontroverted, and consistent with available, sufficient facts, and of no bearing as to the finding of equivalent occupational health and safety upon which, in substantial part, grant of preexisting Permanent Variance No. 24-V-422 and any previously granted modifications therewith was based.

4. The Board finds the current person or entity having custody of each conveyance the subject of Permanent Variance No. 24-V-422M1, to be in fact:

Adair Suisun, LLC.

D. Decision and Order

1. Permanent Variance Application No. 24-V-422M1 is conditionally GRANTED, as specified below, such that, without change in variance location, each conveyance being the subject of Permanent Variance No. 24-V-422, and any previously granted modification therewith, shall designate the following person or entity as the variance holder:

Adair Suisun, LLC.

2. The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way and to the same extent that employees and authorized representatives are to be notified of docketed permanent variance applications pursuant to sections 411.2 and 411.3.

3. This Decision and Order shall remain in effect unless modified or revoked upon application by the Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in the manner prescribed.

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

Dated: April 24, 2026

Michelle Iorio

Michelle Iorio, Hearing Officer

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application to Modify Permanent Variance by:

Vose, LP

Permanent Variance No: 24-V-424M1

PROPOSED DECISION

Hearing Date: April 22, 2026
Location: Zoom

A. Subject Matter

1. The following person or entity ("Applicant") has applied for a modification of permanent variance from a provision of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, all references in this matter are to the California Code of Regulations, title 8. The variance applications are as follows:

Preexisting Permanent Variance No.	Applicant Name	Preexisting Variance Address of Record
24-V-424	Vose, LP	7050 N. Van Nuys Blvd. Van Nuys, CA

2. This proceeding is conducted in accordance with Labor Code section 143 and section 401, et seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026, via videoconference, by the Board with Hearing Officer Michelle Iorio, both presiding and hearing the matter on its merit in accordance with section 426.

2. At the hearing, Pete Cuellar, with SCHINDLER ELEVATOR CORPORATION, appeared on behalf of each Applicant; Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Documentary and oral evidence was received at the hearing, and by stipulation of all parties, documents were admitted into evidence:

Exhibit Number	Description of Exhibit
PD1	Application for Modification of Permanent Variance
PD2	OSHSB Notice of Hearing
PD3	Cal/OSHA Review of Variance Application
PD4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the safety regulation requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Findings of Fact

1. The Applicant requests modification of the address of the unchanging variance location specified within Board records for each conveyance the subject of previously granted Permanent Variance No. 24-V-424.
2. The Application declared to be wholly truthful under penalty of perjury by Application signatory, states facts upon which reasonably may be based a finding that the address, specified in the records of the Board, at which Permanent Variance No. 24-V-424M1 is in effect, in fact is more completely, and correctly the different combination of addresses specified in below subsection D.1.
3. Cal/OSHA has evaluated the request for modification of variance location address, finds no issue with it, and recommends that the application for modification be granted subject to the same conditions of the Decision and Order in Permanent Variance No. 24-V-424.
4. The Board finds the above subpart C.2 referenced declaration to be credible, uncontroverted, and consistent with available, sufficient facts, and of no bearing as to the finding of equivalent occupational health and safety upon which Grant of preexisting Permanent Variance 24-V-424.
5. The Board finds the correct address by which to designate the location of each conveyance the subject of Permanent Variance No. 24-V-424, to be:

14431 W. Vose St.
Van Nuys, CA

D. Decision and Order

1. Permanent Variance Application No. 24-V-424M1 is conditionally GRANTED, thereby modifying Board records, such that, without change in variance location, each conveyance being the subject of Permanent Variance No. 24-V-424 shall have the following address designation:

14431 W. Vose St.
Van Nuys, CA

2. Permanent Variance No. 24-V-424, being only modified as to the subject location address specified in above Decision and Order section 1, is otherwise unchanged and remaining in full force and effect, as hereby incorporated by reference into this Decision and Order of Permanent Variance No. 24-V-424M1.
3. The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way and to the same extent that employees and authorized representatives are to be notified of docketed permanent variance applications pursuant to sections 411.2 and 411.3.
4. This Decision and Order shall remain in effect unless modified or revoked upon application by the Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in the

manner prescribed.

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

DATED: April 23, 2026

Michelle Iorio

Michelle Iorio, Hearing Officer

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application to Modify Permanent Variance by: Folsom Hotel Development, LP	Permanent Variance No.: 24-V-519M1 **PROPOSED DECISION** Hearing Date: April 22, 2026 Location: Zoom

A. Subject Matter

1. The following person or entity ("Applicant") has applied for a modification of permanent variance from provisions of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, references are to the California Code of Regulations, title 8. The relevant information is as follows:

Preexisting Permanent Variance No.	Preexisting Variance Elevator Type Granted	Preexisting Number of Suspension Ropes Granted	Number of Conveyances
24-V-519	Kone MonoSpace 500 MRL	8	2

2. This proceeding is conducted in accordance with Labor Code section 143 and section 401, et. seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026, via videoconference, by the Board, with Hearing Officer, Michelle Iorio, both presiding and hearing the matter on its merit, in accordance with section 426.

2. At the hearing, Fuei Saetern with KONE INC., appeared on behalf of the Applicant; Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Documentary and oral evidence was received at the hearing, and by stipulation of all parties, documents were admitted into evidence:

Exhibit Number	Description of Exhibit
PD-1	Application for modification of Permanent Variance
PD-2	OSHSB Notice of Hearing
PD-3	Cal/OSHA Review of Variance Application
PD-4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the Elevator Safety Order requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Findings of Fact

1. On March 13, 2026, the Applicant's representative, Fuei Saeturn of Kone Inc., submitted an application to modify the existing permanent variance to indicate that Seven (7) suspension ropes would be provided.

2. On March 18, 2028, the Applicant's representative submitted a declaration to request correction of the Maximum Suspension Load revising it from 13,207 pounds to 11, 556 pounds and the car speed for Elevator 1 and Elevator 2 to remain unchanged, rated at 200 feet per minute (FPM).

3. Applicant is requesting to modify the permanent variance to correct inaccurate elevator suspension information, regarding the number or ropes, contained in the original variance application. The correct number of suspension ropes should have been represented as seven (7).

4. As a result of this change, the maximum suspended load listed in the existing permanent variance decision would need to be similarly reduced to reflect the use of fewer suspension ropes.

5. Cal/OSHA, by way of written submissions to the record (Exhibit PD-3), and position stated at hearing, is of the well informed opinion that grant of requested modification of permanent variance, as limited and conditioned per the below Decision and Order will provide employment, places of employment, and subject conveyances, as safe and healthful as would prevail given non-variant conformity with the Elevator Safety Order requirements from which variance has been requested.

D. Decision and Order

1. Permanent Variance Application No. 24-V-519M1 is conditionally GRANTED, thereby modifying Board records, such that each elevator being the subject of Permanent Variance Nos. 24-V-519 and 24-V-519M1 is subject to the same conditions stated in

Permanent Variance No. 24-V-519, except as modified below:

Revisions exclusive to OSHB File Number 24-V-519, Decision and Order, Appendix 1:

Monospace 5000 Suspension Ropes Appendix 1 Table				
OSHB File No.	Elevator ID	Minimum Quantity of Ropes (Per Condition 3)	Maximum Speed in Feet Per Minute (Per Condition 6)	Maximum Suspended Load (Per Condition 7)
24-V-519	1	***7***	200	***11,556***
24-V-519	2	***7***	200	***11,556***

2. Permanent Variance No. 24-V-519M1, being only modified as to the additional variances sought specified in above Decision and Order, is otherwise unchanged and remaining in full force and effect, as hereby incorporated by reference into this Decision and Order of Permanent Variance No. 24-V-519M1.

3. The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way and to the same extent that employees and authorized representatives are to be notified of docketed permanent variance applications pursuant to sections 411.2 and 411.3.

4. This Decision and Order shall remain in effect unless modified or revoked upon application by the Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in the manner prescribed.

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

Dated: April 23, 2026

Michelle Iorio

Michelle Iorio, Hearing Officer

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application to Modify Permanent Variance by:

Arden Armory Affordable LP

Permanent Variance No: 24-V-522M1

PROPOSED DECISION

Hearing Date: April 22, 2026
Location: Zoom

A. Subject Matter

1. The following person or entity ("Applicant") has applied for a modification of permanent variance from a provision of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, all references in this matter are to the California Code of Regulations, title 8. The variance applications are as follows:

Preexisting Permanent Variance No.	Applicant Name	Preexisting Variance Address of Record
24-V-522	Arden Armory Affordable LP	440 Arden Way Sacramento, CA

2. This proceeding is conducted in accordance with Labor Code section 143 and section 401, et seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026, via videoconference, by the Board with Hearing Officer Michelle Iorio, both presiding and hearing the matter on its merit in accordance with section 426.

2. At the hearing, Dan Leacox, with Leacox & Associates, appeared on behalf of each Applicant; Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Documentary and oral evidence was received at the hearing, and by stipulation of all parties, documents were admitted into evidence:

Exhibit Number	Description of Exhibit
PD1	Application for Modification of Permanent Variance
PD2	OSHSB Notice of Hearing
PD3	Cal/OSHA Review of Variance Application
PD4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the safety regulation requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Findings of Fact

1. The Applicant requests modification of the address of the unchanging variance location specified within Board records for each conveyance the subject of previously granted Permanent Variance No. 24-V-522.
2. The Application declared to be wholly truthful under penalty of perjury by Application signatory, states facts upon which reasonably may be based a finding that the address, specified in the records of the Board, at which Permanent Variance No. 24-V-522M1 is in effect, in fact is more completely, and correctly the different combination of addresses specified in below subsection D.1.
3. Cal/OSHA has evaluated the request for modification of variance location address, finds no issue with it, and recommends that the application for modification be granted subject to the same conditions of the Decision and Order in Permanent Variance No. 24-V-522.
4. The Board finds the above subpart C.2 referenced declaration to be credible, uncontroverted, and consistent with available, sufficient facts, and of no bearing as to the finding of equivalent occupational health and safety upon which Grant of preexisting Permanent Variance 24-V-522.
5. The Board finds the correct address by which to designate the location of each conveyance the subject of Permanent Variance No. 24-V-522, to be:

2231 Oxford St.
Sacramento, CA

D. Decision and Order

1. Permanent Variance Application No. 24-V-522M1 is conditionally GRANTED, thereby modifying Board records, such that, without change in variance location, each conveyance being the subject of Permanent Variance No. 24-V-522 shall have the following address designation:

2231 Oxford St.
Sacramento, CA

2. Permanent Variance No. 24-V-522, being only modified as to the subject location address specified in above Decision and Order section 1, is otherwise unchanged and remaining in full force and effect, as hereby incorporated by reference into this Decision and Order of Permanent Variance No. 24-V-522M1.
3. The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way and to the same extent that employees and authorized representatives are to be notified of docketed permanent variance applications pursuant to sections 411.2 and 411.3.
4. This Decision and Order shall remain in effect unless modified or revoked upon application by the Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in the

manner prescribed.

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

DATED: April 24, 2026

Michelle Iorio

Michelle Iorio, Hearing Officer

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application to Modify Permanent Variance by: City of Los Angeles A Muni Corp	Permanent Variance No.: 25-V-158M1 **PROPOSED DECISION** Hearing Date: April 22, 2026 Location: Zoom

A. Subject Matter

1. The following person or entity ("Applicant") has applied for a modification of permanent variance from provisions of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, references are to the California Code of Regulations, title 8. The relevant information is as follows:

Preexisting Permanent Variance No.	Applicant Name	Preexisting Variance Conveyance Model Granted	Number of Conveyances
25-V-158	City of Los Angeles	Savaria Model V-1504	1

2. This proceeding is conducted in accordance with Labor Code section 143 and section 401, et. seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026, via videoconference, by the Board, with Hearing Officer, Michelle Iorio, both presiding and hearing the matter on its merit, in accordance with section 426.

2. At the hearing, Craig Fiore, with McKinley Elevator Corporation, appeared on behalf of the Applicant; Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Documentary and oral evidence was received at the hearing, and by stipulation of all parties, documents were admitted into evidence:

Exhibit Number	Description of Exhibit
PD-1	Application for modification of Permanent Variance
PD-2	OSHSB Notice of Hearing
PD-3	Cal/OSHA Review of Variance Application
PD-4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the Elevator Safety Order requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Findings of Fact

1. The Applicant requests modification of the variance holder specified within Board records for each conveyance the subject of previously granted Permanent Variance No. 25-V-158 and any previously granted modifications therewith.

2. The Applicant is requesting to change the Savaria Model V-1504 to a Garaventa Lift, Model GVL-SW-168 vertical platform (wheelchair lift).

3. The Applicant intends to install a Garaventa Lift, Model GVL-SW-168 vertical platform (wheelchair lift) with a travel of approximately 155 inches.

4. The Applicant is seeking to amend the existing permanent variance to include a permanent variance from the provision of the California Code of Regulations, Title 8, Section 3142(a) and 3142.1 [ASME A18.1-2003, Section 2.7.1] of the Elevator Safety Orders regarding limitation of load, speed, and travel for the one (1) elevator located at the address of record.

5. Cal/OSHA has evaluated the aforementioned request for modification, finds no issue with it, and recommends that the application for modification be granted subject to the same conditions of the Decision and Order in Permanent Variance No. 25-V-158 and any previously granted modifications therewith.

6. The Board finds the declaratory statements of the Applicant signatory to be credible, uncontroverted, and consistent with available, sufficient facts, and of no bearing as to the finding of equivalent occupational health and safety upon which, in substantial part, grant of preexisting Permanent Variance No. 25-V-158 and any previously granted modifications therewith was based.

7. The Board finds the current person or entity having custody of each conveyance the subject of Permanent Variance No. 25-V-158M1, to be in fact:

D. Decision and Order

1. Permanent Variance Application No. 25-V-158M1 is conditionally GRANTED, as specified below, such that, without change in variance location, each conveyance being the subject of Permanent Variance No. 25-V-158, and any previously granted modification therewith, shall designate the following person or entity as the variance holder:

City of Los Angeles A Muni Corp

2. Additionally, Permanent Variance Nos. 25-V-158 and 25-V-158M1 is subject to the same Decision and Order and Conditions stated in Permanent Variance No. 25-V-158 with the addition of the following language

Elevator Safety Orders:

- **Limitation of Travel Height: 2.7.1 (Only to the extent necessary to permit the Garaventa Lift, Model GVL-SW-168, platform lift (wheelchair Lift) to travel to a maximum height of 168 inches, where the Elevator Safety Orders limit the maximum travel height to 144 inches).**

Recommended Conditions:

1. **This lift may travel up to 168 inches, unless the manufacturer's instructions provide for a lesser vertical travel limit, or lesser total elevation change, in which case, travel shall be limited to the lesser limit or elevation change.**

2. **The wheelchair lift shall be installed and operated in accordance with the manufacturer's instructions, unless the provisions of this variance or applicable provisions of the law provide otherwise.**

3. **Durable signs with lettering not less than 5/16 inch on a contrasting background shall be permanently and conspicuously posted inside the car and at all landings indicating that the lift is for the exclusive use of persons with physical impairments and that the lift is not to be used to transport material or equipment. The use of the lift shall be limited in accordance with these signs.**

4. **A maintenance contract shall be executed between the owner/operator and a Certified Qualified Conveyance Company (CQCC). The contract shall stipulate that the routine preventive maintenance required by Section 3094.5(a)(1) shall be performed at least quarterly and shall include but not be limited to:**

   a. Platform driving means,

   b. Platform examination,

   c. Suspension means examination,

d. Platform alignment,

e. Vibration examination,

f. Door/gate electrical, and

g. Mechanical lock examination

5. The Lift shall be tested annually for proper operation under rated load conditions. The Division's Elevator Unit District Office shall be provided written notification in advance of the test, and the test shall include a check of car or platform safety device.

6. The lift shall be shut down immediately if the lift experiences unusual noise and vibration, and the Applicant shall notify the CQCC immediately. The lift shall only be restarted by the CQCC.

7. The Applicant shall notify the CQCC if the lift shuts down for any reason. The lift shall only be restarted by the CQCC.

8. Service logs including, but not limited to, the device shutdown(s) shall be kept in the maintenance office and shall be available to the Division. The shutdown information shall contain the date of the shutdown, cause of the shutdown, and the action taken to correct the shutdown.

9. Before any employee uses the lift or assists others in using the lift, the Applicant shall train the employee on the safe operation of the lift in accordance with California Code of Regulations, Title 8, Section 3203. The training shall be performed annually. The Applicant shall notify the Division in writing that training has been conducted. A copy of the training manual, name of the trainer, and list of attendees shall be provided to the Division upon request. The documentation of the training shall be maintained for at least one year.

10. Any Certified Qualified Conveyance Company performing inspections, maintenance, servicing or testing of the elevators shall be provided a copy of this variance decision.

11. The Division shall be notified when the lift is ready for inspection, and the lift shall be inspected by the Division and a Permit to Operate shall be issued before the lift is put into service.

3. Permanent Variance No. 25-V-158, being only modified as to the additional variances sought specified in above Decision and Order, is otherwise unchanged and remaining in full force and effect, as hereby incorporated by reference into this Decision and Order of Permanent Variance No. 25-V-158M1.

4. The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way and to the same extent that employees and authorized representatives are to be notified of docketed permanent variance applications pursuant to sections 411.2 and 411.3.

5. This Decision and Order shall remain in effect unless modified or revoked upon application by the Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in the manner prescribed.

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

Dated: April 23, 2026

Michelle Iorio

Michelle Iorio, Hearing Officer

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application to Modify Permanent Variance by:

Casa Del Milagro LLC

Permanent Variance No: 25-V-178M1

PROPOSED DECISION

Hearing Date: April 22, 2026
Location: Zoom

A. Subject Matter

1. The following person or entity ("Applicant") has applied for a modification of permanent variance from a provision of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, all references in this matter are to the California Code of Regulations, title 8. The variance applications are as follows:

Preexisting Permanent Variance No.	Applicant Name	Preexisting Variance Address of Record
25-V-178	Casa Del Milagro LLC	16150 Vanowen St. Los Angeles, CA

2. This proceeding is conducted in accordance with Labor Code section 143 and section 401, et seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026, via videoconference, by the Board with Hearing Officer Michelle Iorio, both presiding and hearing the matter on its merit in accordance with section 426.

2. At the hearing, Dan Leacox, with Leacox & Associates, appeared on behalf of each Applicant; Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Documentary and oral evidence was received at the hearing, and by stipulation of all parties, documents were admitted into evidence:

Exhibit Number	Description of Exhibit
PD1	Application for Modification of Permanent Variance
PD2	OSHSB Notice of Hearing
PD3	Cal/OSHA Review of Variance Application
PD4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the safety regulation requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Findings of Fact

1. The Applicant requests modification of the address of the unchanging variance location specified within Board records for each conveyance the subject of previously granted Permanent Variance No. 25-V-178.
2. The Application declared to be wholly truthful under penalty of perjury by Application signatory, states facts upon which reasonably may be based a finding that the address, specified in the records of the Board, at which Permanent Variance No. 25-V-178M1 is in effect, in fact is more completely, and correctly the different combination of addresses specified in below subsection D.1.
3. Cal/OSHA has evaluated the request for modification of variance location address, finds no issue with it, and recommends that the application for modification be granted subject to the same conditions of the Decision and Order in Permanent Variance No. 25-V-178.
4. The Board finds the above subpart C.2 referenced declaration to be credible, uncontroverted, and consistent with available, sufficient facts, and of no bearing as to the finding of equivalent occupational health and safety upon which Grant of preexisting Permanent Variance 25-V-178.
5. The Board finds the correct address by which to designate the location of each conveyance the subject of Permanent Variance No. 25-V-178, to be:

6754 N Valjean Ave.
Los Angeles, CA

D. Decision and Order

1. Permanent Variance Application No. 25-V-178M1 is conditionally GRANTED, thereby modifying Board records, such that, without change in variance location, each conveyance being the subject of Permanent Variance No. 25-V-178 shall have the following address designation:

6754 N Valjean Ave.
Los Angeles, CA

2. Permanent Variance No. 25-V-178, being only modified as to the subject location address specified in above Decision and Order section 1, is otherwise unchanged and remaining in full force and effect, as hereby incorporated by reference into this Decision and Order of Permanent Variance No. 25-V-178M1.
3. The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way and to the same extent that employees and authorized representatives are to be notified of docketed permanent variance applications pursuant to sections 411.2 and 411.3.
4. This Decision and Order shall remain in effect unless modified or revoked upon application by the Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in the

manner prescribed.

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

DATED: April 24, 2026

Michelle Iorio

Michelle Iorio, Hearing Officer

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application for Permanent Variance Regarding: TK Elevator Evolution (Group IV)	Permanent Variance No: See section A.1 table below **PROPOSED DECISION** Hearing Date: April 22, 2026 Location: Zoom

A. Subject Matter

1. The applicants ("Applicant") below have applied for permanent variance from provisions of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, all references in this matter are to the California Code of Regulations, title 8. The variance applications are as follows:

Variance No.	Applicant Name	Variance Location Address	No. of Conveyances
25-V-233	Pepperdine University	24255 Pacific Coast Hwy., Building 48 & 49 Malibu, CA	4
25-V-236	San Bernardino County	153 S Lena Rd. San Bernardino, CA	2
26-V-133	Gurvinder Singh	2800 E. Inland Empire Blvd. Ontario, CA	4
26-V-134	Legal Aid Foundation of Los Angeles	5228 Whittier Blvd. Los Angeles, CA	1
26-V-146	Sacred Heart Cathedral Preparatory	1055 Ellis St. San Francisco, CA	1
26-V-150	Soto DC LLC	3094 E. Vernon Ave. Vernon, CA	1

2. These proceedings are conducted in accordance with Labor Code section 143, and section 401, et seq. of the Occupation Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026, via videoconference by the Board with Hearing Officer, Michelle Iorio, presiding and hearing the matter on its merit in accordance with section 426.

2. At the hearing, James Day with TK Elevator, appeared on behalf of the Applicant. Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Documentary and oral evidence was received at the hearing, and by stipulation of all parties, documents were admitted into evidence:

Exhibit Number	Description of Exhibit
PD-1	Application(s) for Permanent Variance per section A.1 table
PD-2	OSHSB Notice of Hearing
PD-3	Cal/OSHA Review of Variance Application
PD-4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the Elevator Safety Order requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Relevant Safety Orders

Variance Request No. 1 (ASME A17.1-2004, section 2.14.1.7.1)

2.14.1.7.1 A standard railing conforming to 2.10.2 shall be provided on the outside perimeter of the car top on all sides where the perpendicular distance between the edges of the car top and the adjacent hoistway enclosure exceeds 300 mm (12 in.) horizontal clearance.

Variance Request No. 2A (ASME A17.1-2004, section 2.20.1)

2.20.1 Suspension Means

Elevator cars shall be suspended by steel wire ropes attached to the car frame or

passing around sheaves attached to the car frame specified in 2.15.1. Ropes that have previously been installed and used on another installation shall not be reused.

Only iron (low-carbon steel) or steel wire ropes, having the commercial classification "Elevator Wire Rope," or wire rope specifically constructed for elevator use, shall be used for the suspension of elevator cars and for the suspension of counterweights. The wire material for ropes shall be manufactured by the open-hearth or electric furnace process or their equivalent.

Variance Request No. 2B (ASME A17.1-2004, section 2.20.2[.1])

2.20.2.1 On Crosshead Data Plate.

The crosshead data plate required by 2.16.3 shall bear the following wire-rope data:

(a) the number of ropes

(b) the diameter in millimeters (mm) or inches (in.)

(c) the manufacturer's rated breaking strength per rope in kilo Newton (kN) or pounds (lb)

Variance Request No. 2C (ASME A17.1-2004, section 2.20.2.2)

2.20.2.2 On Rope Data Tag.

A metal data tag shall be securely attached to one of the wire-rope fastenings. This data tag shall bear the following wire-rope data:

(a) the diameter in millimeters (mm) or inches (in.)

[…]

(f) whether the ropes were nonpreformed or preformed

[…]

Variance Request No. 2D. (ASME A17.1-2004, section 2.20.3)

2.20.3 Factor of Safety

The factor of safety of the suspension wire ropes shall be not less than shown in Table 2.20.3. Figure 8.2.7 gives the minimum factor of safety for intermediate rope speeds. The factor of safety shall be based on the actual rope speed corresponding to the rated speed of the car.

The factor of safety shall be calculated by the following formula:

$$f = \frac{S \times N}{W}$$

where

N = number of runs of rope under load. For 2:1 roping, N shall be two times the number of ropes used, etc.

S = manufacturer's rated breaking strength of one rope

W = maximum static load imposed on all car ropes with the car and its rated load at any position in the hoistway

Variance Request No. 2E (ASME A17.1-2004, section 2.20.4)

2.20.4 Minimum Number and Diameter of Suspension Ropes

The minimum number of hoisting ropes used shall be three for traction elevators and two for drum-type elevators.

Where a car counterweight is used, the number of counterweight ropes used shall be not less than two.

The term" diameter," where used in reference to ropes, shall refer to the nominal diameter as given by the rope manufacturer.

The minimum diameter of hoisting and counterweight ropes shall be 9.5 mm (0.375 in.). Outer wires of the ropes shall be not less than 0.56 mm (0.024 in.) in diameter.

Variance Request No. 2F (ASME A17.1-2004, section 2.20.9[.1])

2.20.9 Suspension-Rope Fastening

2.20.9.1 Type of Rope Fastenings. The car and counterweight ends of suspension wire ropes, or the stationary hitch-ends where multiple roping is used, shall be fastened in such a manner that all portions of the rope, except the portion inside the rope sockets, shall be readily visible.

Fastening shall be

(a) by individual tapered rope sockets (see 2.20.9.4) or other types of rope fastenings that have undergone adequate tensile engineering tests, provided that

(1) such fastenings conform to 2.20.9.2 and 2.20.9.3;

(2) the rope socketing is such as to develop at least 80% of the ultimate breaking strength of the strongest rope to be used in such fastenings; or

(b) by individual wedge rope sockets (see 2.20.9.5); and

(c) U-bolt-type rope clamps or similar devices shall not be used for suspension rope fastenings.

Variance Request No. 3 (ASME A17.1-2004, section 2.26.9.4)

2.26.9.4 Redundant devices used to satisfy 2.26.9.3 in the determination of the occurrence of a single ground, or the failure of any single magnetically operated switch, contactor or relay, or of any single solid state device, or any single device that limits the leveling or truck zone, or a software system failure, shall be checked prior to each start of the elevator from a landing, when on automatic operation. When a single ground or failure, as specified in 2.26.9.3, occurs, the car shall not be permitted to restart. Implementation of redundancy by a software system is permitted, provided that the removal of power from the driving-machine motor and brake shall not be solely dependent on software-controlled means.

Variance Request No. 4 (ASME A17.1-2004, section 2.26.9.6.1)

2.26.9.6.1 Two separate means shall be provided to independently inhibit the flow of alternating-current through the solid state devices that connect the direct-current power source to the alternating-current driving motor. At least one of the means shall be an electromechanical relay.

Variance Request No. 5 (ASME A17.1-2004, section 2.26.1.4.4 (a))

2.26.1.4.4 Machine Room Inspection Operation

(a) When machine room inspection operation is provided, it shall conform to 2.26.1.4.1, and the transfer switch shall be located in the machine room.

Variance Request No. 6 (ASME A17.1-2004, section 8.4.10.1.1(a)(2)(b))

8.4.10.1.1 Earthquake Equipment (See Also Fig. 8.4.10.1.1)

(a) All traction elevators operating at a rated speed of 0.75 m/s (150 ft/min) or more and having counterweights located in the same hoistway shall be provided with the following:

(1) seismic zone 3 or greater: a minimum of one seismic switch per building

(2) seismic zone 2 or greater:

(a) a displacement switch for each elevator

(b) an identified momentary reset button or switch for each elevator, located in the control panel in the elevator machine room [see 8.4.10.1.3(i)]

D. Findings of Fact

1. Applicant proposes to utilize inset car top railings and guards in compliance with

ASME 17.1-2013, section 2.14.1.7.1 and the *Vivante Westside, LLC* File No. 18-V-364 (Nov. 20, 2020) decision (*Vivante*). Applicant further claims that the request is consistent with the *Vivante*, the *Mack Urban, LLC*, Permanent Variance No. 15-V-349 (Nov. 17, 2016), and the *Patton Equities, LLC* Permanent Variance No. 20-V-128 (Nov. 12, 2020) decisions (*Patton Equities*).

2. Applicant proposes to utilize noncircular elastomeric-coated steel belts ("ECSBs") rather than steel ropes in a machine room-less ("MRL") elevator installation, with updated data plates, data tags, and wedge sockets designed for use with ECSBs, as well as the appropriate factor of safety criteria conforming to ASME 17.1-2013, with a continuous residual strength detection device ("RSDD") compliant with the *San Francisco Public Works (Permanent Variance No. 21-V-061, et al.)* decisions.

3. The installation shall utilize the TK Elevator Model 104DP001 RSDD, accepted by Cal/OSHA on May 4, 2021.

4. Applicant proposes to comply with ASME A17.1-2013 sections 2.26.9.3, "Protection Against Failures", rather than the requirements of 2.26.9.3 and 2.26.9.4 in the ASME 2004 code.

5. Applicant proposes to use TKE's control systems, using the TKE TAC32T Controller with SIL3 rated elements, to provide equivalent safety to ASME A17.1-2004, section 2.26.9.4 as a means to inhibit flow of Alternating Current to the Driving Motor in compliance with ASME A17.1-2013, section 2.26.9.6.

6. Applicant proposes to locate the Inspection Transfer Switch within the machinery/control room/space in the MRL installation, in compliance with ASME 17.1-2013, section 2.26.1.4.

7. Applicant proposes to locate the Seismic-Operation Reset Switch in the machinery/control room/space in the MRL installation.

E. Decision and Order

Applicant is hereby conditionally GRANTED Permanent Variance as specified below, and to the limited extent, as of the date the Board adopts this Proposed Decision, with respect to the section A specified number of TKE EVO 200 elevator(s), at the specified location, each shall conditionally hold permanent variance from the following subparts of ASME A17.1-2004, currently incorporated by reference into section 3141 of the Elevator Safety Orders:

- Car-Top Railing: 2.14.1.7.1 (Limited to the extent necessary to permit the use of an inset car-top railing)

- Suspension Means: 2.20.1, 2.20.2.1, 2.20.2.2(a), 2.20.2.2(f), 2.20.3, 2.20.4, and 2.20.9.1 (Limited to the extent necessary to permit the use of the

elastomeric-coated steel belts in lieu of circular steel suspension ropes)

- Inspection transfer switch: 2.26.1.4.4(a) (Limited to the extent necessary to permit the inspection transfer switch to reside at a location other than the machine room)

- Software Reliant Means to Remove Power: 2.26.9.4 (Limited to the extent necessary to permit the exclusive use of SIL-rated software systems as a means to remove power from the driving machine motor and brake)

- SIL-Rated Circuitry to Inhibit Current Flow: 2.26.9.6.1 (Limited to the extent necessary to permit the use of SIL-rated circuitry in place of an electromechanical relay to inhibit current flow to the drive motor)

- Seismic reset switch: 8.4.10.1.1(a)(2)(b) (Limited to the extent necessary to permit the seismic reset switch to reside at a location other than the machine room)

Inset Car Top Railing (Variance Request No. 1):

1.0 Any and all inset car top railings shall comply with the following:

1.1 Serviceable equipment shall be positioned so that mechanics and inspectors do not have to stand on or climb over the railings to perform adjustments, maintenance, repairs or inspections. The Applicant shall not permit trained elevator mechanics or elevator service personnel to stand or climb over the car top railing.

1.2 The distance that the railing can be inset shall be limited to not more than six inches (6”).

1.3 All exposed areas of the car top outside the car top railing where the distance from the railing to the edge of the car top exceeds two inches (2”), shall be beveled with metal, at an angle of not less than 75 degrees with the horizontal, from the mid or top rail to the outside of the car top, such that no person or object can stand, sit, kneel, rest, or be placed in the exposed areas.

1.4 The top surface of the beveled area and/or car top outside the railing, shall be clearly marked. The markings shall consist of alternating 4” diagonal red and white stripes.

1.5 The Applicant shall provide durable signs with lettering not less than 1/2 inch on a contrasting background on each inset railing; each sign shall state:

CAUTION
STAY INSIDE RAILING
NO LEANING BEYOND RAILING
NO STEPPING ON, OR BEYOND, RAILING

1.6 The Group IV requirements for car top clearances shall be maintained (car top clearances outside the railing will be measured from the car top and not from the required bevel).

Suspension Means (Variance Request No. 2):

2.0 The elevator suspension system shall comply with the following:

2.1 The elastomeric coated steel belts (ECSBs) and their associated fastenings shall conform to the applicable requirements of ASME A17.1-2013, sections:

2.20.4.3 – Minimum Number of Suspension Members
2.20.3 – Factor of Safety
2.20.9 – Suspension Member Fastening

2.2 Additionally, ECSBs shall meet or exceed all requirements of ASME A17.6 2010, Standard for Elevator Suspension, Compensation, and Governor Systems, Part 3 Noncircular Elastomeric Coated Steel Suspension Members for Elevators.

2.3 The Applicant shall not utilize the elevator unless the manufacturer has written procedures for the installation, maintenance, inspection and testing of the ECSBs and fastenings and related monitoring and detection systems and criteria for ECSB replacement, and the Applicant shall make those procedures and criteria available to the Certified Competent Conveyance Mechanic (CCCM) at the location of the elevator, and to Cal/OSHA upon request.

2.4 ECSB mandatory replacement criteria shall include:

2.4.1. Any exposed wire, strand or cord;

2.4.2. Any wire, strand or cord breaks through the elastomeric coating;

2.4.3. Any evidence of rouging (steel tension element corrosion) on any part of the elastomeric coated steel suspension member;

2.4.4. Any deformation in the elastomeric suspension member such as, but not limited to, kinks or bends.

2.5 Traction drive sheaves must have a minimum diameter of 112 mm. The maximum speed of ECSBs running on 112 mm drive sheaves shall be no greater than 6.1 m/s.

2.6 If any one (1) ECSB needs replacement, the complete set of suspension members on the elevator shall be replaced. Exception: If a new suspension member is damaged during installation, and prior to any contemporaneously installed ECSB having been placed into service, it is permissible to replace the individual damaged suspension member. ECSBs that have been installed on another installation shall not be re used.

2.7 A traction loss detection means shall be provided that conforms to the requirements of ASME A17.1-2013, section 2.20.8.1. The means shall be tested for correct function annually in accordance with ASME A17.1-2013, section 8.6.4.19.12.

2.8 A broken suspension member detection means shall be provided that conforms to

the requirements of ASME A17.1-2013, section 2.20.8.2. The means shall be tested for correct function annually in accordance with ASME A17.1-2013, section 8.6.4.19.13(a).

2.9 An elevator controller integrated bend cycle monitoring system shall monitor actual ECSB bend cycles, by means of continuously counting, and storing in nonvolatile memory, the number of trips that the ECSB makes traveling, and thereby being bent, over the elevator sheaves. The bend cycle limit monitoring means shall automatically stop the car normally at the next available landing before the bend cycle correlated residual strength of any single ECSB member drops below (60%) sixty percent of full rated strength. The monitoring means shall prevent the car from restarting. Notwithstanding any less frequent periodic testing requirement per Addendum 2 (Cal/OSHA Circular Letter), the bend cycle monitoring system shall be tested semiannually in accordance with the procedures required per above Conditions 2.3 and 2.4.

2.10 The elevator crosshead data plate shall comply with the requirements of ASME A17.1-2013, section 2.20.2.1.

2.11 A suspension means data tag shall be provided that complies with the requirements of ASME A17.1-2013, section 2.20.2.2.

2.12 Comprehensive visual inspections of the entire length of each and all installed suspension members, in conformity with above Conditions 2.3 and 2.4 specified criteria, shall be conducted and documented every six (6) months by a CCCM.

2.13 The Applicant shall be subject to the requirements per hereto attached, and inhere incorporated, Addendum 1, “Suspension Means Replacement Reporting Condition.”

2.14 Records of all tests and inspections shall be maintenance records subject to ASME A17.1-2004, sections 8.6.1.2, and 8.6.1.4, respectively.

2.15 The subject elevators(s) shall be equipped with a TK Elevator Model 104DP001 Residual Strength Detection Device accepted by Cal/OSHA on May 4, 2021 or Cal/OSHA accepted equivalent device.

Control and Operating Circuits
Combined Software Redundant Devices with Software Removal of Power from Driving Motor and Brake (Variance Request No. 3)
Removal of Power from Driving Motor Without Electro-mechanical Switches (Variance Request No. 4)

3.0 The SIL rated circuitry used to provide device/circuit redundancy and to inhibit electrical current flow in accordance with ASME A17.1-2004, sections 2.26.9.4 and 2.26.9.6.1 shall comply with the following:

3.1 The SIL rated systems and related circuits shall consist of:

3.1.1. ELGO LIMAX33 RED, (aka LIMAX3R-03-050-0500-CNXTG-RJU), Safe Magnetic Absolute Shaft Information System, labeled or marked with the SIL rating (not less than SIL 3), the name or mark of the certifying organization, and the SIL certification number (968/A 163), followed by the applicable revision number (as in 968/A 163.07/19).

3.1.2 Printed circuit board assembly SSOA (6300 AHE001), labeled or marked with the SIL rating (not less than SIL 3), the name or mark of the certifying organization, and the SIL certification number (968/FSP 1347), followed by the applicable revision number (as in 968/FSP 1347.00/16).

3.1.3 Two circuit board components (Serializer S3I and S3O), each labeled or marked with the SIL rating (not less than SIL 3), the name or mark of the certifying organization and the SIL certification number (968/A 162), followed by the applicable revision number (as in 968/A 162.04/18)

3.2 The software system and related circuits shall be certified for compliance with the applicable requirements of ASME A17.1-2013, section 2.26.4.3.2.

3.3 The access door or cover of the enclosures containing the SIL rated components shall be clearly labeled or tagged on their exterior with the statement:

Assembly contains SIL rated devices.
Refer to maintenance Control Program and wiring diagrams
prior to performing work.

3.4 Unique maintenance procedures or methods required for the inspection, testing, or replacement of the SIL rated circuits shall be developed and a copy maintained in the elevator machine/control room/space. The procedures or methods shall include clear color photographs of each SIL rated component, with notations identifying parts and locations.

3.5 Wiring diagrams that include part identification, SIL, and certification information shall be maintained in the elevator machine/control room/space.

3.6 A successful test of the SIL rated circuits shall be conducted initially and not less than annually in accordance with the testing procedure. The test shall demonstrate that SIL rated devices, safety functions, and related circuits operate as intended.

3.7 Any alterations to the SIL rated circuits shall be made in compliance with the Elevator Safety Orders. If the Elevator Safety Orders do not contain specific provisions for the alteration of SIL rated devices, the alterations shall be made in conformance with ASME A17.1-2013, section 8.7.1.9.

3.8 Any replacement of the SIL rated circuits shall be made in compliance with the

Elevator Safety Orders. If the Elevator Safety Orders do not contain specific provisions for the replacement of SIL rated devices, the replacement shall be made in conformance with ASME A17.1-2013, section 8.6.3.14.

3.9 Any repairs to the SIL rated circuits shall be made in compliance with the Elevator Safety Orders. If the Elevator Safety Orders do not contain specific provisions for the repair of SIL rated devices, the repairs shall be made in conformance with ASME A17.1-2013, section 8.6.2.6.

3.10 Any space containing SIL rated circuits shall be maintained within the temperature and humidity range specified by TKE. The temperature and humidity range shall be posted on each enclosure containing SIL rated software or circuits.

3.11 Field software changes to the SIL rated system are not permitted. Any changes to the SIL rated system's circuitry will require recertification and all necessary updates to the documentation and diagrams required by Conditions 3.4 and 3.5 above.

Inspection Transfer Switch and Seismic Reset Switch (Variance Request Nos. 5 and 6):

4.0 Inspection Transfer switch and Seismic Reset switch placement and enclosure shall comply with the following:

4.1 If the inspection transfer switch required by ASME A17.1-2004, section 2.26.1.4.4, does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the control/machinery room/space containing the elevator's control equipment in an enclosure secured by a lock openable by a Group 1 security key. The enclosure is to remain locked at all times when not in use.

4.2 If the seismic reset switch does not reside in the machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the control/machinery room/space containing the elevator's control equipment in an enclosure secured by a lock openable by a Group 1 security key. The enclosure is to remain locked at all times when not in use.

5.0 The elevator shall be serviced, maintained, adjusted, tested, and inspected only by CCCM having been trained, and competent, to perform those tasks on the TKE EVO 200 elevator system in accordance with written procedures and criteria, including as required per above Conditions 2.3, and 2.4.

6.0 Cal/OSHA shall be notified when the elevator is ready for inspection. The elevator shall be inspected by Cal/OSHA, and all applicable requirements met, including conditions of this permanent variance, prior to a Permit to Operate the elevator being issued. The elevator shall not be placed in full service prior to the Permit to Operate being issued by Cal/OSHA.

7.0 The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way and to the same extent that employees and

authorized representatives are to be notified of docketed permanent variance applications pursuant to California Code of Regulations, sections 411.2, and 411.3.

8.0 This Decision and Order shall remain in effect unless duly modified or revoked upon application by Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in the procedural manner prescribed.

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

Date: April 23, 2026

Michelle Iorio

Michelle Iorio, Hearing Officer

ADDENDUM 1

SUSPENSION MEANS REPLACEMENT REPORTING REQUIREMENTS

Beginning on the date the Board adopts this Proposed Decision and continuing for a period of two years, the Applicant shall report to Cal/OSHA within 30 days any and all replacement activity performed on the elevator(s) pursuant to the requirements of ASME A17.1-2004, section 8.6.3 involving the suspension means or suspension means fastenings.

Further:

(1) A separate report for each elevator shall be submitted, in a manner acceptable to Cal/OSHA, to the following address (or to such other address as Cal/OSHA might specify in the future): Cal/OSHA Elevator Unit, Attn: Engineering section, 2 MacArthur Place Suite 700, Santa Ana, CA 92707.

(2) Each such report shall contain, but not necessarily be limited to, the following information:

(a) The State-issued conveyance number, complete address, and Permanent Variance file number that identifies the permanent variance.

(b) The business name, complete address, telephone number, and contact person of the elevator responsible party (presumably the Applicant or the subsequent holder of this variance).

(c) The business name, complete address, telephone number, and Certified Qualified Conveyance Company (CQCC) certification number of the firm performing the replacement work.

(d) The name (as listed on certification), Certified Competent Conveyance Mechanic (CCCM) certification number, and certification expiration date of each CCCM performing the replacement work.

(e) The date and time the elevator was removed from normal service for suspension replacement, the date and time the replacement work commenced, the date and time the replacement work was completed, and the date and time the elevator was returned to normal service.

(f) A detailed description of, and clear color photographs depicting, (1) all the conditions that existed in the suspension components requiring their replacement and (2) any conditions that existed to cause damage or distress to the suspension components being replaced.

(g) A detailed list of all elevator components adjusted, repaired, or replaced in conjunction with the suspension component replacement.

(h) All information provided on the crosshead data plate per ASME A17.1-2004, section

2.20.2.1, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

(i) For the suspension means being replaced, all information provided on the data tag required per ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

(j) For the replacement suspension means, all information provided on the data tag required by ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

(k) Any other information requested by Cal/OSHA regarding the replacement of the suspension means or fastenings.

In addition to the submission of the report to Cal/OSHA, the findings of any testing, failure analysis, or other engineering evaluations performed on any portion of the replaced suspension components, or other elevator components replaced in conjunction therewith, shall be submitted to Cal/OSHA referencing the information contained in item 2(a) above.

ADDENDUM 2

CIRCULAR LETTER E-10-04, October 6, 2010

TO: Installers, Manufacturers of Conveyances and Related Equipment and, Other Interested Parties

SUBJECT: Coated Steel Belt Monitoring

The Elevator Safety Orders require routine inspection of the suspension means of an elevator to assure its safe operation.

The California Labor Code section 7318 allows Cal/OSHA to promulgate special safety orders in the absence of regulation.

As it is not possible to see the steel cable suspension means of a Coated Steel Belt, a monitoring device which has been accepted by Cal/OSHA is required on all Coated Steel Belts which will automatically stop the car if the residual strength of any belt drops below 60%. The Device shall prevent the elevator from restarting after a normal stop at a landing.

The monitoring device must be properly installed and functional. A functioning device may be removed only after a determination has been made that the residual strength of each belt exceeds 60%. These findings and the date of removal are to be conspicuously documented in the elevator machine room. The removed device must be replaced or returned to proper service within 30 days.

If upon routine inspection, the monitoring device is found to be in a non-functional state, the date and findings are to be conspicuously documented in the elevator machine room.

If upon inspection by Cal/OSHA, the monitoring device is found to be non-functional or removed, and the required documentation is not in place, the elevator will be removed from service.

If the device is removed to facilitate belt replacement, it must be properly installed and functional before the elevator is returned to service.

A successful test of the device's functionality shall be conducted once a year.

This circular does not preempt Cal/OSHA from adopting regulations in the future, which may address the monitoring of Coated Steel Belts or any other suspension means.

This circular does not create an obligation on the part of Cal/OSHA to permit new conveyances utilizing Coated Steel Belts.

Debra Tudor
Principal Engineer
Cal/OSHA-Elevator Unit HQ

ADDENDUM 3

(A) A Residual Strength Detection Device (RSDD) shall continuously monitor all Elastomeric Coated Steel Belt suspension members (ECSB), automatically stopping the car if the residual strength of any belt drops below 60%. The RSDD shall prevent the elevator from restarting after a normal stop at a landing. The RSDD shall device shall apply a form of electrical current and/or signal through the entire length of the steel tension elements of the ECSB and measure the current and/or signal on its return. The values measured shall be continuously compared to values that have been correlated to the remaining residual strength of the ECSB through testing. The required RSDD shall not rely upon giant magnetoresistance technology, or other magnetic measurement means, for residual strength detection or monitoring.

The RSDD must be properly installed and functional. A functioning device may be removed only after a determination has been made that the residual strength of each belt exceeds 60%. These findings and the date of removal are to be conspicuously documented in the elevator machine room or controller location. The removed RSDD must be replaced or returned to proper service within 30 days. If upon routine inspection, the RSDD device is found to be in a non-functional state, the date and findings are to be conspicuously documented in the elevator machine room or controller location.

If upon inspection by Cal/OSHA, the RSDD is found to be non-functional or removed, and the required documentation is not in place, the elevator will be removed from service. If the device is removed to facilitate belt replacement, it must be properly installed and functional before the elevator is returned to service.

(B) On or before November 21 2021, and thereafter, the above specified and documented RSDD shall be installed and operational on the subject elevator.

(C) A successful functionality test of each RSDD shall be conducted once a year, and a copy of completed testing documentation conspicuously located in the machine room or within proximity of the controller.

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application for Permanent Variance Regarding: KONE Monospace 300 Elevators & Medical Emergency Elevator Car Dimensions (Group IV)	Permanent Variance No: See section A.1 table below **PROPOSED DECISION** Hearing Date: April 22, 2026 Location: Zoom

A. Subject Matter

1. The applicants ("Applicants") below have applied for permanent variances from provisions of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, all references in this matter are to the California Code of Regulations, title 8. The variance applications are as follows:

Permanent Variance No.	Applicant Name	Variance Location Address	No. of Conveyances
25-V-354	Fresno Hospitality LLC	6965 West Farrington Ave., Fresno, CA	2
26-V-080	AFH Casa Colibri LP	15081 Jackson Street, Midway City, CA	1
26-V-128	Archway Recovery Services	2451 Peach Tree Dr., Fairfield, California	1
26-V-129	Liminal Line LLC	537 Stevenson Street, San Francisco, California	1

2. This proceeding is conducted in accordance with Labor Code section 143 and section 401, et seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026 via videoconference by the Board with Hearing Officer, Michelle Iorio, both presiding and hearing the matter on its merit as a basis of proposed decision to be advanced to the Board for its consideration.

2. At the hearing, Fuei Saetern, with KONE INC., appeared on behalf of each Applicant; and Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health

("Cal/OSHA").

3. Documentary and oral evidence was received at the hearing, and by stipulation of all parties, documents were admitted into evidence:

Exhibit Number	Description of Exhibit
PD1	Application(s) for Permanent Variance per section A.1 table
PD2	OSHSB Notice of Hearing
PD3	Cal/OSHA Review of Variance Application
PD4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the Elevator Safety Order requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Findings of Fact

1. Each respective Applicant intends to utilize the KONE, Inc. Monospace 300 type elevator, in the quantity, at the location, specified per the above section A.1 table.
2. The installation contract for this elevator was or will be signed on or after May 1, 2008, thus making the elevator subject to the Group IV Elevator Safety Orders.
3. Each Applicant proposes to use hoisting ropes that are 8 mm in diameter which also consist of 0.51 mm diameter outer wires, in variance from the express requirements of ASME A17.1-2004, section 2.20.4.
4. In relevant part, ASME A17.1-2004, section 2.20.4 states:

   2.20.4 Minimum Number and Diameter of Suspension Ropes

   …The minimum diameter of hoisting and counterweight ropes shall be 9.5 mm (0.375 in.). Outer wires of the ropes shall be not less than 0.56 mm (0.024 in.) in diameter.
5. An intent of ASME A17.1-2004, section 2.20.4, is to ensure that the number, diameter, and construction of suspension ropes are adequate to provided safely robust and durable suspension means over the course of the ropes' foreseen service life.
6. KONE has represented to Cal/OSHA, having established an engineering practice for purposes of Monospace 300 elevator design, of meeting or exceeding the minimum factor of safety of 12 for 8 mm suspension members, as required in ASME A17.1-2010 - under which, given that factor of safety, supplemental broken suspension member protection is not required.
7. Also, each Applicant proposes as a further means of maintaining safety equivalence, monitoring the rope in conformity with the criteria specified within the *Inspector's Guide to 6 mm Diameter Governor and 8 mm Diameter Suspension Ropes for KONE Elevators* (per Application attachment "B", or as thereafter revised by KONE subject Cal/OSHA approval).
8. In addition, each Applicant has proposed to utilize 6 mm diameter governor ropes in variance from Title 8, section 3141, incorporated ASME A17.1-2004, section 2.18.5.1.
9. ASME A17.1-2004, section 2.18.5.1, specifies, in relevant part:

2.18.5.1 Material and Factor of Safety.

… [Governor ropes] not less than 9.5 mm (0.375 in.) in diameter. The factor of safety of governor ropes shall be not less than 5…

10. The Board takes notice of section 3141.7, subpart (a)(10):

    A reduced diameter governor rope of equivalent construction and material to that required by ASME A17.1-2004, is permissible if the factor of safety as related to the strength necessary to activate the safety is 5 or greater;

11. Applicants propose use of 6mm governor rope having a safety factor of 5 or greater, in conformity with section 3141.7(a)(10), the specific parameters of which, being expressly set out within the Elevator Safety Orders (ESO), take precedence over more generally referenced governor rope diameter requirements per ASME A17.1-2004, section 2.18.5.1. Accordingly, the governor rope specifications being presently proposed, inclusive of a factor of safety of 5 or greater, would comply with current requirements, and therefore not be subject to issuance of permanent variance.

12. Absent evident diminution in elevator safety, over the past decade the Board has issued numerous permanent variances for use in KONE (Ecospace) elevator systems of 8 mm diameter suspension rope materially similar to that presently proposed (e.g. Permanent Variance Nos. 06-V-203, 08-V-245, and 13-V-303).

13. As noted by the Board in permanent Variance Nos. 18-V-044, and 18-V-045, Decision and Order Findings, subpart B.17 (hereby incorporated by reference), the strength of wire rope operating as an elevator's suspension means does not remain constant over its years of projected service life. With increasing usage cycles, a reduction in the cross-sectional area of the wire rope normally occurs, resulting in decreased residual strength. This characteristic is of particular relevance to the present matter because, decreasing wire rope diameter is associated with a higher rate of residual strength loss. This foreseeable reduction in cross-sectional area primarily results from elongation under sheave rounding load, as well as from wear, and wire or strand breaks. However, these characteristics need not compromise elevator safety when properly accounted for in the engineering of elevator suspension means, and associated components.

14. The presently proposed wire rope is Wuxi Universal steel rope Co LTD. 8 mm 8x19S+8x7+PP, with a manufacturer rated breaking strength of 35.8 kN, and an outer wire diameter of less than 0.56 mm, but not less than 0.51 mm. Cal/OSHA's safety engineer has scrutinized the material and structural specifications, and performance testing data, of this particular proposed rope, and concluded it will provide for safety equivalent to ESO compliant 9.5 mm wire rope, with 0.56 mm outer wire (under conditions of use included within the below Decision and Order).

15. The applicant supplies tabulated data regarding the "Maximum Static Load on All Suspension Ropes." To obtain the tabulated data, the applicant uses the following formula derived from ASME A17.1 2004, section 2.20.3:

$$W = \frac{(S \times N)}{f}$$ *where:*

W = maximum static load imposed on all car ropes with the car and its rated load at any position in the hoistway

N = number of runs of rope under load. For 2:1 roping, N shall be two times the number of ropes used, etc.

S = manufacturer's rated breaking strength of one rope

f = the factor of safety from Table 2.20.3

16. ASME A17.1-2010 sections 2.20.3 and 2.20.4 utilize the same formula, but provide for use of suspension ropes having a diameter smaller than 9.5 mm, under specified conditions, key among them being that use of ropes having a diameter of between 8 mm to 9.5 mm be engineered with a factor of safety of 12 or higher This is a higher minimum factor of safety than that proposed by Applicant but a minimum recommended by Cal/OSHA as a condition of variance necessary to the achieving of safety equivalence to 9.5 mm rope

17. Cal/OSHA is in accord with Applicant, in proposing as a condition of safety equivalence, that periodic physical examination of the wire ropes be performed to confirm the ropes continue to meet the criteria set out in the (Application attachment) *Inspector's Guide to 6 mm Diameter Governor and 8 mm Diameter Suspension Ropes for KONE Elevators*. Adherence to this condition will provide an additional assurance of safety equivalence, regarding smaller minimum diameter suspension rope outer wire performance over the course of its service life.

18. Applicant requests a permanent variance from section 3041, subdivision (e)(1)(C), which states:

    (1) All buildings and structures constructed after the effective date of this order that are provided with one or more passenger elevators shall be provided with not less than one passenger elevator designed and designated to accommodate the loading and transport of an ambulance gurney or stretcher maximum size 22 ½ in. (572 mm) by 75 in. (1.90 m) in its horizontal position and arranged to serve all landings in conformance with the following:

    ...

    (C) The elevator car shall have a minimum inside car platform of 80 in. (2.03 m) wide by 51 in. (1.30 m) deep.

    The intent of this language is to ensure that there is enough space to accommodate the access and egress of a gurney and medical personnel inside of a medical service elevator.

    This standard is made applicable to Group IV by section 3141.7, subdivision (b), which reads, "Elevators utilized to provide medical emergency service shall comply with Group II, section 3041(e)."

19. Applicant proposes to comply with the requirements of the 2019 California Building Code, section 3002.4.1a in the design of its medical emergency service elevator. That section requires:

    The medical emergency service elevator shall accommodate the loading and transport of two emergency personnel, each requiring a minimum clear 21-inch (533 mm) diameter circular area and an ambulance gurney or stretcher [minimum size 24 inches by 84 inches (610 mm by 2134 mm) with not less than 5-inch (127 mm) radius corners] in the horizontal, open position.

The purpose of this requirement is to ensure that an elevator designated for emergency medical service will accommodate a minimum of two emergency personnel with an ambulance gurney or stretcher.

20. Cal/OSHA, by way of written submission to the record (Exhibit PD3), and stated position at hearing, is of the well informed opinion that grant of permanent variance, as limited and conditioned per the below Decision and Order will provide employment, places of employment, and subject conveyances, as safe and healthful as would prevail given non-variant conformity with the requirements from which variance has been requested.

D. Conclusive Findings

A preponderance of the evidence supports the finding that each Applicants' proposal, subject to all conditions and limitations set forth in the below Decision and Order, will provide equivalent safety and health to that which would prevail upon full compliance with the requirements of the Elevator Safety Orders from which variance is being sought.

E. Decision and Order

Each Application being the subject of this proceeding, per above section A.1 table, is conditionally GRANTED, to the extent that each such Applicant shall be issued permanent variance from section 3141 incorporated ASME A17.1-2004, section 2.20.4, in as much as it precludes use of suspension rope of between 8 mm and 9.5 mm, or outer wire of between 0.51 mm and 0.56 mm in diameter, at such locations and numbers of Group IV KONE Monospace 300 elevators identified in each respective Application, subject to the following conditions:

1. The diameter of the hoisting steel ropes shall be not less than 8 mm (0.315 in) diameter and the roping ratio shall be two to one (2:1).
2. The outer wires of the suspension ropes shall be not less than 0.51 mm (0.02 in.) in diameter.
3. The number of suspension ropes shall be not fewer than those specified per hereby incorporated Decision and Order Appendix 1 Table.
4. The ropes shall be inspected annually for wire damage (rouge, valley break etc.) in accordance with "KONE, Inc. Inspector's Guide to 6 mm diameter and 8 mm diameter steel ropes for KONE Elevators" (per Application Exhibit B, or as thereafter amended by KONE subject to Cal/OSHA approval).
5. A rope inspection log shall be maintained and available in the elevator controller room / space at all times.
6. The elevator rated speed shall not exceed those speeds specified per the Decision and Order Appendix 1 Table.
7. The maximum suspended load shall not exceed those weights (plus 5%) specified per the Decision and Order Appendix 1 Table.
8. The opening to the hoistway shall be effectively barricaded when car top inspection, maintenance, servicing, or testing of the elevator equipment in the hoistway is required. If the service personnel must leave the area for any reason, the hoistway and control room doors shall be closed.

9. The installation shall meet the suspension wire rope factor of safety requirements of ASME A17.1-2013 section 2.20.3.
10. Any Certified Qualified Conveyance Company performing inspections, maintenance, servicing or testing the elevators shall be provided a copy of this variance decision.
11. Cal/OSHA shall be notified when the elevator is ready for inspection. The elevator shall be inspected by Cal/OSHA and a “Permit to Operate” issued before the elevator is placed in service.
12. The Applicant shall comply with suspension means replacement reporting condition per hereby incorporated Decision and Order Appendix 2.
13. All medical emergency service elevator(s) shall comply with the requirements of the 2019 California Building Code section 3002.4.1a:

    The medical emergency service elevator shall accommodate the loading and transport of two emergency personnel, each requiring a minimum clear 21-inch (533 mm) diameter circular area and an ambulance gurney or stretcher [minimum size 24 inches by 84 inches (610 mm by 2134 mm) with not less than 5-inch (127 mm) radius corners] in the horizontal, open position.
14. All medical emergency service elevator(s) shall be identified in the building construction documents in accordance with the 2019 California Building Code, section 3002.4a.
15. Dimensional drawings and other information necessary to demonstrate compliance with the conditions of this permanent variance decision shall be provided to Cal/OSHA, at the time of inspection, for all medical emergency service elevator(s).
16. The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way and to the same extent that employees and authorized representatives are to be notified of docketed permanent variance applications pursuant to sections 411.2 and 411.3.
17. This Decision and Order shall remain in effect unless modified or revoked upon application by the Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in the procedural manner prescribed.

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

DATED: April 23, 2026

Michelle Iorio

Michelle Iorio, Hearing Officer

APPENDIX 1

Variance Number	Elevator ID	Minimum Quantity of Ropes (per Condition 3)	Maximum Speed in Feet per Minute (per Condition 6)	Maximum Suspended Load (per Condition 7)
25-V-354	1 2	7 7	150 150	12,247 12,247
26-V-080	1	7	150	12,247
26-V-128	1	7	150	12,247
26-V-129	1	7	150	12,247

APPENDIX 2

Suspension Means - Replacement Reporting Condition

Beginning on the date the Board adopts this Proposed Decision and continuing for a period of two years, the Applicant shall report to Cal/OSHA within 30 days any and all replacement activity performed on the elevator(s) pursuant to the requirements of ASME A17.1-2004, section 8.6.3 involving the suspension means or suspension means fastenings.

Further:

1. A separate report for each elevator shall be submitted, in a manner acceptable to Cal/OSHA, to the following address (or to such other address as Cal/OSHA might specify in the future): Cal/OSHA Elevator Unit, 2 MacArthur Place, Suite 700, Santa Ana, CA 92707, Attn: Engineering section.
2. Each such report shall contain, but not necessarily be limited to, the following information:
    a. The State-issued conveyance number, complete address, and Permanent Variance number that identifies the permanent variance.
    b. The business name, complete address, telephone number, and contact person of the elevator responsible party (presumably the Applicant or the subsequent holder of this variance).
    c. The business name, complete address, telephone number, and Certified Qualified Conveyance Company (CQCC) certification number of the firm performing the replacement work.
    d. The name (as listed on certification), Certified Competent Conveyance Mechanic (CCCM) certification number, certification expiration date, and signature of each CCCM performing the replacement work.
    e. The date and time the elevator was removed from normal service for suspension replacement, the date and time the replacement work commenced, the date and time the replacement work was completed, and the date and time the elevator was returned to normal service.
    f. A detailed description of, and clear color photographs depicting, (1) all the conditions that existed in the suspension components requiring their replacement and (2) any conditions that existed to cause damage or distress to the suspension components being replaced.
    g. A detailed list of all elevator components adjusted, repaired, or replaced in conjunction with the suspension component replacement.
    h. All information provided on the crosshead data plate per ASME A17.1-2004, section 2.20.2.1, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.
    i. For the suspension means being replaced, all information provided on the data tag required per ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is

modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

j. For the replacement suspension means, all information provided on the data tag required by ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

k. Any other information requested by Cal/OSHA regarding the replacement of the suspension means or fastenings.

3. In addition to the submission of the report to Cal/OSHA, the findings of any testing, failure analysis, or other engineering evaluations performed on any portion of the replaced suspension components, or other elevator components replaced in conjunction therewith, shall be submitted to Cal/OSHA referencing the information contained in item 2a above.

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application to Modify Permanent Variance by: Otis Gen2S/Gen3Edge/Gen3 Core Elevator & Medical Emergency Car Dimensions	Permanent Variance No.: 25-V-486M1 **PROPOSED DECISION** Hearing Date: April 22, 2026 Location: Zoom

A. Subject Matter

1. The following person or entity ("Applicant") has applied for a modification of permanent variance from provisions of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, all references in this matter are to the California Code of Regulations, title 8. The variance applications are as follows:

Preexisting Permanent Variance No.	Applicant Name	Variance Location	Preexisting Variance Elevator Type Granted	Number of Elevators
25-V-486	USS Trafalgar LLC	2903 4th Ave., San Diego, CA	Otis Medical Emergency Elevator Car Dimensions (Group IV)	2

2. This proceeding is conducted in accordance with Labor Code section 143 and section 401, et. seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026, via videoconference, by the Board, with Hearing Officer, Michelle Iorio, both presiding and hearing the matter on its merit, in accordance with section 426.

2. At the hearing Dan Leacox of Leacox & Associates appeared on behalf of the Applicant; and Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Documentary and oral evidence was received at the hearing, and by stipulation of all parties, documents were admitted into evidence:

Exhibit Number	Description of Exhibit
PD-1	Application for modification of Permanent Variance
PD-2	OSHSB Notice of Hearing
PD-3	Cal/OSHA Review of Variance Application
PD-4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the Elevator Safety Order requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Findings of Fact

1. The Applicant requests modification of the elevator type to add variances necessary for Otis elevators branded Gen2S, Gen3 Edge, and Gen3 CORE.

2. The Applicant seeks to modify the permanent variance to include the provisions of the section 3141 [ASME A17.1-2004, Sections 2.20.1, 2.20.2.1, 2.20.2.2(a), 2.20.2.2(f), 2.20.3, 2.20.4, 2.20.9.3.4, 2.20.9.5.4, 2.14.1.7.1, 8.4.10.1.1(a)(2)(b), 2.26.1.4.4(a), 2.18.4.2.5(a), 2.18.7.4, 2.18.5.1], and section 3141.7(b) [Ref. 3041(e)(1)(C)] of the Elevator Safety Orders, with respect to the suspension ropes and connections, car top railings and seismic reset switch relocation, inspection transfer switch relocation, speed reducing switch relocation, governor sheave diameter, reduced diameter governor rope, and the minimum car interior platform size for medical emergency elevators.

3. Cal/OSHA, by way of written submissions to the record (Exhibit PD-3), and position stated at hearing, is of the well informed opinion that grant of requested modification of permanent variance, as limited and conditioned per the below Decision and Order will provide employment, places of employment, and subject conveyances, as safe and healthful as would prevail given non-variant conformity with the Elevator Safety Order requirements from which variance has been requested.

D. Decision and Order

Permanent Variance Application No. 25-V-486M1 is conditionally GRANTED, thereby modifying Board records, such that each elevator being the subject of Permanent Variance Nos. 25-V-486 and 25-V-486M1, shall have permanent variances from the following sections of ASME A17.1-2004 that section 3141 makes applicable to the elevators the subject of those applications:

- **Car top railing**: sections 2.14.1.7.1 (to permit an inset car top railing, if, in fact, the car top railing is inset);

- **Speed governor over-speed switch**: 2.18.4.2.5(a) (to permit the use of the speed reducing system proposed by the Applicants, where the speed reducing switch resides in the controller algorithms, rather than on the governor, with the necessary speed input supplied by the main encoder signal from the motor);

- **Governor rope diameter**: 2.18.5.1 (to allow the use of reduced diameter governor rope);

- **Pitch diameter**: 2.18.7.4 (to permit the use of the speed-reducing system proposed by the Applicant, where the rope sheave pitch diameter is not less than 180 mm [7.1 in.]);

- **Suspension means**: 2.20.1, 2.20.2.1, 2.20.2.2(a), 2.20.2.2(f), 2.20.3, 2.20.4, 2.20.9.3.4 and 2.20.9.5.4—the variances from these "suspension means" provisions to permit the use of Otis Gen2 flat coated steel suspension belts in lieu of conventional steel suspension ropes;

- **Inspection transfer switch**: 2.26.1.4.4(a) (to allow the inspection transfer switch to reside at a location other than a machine room, if, in fact, it does not reside in the machine room); and

- **Seismic reset switch**: 8.4.10.1.1(a)(2)(b) (to allow the seismic reset switch to reside at a location other than a machine room, if, in fact, it does not reside in the machine room).

- **Minimum Inside Car Platform Dimensions**: 3041(e)(1)(C) and 3141.7(b) (to comply with the performance-based requirements of the 2019 California Building Code section 3002.4.1a)

These variances apply to the locations and numbers of elevators stated in the section A table (so long as the elevators are Gen3 Edge/Gen2S Group and Gen3 Core & Medical Emergency Elevator Car Dimensions (Group IV) that are designed, equipped, and installed in accordance with, and are otherwise consistent with, and are subject to the following conditions:

1. The suspension system shall comply with the following:

    a. The coated steel belt and connections shall have factors of safety equal to those permitted for use by section 3141 [ASME A17.1-2004, section 2.20.3] on wire rope suspended elevators.

    b. Steel coated belts that have been installed and used on another installation shall not be reused.

    c. The coated steel belt shall be fitted with a monitoring device which has been accepted by Cal/OSHA and which will automatically stop the car if the residual strength of any single belt drops below 60 percent. If the residual strength of any single belt drops below 60 percent, the device shall prevent the elevator from restarting after a normal stop at a landing.

d. Upon initial inspection, the readings from the monitoring device shall be documented and submitted to Cal/OSHA.

e. A successful test of the monitoring device's functionality shall be conducted at least once a year (the record of the annual test of the monitoring device shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).

f. The coated steel belts used shall be accepted by Cal/OSHA.

2. With respect to each elevator subject to this variance, the applicant shall comply with Cal/OSHA Circular Letter E-10-04, the substance of which is attached hereto as Addendum 1 and incorporated herein by this reference.

3. The Applicant shall not utilize the elevator unless the manufacturer has written procedures for the installation, maintenance, inspection, and testing of the belts and monitoring device and criteria for belt replacement, and the applicant shall make those procedures and criteria available to Cal/OSHA upon request.

4. The flat coated steel belts shall be provided with a metal data tag that is securely attached to one of those belts. This data tag shall bear the following flat steel coated belt data:

   a. The width and thickness in millimeters or inches;

   b. The manufacturer's rated breaking strength in (kN) or (lbf);

   c. The name of the person or organization that installed the flat coated steel belts;

   d. The month and year the flat coated steel belts were installed;

   e. The month and year the flat coated steel belts were first shortened;

   f. The name or trademark of the manufacturer of the flat coated steel belts; and

   g. Lubrication information.

5. There shall be a crosshead data plate of the sort required by section 2.20.2.1, and that plate shall bear the following flat steel coated belt data:

   a. The number of belts;

   b. The belt width and thickness in millimeters or inches; and

   c. The manufacturer's rated breaking strength per belt in (kN) or (lbf).

6. The opening to the hoistway shall be effectively barricaded when car top inspection, maintenance, servicing, or testing of elevator equipment in the hoistway is required. If

20.

service personnel must leave the area for any reason, the hoistway and control room doors shall be closed.

7. If there is an inset car top railing:

   a. Serviceable equipment shall be positioned so that mechanics and inspectors do not have to climb on railings to perform adjustment, maintenance, repairs or inspections. The applicant shall not permit anyone to stand on or climb over the car top railing.

   b. The distance that the car top railing may be inset shall be limited to no more than 6 inches.

   c. All exposed areas outside the car top railing shall preclude standing or placing objects or persons which may fall and shall be beveled from the mid- or top rail to the outside of the car top.

   d. The top of the beveled area and/or car top outside the railing, shall be clearly marked. The markings shall consist of alternating 4 inch diagonal red and white stripes.

   e. The applicant shall provide durable signs with lettering not less than ½ inch on a contrasting background on each inset railing; each sign shall state:

CAUTION
DO NOT STAND ON OR CLIMB OVER RAILING

   f. The Group IV requirements for car top clearances shall be maintained (car top clearances outside the railing shall be measured from the car top and not from the required bevel).

8. If the seismic reset switch does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the inspection and test control panel located in one upper floor hoistway door jamb or in the control space (outside the hoistway) used by the motion controller.

9. If the inspection transfer switch required by ASME A17.1, rule 2.26.1.4.4(a) does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the inspection and test control panel located in one upper floor hoistway door jamb or in the control space (outside the hoistway) used by the motion controller.

10. When the inspection and testing panel is located in the hoistway door jamb, the inspection and test control panel shall be openable only by use of a Security Group I restricted key.

11. The governor speed-reducing switch function shall comply with the following:

    a. It shall be used only with direct drive machines; i.e., no gear reduction is permitted between the drive motor and the suspension means.

    b. The velocity encoder shall be coupled to the driving machine motor shaft. The “C” channel of the encoder shall be utilized for velocity measurements required by the speed reducing system. The signal from “C” channel of the encoder shall be verified with the “A” and “B” channels for failure. If a failure is detected then an emergency stop shall be initiated.

    c. Control system parameters utilized in the speed-reducing system shall be held in non-volatile memory.

    d. It shall be used in conjunction with approved car-mounted speed governors only.

    e. It shall be used in conjunction with an effective traction monitoring system that detects a loss of traction between the driving sheave and the suspension means. If a loss of traction is detected, then an emergency stop shall be initiated.

    f. A successful test of the speed-reducing switch system’s functionality shall be conducted at least once a year (the record of the annual test of the speed-reducing switch system shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).

    g. A successful test of the traction monitoring system’s functionality shall be conducted at least once a year (the record of the annual test of the traction monitoring system shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).

    h. The Applicant shall not utilize the elevator unless the manufacturer has written procedures for the maintenance, inspection, and testing of the speed-reducing switch and traction monitoring systems. The Applicant shall make the procedures available to Cal/OSHA upon request.

12. The speed governor rope and sheaves shall comply with the following:

    a. The governor shall be used in conjunction with a 6 mm (0.25 in.) diameter steel governor rope with 6-strand, regular lay construction.

    b. The governor rope shall have a factor of safety of 8 or greater as related to the strength necessary to activate the safety.

    c. The governor sheaves shall have a pitch diameter of not less than 180 mm (7.1 in.).

13. All medical emergency service elevators shall comply with the following:

    a. The requirements of the 2019 California Building Code (CBC), section 3002.4.1a;

    > *The medical emergency service elevator shall accommodate the loading and transport of two emergency personnel, each requiring a minimum clear 21-inch (533 mm) diameter circular area and an ambulance gurney or stretcher [minimum size 24 inches by 84 inches (610 mm by 2134 mm) with not less than 5-inch (127 mm) radius corners] in the horizontal, open position."*

    b. All medical emergency service elevators shall be identified in the building construction documents in accordance with the 2019 CBC, section 3002.4a.

    c. Dimensional drawings and other information necessary to demonstrate compliance with these conditions shall be provided to Cal/OSHA, at the time of inspection, for all medical emergency service elevator(s).

14. The elevator shall be serviced, maintained, adjusted, tested, and inspected only by Certified Competent Conveyance Mechanics who have been trained to, and are competent to, perform those tasks on the Gen3 Edge/Gen2S elevator system in accordance with the written procedures and criteria required by Condition No. 3 and in accordance with the terms of this permanent variance.

15. Any Certified Qualified Conveyance Company performing inspections, maintenance, servicing, or testing of the elevators shall be provided a copy of this variance decision.

16. Cal/OSHA shall be notified when the elevator is ready for inspection. The elevator shall be inspected by Cal/OSHA, and a Permit to Operate shall be issued before the elevator is placed in service.

17. The Applicant shall be subject to the Suspension Means – Replacement Reporting Condition stated in Addendum 2, as hereby incorporated by this reference.

18. The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way and to the same extent that employees and authorized representatives are to be notified of docketed permanent variance applications.

19. This Decision and Order shall remain in effect unless modified or revoked upon application by the Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in accordance with the Board's procedural regulations at section 426, subdivision (b).

20. Permanent Variance No. 25-V-486, being only modified as to the additional variances sought specified in above Decision and Order section 1, is otherwise unchanged and remaining in full force and effect, as hereby incorporated by reference into this Decision and Order of Permanent Variance No. 25-V-486M1.

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

Dated: April 23, 2026

Michelle Iorio

Michelle Iorio, Hearing Officer

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application for Permanent Variance Regarding: KONE Medical Emergency Elevator Car Dimensions	Permanent Variance No: See section A.1 table below **PROPOSED DECISION** Hearing Date: April 22, 2026 Location: Zoom

A. Subject Matter

1. The applicants ("Applicants") below have applied for permanent variances from provisions of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, all references in this matter are to the California Code of Regulations, title 8. The variance applications are as follows:

Permanent Variance No.	Applicant Name	Variance Location Address	No. of Conveyances
26-V-061	California State University San Marcos	303 Campus View Dr. San Marcos, CA	N/A
26-V-093	1400 Long Beach, LP	1400 Long Beach Blvd. Long Beach, CA	N/A
26-V-095	Bar Investors, JV	5620 Calle Real Goleta, CA	N/A

2. This proceeding is conducted in accordance with Labor Code section 143 and section 401, et seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026 via videoconference by the Board with Hearing Officer Kelly Chau, both presiding and hearing the matter on its merit as a basis of proposed decision to be advanced to the Board for its consideration.

2. At the hearing, Fuei Saetern, with KONE Inc., appeared on behalf of each Applicant; and

Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Documentary and oral evidence was received at the hearing, and by stipulation of all parties, documents were admitted into evidence:

Exhibit Number	Description of Exhibit
PD1	Application(s) for Permanent Variance per section A.1 table
PD2	OSHSB Notice of Hearing
PD3	Cal/OSHA Review of Variance Application
PD4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the Elevator Safety Order requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Findings of Fact and Applicable Regulations

1. Applicant requests a permanent variance from section 3041, subdivision (e)(1)(C), which states:

> (1) All buildings and structures constructed after the effective date of this order that are provided with one or more passenger elevators shall be provided with not less than one passenger elevator designed and designated to accommodate the loading and transport of an ambulance gurney or stretcher maximum size 22 ½ in. (572 mm) by 75 in. (1.90 m) in its horizontal position and arranged to serve all landings in conformance with the following:
>
> ...
>
> (C) The elevator car shall have a minimum inside car platform of 80 in. (2.03 m) wide by 51 in. (1.30 m) deep.

The intent of this language is to ensure that there is enough space to accommodate the access and egress of a gurney and medical personnel inside of a medical service elevator.

This standard is made applicable to Group IV by section 3141.7, subdivision (b), which reads, "Elevators utilized to provide medical emergency service shall comply with Group II, section 3041(e)."

2. Applicant proposes to comply with the requirements of the 2019 California Building Code, section 3002.4.1a in the design of its medical emergency service elevator. That section requires:
The medical emergency service elevator shall accommodate the loading and transport of two emergency personnel, each requiring a minimum clear 21-inch (533 mm) diameter circular area and an ambulance gurney or stretcher [minimum size 24 inches by 84 inches (610 mm by 2134 mm) with not less than 5-inch (127 mm) radius corners] in the horizontal, open position.

The purpose of this requirement is to ensure that an elevator designated for emergency medical service will accommodate a minimum of two emergency personnel with an ambulance gurney or stretcher.

D. Conclusive Findings

A preponderance of the evidence supports the finding that each Applicants' proposal, subject to all conditions and limitations set forth in the below Decision and Order, will provide equivalent safety and health to that which would prevail upon full compliance with the requirements of the Elevator Safety Orders from which variance is being sought.

E. Decision and Order

Each permanent variance application the subject of this proceeding is conditionally GRANTED as specified below, and to the extent, as of the date the Board adopts this Proposed Decision, each Applicant listed in the above section A.1 table shall have permanent variances from sections 3041, subdivision (e)(1)(C) and 3141.7, subdivision (b) subject of the following conditions:

1. All medical emergency service elevator(s) shall comply with the requirements of the 2019 California Building Code section 3002.4.1a:

   > The medical emergency service elevator shall accommodate the loading and transport of two emergency personnel, each requiring a minimum clear 21-inch (533 mm) diameter circular area and an ambulance gurney or stretcher [minimum size 24 inches by 84 inches (610 mm by 2134 mm) with not less than 5-inch (127 mm) radius corners] in the horizontal, open position.

2. All medical emergency service elevator(s) shall be identified in the building construction documents in accordance with the 2019 California Building Code, section 3002.4a.
3. Dimensional drawings and other information necessary to demonstrate compliance with the conditions of this permanent variance decision shall be provided to Cal/OSHA, at the time of inspection, for all medical emergency service elevator(s).
4. Any Certified Qualified Conveyance Company performing inspections, maintenance, servicing, or testing the elevators shall be provided a copy of this variance decision.
5. Cal/OSHA shall be notified when the elevator is ready for inspection. The elevator shall be inspected by Cal/OSHA, and all applicable requirements met, including conditions of this permanent variance, prior to a Permit to Operate the elevator being issued. The elevator shall not be placed in service prior to the Permit to Operate being issued by Cal/OSHA.
6. Applicant shall notify its employees and their authorized representative, of this order in the same way and to the same extent that employees and authorized representatives are to be notified of docketed permanent variance applications pursuant to sections 411.2 and 411.3.
7. This Decision and Order shall remain in effect unless duly modified or revoked upon application by Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in accordance with then in effect administrative procedures of the Board.

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

DATED: April 24, 2026

Michelle Iorio

Michelle Iorio, Hearing Officer

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application for Permanent Variance Regarding: KONE Monospace 300 Elevators & Medical Emergency Elevator Car Dimensions (Group IV)	Permanent Variance No: See section A.1 table below **PROPOSED DECISION** Hearing Date: March 25, 2026 Location: Zoom

A. Subject Matter

1. The applicants ("Applicants") below have applied for permanent variances from provisions of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, all references in this matter are to the California Code of Regulations, title 8. The variance applications are as follows:

Permanent Variance No.	Applicant Name	Variance Location Address	No. of Conveyances
26-V-068	Capalina SMA, LLC	1582 Capalina Rd., San Marcos, CA	1

2. This proceeding is conducted in accordance with Labor Code section 143 and section 401, et seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on March 25, 2026 via videoconference by the Board with Hearing Officer, Kelly Chau, both presiding and hearing the matter on its merit as a basis of proposed decision to be advanced to the Board for its consideration.

2. At the hearing, Fuei Saetern, with KONE INC., appeared on behalf of each Applicant; and Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Documentary and oral evidence was received at the hearing, and by stipulation of all parties, documents were admitted into evidence:

Exhibit Number	Description of Exhibit
PD1	Application(s) for Permanent Variance per section A.1 table
PD2	OSHSB Notice of Hearing
PD3	Cal/OSHA Review of Variance Application

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the Elevator Safety Order requirements from which variance shall issue. On March 25, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Findings of Fact

1. Each respective Applicant intends to utilize the KONE, Inc. Monospace 300 type elevator, in the quantity, at the location, specified per the above section A.1 table.
2. The installation contract for this elevator was or will be signed on or after May 1, 2008, thus making the elevator subject to the Group IV Elevator Safety Orders.
3. Each Applicant proposes to use hoisting ropes that are 8 mm in diameter which also consist of 0.51 mm diameter outer wires, in variance from the express requirements of ASME A17.1-2004, section 2.20.4.
4. In relevant part, ASME A17.1-2004, section 2.20.4 states:

   2.20.4 Minimum Number and Diameter of Suspension Ropes

   …The minimum diameter of hoisting and counterweight ropes shall be 9.5 mm (0.375 in.). Outer wires of the ropes shall be not less than 0.56 mm (0.024 in.) in diameter.
5. An intent of ASME A17.1-2004, section 2.20.4, is to ensure that the number, diameter, and construction of suspension ropes are adequate to provided safely robust and durable suspension means over the course of the ropes' foreseen service life.
6. KONE has represented to Cal/OSHA, having established an engineering practice for purposes of Monospace 300 elevator design, of meeting or exceeding the minimum factor of safety of 12 for 8 mm suspension members, as required in ASME A17.1-2010 - under which, given that factor of safety, supplemental broken suspension member protection is not required.
7. Also, each Applicant proposes as a further means of maintaining safety equivalence, monitoring the rope in conformity with the criteria specified within the *Inspector's Guide to 6 mm Diameter Governor and 8 mm Diameter Suspension Ropes for KONE Elevators* (per Application attachment "B", or as thereafter revised by KONE subject Cal/OSHA approval).
8. In addition, each Applicant has proposed to utilize 6 mm diameter governor ropes in variance from Title 8, section 3141, incorporated ASME A17.1-2004, section 2.18.5.1.
9. ASME A17.1-2004, section 2.18.5.1, specifies, in relevant part:

   2.18.5.1 Material and Factor of Safety.

   … [Governor ropes] not less than 9.5 mm (0.375 in.) in diameter. The factor of safety of governor ropes shall be not less than 5…
10. The Board takes notice of section 3141.7, subpart (a)(10):

    A reduced diameter governor rope of equivalent construction and material to that required by ASME A17.1-2004, is permissible if the factor of safety as related to the strength necessary to activate the safety is 5 or greater;

11. Applicants propose use of 6mm governor rope having a safety factor of 5 or greater, in conformity with section 3141.7(a)(10), the specific parameters of which, being expressly set out within the Elevator Safety Orders (ESO), take precedence over more generally referenced governor rope diameter requirements per ASME A17.1-2004, section 2.18.5.1. Accordingly, the governor rope specifications being presently proposed, inclusive of a factor of safety of 5 or greater, would comply with current requirements, and therefore not be subject to issuance of permanent variance.

12. Absent evident diminution in elevator safety, over the past decade the Board has issued numerous permanent variances for use in KONE (Ecospace) elevator systems of 8 mm diameter suspension rope materially similar to that presently proposed (e.g. Permanent Variance Nos. 06-V-203, 08-V-245, and 13-V-303).

13. As noted by the Board in permanent Variance Nos. 18-V-044, and 18-V-045, Decision and Order Findings, subpart B.17 (hereby incorporated by reference), the strength of wire rope operating as an elevator's suspension means does not remain constant over its years of projected service life. With increasing usage cycles, a reduction in the cross-sectional area of the wire rope normally occurs, resulting in decreased residual strength. This characteristic is of particular relevance to the present matter because, decreasing wire rope diameter is associated with a higher rate of residual strength loss. This foreseeable reduction in cross-sectional area primarily results from elongation under sheave rounding load, as well as from wear, and wire or strand breaks. However, these characteristics need not compromise elevator safety when properly accounted for in the engineering of elevator suspension means, and associated components.

14. The presently proposed wire rope is Wuxi Universal steel rope Co LTD. 8 mm 8x19S+8x7+PP, with a manufacturer rated breaking strength of 35.8 kN, and an outer wire diameter of less than 0.56 mm, but not less than 0.51 mm. Cal/OSHA's safety engineer has scrutinized the material and structural specifications, and performance testing data, of this particular proposed rope, and concluded it will provide for safety equivalent to ESO compliant 9.5 mm wire rope, with 0.56 mm outer wire (under conditions of use included within the below Decision and Order).

15. The applicant supplies tabulated data regarding the "Maximum Static Load on All Suspension Ropes." To obtain the tabulated data, the applicant uses the following formula derived from ASME A17.1 2004, section 2.20.3:

$$W = \frac{(S \times N)}{f}$$ *where:*

W = maximum static load imposed on all car ropes with the car and its rated load at any position in the hoistway

N = number of runs of rope under load. For 2:1 roping, N shall be two times the number of ropes used, etc.

S = manufacturer's rated breaking strength of one rope

f = the factor of safety from Table 2.20.3

16. ASME A17.1-2010 sections 2.20.3 and 2.20.4 utilize the same formula, but provide for use of suspension ropes having a diameter smaller than 9.5 mm, under specified conditions, key among them being that use of ropes having a diameter of between 8 mm to 9.5 mm be engineered with a factor of safety of 12 or higher This is a higher minimum factor of safety than that proposed by Applicant but a minimum recommended by Cal/OSHA as a condition of variance necessary to the achieving of safety equivalence to 9.5 mm rope

17. Cal/OSHA is in accord with Applicant, in proposing as a condition of safety equivalence, that periodic physical examination of the wire ropes be performed to confirm the ropes continue to meet the criteria set out in the (Application attachment) *Inspector's Guide to 6 mm Diameter Governor and 8 mm Diameter Suspension Ropes for KONE Elevators*. Adherence to this condition will provide an additional assurance of safety equivalence, regarding smaller minimum diameter suspension rope outer wire performance over the course of its service life.

18. Applicant requests a permanent variance from section 3041, subdivision (e)(1)(C), which states:

    (1) All buildings and structures constructed after the effective date of this order that are provided with one or more passenger elevators shall be provided with not less than one passenger elevator designed and designated to accommodate the loading and transport of an ambulance gurney or stretcher maximum size 22 ½ in. (572 mm) by 75 in. (1.90 m) in its horizontal position and arranged to serve all landings in conformance with the following:

    ...

    (C) The elevator car shall have a minimum inside car platform of 80 in. (2.03 m) wide by 51 in. (1.30 m) deep.

    The intent of this language is to ensure that there is enough space to accommodate the access and egress of a gurney and medical personnel inside of a medical service elevator.

    This standard is made applicable to Group IV by section 3141.7, subdivision (b), which reads, "Elevators utilized to provide medical emergency service shall comply with Group II, section 3041(e)."

19. Applicant proposes to comply with the requirements of the 2019 California Building Code, section 3002.4.1a in the design of its medical emergency service elevator. That section requires:

    The medical emergency service elevator shall accommodate the loading and transport of two emergency personnel, each requiring a minimum clear 21-inch (533 mm) diameter circular area and an ambulance gurney or stretcher [minimum size 24 inches by 84 inches (610 mm by 2134 mm) with not less than 5-inch (127 mm) radius corners] in the horizontal, open position.

    The purpose of this requirement is to ensure that an elevator designated for emergency medical service will accommodate a minimum of two emergency personnel with an ambulance gurney or stretcher.

20. Cal/OSHA, by way of written submission to the record (Exhibit PD3), and stated position at hearing, is of the well informed opinion that grant of permanent variance, as limited and conditioned per the below Decision and Order will provide employment, places of employment, and subject conveyances, as safe and healthful as would prevail given non-variant conformity with the requirements from which variance has been requested.

D. Conclusive Findings

A preponderance of the evidence supports the finding that each Applicants' proposal, subject to all conditions and limitations set forth in the below Decision and Order, will provide equivalent safety and health to that which would prevail upon full compliance with the requirements of the Elevator Safety Orders from which variance is being sought.

E. Decision and Order

Each Application being the subject of this proceeding, per above section A.1 table, is conditionally GRANTED, to the extent that each such Applicant shall be issued permanent variance from section 3141 incorporated ASME A17.1-2004, section 2.20.4, in as much as it precludes use of suspension rope of between 8 mm and 9.5 mm, or outer wire of between 0.51 mm and 0.56 mm in diameter, at such locations and numbers of Group IV KONE Monospace 300 elevators identified in each respective Application, subject to the following conditions:

1. The diameter of the hoisting steel ropes shall be not less than 8 mm (0.315 in) diameter and the roping ratio shall be two to one (2:1).
2. The outer wires of the suspension ropes shall be not less than 0.51 mm (0.02 in.) in diameter.
3. The number of suspension ropes shall be not fewer than those specified per hereby incorporated Decision and Order Appendix 1 Table.
4. The ropes shall be inspected annually for wire damage (rouge, valley break etc.) in accordance with "KONE, Inc. Inspector's Guide to 6 mm diameter and 8 mm diameter steel ropes for KONE Elevators" (per Application Exhibit B, or as thereafter amended by KONE subject to Cal/OSHA approval).
5. A rope inspection log shall be maintained and available in the elevator controller room / space at all times.
6. The elevator rated speed shall not exceed those speeds specified per the Decision and Order Appendix 1 Table.
7. The maximum suspended load shall not exceed those weights (plus 5%) specified per the Decision and Order Appendix 1 Table.
8. The opening to the hoistway shall be effectively barricaded when car top inspection, maintenance, servicing, or testing of the elevator equipment in the hoistway is required. If the service personnel must leave the area for any reason, the hoistway and control room doors shall be closed.
9. The installation shall meet the suspension wire rope factor of safety requirements of ASME A17.1-2013 section 2.20.3.
10. Any Certified Qualified Conveyance Company performing inspections, maintenance, servicing or testing the elevators shall be provided a copy of this variance decision.
11. Cal/OSHA shall be notified when the elevator is ready for inspection. The elevator shall be inspected by Cal/OSHA and a "Permit to Operate" issued before the elevator is placed in service.
12. The Applicant shall comply with suspension means replacement reporting condition per hereby

incorporated Decision and Order Appendix 2.

13. All medical emergency service elevator(s) shall comply with the requirements of the 2019 California Building Code section 3002.4.1a:

    The medical emergency service elevator shall accommodate the loading and transport of two emergency personnel, each requiring a minimum clear 21-inch (533 mm) diameter circular area and an ambulance gurney or stretcher [minimum size 24 inches by 84 inches (610 mm by 2134 mm) with not less than 5-inch (127 mm) radius corners] in the horizontal, open position.

14. All medical emergency service elevator(s) shall be identified in the building construction documents in accordance with the 2019 California Building Code, section 3002.4a.

15. The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way and to the same extent that employees and authorized representatives are to be notified of docketed permanent variance applications pursuant to sections 411.2 and 411.3.

16. This Decision and Order shall remain in effect unless modified or revoked upon application by the Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in the procedural manner prescribed.

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

DATED: April 24, 2026

Kelly Chau, Hearing Officer

APPENDIX 1

Variance Number	Elevator ID	Minimum Quantity of Ropes (per Condition 3)	Maximum Speed in Feet per Minute (per Condition 6)	Maximum Suspended Load (per Condition 7)
26-V-068	1	7	150	12,247

APPENDIX 2

Suspension Means - Replacement Reporting Condition

Beginning on the date the Board adopts this Proposed Decision and continuing for a period of two years, the Applicant shall report to Cal/OSHA within 30 days any and all replacement activity performed on the elevator(s) pursuant to the requirements of ASME A17.1-2004, section 8.6.3 involving the suspension means or suspension means fastenings.

Further:

1. A separate report for each elevator shall be submitted, in a manner acceptable to Cal/OSHA, to the following address (or to such other address as Cal/OSHA might specify in the future): Cal/OSHA Elevator Unit, 2 MacArthur Place, Suite 700, Santa Ana, CA 92707, Attn: Engineering section.
2. Each such report shall contain, but not necessarily be limited to, the following information:
    a. The State-issued conveyance number, complete address, and Permanent Variance number that identifies the permanent variance.
    b. The business name, complete address, telephone number, and contact person of the elevator responsible party (presumably the Applicant or the subsequent holder of this variance).
    c. The business name, complete address, telephone number, and Certified Qualified Conveyance Company (CQCC) certification number of the firm performing the replacement work.
    d. The name (as listed on certification), Certified Competent Conveyance Mechanic (CCCM) certification number, certification expiration date, and signature of each CCCM performing the replacement work.
    e. The date and time the elevator was removed from normal service for suspension replacement, the date and time the replacement work commenced, the date and time the replacement work was completed, and the date and time the elevator was returned to normal service.
    f. A detailed description of, and clear color photographs depicting, (1) all the conditions that existed in the suspension components requiring their replacement and (2) any conditions that existed to cause damage or distress to the suspension components being replaced.
    g. A detailed list of all elevator components adjusted, repaired, or replaced in conjunction with the suspension component replacement.
    h. All information provided on the crosshead data plate per ASME A17.1-2004, section 2.20.2.1, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.
    i. For the suspension means being replaced, all information provided on the data tag required per ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is

modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

j. For the replacement suspension means, all information provided on the data tag required by ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

k. Any other information requested by Cal/OSHA regarding the replacement of the suspension means or fastenings.

3. In addition to the submission of the report to Cal/OSHA, the findings of any testing, failure analysis, or other engineering evaluations performed on any portion of the replaced suspension components, or other elevator components replaced in conjunction therewith, shall be submitted to Cal/OSHA referencing the information contained in item 2a above.

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application for Permanent Variance Regarding: KONE Monospace 500 Elevators & Medical Emergency Elevator Car Dimensions (Group IV)	Permanent Variance No: See section A.1 table below **PROPOSED DECISION** Hearing Date: April 22, 2026 Location: Zoom

A. Subject Matter

1. The applicants ("Applicants") below have applied for permanent variances from provisions of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, all references in this matter are to the California Code of Regulations, title 8. The variance applications are as follows:

Permanent Variance No.	Applicant Name	Variance Location Address	No. of Conveyances
26-V-077	Onni Marina Shores LLC	280 Marina Dr. Long Beach, CA	3
26-V-079	AFH Casa Colibri LP	15081 Jackson St. Midway City, CA	1
26-V-089	Alliant University	10455 Pomerado Rd. Daley Hall Building, San Diego, CA	1
26-V-090	Flying Leatherneck Historical Foundation	950 Skyhawk Way Irvine, California	1
26-V-092	Toyon Gardens, L.P.	3127 W. 147th St. Gardena, California	2
26-V-131	San Bernardino Valley College	701 S. Mount Vernon Ave. – Student Services Building, San Bernardino, CA	2

2. This proceeding is conducted in accordance with Labor Code section 143 and section 401, et seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026 via videoconference by the Board with Hearing Officer, Michelle Iorio, both presiding and hearing the matter on its merit as a basis of

proposed decision to be advanced to the Board for its consideration.

2. At the hearing, Fuei Saetern, with KONE INC., appeared on behalf of each Applicant; and Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Documentary and oral evidence was received at the hearing, and by stipulation of all parties, documents were admitted into evidence:

Exhibit Number	Description of Exhibit
PD1	Application(s) for Permanent Variance per section A.1 table
PD2	OSHSB Notice of Hearing
PD3	Cal/OSHA Review of Variance Application
PD4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the Elevator Safety Order requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Findings of Fact

1. Each respective Applicant intends to utilize the KONE, Inc. Monospace 500 type elevator, in the quantity, at the location, specified per the above section A.1 table.

2. The installation contract for this elevator was or will be signed on or after May 1, 2008, thus making the elevator subject to the Group IV Elevator Safety Orders.

3. Each Applicant proposes to use hoisting ropes that are 8 mm in diameter which also consist of 0.51 mm diameter outer wires, in variance from the express requirements of ASME A17.1-2004, section 2.20.4.

4. In relevant part, ASME A17.1-2004, section 2.20.4 states:

   2.20.4 Minimum Number and Diameter of Suspension Ropes

   …The minimum diameter of hoisting and counterweight ropes shall be 9.5 mm (0.375 in.). Outer wires of the ropes shall be not less than 0.56 mm (0.024 in.) in diameter.

5. An intent of ASME A17.1-2004, section 2.20.4, is to ensure that the number, diameter, and construction of suspension ropes are adequate to provided safely robust and durable suspension means over the course of the ropes' foreseen service life.

6. KONE has represented to Cal/OSHA, having established an engineering practice for purposes of Monospace 500 elevator design, of meeting or exceeding the minimum factor of safety of 12 for 8 mm suspension members, as required in ASME A17.1-2010 - under which, given that factor of safety, supplemental broken suspension member protection is not required.

7. Also, each Applicant proposes as a further means of maintaining safety equivalence, monitoring the rope in conformity with the criteria specified within the *Inspector's Guide to 6 mm Diameter Governor and 8 mm Diameter Suspension Ropes for KONE Elevators* (per Application attachment "B", or as thereafter revised by KONE subject Cal/OSHA approval).

8. In addition, each Applicant has proposed to utilize 6 mm diameter governor ropes in variance

from Title 8, section 3141, incorporated ASME A17.1-2004, section 2.18.5.1.

9. ASME A17.1-2004, section 2.18.5.1, specifies, in relevant part:

   2.18.5.1 Material and Factor of Safety.

   … [Governor ropes] not less than 9.5 mm (0.375 in.) in diameter. The factor of safety of governor ropes shall be not less than 5…

10. The Board takes notice of section 3141.7, subpart (a)(10):
    A reduced diameter governor rope of equivalent construction and material to that required by ASME A17.1-2004, is permissible if the factor of safety as related to the strength necessary to activate the safety is 5 or greater;

11. Applicants propose use of 6mm governor rope having a safety factor of 5 or greater, in conformity with section 3141.7(a)(10), the specific parameters of which, being expressly set out within the Elevator Safety Orders (ESO), take precedence over more generally referenced governor rope diameter requirements per ASME A17.1-2004, section 2.18.5.1. Accordingly, the governor rope specifications being presently proposed, inclusive of a factor of safety of 5 or greater, would comply with current requirements, and therefore not be subject to issuance of permanent variance.

12. Absent evident diminution in elevator safety, over the past decade the Board has issued numerous permanent variances for use in KONE (Ecospace) elevator systems of 8 mm diameter suspension rope materially similar to that presently proposed (e.g. Permanent Variance Nos. 06-V-203, 08-V-245, and 13-V-303).

13. As noted by the Board in permanent Variance Nos. 18-V-044, and 18-V-045, Decision and Order Findings, subpart B.17 (hereby incorporated by reference), the strength of wire rope operating as an elevator's suspension means does not remain constant over its years of projected service life. With increasing usage cycles, a reduction in the cross-sectional area of the wire rope normally occurs, resulting in decreased residual strength. This characteristic is of particular relevance to the present matter because, decreasing wire rope diameter is associated with a higher rate of residual strength loss. This foreseeable reduction in cross-sectional area primarily results from elongation under sheave rounding load, as well as from wear, and wire or strand breaks. However, these characteristics need not compromise elevator safety when properly accounted for in the engineering of elevator suspension means, and associated components.

14. The presently proposed wire rope is Wuxi Universal steel rope Co LTD. 8 mm 8x19S+8x7+PP, with a manufacturer rated breaking strength of 35.8 kN, and an outer wire diameter of less than 0.56 mm, but not less than 0.51 mm. Cal/OSHA's safety engineer has scrutinized the material and structural specifications, and performance testing data, of this particular proposed rope, and concluded it will provide for safety equivalent to ESO compliant 9.5 mm wire rope, with 0.56 mm outer wire (under conditions of use included within the below Decision and Order).

15. The applicant supplies tabulated data regarding the "Maximum Static Load on All Suspension Ropes." To obtain the tabulated data, the applicant uses the following formula derived from ASME A17.1-2004, section 2.20.3:

$$W = \frac{(S \times N)}{f}$$

where:

W = maximum static load imposed on all car ropes with the car and its rated load at any position in the hoistway

N = number of runs of rope under load. For 2:1 roping, N shall be two times the number of ropes used, etc.

S = manufacturer's rated breaking strength of one rope

f = the factor of safety from Table 2.20.3

16. ASME A17.1-2010 sections 2.20.3 and 2.20.4 utilize the same formula, but provide for use of suspension ropes having a diameter smaller than 9.5 mm, under specified conditions, key among them being that use of ropes having a diameter of between 8 mm to 9.5 mm be engineered with a factor of safety of 12 or higher This is a higher minimum factor of safety than that proposed by Applicant but a minimum recommended by Cal/OSHA as a condition of variance necessary to the achieving of safety equivalence to 9.5 mm rope

17. Cal/OSHA is in accord with Applicant, in proposing as a condition of safety equivalence, that periodic physical examination of the wire ropes be performed to confirm the ropes continue to meet the criteria set out in the (Application attachment) *Inspector's Guide to 6 mm Diameter Governor and 8 mm Diameter Suspension Ropes for KONE Elevators*. Adherence to this condition will provide an additional assurance of safety equivalence, regarding smaller minimum diameter suspension rope outer wire performance over the course of its service life.

18. Applicant requests a permanent variance from section 3041, subdivision (e)(1)(C), which states:

    (1) All buildings and structures constructed after the effective date of this order that are provided with one or more passenger elevators shall be provided with not less than one passenger elevator designed and designated to accommodate the loading and transport of an ambulance gurney or stretcher maximum size 22 ½ in. (572 mm) by 75 in. (1.90 m) in its horizontal position and arranged to serve all landings in conformance with the following:

    ...

    (C) The elevator car shall have a minimum inside car platform of 80 in. (2.03 m) wide by 51 in. (1.30 m) deep.

    The intent of this language is to ensure that there is enough space to accommodate the access and egress of a gurney and medical personnel inside of a medical service elevator.

    This standard is made applicable to Group IV by section 3141.7, subdivision (b), which reads, "Elevators utilized to provide medical emergency service shall comply with Group II, section 3041(e)."

19. Applicant proposes to comply with the requirements of the 2019 California Building Code, section 3002.4.1a in the design of its medical emergency service elevator. That section requires:

The medical emergency service elevator shall accommodate the loading and transport of two emergency personnel, each requiring a minimum clear 21-inch (533 mm) diameter circular area and an ambulance gurney or stretcher [minimum size 24 inches by 84 inches (610 mm by 2134 mm) with not less than 5-inch (127 mm) radius corners] in the horizontal, open position.

The purpose of this requirement is to ensure that an elevator designated for emergency medical service will accommodate a minimum of two emergency personnel with an ambulance gurney or stretcher.

20. Cal/OSHA, by way of written submission to the record (Exhibit PD3), and stated position at hearing, is of the well informed opinion that grant of permanent variance, as limited and conditioned per the below Decision and Order will provide employment, places of employment, and subject conveyances, as safe and healthful as would prevail given non-variant conformity with the requirements from which variance has been requested.

D. Conclusive Findings

A preponderance of the evidence supports the finding that each Applicants' proposal, subject to all conditions and limitations set forth in the below Decision and Order, will provide equivalent safety and health to that which would prevail upon full compliance with the requirements of the Elevator Safety Orders from which variance is being sought.

E. Decision and Order

Each Application being the subject of this proceeding, per above section A.1 table, is conditionally GRANTED, to the extent that each such Applicant shall be issued permanent variance from section 3141 incorporated ASME A17.1-2004, section 2.20.4, in as much as it precludes use of suspension rope of between 8 mm and 9.5 mm, or outer wire of between 0.51 mm and 0.56 mm in diameter, at such locations and numbers of Group IV KONE Monospace 500 elevators identified in each respective Application, subject to the following conditions:

1. The diameter of the hoisting steel ropes shall be not less than 8 mm (0.315 in) diameter and the roping ratio shall be two to one (2:1).
2. The outer wires of the suspension ropes shall be not less than 0.51 mm (0.02 in.) in diameter.
3. The number of suspension ropes shall be not fewer than those specified per hereby incorporated Decision and Order Appendix 1 Table.
4. The ropes shall be inspected annually for wire damage (rouge, valley break etc.) in accordance with "KONE, Inc. Inspector's Guide to 6 mm diameter and 8 mm diameter steel ropes for KONE Elevators" (per Application Exhibit B, or as thereafter amended by KONE subject to Cal/OSHA approval).
5. A rope inspection log shall be maintained and available in the elevator controller room/space at all times.
6. The elevator rated speed shall not exceed those speeds specified per the Decision and Order Appendix 1 Table.
7. The maximum suspended load shall not exceed those weights (plus 5%) specified per the Decision and Order Appendix 1 Table.

8. The opening to the hoistway shall be effectively barricaded when car top inspection, maintenance, servicing, or testing of the elevator equipment in the hoistway is required. If the service personnel must leave the area for any reason, the hoistway and control room doors shall be closed.

9. The installation shall meet the suspension wire rope factor of safety requirements of ASME A17.1-2013 section 2.20.3.

10. Any Certified Qualified Conveyance Company performing inspections, maintenance, servicing or testing the elevators shall be provided a copy of this variance decision.

11. Cal/OSHA shall be notified when the elevator is ready for inspection. The elevator shall be inspected by Cal/OSHA and a "Permit to Operate" issued before the elevator is placed in service.

12. The Applicant shall comply with suspension means replacement reporting condition per hereby incorporated Decision and Order Appendix 2.

13. All medical emergency service elevator(s) shall comply with the following:

    a. The requirements of the 2019 California Building Code (CBC) section 3002.4.1a:

       The medical emergency service elevator shall accommodate the loading and transport of two emergency personnel, each requiring a minimum clear 21-inch (533 mm) diameter circular area and an ambulance gurney or stretcher [minimum size 24 inches by 84 inches (610 mm by 2134 mm) with not less than 5-inch (127 mm) radius corners] in the horizontal, open position.

    b. All medical emergency service elevator(s) shall be identified in the building construction documents in accordance with the 2019 California Building Code, section 3002.4a.

    c. Dimensional drawings and other information necessary to demonstrate compliance with these conditions shall be provided to Cal/OSHA, at the time of inspection, for all medical emergency service elevator(s).

14. The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way and to the same extent that employees and authorized representatives are to be notified of docketed permanent variance applications pursuant to sections 411.2 and 411.3.

15. This Decision and Order shall remain in effect unless modified or revoked upon application by the Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in the procedural manner prescribed.

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

DATED: April 24, 2026

Michelle Iorio

Michelle Iorio, Hearing Officer

APPENDIX 1

Variance Number	Elevator ID	Minimum Quantity of Ropes (per Condition 3)	Maximum Speed in Feet per Minute (per Condition 6)	Maximum Suspended Load (per Condition 7)
26-V-077	1 2 3	8 8 8	350 350 350	11,706 11,706 11,706
26-V-079	1	7	150	12,247
26-V-089	2	8	200	13,207
26-V-090	1	7	150	12,247
26-V-092	1 2	8 8	200 200	13,207 13,207
26-V-131	1 2	7 7	150 150	12,247 12,247

APPENDIX 2

Suspension Means - Replacement Reporting Condition

Beginning on the date the Board adopts this Proposed Decision and continuing for a period of two years, the Applicant shall report to Cal/OSHA within 30 days any and all replacement activity performed on the elevator(s) pursuant to the requirements of ASME A17.1-2004, section 8.6.3 involving the suspension means or suspension means fastenings.

Further:

1. A separate report for each elevator shall be submitted, in a manner acceptable to Cal/OSHA, to the following address (or to such other address as Cal/OSHA might specify in the future): Cal/OSHA Elevator Unit, 2 MacArthur Place, Suite 700, Santa Ana, CA 92707, Attn: Engineering section.
2. Each such report shall contain, but not necessarily be limited to, the following information:
    a. The State-issued conveyance number, complete address, and Permanent Variance number that identifies the permanent variance.
    b. The business name, complete address, telephone number, and contact person of the elevator responsible party (presumably the Applicant or the subsequent holder of this variance).
    c. The business name, complete address, telephone number, and Certified Qualified Conveyance Company (CQCC) certification number of the firm performing the replacement work.
    d. The name (as listed on certification), Certified Competent Conveyance Mechanic (CCCM) certification number, certification expiration date, and signature of each CCCM performing the replacement work.
    e. The date and time the elevator was removed from normal service for suspension replacement, the date and time the replacement work commenced, the date and time the replacement work was completed, and the date and time the elevator was returned to normal service.
    f. A detailed description of, and clear color photographs depicting, (1) all the conditions that existed in the suspension components requiring their replacement and (2) any conditions that existed to cause damage or distress to the suspension components being replaced.
    g. A detailed list of all elevator components adjusted, repaired, or replaced in conjunction with the suspension component replacement.
    h. All information provided on the crosshead data plate per ASME A17.1-2004, section 2.20.2.1, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.
    i. For the suspension means being replaced, all information provided on the data tag required per ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is

modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

j. For the replacement suspension means, all information provided on the data tag required by ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

k. Any other information requested by Cal/OSHA regarding the replacement of the suspension means or fastenings.

3. In addition to the submission of the report to Cal/OSHA, the findings of any testing, failure analysis, or other engineering evaluations performed on any portion of the replaced suspension components, or other elevator components replaced in conjunction therewith, shall be submitted to Cal/OSHA referencing the information contained in item 2a above.

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application for Permanent Variance Regarding:

Otis Gen2O and/or Gen3 Peak with Variant Governor Rope and Sheaves & Medical Emergency Car Dimensions

Permanent Variance No: See section A.1 table below

PROPOSED DECISION

Hearing Date: April 22, 2026
Location: Zoom

A. Subject Matter

1. The applicants ("Applicants") below have applied for permanent variances from provisions of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, all references in this matter are to the California Code of Regulations, title 8. The variance applications are as follows:

Permanent Variance No.	Applicant Name	Variance Location Address	No. of Conveyances
26-V-087	UCSF Benioff Children's Hospital	New Hospital Building (NHB) 747 52nd St., Oakland, CA	7

2. These proceedings are conducted in accordance with Labor Code section 143 and section 401, et seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026, and via teleconference, by Occupational Safety and Health Standards Board ("Board") with Hearing Officer Michelle Iorio, both presiding and hearing the matter on its merit, as a basis of proposed decision to be advanced to the Board for its consideration, in accordance with section 426.

2. At the hearing, Dan Leacox, with Leacox & Associates, appeared on behalf of each Applicant; Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Oral evidence was received at the hearing, and by stipulation of all parties, documents were

admitted into evidence:

Exhibit Number	Description of Exhibit
PD1	Application(s) for Permanent Variance per section A.1 table
PD2	OSHSB Notice of Hearing
PD3	Cal/OSHA Review of Variance Application
PD4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the Elevator Safety Order requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Applicable Regulation

1. The Applicants request variance from some or all of the following sections of ASME A17.1-2004 that section 3141 makes applicable to the elevators the subject of those applications:

    a. Suspension Means: 2.20.1, 2.20.2.1, 2.20.2.2(a), 2.20.2.2(f), 2.20.3, 2.20.4, 2.20.9.3.4, and 2.20.9.5.4 (to permit the use of the Elastomeric Coated Steel Belts proposed by the Applicant in lieu of circular steel suspension ropes.);

    b. Cartop Railing: 2.14.1.7.1 (to permit the use of the car top railing system proposed by the Applicant, where the railing system is located inset from the elevator car top perimeter);

    c. Inspection transfer switch: 2.26.1.4.4(a) (to permit the inspection transfer switch to reside at a location other than the machine room);

    d. Seismic reset switch: 8.4.10.1.1(a)(2)(b) (to permit the seismic reset switch to reside at a location other than the machine room);

    e. Governor Rope Diameter: 2.18.5.1 (to permit the use of the governor rope proposed by the Applicant, where the rope has a diameter of 8 mm [0.315 in.]); Note: A variance from the section above is not required. However, the Board has included a variance from this code requirement in similar previous variances.

    f. Pitch Diameter: 2.18.7.4 (to permit the use of the speed governor system, proposed by the Applicant, where the rope sheave pitch diameter is less than what is required by the Elevator Safety Orders).

    g. Minimum Inside Car Platform Dimensions: 3041(e)(1)(C) and 3141.7(b) (to comply with the performance-based requirements of the 2019 California Building Code section 3002.4.1a)

D. Findings of Fact

1. The Board incorporates by reference the findings stated in:

    a. Items 3 through 5.c, 5.e, and 5.f of the "Findings of Fact" section of the Proposed Decision adopted by the Board on February 19, 2009, in Permanent Variance No. 08-V-247;

b. Item D.3 of the Proposed Decision adopted by the Board on July 16, 2009, in Permanent Variance No. 09-V-042;

c. Item D.4 of the Proposed Decision adopted by the Board on September 16, 2010, in Permanent Variance No. 10-V-029;

d. Items D.4, D.5, and D.7 of the Proposed Decision adopted by the Board on July 18, 2013, in Permanent Variance No. 12-V-146; and

e. Items D.4 and D.5 of the Proposed Decision adopted by the Board on September 25, 2014, in Permanent Variance No. 14-V-170.

f. Item B of the Proposed Decision adopted by the Board on September 15, 2022 for OSHSB File No. 22-V-302 regarding medical emergency car dimensions.

2. Regarding requested variance in governor sheave diameter, and governor rope diameter, in variance from section 3141, incorporated ASME A17.1-2004, sections 2.18.7.4 and 2.18.5.1, respectively, the Board incorporates by reference the following previous findings of record: Items 8 through 12 of the Proposed Decision adopted by the Board on December 13, 2018, in Permanent Variance No. 18-V-425, and further substantiating bases per therein cited Permanent Variance Decisions of the Board.
3. The installation contracts for elevators, the subject of the permanent variance application, were signed on or after May 1, 2008, making the elevators subject to the Group IV Elevator Safety Orders ("ESO").
4. Cal/OSHA safety engineers, by way of written submissions to the record (Exhibit PD-3), and positions stated at hearing, are of the well informed opinion that grant of requested permanent variance, as limited and conditioned per the below Decision and Order will provide employment, places of employment, and subject conveyances, as safe and healthful as would prevail given non-variant conformity with the Elevator Safety Order requirements from which variance has been requested.

E. Conclusive Findings

A preponderance of the evidence supports the finding that each Applicants' proposal, subject to all conditions and limitations set forth in the below Decision and Order, will provide equivalent safety and health to that which would prevail upon full compliance with the requirements of the Elevator Safety Orders from which variance is being sought.

F. Decision and Order

Each permanent variance application the subject of this proceeding is conditionally GRANTED as specified below, and to the extent, as of the date the Board adopts this Proposed Decision, Applicant shall have permanent variances from section 3141 and from the following sections of ASME A17.1-2004 that section 3141 makes applicable to the elevators the subject of those applications:

- Suspension Means: 2.20.1, 2.20.2.1, 2.20.2.2(a), 2.20.2.2(f), 2.20.3, 2.20.4, 2.20.9.3.4, and 2.20.9.5.4 (To permit the use of the Elastomeric Coated Steel Belts proposed by the Applicant in lieu of circular steel suspension ropes.);
- Cartop Railing: 2.14.1.7.1 (To permit the use of the car top railing system proposed by the

Applicant, where the railing system is located inset from the elevator car top perimeter);

- Inspection transfer switch: 2.26.1.4.4(a) (To permit the inspection transfer switch to reside at a location other than the machine room);
- Seismic reset switch: 8.4.10.1.1(a)(2)(b) (To permit the seismic reset switch to reside at a location other than the machine room);
- Governor Rope Diameter: 2.18.5.1 (To permit the use of the governor rope proposed by the Applicant, where the rope has a diameter of 8 mm [0.315 in.]); Note: A variance from the section above is not required. However, the Board has included a variance from this code requirement in similar previous variances.
- Pitch Diameter: 2.18.7.4 (To permit the use of the speed governor system, proposed by the Applicant, where the rope sheave pitch diameter is less than what is required by the Elevator Safety Orders).
- Minimum Inside Car Platform Dimensions: 3041(e)(1)(C) and 3141.7(b) (to comply with the performance-based requirements of the 2019 California Building Code section 3002.4.1a)

The variance shall be subject to, and limited by, the following additional conditions:

1. Each elevator subject to this variance shall comply with all applicable Group IV Elevator Safety Orders and with all ASME provisions made applicable by those Group IV Elevator Safety Orders, except those from which variances are granted, as set forth in the prefatory portion of this Decision and Order.
2. The suspension system shall comply with the following:
    a. The coated steel belt shall have a factor of safety at least equal to the factor of safety that ASME A17.1-2004, section 2.20.3, would require for wire ropes if the elevator were suspended by wire ropes rather than the coated steel belt.
    b. Steel-coated belts that have been installed and used on another installation shall not be reused.
    c. The coated steel belt shall be fitted with a monitoring device which has been accepted by Cal/OSHA and which will automatically stop the car if the residual strength of any single belt drops below 60 percent. If the residual strength of any single belt drops below 60 percent, the device shall prevent the elevator from restarting after a normal stop at a landing.
    d. Upon initial inspection, the readings from the monitoring device shall be documented and submitted to Cal/OSHA.
    e. A successful test of the monitoring device’s functionality shall be conducted at least once a year (the record of the annual test of the monitoring device shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).
    f. The coated steel belts used shall be accepted by Cal/OSHA.
    g. The installation of belts and connections shall be in conformance with the manufacturer’s specifications, which shall be provided to Cal/OSHA.

3. With respect to each elevator subject to this variance, the applicant shall comply with Cal/OSHA Circular Letter E-10-04, a copy of which is attached hereto as Addendum 1 and incorporated herein by this reference.
4. The Applicant shall not utilize each elevator unless the manufacturer has written procedures for the installation, maintenance, inspection, and testing of the belts and monitoring device, and criteria for belt replacement, and shall make those procedures and criteria available to Cal/OSHA upon request.
5. The flat coated steel belts shall be provided with a metal data tag that is securely attached to one of those belts. This data tag shall bear the following flat steel coated belt data:
    a. The width and thickness in millimeters or inches;
    b. The manufacturer's rated breaking strength in (kN) or (lbf);
    c. The name of the person who, or organization that, installed the flat coated steel belts;
    d. The month and year the flat coated steel belts were installed;
    e. The month and year the flat coated steel belts were first shortened;
    f. The name or trademark of the manufacturer of the flat coated steel belts;
    g. Lubrication information.
6. There shall be a crosshead data plate of the sort required by section 2.20.2.1, and that plate shall bear the following flat steel coated belt data:
    a. The number of belts,
    b. The belt width and thickness in millimeters or inches, and
    c. The manufacturer's rated breaking strength per belt in (kN) or (lbf).
7. If the seismic reset switch does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the inspection and test control panel located in one upper floor hoistway door jamb or in the control space (outside the hoistway) used by the motion controller.
8. If the inspection transfer switch required by ASME A17.1, rule 2.26.1.4.4(a), does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the inspection and test control panel located in one upper floor hoistway door jamb or in the control space (outside the hoistway) used by the motion controller.
9. When the inspection and test control panel is located in the hoistway door jamb, the inspection and test control panel shall be openable only by use of a Security Group I restricted key.
10. The opening to the hoistway shall be effectively barricaded when car top inspection, maintenance, servicing, or testing of elevator equipment in the hoistway is required. If service personnel must leave the area for any reason, the hoistway and control room doors shall be closed.
11. If there is an inset car top railing:
    a. Serviceable equipment shall be positioned so that mechanics and inspectors do not have

to climb on railings to perform adjustment, maintenance, repairs, or inspections. The Applicant shall not permit anyone to stand on or climb over the car top railing.

b. The distance that the car top railing may be inset from the car top perimeter shall be limited to no more than 6 inches.

c. All exposed areas of the car top outside the car top railing shall preclude standing or placing objects or persons which may fall and shall be beveled from the mid- or top rail to the outside of the car top.

d. The top of the beveled area and/or the car top outside the railing, shall be clearly marked. The markings shall consist of alternating four-inch diagonal red and white stripes.

e. The Applicant shall provide, on each inset railing, durable signs with lettering not less than ½ inch on a contrasting background. Each sign shall state:

CAUTION
DO NOT STAND ON OR CLIMB OVER RAILING

f. The Group IV requirements for car top clearances shall be maintained (car top clearances outside the railing shall be measured from the car top, and not from the required bevel).

11. The speed governor rope and sheaves shall comply with the following:

a. The governor shall be used in conjunction with a 8 mm (0.315 in.) diameter steel governor rope with 8-strand, regular lay construction.

b. The governor rope shall have a factor of safety of 8 or greater as related to the strength necessary to activate the safety.

c. The governor sheaves shall have a pitch diameter of not less than 240 mm (9.45 in.).

12. Each elevator shall be serviced, maintained, adjusted, tested, and inspected only by Certified Competent Conveyance Mechanics who have been trained to, and are competent to, perform those tasks on the Gen2(O) and/or Gen3 Peak elevator system the Applicant proposes to use, in accordance with the written procedures and criteria required by Condition No. 4 and the terms of this permanent variance.

13. All medical emergency service elevators shall comply with the following:

a. The requirements of the 2019 California Building Code (CBC), section 3002.4.1a;

The medical emergency service elevator shall accommodate the loading and transport of two emergency personnel, each requiring a minimum clear 21- inch (533 mm) diameter circular area and an ambulance gurney or stretcher [minimum size 24 inches by 84 inches (610 mm by 2134 mm) with not less than 5 inch (127 mm) radius corners] in the horizontal, open position.

b. All medical emergency service elevators shall be identified in the building construction documents in accordance with the 2019 CBC, section 3002.4a.

c. Dimensional drawings and other information necessary to demonstrate compliance with

these conditions shall be provided to Cal/OSHA, at the time of inspection, for all medical emergency service elevator(s).

14. Any Certified Qualified Conveyance Company performing inspections, maintenance, servicing, or testing of the elevators shall be provided a copy of this variance decision.
15. Cal/OSHA shall be notified when each elevator is ready for inspection. Each elevator shall be inspected by Cal/OSHA, and a Permit to Operate shall be issued before each elevator is placed in service.
16. The Applicant shall be subject to the suspension means replacement reporting condition stated in Addendum 2; that condition is incorporated herein by this reference.
17. The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way that the Applicant was required to notify them of the application for permanent variance, per sections 411.2 and 411.3.
18. This Decision and Order shall remain in effect unless duly modified or revoked upon application by the Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in the procedural manner prescribed.

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

DATED: April 24, 2026

Michelle Iorio

Michelle Iorio, Hearing Officer

ADDENDUM 1

October 6, 2010

CIRCULAR LETTER E-10-04

TO: Installers, Manufacturers of Conveyances and Related Equipment and, Other Interested Parties

SUBJECT: Coated Steel Belt Monitoring

The Elevator Safety Orders require routine inspection of the suspension means of an elevator to assure its safe operation.

The California Labor Code section 7318 allows Cal/OSHA to promulgate special safety orders in the absence of regulation.

As it is not possible to see the steel cable suspension means of a Coated Steel Belt, a monitoring device which has been accepted by Cal/OSHA is required on all Coated Steel Belts which will automatically stop the car if the residual strength of any belt drops below 60%. The Device shall prevent the elevator from restarting after a normal stop at a landing.

The monitoring device must be properly installed and functional. A functioning device may be removed only after a determination has been made that the residual strength of each belt exceeds 60%. These findings and the date of removal are to be conspicuously documented in the elevator machine room. The removed device must be replaced or returned to proper service within 30 days.

If upon routine inspection, the monitoring device is found to be in a non-functional state, the date and findings are to be conspicuously documented in the elevator machine room.

If upon inspection by Cal/OSHA, the monitoring device is found to be non-functional or removed, and the required documentation is not in place, the elevator will be removed from service.

If the device is removed to facilitate belt replacement, it must be properly installed and functional before the elevator is returned to service.

A successful test of the device’s functionality shall be conducted once a year.

This circular does not preempt Cal/OSHA from adopting regulations in the future, which may address the monitoring of Coated Steel Belts or any other suspension means.

This circular does not create an obligation on the part of Cal/OSHA to permit new conveyances utilizing Coated Steel Belts.

Debra Tudor
Principal Engineer
Cal/OSHA-Elevator Unit HQS

ADDENDUM 2

Suspension Means - Replacement Reporting Condition

Beginning on the date the Board adopts this Proposed Decision and continuing for a period of two years, the Applicant shall report to Cal/OSHA within 30 days any and all replacement activity performed on the elevator(s) pursuant to the requirements of ASME A17.1-2004, section 8.6.3 involving the suspension means or suspension means fastenings.

Further:

1. A separate report for each elevator shall be submitted, in a manner acceptable to Cal/OSHA, to the following address (or to such other address as Cal/OSHA might specify in the future): Cal/OSHA Elevator Unit, 2 MacArthur Place, Suite 700, Santa Ana, CA 92707, Attn: Engineering section.
2. Each such report shall contain, but not necessarily be limited to, the following information:
    a. The State-issued conveyance number, complete address, and Permanent Variance number that identifies the permanent variance.
    b. The business name, complete address, telephone number, and contact person of the elevator responsible party (presumably the Applicant or the subsequent holder of this variance).
    c. The business name, complete address, telephone number, and Certified Qualified Conveyance Company (CQCC) certification number of the firm performing the replacement work.
    d. The name (as listed on certification), Certified Competent Conveyance Mechanic (CCCM) certification number, certification expiration date, and signature of each CCCM performing the replacement work.
    e. The date and time the elevator was removed from normal service for suspension replacement, the date and time the replacement work commenced, the date and time the replacement work was completed, and the date and time the elevator was returned to normal service.
    f. A detailed description of, and clear color photographs depicting, (1) all the conditions that existed in the suspension components requiring their replacement and (2) any conditions that existed to cause damage or distress to the suspension components being replaced.
    g. A detailed list of all elevator components adjusted, repaired, or replaced in conjunction with the suspension component replacement.
    h. All information provided on the crosshead data plate per ASME A17.1-2004, section 2.20.2.1, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.
    i. For the suspension means being replaced, all information provided on the data tag required per ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is

modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

j. For the replacement suspension means, all information provided on the data tag required by ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

k. Any other information requested by Cal/OSHA regarding the replacement of the suspension means or fastenings.

3. In addition to the submission of the report to Cal/OSHA, the findings of any testing, failure analysis, or other engineering evaluations performed on any portion of the replaced suspension components, or other elevator components replaced in conjunction therewith, shall be submitted to Cal/OSHA referencing the information contained in item 2a above.

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application for Permanent Variance Regarding:

Otis Gen2O and/or Gen3 Peak with Variant Governor Rope and Sheaves & Medical Emergency Car Dimensions

Permanent Variance No: See section A.1 table below

PROPOSED DECISION

Hearing Date: April 22, 2026
Location: Zoom

A. Subject Matter

1. The applicants ("Applicants") below have applied for permanent variances from provisions of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, all references in this matter are to the California Code of Regulations, title 8. The variance applications are as follows:

Permanent Variance No.	Applicant Name	Variance Location Address	No. of Conveyances
26-V-088	UCSF Benioff Children's Hospital	Parking Garage 5101 Dover St., Oakland, CA	2

2. These proceedings are conducted in accordance with Labor Code section 143 and section 401, et seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026, and via teleconference, by Occupational Safety and Health Standards Board ("Board") with Hearing Officer Michelle Iorio, both presiding and hearing the matter on its merit, as a basis of proposed decision to be advanced to the Board for its consideration, in accordance with section 426.

2. At the hearing, Dan Leacox, with Leacox & Associates, appeared on behalf of each Applicant; Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Oral evidence was received at the hearing, and by stipulation of all parties, documents were admitted into evidence:

Exhibit Number	Description of Exhibit
PD1	Application(s) for Permanent Variance per section A.1 table
PD2	OSHSB Notice of Hearing
PD3	Cal/OSHA Review of Variance Application
PD4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the Elevator Safety Order requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Applicable Regulation

1. The Applicants request variance from some or all of the following sections of ASME A17.1-2004 that section 3141 makes applicable to the elevators the subject of those applications:

    a. Suspension Means: 2.20.1, 2.20.2.1, 2.20.2.2(a), 2.20.2.2(f), 2.20.3, 2.20.4, 2.20.9.3.4, and 2.20.9.5.4 (to permit the use of the Elastomeric Coated Steel Belts proposed by the Applicant in lieu of circular steel suspension ropes.);

    b. Cartop Railing: 2.14.1.7.1 (to permit the use of the car top railing system proposed by the Applicant, where the railing system is located inset from the elevator car top perimeter);

    c. Inspection transfer switch: 2.26.1.4.4(a) (to permit the inspection transfer switch to reside at a location other than the machine room);

    d. Seismic reset switch: 8.4.10.1.1(a)(2)(b) (to permit the seismic reset switch to reside at a location other than the machine room);

    e. Governor Rope Diameter: 2.18.5.1 (to permit the use of the governor rope proposed by the Applicant, where the rope has a diameter of 8 mm [0.315 in.]); Note: A variance from the section above is not required. However, the Board has included a variance from this code requirement in similar previous variances.

    f. Pitch Diameter: 2.18.7.4 (to permit the use of the speed governor system, proposed by the Applicant, where the rope sheave pitch diameter is less than what is required by the Elevator Safety Orders).

    g. Minimum Inside Car Platform Dimensions: 3041(e)(1)(C) and 3141.7(b) (to comply with the performance-based requirements of the 2019 California Building Code section 3002.4.1a)

D. Findings of Fact

1. The Board incorporates by reference the findings stated in:

    a. Items 3 through 5.c, 5.e, and 5.f of the "Findings of Fact" section of the Proposed Decision adopted by the Board on February 19, 2009, in Permanent Variance No. 08-V-247;

    b. Item D.3 of the Proposed Decision adopted by the Board on July 16, 2009, in Permanent Variance No. 09-V-042;

c. Item D.4 of the Proposed Decision adopted by the Board on September 16, 2010, in Permanent Variance No. 10-V-029;

d. Items D.4, D.5, and D.7 of the Proposed Decision adopted by the Board on July 18, 2013, in Permanent Variance No. 12-V-146; and

e. Items D.4 and D.5 of the Proposed Decision adopted by the Board on September 25, 2014, in Permanent Variance No. 14-V-170.

f. Item B of the Proposed Decision adopted by the Board on September 15, 2022 for OSHSB File No. 22-V-302 regarding medical emergency car dimensions.

2. Regarding requested variance in governor sheave diameter, and governor rope diameter, in variance from section 3141, incorporated ASME A17.1-2004, sections 2.18.7.4 and 2.18.5.1, respectively, the Board incorporates by reference the following previous findings of record: Items 8 through 12 of the Proposed Decision adopted by the Board on December 13, 2018, in Permanent Variance No. 18-V-425, and further substantiating bases per therein cited Permanent Variance Decisions of the Board.

3. The installation contracts for elevators, the subject of the permanent variance application, were signed on or after May 1, 2008, making the elevators subject to the Group IV Elevator Safety Orders ("ESO").

4. Cal/OSHA safety engineers, by way of written submissions to the record (Exhibit PD-3), and positions stated at hearing, are of the well informed opinion that grant of requested permanent variance, as limited and conditioned per the below Decision and Order will provide employment, places of employment, and subject conveyances, as safe and healthful as would prevail given non-variant conformity with the Elevator Safety Order requirements from which variance has been requested.

E. Conclusive Findings

A preponderance of the evidence supports the finding that each Applicants' proposal, subject to all conditions and limitations set forth in the below Decision and Order, will provide equivalent safety and health to that which would prevail upon full compliance with the requirements of the Elevator Safety Orders from which variance is being sought.

F. Decision and Order

Each permanent variance application the subject of this proceeding is conditionally GRANTED as specified below, and to the extent, as of the date the Board adopts this Proposed Decision, Applicant shall have permanent variances from section 3141 and from the following sections of ASME A17.1-2004 that section 3141 makes applicable to the elevators the subject of those applications:

- Suspension Means: 2.20.1, 2.20.2.1, 2.20.2.2(a), 2.20.2.2(f), 2.20.3, 2.20.4, 2.20.9.3.4, and 2.20.9.5.4 (To permit the use of the Elastomeric Coated Steel Belts proposed by the Applicant in lieu of circular steel suspension ropes.);
- Cartop Railing: 2.14.1.7.1 (To permit the use of the car top railing system proposed by the Applicant, where the railing system is located inset from the elevator car top perimeter);
- Inspection transfer switch: 2.26.1.4.4(a) (To permit the inspection transfer switch to reside at a

location other than the machine room);

- Seismic reset switch: 8.4.10.1.1(a)(2)(b) (To permit the seismic reset switch to reside at a location other than the machine room);
- Governor Rope Diameter: 2.18.5.1 (To permit the use of the governor rope proposed by the Applicant, where the rope has a diameter of 8 mm [0.315 in.]); Note: A variance from the section above is not required. However, the Board has included a variance from this code requirement in similar previous variances.
- Pitch Diameter: 2.18.7.4 (To permit the use of the speed governor system, proposed by the Applicant, where the rope sheave pitch diameter is less than what is required by the Elevator Safety Orders).
- Minimum Inside Car Platform Dimensions: 3041(e)(1)(C) and 3141.7(b) (to comply with the performance-based requirements of the 2019 California Building Code section 3002.4.1a)

The variance shall be subject to, and limited by, the following additional conditions:

1. Each elevator subject to this variance shall comply with all applicable Group IV Elevator Safety Orders and with all ASME provisions made applicable by those Group IV Elevator Safety Orders, except those from which variances are granted, as set forth in the prefatory portion of this Decision and Order.
2. The suspension system shall comply with the following:
    a. The coated steel belt shall have a factor of safety at least equal to the factor of safety that ASME A17.1-2004, section 2.20.3, would require for wire ropes if the elevator were suspended by wire ropes rather than the coated steel belt.
    b. Steel-coated belts that have been installed and used on another installation shall not be reused.
    c. The coated steel belt shall be fitted with a monitoring device which has been accepted by Cal/OSHA and which will automatically stop the car if the residual strength of any single belt drops below 60 percent. If the residual strength of any single belt drops below 60 percent, the device shall prevent the elevator from restarting after a normal stop at a landing.
    d. Upon initial inspection, the readings from the monitoring device shall be documented and submitted to Cal/OSHA.
    e. A successful test of the monitoring device's functionality shall be conducted at least once a year (the record of the annual test of the monitoring device shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).
    f. The coated steel belts used shall be accepted by Cal/OSHA.
    g. The installation of belts and connections shall be in conformance with the manufacturer's specifications, which shall be provided to Cal/OSHA.
3. With respect to each elevator subject to this variance, the applicant shall comply with Cal/OSHA Circular Letter E-10-04, a copy of which is attached hereto as Addendum 1 and incorporated herein by this reference.

4. The Applicant shall not utilize each elevator unless the manufacturer has written procedures for the installation, maintenance, inspection, and testing of the belts and monitoring device, and criteria for belt replacement, and shall make those procedures and criteria available to Cal/OSHA upon request.
5. The flat coated steel belts shall be provided with a metal data tag that is securely attached to one of those belts. This data tag shall bear the following flat steel coated belt data:
    a. The width and thickness in millimeters or inches;
    b. The manufacturer's rated breaking strength in (kN) or (lbf);
    c. The name of the person who, or organization that, installed the flat coated steel belts;
    d. The month and year the flat coated steel belts were installed;
    e. The month and year the flat coated steel belts were first shortened;
    f. The name or trademark of the manufacturer of the flat coated steel belts;
    g. Lubrication information.
6. There shall be a crosshead data plate of the sort required by section 2.20.2.1, and that plate shall bear the following flat steel coated belt data:
    a. The number of belts,
    b. The belt width and thickness in millimeters or inches, and
    c. The manufacturer's rated breaking strength per belt in (kN) or (lbf).
7. If the seismic reset switch does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the inspection and test control panel located in one upper floor hoistway door jamb or in the control space (outside the hoistway) used by the motion controller.
8. If the inspection transfer switch required by ASME A17.1, rule 2.26.1.4.4(a), does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the inspection and test control panel located in one upper floor hoistway door jamb or in the control space (outside the hoistway) used by the motion controller.
9. When the inspection and test control panel is located in the hoistway door jamb, the inspection and test control panel shall be openable only by use of a Security Group I restricted key.
10. The opening to the hoistway shall be effectively barricaded when car top inspection, maintenance, servicing, or testing of elevator equipment in the hoistway is required. If service personnel must leave the area for any reason, the hoistway and control room doors shall be closed.
11. If there is an inset car top railing:
    a. Serviceable equipment shall be positioned so that mechanics and inspectors do not have to climb on railings to perform adjustment, maintenance, repairs, or inspections. The Applicant shall not permit anyone to stand on or climb over the car top railing.
    b. The distance that the car top railing may be inset from the car top perimeter shall be

limited to no more than 6 inches.

c. All exposed areas of the car top outside the car top railing shall preclude standing or placing objects or persons which may fall and shall be beveled from the mid- or top rail to the outside of the car top.

d. The top of the beveled area and/or the car top outside the railing, shall be clearly marked. The markings shall consist of alternating four-inch diagonal red and white stripes.

e. The Applicant shall provide, on each inset railing, durable signs with lettering not less than ½ inch on a contrasting background. Each sign shall state:

CAUTION
DO NOT STAND ON OR CLIMB OVER RAILING

f. The Group IV requirements for car top clearances shall be maintained (car top clearances outside the railing shall be measured from the car top, and not from the required bevel).

11. The speed governor rope and sheaves shall comply with the following:

a. The governor shall be used in conjunction with a 8 mm (0.315 in.) diameter steel governor rope with 8-strand, regular lay construction.

b. The governor rope shall have a factor of safety of 8 or greater as related to the strength necessary to activate the safety.

c. The governor sheaves shall have a pitch diameter of not less than 240 mm (9.45 in.).

12. Each elevator shall be serviced, maintained, adjusted, tested, and inspected only by Certified Competent Conveyance Mechanics who have been trained to, and are competent to, perform those tasks on the Gen2(O) and/or Gen3 Peak elevator system the Applicant proposes to use, in accordance with the written procedures and criteria required by Condition No. 4 and the terms of this permanent variance.

13. All medical emergency service elevators shall comply with the following:

a. The requirements of the 2019 California Building Code (CBC), section 3002.4.1a;

The medical emergency service elevator shall accommodate the loading and transport of two emergency personnel, each requiring a minimum clear 21- inch (533 mm) diameter circular area and an ambulance gurney or stretcher [minimum size 24 inches by 84 inches (610 mm by 2134 mm) with not less than 5 inch (127 mm) radius corners] in the horizontal, open position.

b. All medical emergency service elevators shall be identified in the building construction documents in accordance with the 2019 CBC, section 3002.4a.

c. Dimensional drawings and other information necessary to demonstrate compliance with these conditions shall be provided to Cal/OSHA, at the time of inspection, for all medical emergency service elevator(s).

14. Any Certified Qualified Conveyance Company performing inspections, maintenance, servicing,

or testing of the elevators shall be provided a copy of this variance decision.

15. Cal/OSHA shall be notified when each elevator is ready for inspection. Each elevator shall be inspected by Cal/OSHA, and a Permit to Operate shall be issued before each elevator is placed in service.
16. The Applicant shall be subject to the suspension means replacement reporting condition stated in Addendum 2; that condition is incorporated herein by this reference.
17. The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way that the Applicant was required to notify them of the application for permanent variance, per sections 411.2 and 411.3.
18. This Decision and Order shall remain in effect unless duly modified or revoked upon application by the Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in the procedural manner prescribed.

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

DATED: April 24, 2026

Michelle Iorio

Michelle Iorio, Hearing Officer

ADDENDUM 1

October 6, 2010

CIRCULAR LETTER E-10-04

TO: Installers, Manufacturers of Conveyances and Related Equipment and, Other Interested Parties

SUBJECT: Coated Steel Belt Monitoring

The Elevator Safety Orders require routine inspection of the suspension means of an elevator to assure its safe operation.

The California Labor Code section 7318 allows Cal/OSHA to promulgate special safety orders in the absence of regulation.

As it is not possible to see the steel cable suspension means of a Coated Steel Belt, a monitoring device which has been accepted by Cal/OSHA is required on all Coated Steel Belts which will automatically stop the car if the residual strength of any belt drops below 60%. The Device shall prevent the elevator from restarting after a normal stop at a landing.

The monitoring device must be properly installed and functional. A functioning device may be removed only after a determination has been made that the residual strength of each belt exceeds 60%. These findings and the date of removal are to be conspicuously documented in the elevator machine room. The removed device must be replaced or returned to proper service within 30 days.

If upon routine inspection, the monitoring device is found to be in a non-functional state, the date and findings are to be conspicuously documented in the elevator machine room.

If upon inspection by Cal/OSHA, the monitoring device is found to be non-functional or removed, and the required documentation is not in place, the elevator will be removed from service.

If the device is removed to facilitate belt replacement, it must be properly installed and functional before the elevator is returned to service.

A successful test of the device’s functionality shall be conducted once a year.

This circular does not preempt Cal/OSHA from adopting regulations in the future, which may address the monitoring of Coated Steel Belts or any other suspension means.

This circular does not create an obligation on the part of Cal/OSHA to permit new conveyances utilizing Coated Steel Belts.

Debra Tudor
Principal Engineer
Cal/OSHA-Elevator Unit HQS

ADDENDUM 2

Suspension Means - Replacement Reporting Condition

Beginning on the date the Board adopts this Proposed Decision and continuing for a period of two years, the Applicant shall report to Cal/OSHA within 30 days any and all replacement activity performed on the elevator(s) pursuant to the requirements of ASME A17.1-2004, section 8.6.3 involving the suspension means or suspension means fastenings.

Further:

1. A separate report for each elevator shall be submitted, in a manner acceptable to Cal/OSHA, to the following address (or to such other address as Cal/OSHA might specify in the future): Cal/OSHA Elevator Unit, 2 MacArthur Place, Suite 700, Santa Ana, CA 92707, Attn: Engineering section.
2. Each such report shall contain, but not necessarily be limited to, the following information:
    a. The State-issued conveyance number, complete address, and Permanent Variance number that identifies the permanent variance.
    b. The business name, complete address, telephone number, and contact person of the elevator responsible party (presumably the Applicant or the subsequent holder of this variance).
    c. The business name, complete address, telephone number, and Certified Qualified Conveyance Company (CQCC) certification number of the firm performing the replacement work.
    d. The name (as listed on certification), Certified Competent Conveyance Mechanic (CCCM) certification number, certification expiration date, and signature of each CCCM performing the replacement work.
    e. The date and time the elevator was removed from normal service for suspension replacement, the date and time the replacement work commenced, the date and time the replacement work was completed, and the date and time the elevator was returned to normal service.
    f. A detailed description of, and clear color photographs depicting, (1) all the conditions that existed in the suspension components requiring their replacement and (2) any conditions that existed to cause damage or distress to the suspension components being replaced.
    g. A detailed list of all elevator components adjusted, repaired, or replaced in conjunction with the suspension component replacement.
    h. All information provided on the crosshead data plate per ASME A17.1-2004, section 2.20.2.1, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.
    i. For the suspension means being replaced, all information provided on the data tag required per ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is

modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

j. For the replacement suspension means, all information provided on the data tag required by ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

k. Any other information requested by Cal/OSHA regarding the replacement of the suspension means or fastenings.

3. In addition to the submission of the report to Cal/OSHA, the findings of any testing, failure analysis, or other engineering evaluations performed on any portion of the replaced suspension components, or other elevator components replaced in conjunction therewith, shall be submitted to Cal/OSHA referencing the information contained in item 2a above.

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application for Permanent Variance Regarding:

Otis Gen2O and/or Gen3 Peak with Variant Governor Rope and Sheaves & Medical Emergency Car Dimensions

Permanent Variance No: See section A.1 table below

PROPOSED DECISION

Hearing Date: April 22, 2026
Location: Zoom

A. Subject Matter

1. The applicants ("Applicants") below have applied for permanent variances from provisions of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, all references in this matter are to the California Code of Regulations, title 8. The variance applications are as follows:

Permanent Variance No.	Applicant Name	Variance Location Address	No. of Conveyances
26-V-100	The Regents of the University of California	UC Berkeley - Heathcock Hall University Dr., Berkeley, CA	2

2. These proceedings are conducted in accordance with Labor Code section 143 and section 401, et seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026, and via teleconference, by Occupational Safety and Health Standards Board ("Board") with Hearing Officer Michelle Iorio, both presiding and hearing the matter on its merit, as a basis of proposed decision to be advanced to the Board for its consideration, in accordance with section 426.

2. At the hearing, Dan Leacox, with Leacox & Associates, appeared on behalf of each Applicant; Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Oral evidence was received at the hearing, and by stipulation of all parties, documents were

admitted into evidence:

Exhibit Number	Description of Exhibit
PD1	Application(s) for Permanent Variance per section A.1 table
PD2	OSHSB Notice of Hearing
PD3	Cal/OSHA Review of Variance Application
PD4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the Elevator Safety Order requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Applicable Regulation

1. The Applicants request variance from some or all of the following sections of ASME A17.1-2004 that section 3141 makes applicable to the elevators the subject of those applications:

    a. Suspension Means: 2.20.1, 2.20.2.1, 2.20.2.2(a), 2.20.2.2(f), 2.20.3, 2.20.4, 2.20.9.3.4, and 2.20.9.5.4 (to permit the use of the Elastomeric Coated Steel Belts proposed by the Applicant in lieu of circular steel suspension ropes.);

    b. Cartop Railing: 2.14.1.7.1 (to permit the use of the car top railing system proposed by the Applicant, where the railing system is located inset from the elevator car top perimeter);

    c. Inspection transfer switch: 2.26.1.4.4(a) (to permit the inspection transfer switch to reside at a location other than the machine room);

    d. Seismic reset switch: 8.4.10.1.1(a)(2)(b) (to permit the seismic reset switch to reside at a location other than the machine room);

    e. Governor Rope Diameter: 2.18.5.1 (to permit the use of the governor rope proposed by the Applicant, where the rope has a diameter of 8 mm [0.315 in.]); Note: A variance from the section above is not required. However, the Board has included a variance from this code requirement in similar previous variances.

    f. Pitch Diameter: 2.18.7.4 (to permit the use of the speed governor system, proposed by the Applicant, where the rope sheave pitch diameter is less than what is required by the Elevator Safety Orders).

    g. Minimum Inside Car Platform Dimensions: 3041(e)(1)(C) and 3141.7(b) (to comply with the performance-based requirements of the 2019 California Building Code section 3002.4.1a)

D. Findings of Fact

1. The Board incorporates by reference the findings stated in:

    a. Items 3 through 5.c, 5.e, and 5.f of the "Findings of Fact" section of the Proposed Decision adopted by the Board on February 19, 2009, in Permanent Variance No. 08-V-247;

b. Item D.3 of the Proposed Decision adopted by the Board on July 16, 2009, in Permanent Variance No. 09-V-042;

c. Item D.4 of the Proposed Decision adopted by the Board on September 16, 2010, in Permanent Variance No. 10-V-029;

d. Items D.4, D.5, and D.7 of the Proposed Decision adopted by the Board on July 18, 2013, in Permanent Variance No. 12-V-146; and

e. Items D.4 and D.5 of the Proposed Decision adopted by the Board on September 25, 2014, in Permanent Variance No. 14-V-170.

f. Item B of the Proposed Decision adopted by the Board on September 15, 2022 for OSHSB File No. 22-V-302 regarding medical emergency car dimensions.

2. Regarding requested variance in governor sheave diameter, and governor rope diameter, in variance from section 3141, incorporated ASME A17.1-2004, sections 2.18.7.4 and 2.18.5.1, respectively, the Board incorporates by reference the following previous findings of record: Items 8 through 12 of the Proposed Decision adopted by the Board on December 13, 2018, in Permanent Variance No. 18-V-425, and further substantiating bases per therein cited Permanent Variance Decisions of the Board.
3. The installation contracts for elevators, the subject of the permanent variance application, were signed on or after May 1, 2008, making the elevators subject to the Group IV Elevator Safety Orders ("ESO").
4. Cal/OSHA safety engineers, by way of written submissions to the record (Exhibit PD-3), and positions stated at hearing, are of the well informed opinion that grant of requested permanent variance, as limited and conditioned per the below Decision and Order will provide employment, places of employment, and subject conveyances, as safe and healthful as would prevail given non-variant conformity with the Elevator Safety Order requirements from which variance has been requested.

E. Conclusive Findings

A preponderance of the evidence supports the finding that each Applicants' proposal, subject to all conditions and limitations set forth in the below Decision and Order, will provide equivalent safety and health to that which would prevail upon full compliance with the requirements of the Elevator Safety Orders from which variance is being sought.

F. Decision and Order

Each permanent variance application the subject of this proceeding is conditionally GRANTED as specified below, and to the extent, as of the date the Board adopts this Proposed Decision, Applicant shall have permanent variances from section 3141 and from the following sections of ASME A17.1-2004 that section 3141 makes applicable to the elevators the subject of those applications:

- Suspension Means: 2.20.1, 2.20.2.1, 2.20.2.2(a), 2.20.2.2(f), 2.20.3, 2.20.4, 2.20.9.3.4, and 2.20.9.5.4 (To permit the use of the Elastomeric Coated Steel Belts proposed by the Applicant in lieu of circular steel suspension ropes.);
- Cartop Railing: 2.14.1.7.1 (To permit the use of the car top railing system proposed by the

Applicant, where the railing system is located inset from the elevator car top perimeter);

- Inspection transfer switch: 2.26.1.4.4(a) (To permit the inspection transfer switch to reside at a location other than the machine room);
- Seismic reset switch: 8.4.10.1.1(a)(2)(b) (To permit the seismic reset switch to reside at a location other than the machine room);
- Governor Rope Diameter: 2.18.5.1 (To permit the use of the governor rope proposed by the Applicant, where the rope has a diameter of 8 mm [0.315 in.]); Note: A variance from the section above is not required. However, the Board has included a variance from this code requirement in similar previous variances.
- Pitch Diameter: 2.18.7.4 (To permit the use of the speed governor system, proposed by the Applicant, where the rope sheave pitch diameter is less than what is required by the Elevator Safety Orders).
- Minimum Inside Car Platform Dimensions: 3041(e)(1)(C) and 3141.7(b) (to comply with the performance-based requirements of the 2019 California Building Code section 3002.4.1a)

The variance shall be subject to, and limited by, the following additional conditions:

1. Each elevator subject to this variance shall comply with all applicable Group IV Elevator Safety Orders and with all ASME provisions made applicable by those Group IV Elevator Safety Orders, except those from which variances are granted, as set forth in the prefatory portion of this Decision and Order.
2. The suspension system shall comply with the following:
    a. The coated steel belt shall have a factor of safety at least equal to the factor of safety that ASME A17.1-2004, section 2.20.3, would require for wire ropes if the elevator were suspended by wire ropes rather than the coated steel belt.
    b. Steel-coated belts that have been installed and used on another installation shall not be reused.
    c. The coated steel belt shall be fitted with a monitoring device which has been accepted by Cal/OSHA and which will automatically stop the car if the residual strength of any single belt drops below 60 percent. If the residual strength of any single belt drops below 60 percent, the device shall prevent the elevator from restarting after a normal stop at a landing.
    d. Upon initial inspection, the readings from the monitoring device shall be documented and submitted to Cal/OSHA.
    e. A successful test of the monitoring device’s functionality shall be conducted at least once a year (the record of the annual test of the monitoring device shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).
    f. The coated steel belts used shall be accepted by Cal/OSHA.
    g. The installation of belts and connections shall be in conformance with the manufacturer’s specifications, which shall be provided to Cal/OSHA.

3. With respect to each elevator subject to this variance, the applicant shall comply with Cal/OSHA Circular Letter E-10-04, a copy of which is attached hereto as Addendum 1 and incorporated herein by this reference.
4. The Applicant shall not utilize each elevator unless the manufacturer has written procedures for the installation, maintenance, inspection, and testing of the belts and monitoring device, and criteria for belt replacement, and shall make those procedures and criteria available to Cal/OSHA upon request.
5. The flat coated steel belts shall be provided with a metal data tag that is securely attached to one of those belts. This data tag shall bear the following flat steel coated belt data:
    a. The width and thickness in millimeters or inches;
    b. The manufacturer's rated breaking strength in (kN) or (lbf);
    c. The name of the person who, or organization that, installed the flat coated steel belts;
    d. The month and year the flat coated steel belts were installed;
    e. The month and year the flat coated steel belts were first shortened;
    f. The name or trademark of the manufacturer of the flat coated steel belts;
    g. Lubrication information.
6. There shall be a crosshead data plate of the sort required by section 2.20.2.1, and that plate shall bear the following flat steel coated belt data:
    a. The number of belts,
    b. The belt width and thickness in millimeters or inches, and
    c. The manufacturer's rated breaking strength per belt in (kN) or (lbf).
7. If the seismic reset switch does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the inspection and test control panel located in one upper floor hoistway door jamb or in the control space (outside the hoistway) used by the motion controller.
8. If the inspection transfer switch required by ASME A17.1, rule 2.26.1.4.4(a), does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the inspection and test control panel located in one upper floor hoistway door jamb or in the control space (outside the hoistway) used by the motion controller.
9. When the inspection and test control panel is located in the hoistway door jamb, the inspection and test control panel shall be openable only by use of a Security Group I restricted key.
10. The opening to the hoistway shall be effectively barricaded when car top inspection, maintenance, servicing, or testing of elevator equipment in the hoistway is required. If service personnel must leave the area for any reason, the hoistway and control room doors shall be closed.
11. If there is an inset car top railing:
    a. Serviceable equipment shall be positioned so that mechanics and inspectors do not have

to climb on railings to perform adjustment, maintenance, repairs, or inspections. The Applicant shall not permit anyone to stand on or climb over the car top railing.

b. The distance that the car top railing may be inset from the car top perimeter shall be limited to no more than 6 inches.

c. All exposed areas of the car top outside the car top railing shall preclude standing or placing objects or persons which may fall and shall be beveled from the mid- or top rail to the outside of the car top.

d. The top of the beveled area and/or the car top outside the railing, shall be clearly marked. The markings shall consist of alternating four-inch diagonal red and white stripes.

e. The Applicant shall provide, on each inset railing, durable signs with lettering not less than ½ inch on a contrasting background. Each sign shall state:

CAUTION
DO NOT STAND ON OR CLIMB OVER RAILING

f. The Group IV requirements for car top clearances shall be maintained (car top clearances outside the railing shall be measured from the car top, and not from the required bevel).

11. The speed governor rope and sheaves shall comply with the following:

a. The governor shall be used in conjunction with a 8 mm (0.315 in.) diameter steel governor rope with 8-strand, regular lay construction.

b. The governor rope shall have a factor of safety of 8 or greater as related to the strength necessary to activate the safety.

c. The governor sheaves shall have a pitch diameter of not less than 240 mm (9.45 in.).

12. Each elevator shall be serviced, maintained, adjusted, tested, and inspected only by Certified Competent Conveyance Mechanics who have been trained to, and are competent to, perform those tasks on the Gen2(O) and/or Gen3 Peak elevator system the Applicant proposes to use, in accordance with the written procedures and criteria required by Condition No. 4 and the terms of this permanent variance.

13. All medical emergency service elevators shall comply with the following:

a. The requirements of the 2019 California Building Code (CBC), section 3002.4.1a;

The medical emergency service elevator shall accommodate the loading and transport of two emergency personnel, each requiring a minimum clear 21- inch (533 mm) diameter circular area and an ambulance gurney or stretcher [minimum size 24 inches by 84 inches (610 mm by 2134 mm) with not less than 5 inch (127 mm) radius corners] in the horizontal, open position.

b. All medical emergency service elevators shall be identified in the building construction documents in accordance with the 2019 CBC, section 3002.4a.

c. Dimensional drawings and other information necessary to demonstrate compliance with

these conditions shall be provided to Cal/OSHA, at the time of inspection, for all medical emergency service elevator(s).

14. Any Certified Qualified Conveyance Company performing inspections, maintenance, servicing, or testing of the elevators shall be provided a copy of this variance decision.
15. Cal/OSHA shall be notified when each elevator is ready for inspection. Each elevator shall be inspected by Cal/OSHA, and a Permit to Operate shall be issued before each elevator is placed in service.
16. The Applicant shall be subject to the suspension means replacement reporting condition stated in Addendum 2; that condition is incorporated herein by this reference.
17. The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way that the Applicant was required to notify them of the application for permanent variance, per sections 411.2 and 411.3.
18. This Decision and Order shall remain in effect unless duly modified or revoked upon application by the Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in the procedural manner prescribed.

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

DATED: April 24, 2026

Michelle Iorio

Michelle Iorio, Hearing Officer

ADDENDUM 1

October 6, 2010

CIRCULAR LETTER E-10-04

TO: Installers, Manufacturers of Conveyances and Related Equipment and, Other Interested Parties

SUBJECT: Coated Steel Belt Monitoring

The Elevator Safety Orders require routine inspection of the suspension means of an elevator to assure its safe operation.

The California Labor Code section 7318 allows Cal/OSHA to promulgate special safety orders in the absence of regulation.

As it is not possible to see the steel cable suspension means of a Coated Steel Belt, a monitoring device which has been accepted by Cal/OSHA is required on all Coated Steel Belts which will automatically stop the car if the residual strength of any belt drops below 60%. The Device shall prevent the elevator from restarting after a normal stop at a landing.

The monitoring device must be properly installed and functional. A functioning device may be removed only after a determination has been made that the residual strength of each belt exceeds 60%. These findings and the date of removal are to be conspicuously documented in the elevator machine room. The removed device must be replaced or returned to proper service within 30 days.

If upon routine inspection, the monitoring device is found to be in a non-functional state, the date and findings are to be conspicuously documented in the elevator machine room.

If upon inspection by Cal/OSHA, the monitoring device is found to be non-functional or removed, and the required documentation is not in place, the elevator will be removed from service.

If the device is removed to facilitate belt replacement, it must be properly installed and functional before the elevator is returned to service.

A successful test of the device’s functionality shall be conducted once a year.

This circular does not preempt Cal/OSHA from adopting regulations in the future, which may address the monitoring of Coated Steel Belts or any other suspension means.

This circular does not create an obligation on the part of Cal/OSHA to permit new conveyances utilizing Coated Steel Belts.

Debra Tudor
Principal Engineer
Cal/OSHA-Elevator Unit HQS

ADDENDUM 2

Suspension Means - Replacement Reporting Condition

Beginning on the date the Board adopts this Proposed Decision and continuing for a period of two years, the Applicant shall report to Cal/OSHA within 30 days any and all replacement activity performed on the elevator(s) pursuant to the requirements of ASME A17.1-2004, section 8.6.3 involving the suspension means or suspension means fastenings.

Further:

1. A separate report for each elevator shall be submitted, in a manner acceptable to Cal/OSHA, to the following address (or to such other address as Cal/OSHA might specify in the future): Cal/OSHA Elevator Unit, 2 MacArthur Place, Suite 700, Santa Ana, CA 92707, Attn: Engineering section.
2. Each such report shall contain, but not necessarily be limited to, the following information:
    a. The State-issued conveyance number, complete address, and Permanent Variance number that identifies the permanent variance.
    b. The business name, complete address, telephone number, and contact person of the elevator responsible party (presumably the Applicant or the subsequent holder of this variance).
    c. The business name, complete address, telephone number, and Certified Qualified Conveyance Company (CQCC) certification number of the firm performing the replacement work.
    d. The name (as listed on certification), Certified Competent Conveyance Mechanic (CCCM) certification number, certification expiration date, and signature of each CCCM performing the replacement work.
    e. The date and time the elevator was removed from normal service for suspension replacement, the date and time the replacement work commenced, the date and time the replacement work was completed, and the date and time the elevator was returned to normal service.
    f. A detailed description of, and clear color photographs depicting, (1) all the conditions that existed in the suspension components requiring their replacement and (2) any conditions that existed to cause damage or distress to the suspension components being replaced.
    g. A detailed list of all elevator components adjusted, repaired, or replaced in conjunction with the suspension component replacement.
    h. All information provided on the crosshead data plate per ASME A17.1-2004, section 2.20.2.1, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.
    i. For the suspension means being replaced, all information provided on the data tag required per ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is

modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

j. For the replacement suspension means, all information provided on the data tag required by ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

k. Any other information requested by Cal/OSHA regarding the replacement of the suspension means or fastenings.

3. In addition to the submission of the report to Cal/OSHA, the findings of any testing, failure analysis, or other engineering evaluations performed on any portion of the replaced suspension components, or other elevator components replaced in conjunction therewith, shall be submitted to Cal/OSHA referencing the information contained in item 2a above.

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application for Permanent Variance Regarding:

Otis Gen2S/Gen3Edge/Gen3 Core Elevator & Medical Emergency Car Dimensions

Permanent Variance No: See section A.1 table below

PROPOSED DECISION

Hearing Date: April 22, 2026
Location: Zoom

A. Subject Matter

1. The applicants ("Applicants") below have applied for permanent variances from provisions of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, all references in this matter are to the California Code of Regulations, title 8. The variance applications are as follows:

Permanent Variance No.	Applicant Name	Variance Location Address	No. of Conveyances
26-V-120	Riverside Community College District	Norco College - Center for Human Performance & Kinesiology 2001 Third St. Norco, CA	1

2. This proceeding is conducted in accordance with Labor Code section 143 and section 401, et seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026 via videoconference by the Board with Hearing Officer Michelle Iorio, both presiding and hearing the matter on its merit as a basis of proposed decision to be advanced to the Board for its consideration.

2. At the hearing, Dan Leacox, with Leacox & Associates, appeared on behalf of each Applicant; Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Documentary and oral evidence was received at the hearing, and by stipulation of all parties, documents were admitted into evidence:

Exhibit Number	Description of Exhibit

PD1	Application(s) for Permanent Variance per section A.1 table
PD2	OSHSB Notice of Hearing
PD3	Cal/OSHA Review of Variance Application
PD4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the Elevator Safety Order requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Findings of Fact

1. Each Applicant intends to utilize Otis Gen3 Edge/Gen2S/Gen3 Core elevators at the locations and in the numbers stated in the above section A.1 table. Applicant may utilize the variance from minimum inside car platform dimensions for other elevators designated for emergency medical service at the same variance location.
2. The installation contracts for these elevators were or will be signed on or after May 1, 2008, making the elevators subject to the Group IV Elevator Safety Orders.
3. The Board incorporates by reference the relevant findings in previous Board decisions:
    a. Items D.3 through D.9 of the Proposed Decision adopted by the Board on July 18, 2013 for Permanent Variance No. 12-V-093;
    b. Item D.4 of the Proposed Decision adopted by the Board on September 25, 2014 for Permanent Variance No. 14-V-206;
    c. Item B of the Proposed Decision adopted by the Board on September 15, 2022 for Permanent Variance No. 22-V-302 regarding medical emergency car dimensions; and
    d. Items C and D of the Proposed Decision adopted by the Board on June 20, 2024 for Permanent Variance No. 24-V-193 regarding the Gen3 Core elevator equivalent safety.
4. Cal/OSHA, by way of written submissions to the record (Exhibit PD-3), and position stated at hearing, is of the well informed opinion that grant of requested permanent variance, as limited and conditioned per the below Decision and Order will provide employment, places of employment, and subject conveyances, as safe and healthful as would prevail given non-variant conformity with the Elevator Safety Order requirements from which variance has been requested.

D. Conclusive Findings

A preponderance of the evidence supports the finding that each Applicants' proposal, subject to all conditions and limitations set forth in the below Decision and Order, will provide equivalent safety and health to that which would prevail upon full compliance with the requirements of the Elevator Safety Orders from which variance is being sought.

E. Decision and Order

Each permanent variance application the subject of this proceeding is conditionally GRANTED as specified below, and to the extent, as of the date the Board adopts this Proposed Decision,

each Applicant listed in the above section A table shall have permanent variances from the following sections of ASME A17.1-2004 that section 3141 makes applicable to the elevators the subject of those applications:

- **Car top railing**: sections 2.14.1.7.1 (to permit an inset car top railing, if, in fact, the car top railing is inset);
- **Speed governor over-speed switch**: 2.18.4.2.5(a) (to permit the use of the speed reducing system proposed by the Applicants, where the speed reducing switch resides in the controller algorithms, rather than on the governor, with the necessary speed input supplied by the main encoder signal from the motor);
- **Governor rope diameter**: 2.18.5.1 (to allow the use of reduced diameter governor rope);
- **Pitch diameter**: 2.18.7.4 (to permit the use of the speed-reducing system proposed by the Applicant, where the rope sheave pitch diameter is not less than 180 mm [7.1 in.]);
- **Suspension means**: 2.20.1, 2.20.2.1, 2.20.2.2(a), 2.20.2.2(f), 2.20.3, 2.20.4, 2.20.9.3.4 and 2.20.9.5.4—the variances from these “suspension means” provisions to permit the use of Otis Gen2 flat coated steel suspension belts in lieu of conventional steel suspension ropes;
- **Inspection transfer switch**: 2.26.1.4.4(a) (to allow the inspection transfer switch to reside at a location other than a machine room, if, in fact, it does not reside in the machine room); and
- **Seismic reset switch**: 8.4.10.1.1(a)(2)(b) (to allow the seismic reset switch to reside at a location other than a machine room, if, in fact, it does not reside in the machine room).
- **Minimum Inside Car Platform Dimensions**: 3041(e)(1)(C) and 3141.7(b) (to comply with the performance-based requirements of the 2019 California Building Code section 3002.4.1a)

These variances apply to the locations and numbers of elevators stated in the section A table (so long as the elevators are Gen3 Edge/Gen2S Group and Gen3 Core & Medical Emergency Elevator Car Dimensions (Group IV) that are designed, equipped, and installed in accordance with, and are otherwise consistent with, and are subject to the following conditions:

1. The suspension system shall comply with the following:
    a. The coated steel belt and connections shall have factors of safety equal to those permitted for use by section 3141 [ASME A17.1-2004, section 2.20.3] on wire rope suspended elevators.
    b. Steel coated belts that have been installed and used on another installation shall not be reused.
    c. The coated steel belt shall be fitted with a monitoring device which has been accepted by Cal/OSHA and which will automatically stop the car if the residual strength of any single belt drops below 60 percent. If the residual strength of any single belt drops below 60 percent, the device shall prevent the elevator from restarting after a normal stop at a landing.
    d. Upon initial inspection, the readings from the monitoring device shall be documented and submitted to Cal/OSHA.

e. A successful test of the monitoring device's functionality shall be conducted at least once a year (the record of the annual test of the monitoring device shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).

f. The coated steel belts used shall be accepted by Cal/OSHA.

2. With respect to each elevator subject to this variance, the applicant shall comply with Cal/OSHA Circular Letter E-10-04, the substance of which is attached hereto as Addendum 1 and incorporated herein by this reference.

3. The Applicant shall not utilize the elevator unless the manufacturer has written procedures for the installation, maintenance, inspection, and testing of the belts and monitoring device and criteria for belt replacement, and the applicant shall make those procedures and criteria available to Cal/OSHA upon request.

4. The flat coated steel belts shall be provided with a metal data tag that is securely attached to one of those belts. This data tag shall bear the following flat steel coated belt data:

a. The width and thickness in millimeters or inches;

b. The manufacturer's rated breaking strength in (kN) or (lbf);

c. The name of the person or organization that installed the flat coated steel belts;

d. The month and year the flat coated steel belts were installed;

e. The month and year the flat coated steel belts were first shortened;

f. The name or trademark of the manufacturer of the flat coated steel belts; and

g. Lubrication information.

5. There shall be a crosshead data plate of the sort required by section 2.20.2.1, and that plate shall bear the following flat steel coated belt data:

a. The number of belts;

b. The belt width and thickness in millimeters or inches; and

c. The manufacturer's rated breaking strength per belt in (kN) or (lbf).

6. The opening to the hoistway shall be effectively barricaded when car top inspection, maintenance, servicing, or testing of elevator equipment in the hoistway is required. If service personnel must leave the area for any reason, the hoistway and control room doors shall be closed.

7. If there is an inset car top railing:

a. Serviceable equipment shall be positioned so that mechanics and inspectors do not have to climb on railings to perform adjustment, maintenance, repairs or inspections. The applicant shall not permit anyone to stand on or climb over the car top railing.

b. The distance that the car top railing may be inset shall be limited to no more than 6 inches.

c. All exposed areas outside the car top railing shall preclude standing or placing objects or persons which may fall and shall be beveled from the mid- or top rail to the outside of the

car top.

d. The top of the beveled area and/or car top outside the railing, shall be clearly marked. The markings shall consist of alternating 4 inch diagonal red and white stripes.

e. The applicant shall provide durable signs with lettering not less than ½ inch on a contrasting background on each inset railing; each sign shall state:

CAUTION
DO NOT STAND ON OR CLIMB OVER RAILING

f. The Group IV requirements for car top clearances shall be maintained (car top clearances outside the railing shall be measured from the car top and not from the required bevel).

8. If the seismic reset switch does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the inspection and test control panel located in one upper floor hoistway door jamb or in the control space (outside the hoistway) used by the motion controller.
9. If the inspection transfer switch required by ASME A17.1, rule 2.26.1.4.4(a) does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the inspection and test control panel located in one upper floor hoistway door jamb or in the control space (outside the hoistway) used by the motion controller.
10. When the inspection and testing panel is located in the hoistway door jamb, the inspection and test control panel shall be openable only by use of a Security Group I restricted key.
11. The governor speed-reducing switch function shall comply with the following:
    a. It shall be used only with direct drive machines; i.e., no gear reduction is permitted between the drive motor and the suspension means.
    b. The velocity encoder shall be coupled to the driving machine motor shaft. The “C” channel of the encoder shall be utilized for velocity measurements required by the speed reducing system. The signal from “C” channel of the encoder shall be verified with the “A” and “B” channels for failure. If a failure is detected then an emergency stop shall be initiated.
    c. Control system parameters utilized in the speed-reducing system shall be held in non-volatile memory.
    d. It shall be used in conjunction with approved car-mounted speed governors only.
    e. It shall be used in conjunction with an effective traction monitoring system that detects a loss of traction between the driving sheave and the suspension means. If a loss of traction is detected, then an emergency stop shall be initiated.
    f. A successful test of the speed-reducing switch system’s functionality shall be conducted at least once a year (the record of the annual test of the speed-reducing switch system shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).
    g. A successful test of the traction monitoring system’s functionality shall be conducted at

least once a year (the record of the annual test of the traction monitoring system shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).

h. The Applicant shall not utilize the elevator unless the manufacturer has written procedures for the maintenance, inspection, and testing of the speed-reducing switch and traction monitoring systems. The Applicant shall make the procedures available to Cal/OSHA upon request.

12. The speed governor rope and sheaves shall comply with the following:

    a. The governor shall be used in conjunction with a 6 mm (0.25 in.) diameter steel governor rope with 6-strand, regular lay construction.

    b. The governor rope shall have a factor of safety of 8 or greater as related to the strength necessary to activate the safety.

    c. The governor sheaves shall have a pitch diameter of not less than 180 mm (7.1 in.).

13. All medical emergency service elevators shall comply with the following:

    a. The requirements of the 2019 California Building Code (CBC), section 3002.4.1a;

    The medical emergency service elevator shall accommodate the loading and transport of two emergency personnel, each requiring a minimum clear 21-inch (533 mm) diameter circular area and an ambulance gurney or stretcher [minimum size 24 inches by 84 inches (610 mm by 2134 mm) with not less than 5inch (127 mm) radius corners] in the horizontal, open position.

    b. All medical emergency service elevators shall be identified in the building construction documents in accordance with the 2019 CBC, section 3002.4a.

    c. Dimensional drawings and other information necessary to demonstrate compliance with these conditions shall be provided to Cal/OSHA, at the time of inspection, for all medical emergency service elevator(s).

14. The elevator shall be serviced, maintained, adjusted, tested, and inspected only by Certified Competent Conveyance Mechanics who have been trained to, and are competent to, perform those tasks on the Gen3 Edge/Gen2S/Gen3 Core elevator system in accordance with the written procedures and criteria required by Condition No. 3 and in accordance with the terms of this permanent variance.

15. Any Certified Qualified Conveyance Company performing inspections, maintenance, servicing, or testing of the elevators shall be provided a copy of this variance decision.

16. Cal/OSHA shall be notified when the elevator is ready for inspection. The elevator shall be inspected by Cal/OSHA, and a Permit to Operate shall be issued before the elevator is placed in service.

17. The Applicant shall be subject to the Suspension Means – Replacement Reporting Condition stated in Addendum 2, as hereby incorporated by this reference.

18. The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way and to the same extent that employees and authorized representatives are to be notified of docketed permanent variance applications.

19. This Decision and Order shall remain in effect unless modified or revoked upon application by the Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in accordance with the Board's procedural regulations at section 426, subdivision (b).

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

DATED: April 24, 2026

Michelle Iorio

Michelle Iorio, Hearing Officer

ADDENDUM 1

October 6, 2010

CIRCULAR LETTER E-10-04

TO: Installers, Manufacturers of Conveyances and Related Equipment and, Other Interested Parties

SUBJECT: Coated Steel Belt Monitoring

The Elevator Safety Orders require routine inspection of the suspension means of an elevator to assure its safe operation.

The California Labor Code section 7318 allows Cal/OSHA to promulgate special safety orders in the absence of regulation.

As it is not possible to see the steel cable suspension means of a Coated Steel Belt, a monitoring device which has been accepted by Cal/OSHA is required on all Coated Steel Belts which will automatically stop the car if the residual strength of any belt drops below 60%. The Device shall prevent the elevator from restarting after a normal stop at a landing.

The monitoring device must be properly installed and functional. A functioning device may be removed only after a determination has been made that the residual strength of each belt exceeds 60%. These findings and the date of removal are to be conspicuously documented in the elevator machine room. The removed device must be replaced or returned to proper service within 30 days.

If upon routine inspection, the monitoring device is found to be in a non-functional state, the date and findings are to be conspicuously documented in the elevator machine room.

If upon inspection by Cal/OSHA, the monitoring device is found to be non-functional or removed, and the required documentation is not in place, the elevator will be removed from service.

If the device is removed to facilitate belt replacement, it must be properly installed and functional before the elevator is returned to service.

A successful test of the device’s functionality shall be conducted once a year.

This circular does not preempt Cal/OSHA from adopting regulations in the future, which may address the monitoring of Coated Steel Belts or any other suspension means.

This circular does not create an obligation on the part of Cal/OSHA to permit new conveyances utilizing Coated Steel Belts.

Debra Tudor
Principal Engineer
Cal/OSHA-Elevator Unit HQS

ADDENDUM 2

Suspension Means - Replacement Reporting Condition

Beginning on the date the Board adopts this Proposed Decision and continuing for a period of two years, the Applicant shall report to Cal/OSHA within 30 days any and all replacement activity performed on the elevator(s) pursuant to the requirements of ASME A17.1-2004, section 8.6.3 involving the suspension means or suspension means fastenings.

Further:

1. A separate report for each elevator shall be submitted, in a manner acceptable to Cal/OSHA, to the following address (or to such other address as Cal/OSHA might specify in the future): Cal/OSHA Elevator Unit, 2 MacArthur Place, Suite 700, Santa Ana, CA 92707, Attn: Engineering section.
2. Each such report shall contain, but not necessarily be limited to, the following information:
    a. The State-issued conveyance number, complete address, and Permanent Variance number that identifies the permanent variance.
    b. The business name, complete address, telephone number, and contact person of the elevator responsible party (presumably the Applicant or the subsequent holder of this variance).
    c. The business name, complete address, telephone number, and Certified Qualified Conveyance Company (CQCC) certification number of the firm performing the replacement work.
    d. The name (as listed on certification), Certified Competent Conveyance Mechanic (CCCM) certification number, certification expiration date, and signature of each CCCM performing the replacement work.
    e. The date and time the elevator was removed from normal service for suspension replacement, the date and time the replacement work commenced, the date and time the replacement work was completed, and the date and time the elevator was returned to normal service.
    f. A detailed description of, and clear color photographs depicting, (1) all the conditions that existed in the suspension components requiring their replacement and (2) any conditions that existed to cause damage or distress to the suspension components being replaced.
    g. A detailed list of all elevator components adjusted, repaired, or replaced in conjunction with the suspension component replacement.
    h. All information provided on the crosshead data plate per ASME A17.1-2004, section 2.20.2.1, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.
    i. For the suspension means being replaced, all information provided on the data tag required per ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is

modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

j. For the replacement suspension means, all information provided on the data tag required by ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

k. Any other information requested by Cal/OSHA regarding the replacement of the suspension means or fastenings.

3. In addition to the submission of the report to Cal/OSHA, the findings of any testing, failure analysis, or other engineering evaluations performed on any portion of the replaced suspension components, or other elevator components replaced in conjunction therewith, shall be submitted to Cal/OSHA referencing the information contained in item 2a above.

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application for Permanent Variance Regarding:

Otis Gen2S/Gen3Edge/Gen3 Core Elevator & Medical Emergency Car Dimensions

Permanent Variance No: See section A.1 table below

PROPOSED DECISION

Hearing Date: April 22, 2026
Location: Zoom

A. Subject Matter

1. The applicants ("Applicants") below have applied for permanent variances from provisions of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, all references in this matter are to the California Code of Regulations, title 8. The variance applications are as follows:

Permanent Variance No.	Applicant Name	Variance Location Address	No. of Conveyances
26-V-121	Riverwalk Family LP	Buildings 1, 2, 3 (1 elevator each) 6364 Village Dr. San Diego, CA	3

2. This proceeding is conducted in accordance with Labor Code section 143 and section 401, et seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026 via videoconference by the Board with Hearing Officer Michelle Iorio, both presiding and hearing the matter on its merit as a basis of proposed decision to be advanced to the Board for its consideration.

2. At the hearing, Dan Leacox, with Leacox & Associates, appeared on behalf of each Applicant; Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Documentary and oral evidence was received at the hearing, and by stipulation of all parties, documents were admitted into evidence:

Exhibit Number	Description of Exhibit
PD1	Application(s) for Permanent Variance per section A.1 table

PD2	OSHSB Notice of Hearing
PD3	Cal/OSHA Review of Variance Application
PD4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the Elevator Safety Order requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Findings of Fact

1. Each Applicant intends to utilize Otis Gen3 Edge/Gen2S/Gen3 Core elevators at the locations and in the numbers stated in the above section A.1 table. Applicant may utilize the variance from minimum inside car platform dimensions for other elevators designated for emergency medical service at the same variance location.
2. The installation contracts for these elevators were or will be signed on or after May 1, 2008, making the elevators subject to the Group IV Elevator Safety Orders.
3. The Board incorporates by reference the relevant findings in previous Board decisions:
    a. Items D.3 through D.9 of the Proposed Decision adopted by the Board on July 18, 2013 for Permanent Variance No. 12-V-093;
    b. Item D.4 of the Proposed Decision adopted by the Board on September 25, 2014 for Permanent Variance No. 14-V-206;
    c. Item B of the Proposed Decision adopted by the Board on September 15, 2022 for Permanent Variance No. 22-V-302 regarding medical emergency car dimensions; and
    d. Items C and D of the Proposed Decision adopted by the Board on June 20, 2024 for Permanent Variance No. 24-V-193 regarding the Gen3 Core elevator equivalent safety.
4. Cal/OSHA, by way of written submissions to the record (Exhibit PD-3), and position stated at hearing, is of the well informed opinion that grant of requested permanent variance, as limited and conditioned per the below Decision and Order will provide employment, places of employment, and subject conveyances, as safe and healthful as would prevail given non-variant conformity with the Elevator Safety Order requirements from which variance has been requested.

D. Conclusive Findings

A preponderance of the evidence supports the finding that each Applicants' proposal, subject to all conditions and limitations set forth in the below Decision and Order, will provide equivalent safety and health to that which would prevail upon full compliance with the requirements of the Elevator Safety Orders from which variance is being sought.

E. Decision and Order

Each permanent variance application the subject of this proceeding is conditionally GRANTED as specified below, and to the extent, as of the date the Board adopts this Proposed Decision, each Applicant listed in the above section A table shall have permanent variances from the

following sections of ASME A17.1-2004 that section 3141 makes applicable to the elevators the subject of those applications:

- **Car top railing**: sections 2.14.1.7.1 (to permit an inset car top railing, if, in fact, the car top railing is inset);
- **Speed governor over-speed switch**: 2.18.4.2.5(a) (to permit the use of the speed reducing system proposed by the Applicants, where the speed reducing switch resides in the controller algorithms, rather than on the governor, with the necessary speed input supplied by the main encoder signal from the motor);
- **Governor rope diameter**: 2.18.5.1 (to allow the use of reduced diameter governor rope);
- **Pitch diameter**: 2.18.7.4 (to permit the use of the speed-reducing system proposed by the Applicant, where the rope sheave pitch diameter is not less than 180 mm [7.1 in.]);
- **Suspension means**: 2.20.1, 2.20.2.1, 2.20.2.2(a), 2.20.2.2(f), 2.20.3, 2.20.4, 2.20.9.3.4 and 2.20.9.5.4—the variances from these "suspension means" provisions to permit the use of Otis Gen2 flat coated steel suspension belts in lieu of conventional steel suspension ropes;
- **Inspection transfer switch**: 2.26.1.4.4(a) (to allow the inspection transfer switch to reside at a location other than a machine room, if, in fact, it does not reside in the machine room); and
- **Seismic reset switch**: 8.4.10.1.1(a)(2)(b) (to allow the seismic reset switch to reside at a location other than a machine room, if, in fact, it does not reside in the machine room).
- **Minimum Inside Car Platform Dimensions**: 3041(e)(1)(C) and 3141.7(b) (to comply with the performance-based requirements of the 2019 California Building Code section 3002.4.1a)

These variances apply to the locations and numbers of elevators stated in the section A table (so long as the elevators are Gen3 Edge/Gen2S Group and Gen3 Core & Medical Emergency Elevator Car Dimensions (Group IV) that are designed, equipped, and installed in accordance with, and are otherwise consistent with, and are subject to the following conditions:

1. The suspension system shall comply with the following:
    a. The coated steel belt and connections shall have factors of safety equal to those permitted for use by section 3141 [ASME A17.1-2004, section 2.20.3] on wire rope suspended elevators.
    b. Steel coated belts that have been installed and used on another installation shall not be reused.
    c. The coated steel belt shall be fitted with a monitoring device which has been accepted by Cal/OSHA and which will automatically stop the car if the residual strength of any single belt drops below 60 percent. If the residual strength of any single belt drops below 60 percent, the device shall prevent the elevator from restarting after a normal stop at a landing.
    d. Upon initial inspection, the readings from the monitoring device shall be documented and submitted to Cal/OSHA.
    e. A successful test of the monitoring device's functionality shall be conducted at least once

a year (the record of the annual test of the monitoring device shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).

f. The coated steel belts used shall be accepted by Cal/OSHA.

2. With respect to each elevator subject to this variance, the applicant shall comply with Cal/OSHA Circular Letter E-10-04, the substance of which is attached hereto as Addendum 1 and incorporated herein by this reference.

3. The Applicant shall not utilize the elevator unless the manufacturer has written procedures for the installation, maintenance, inspection, and testing of the belts and monitoring device and criteria for belt replacement, and the applicant shall make those procedures and criteria available to Cal/OSHA upon request.

4. The flat coated steel belts shall be provided with a metal data tag that is securely attached to one of those belts. This data tag shall bear the following flat steel coated belt data:

   a. The width and thickness in millimeters or inches;

   b. The manufacturer's rated breaking strength in (kN) or (lbf);

   c. The name of the person or organization that installed the flat coated steel belts;

   d. The month and year the flat coated steel belts were installed;

   e. The month and year the flat coated steel belts were first shortened;

   f. The name or trademark of the manufacturer of the flat coated steel belts; and

   g. Lubrication information.

5. There shall be a crosshead data plate of the sort required by section 2.20.2.1, and that plate shall bear the following flat steel coated belt data:

   a. The number of belts;

   b. The belt width and thickness in millimeters or inches; and

   c. The manufacturer's rated breaking strength per belt in (kN) or (lbf).

6. The opening to the hoistway shall be effectively barricaded when car top inspection, maintenance, servicing, or testing of elevator equipment in the hoistway is required. If service personnel must leave the area for any reason, the hoistway and control room doors shall be closed.

7. If there is an inset car top railing:

   a. Serviceable equipment shall be positioned so that mechanics and inspectors do not have to climb on railings to perform adjustment, maintenance, repairs or inspections. The applicant shall not permit anyone to stand on or climb over the car top railing.

   b. The distance that the car top railing may be inset shall be limited to no more than 6 inches.

   c. All exposed areas outside the car top railing shall preclude standing or placing objects or persons which may fall and shall be beveled from the mid- or top rail to the outside of the car top.

d. The top of the beveled area and/or car top outside the railing, shall be clearly marked. The markings shall consist of alternating 4 inch diagonal red and white stripes.

e. The applicant shall provide durable signs with lettering not less than ½ inch on a contrasting background on each inset railing; each sign shall state:

CAUTION
DO NOT STAND ON OR CLIMB OVER RAILING

f. The Group IV requirements for car top clearances shall be maintained (car top clearances outside the railing shall be measured from the car top and not from the required bevel).

8. If the seismic reset switch does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the inspection and test control panel located in one upper floor hoistway door jamb or in the control space (outside the hoistway) used by the motion controller.
9. If the inspection transfer switch required by ASME A17.1, rule 2.26.1.4.4(a) does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the inspection and test control panel located in one upper floor hoistway door jamb or in the control space (outside the hoistway) used by the motion controller.
10. When the inspection and testing panel is located in the hoistway door jamb, the inspection and test control panel shall be openable only by use of a Security Group I restricted key.
11. The governor speed-reducing switch function shall comply with the following:
    a. It shall be used only with direct drive machines; i.e., no gear reduction is permitted between the drive motor and the suspension means.
    b. The velocity encoder shall be coupled to the driving machine motor shaft. The “C” channel of the encoder shall be utilized for velocity measurements required by the speed reducing system. The signal from “C” channel of the encoder shall be verified with the “A” and “B” channels for failure. If a failure is detected then an emergency stop shall be initiated.
    c. Control system parameters utilized in the speed-reducing system shall be held in non-volatile memory.
    d. It shall be used in conjunction with approved car-mounted speed governors only.
    e. It shall be used in conjunction with an effective traction monitoring system that detects a loss of traction between the driving sheave and the suspension means. If a loss of traction is detected, then an emergency stop shall be initiated.
    f. A successful test of the speed-reducing switch system’s functionality shall be conducted at least once a year (the record of the annual test of the speed-reducing switch system shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).
    g. A successful test of the traction monitoring system’s functionality shall be conducted at least once a year (the record of the annual test of the traction monitoring system shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).

h. The Applicant shall not utilize the elevator unless the manufacturer has written procedures for the maintenance, inspection, and testing of the speed-reducing switch and traction monitoring systems. The Applicant shall make the procedures available to Cal/OSHA upon request.

12. The speed governor rope and sheaves shall comply with the following:

    a. The governor shall be used in conjunction with a 6 mm (0.25 in.) diameter steel governor rope with 6-strand, regular lay construction.

    b. The governor rope shall have a factor of safety of 8 or greater as related to the strength necessary to activate the safety.

    c. The governor sheaves shall have a pitch diameter of not less than 180 mm (7.1 in.).

13. All medical emergency service elevators shall comply with the following:

    a. The requirements of the 2019 California Building Code (CBC), section 3002.4.1a;

    The medical emergency service elevator shall accommodate the loading and transport of two emergency personnel, each requiring a minimum clear 21-inch (533 mm) diameter circular area and an ambulance gurney or stretcher [minimum size 24 inches by 84 inches (610 mm by 2134 mm) with not less than 5inch (127 mm) radius corners] in the horizontal, open position.

    b. All medical emergency service elevators shall be identified in the building construction documents in accordance with the 2019 CBC, section 3002.4a.

    c. Dimensional drawings and other information necessary to demonstrate compliance with these conditions shall be provided to Cal/OSHA, at the time of inspection, for all medical emergency service elevator(s).

14. The elevator shall be serviced, maintained, adjusted, tested, and inspected only by Certified Competent Conveyance Mechanics who have been trained to, and are competent to, perform those tasks on the Gen3 Edge/Gen2S/Gen3 Core elevator system in accordance with the written procedures and criteria required by Condition No. 3 and in accordance with the terms of this permanent variance.

15. Any Certified Qualified Conveyance Company performing inspections, maintenance, servicing, or testing of the elevators shall be provided a copy of this variance decision.

16. Cal/OSHA shall be notified when the elevator is ready for inspection. The elevator shall be inspected by Cal/OSHA, and a Permit to Operate shall be issued before the elevator is placed in service.

17. The Applicant shall be subject to the Suspension Means – Replacement Reporting Condition stated in Addendum 2, as hereby incorporated by this reference.

18. The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way and to the same extent that employees and authorized representatives

are to be notified of docketed permanent variance applications.

19. This Decision and Order shall remain in effect unless modified or revoked upon application by the Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in accordance with the Board's procedural regulations at section 426, subdivision (b).

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

DATED: April 23, 2026

Michelle Iorio

Michelle Iorio, Hearing Officer

ADDENDUM 1

October 6, 2010

CIRCULAR LETTER E-10-04

TO: Installers, Manufacturers of Conveyances and Related Equipment and, Other Interested Parties

SUBJECT: Coated Steel Belt Monitoring

The Elevator Safety Orders require routine inspection of the suspension means of an elevator to assure its safe operation.

The California Labor Code section 7318 allows Cal/OSHA to promulgate special safety orders in the absence of regulation.

As it is not possible to see the steel cable suspension means of a Coated Steel Belt, a monitoring device which has been accepted by Cal/OSHA is required on all Coated Steel Belts which will automatically stop the car if the residual strength of any belt drops below 60%. The Device shall prevent the elevator from restarting after a normal stop at a landing.

The monitoring device must be properly installed and functional. A functioning device may be removed only after a determination has been made that the residual strength of each belt exceeds 60%. These findings and the date of removal are to be conspicuously documented in the elevator machine room. The removed device must be replaced or returned to proper service within 30 days.

If upon routine inspection, the monitoring device is found to be in a non-functional state, the date and findings are to be conspicuously documented in the elevator machine room.

If upon inspection by Cal/OSHA, the monitoring device is found to be non-functional or removed, and the required documentation is not in place, the elevator will be removed from service.

If the device is removed to facilitate belt replacement, it must be properly installed and functional before the elevator is returned to service.

A successful test of the device’s functionality shall be conducted once a year.

This circular does not preempt Cal/OSHA from adopting regulations in the future, which may address the monitoring of Coated Steel Belts or any other suspension means.

This circular does not create an obligation on the part of Cal/OSHA to permit new conveyances utilizing Coated Steel Belts.

Debra Tudor
Principal Engineer
Cal/OSHA-Elevator Unit HQS

ADDENDUM 2

Suspension Means - Replacement Reporting Condition

Beginning on the date the Board adopts this Proposed Decision and continuing for a period of two years, the Applicant shall report to Cal/OSHA within 30 days any and all replacement activity performed on the elevator(s) pursuant to the requirements of ASME A17.1-2004, section 8.6.3 involving the suspension means or suspension means fastenings.

Further:

1. A separate report for each elevator shall be submitted, in a manner acceptable to Cal/OSHA, to the following address (or to such other address as Cal/OSHA might specify in the future): Cal/OSHA Elevator Unit, 2 MacArthur Place, Suite 700, Santa Ana, CA 92707, Attn: Engineering section.
2. Each such report shall contain, but not necessarily be limited to, the following information:
    a. The State-issued conveyance number, complete address, and Permanent Variance number that identifies the permanent variance.
    b. The business name, complete address, telephone number, and contact person of the elevator responsible party (presumably the Applicant or the subsequent holder of this variance).
    c. The business name, complete address, telephone number, and Certified Qualified Conveyance Company (CQCC) certification number of the firm performing the replacement work.
    d. The name (as listed on certification), Certified Competent Conveyance Mechanic (CCCM) certification number, certification expiration date, and signature of each CCCM performing the replacement work.
    e. The date and time the elevator was removed from normal service for suspension replacement, the date and time the replacement work commenced, the date and time the replacement work was completed, and the date and time the elevator was returned to normal service.
    f. A detailed description of, and clear color photographs depicting, (1) all the conditions that existed in the suspension components requiring their replacement and (2) any conditions that existed to cause damage or distress to the suspension components being replaced.
    g. A detailed list of all elevator components adjusted, repaired, or replaced in conjunction with the suspension component replacement.
    h. All information provided on the crosshead data plate per ASME A17.1-2004, section 2.20.2.1, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.
    i. For the suspension means being replaced, all information provided on the data tag required per ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is

modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

j. For the replacement suspension means, all information provided on the data tag required by ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

k. Any other information requested by Cal/OSHA regarding the replacement of the suspension means or fastenings.

3. In addition to the submission of the report to Cal/OSHA, the findings of any testing, failure analysis, or other engineering evaluations performed on any portion of the replaced suspension components, or other elevator components replaced in conjunction therewith, shall be submitted to Cal/OSHA referencing the information contained in item 2a above.

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application for Permanent Variance Regarding:

Otis Medical Emergency Elevator Car Dimensions

Permanent Variance No: See section A.1 table below

PROPOSED DECISION

Hearing Date: April 22, 2026
Location: Zoom

A. Subject Matter

1. The applicants ("Applicants") below have applied for permanent variances from provisions of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, all references in this matter are to the California Code of Regulations, title 8. The variance applications are as follows:

Permanent Variance No.	Applicant Name	Variance Location Address	No. of Conveyances
26-V-122	VMJ Company, LLC	110 S. College St. La Habra, CA	

2. This proceeding is conducted in accordance with Labor Code section 143 and section 401, et seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026 via videoconference by the Board with Hearing Officer Michelle Iorio, both presiding and hearing the matter on its merit as a basis of proposed decision to be advanced to the Board for its consideration.

2. At the hearing, Dan Leacox, with Leacox & Associates, appeared on behalf of each Applicant; Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Documentary and oral evidence was received at the hearing, and by stipulation of all parties, documents were admitted into evidence:

Exhibit Number	Description of Exhibit
PD1	Application(s) for Permanent Variance per section A.1 table
PD2	OSHSB Notice of Hearing

PD3	Cal/OSHA Review of Variance Application
PD4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the Elevator Safety Order requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Findings of Fact and Applicable Regulations

1. Applicant requests a permanent variance from section 3041, subdivision (e)(1)(C), which states:

> (1) All buildings and structures constructed after the effective date of this order that are provided with one or more passenger elevators shall be provided with not less than one passenger elevator designed and designated to accommodate the loading and transport of an ambulance gurney or stretcher maximum size 22 ½ in. (572 mm) by 75 in. (1.90 m) in its horizontal position and arranged to serve all landings in conformance with the following:
>
> ...
>
> (C) The elevator car shall have a minimum inside car platform of 80 in. (2.03 m) wide by 51 in. (1.30 m) deep.

The intent of this language is to ensure that there is enough space to accommodate the access and egress of a gurney and medical personnel inside of a medical service elevator.

This standard is made applicable to Group IV by section 3141.7, subdivision (b), which reads, "Elevators utilized to provide medical emergency service shall comply with Group II, section 3041(e)."

2. Applicant proposes to comply with the requirements of the 2019 California Building Code, section 3002.4.1a in the design of its medical emergency service elevator. That section requires:
The medical emergency service elevator shall accommodate the loading and transport of two emergency personnel, each requiring a minimum clear 21-inch (533 mm) diameter circular area and an ambulance gurney or stretcher [minimum size 24 inches by 84 inches (610 mm by 2134 mm) with not less than 5-inch (127 mm) radius corners] in the horizontal, open position.

   The purpose of this requirement is to ensure that an elevator designated for emergency medical service will accommodate a minimum of two emergency personnel with an ambulance gurney or stretcher.

D. Conclusive Findings

A preponderance of the evidence supports the finding that each Applicants' proposal, subject to all conditions and limitations set forth in the below Decision and Order, will provide equivalent safety and health to that which would prevail upon full compliance with the requirements of the Elevator Safety Orders from which variance is being sought.

E. Decision and Order

Each permanent variance application the subject of this proceeding is conditionally GRANTED as specified below, and to the extent, as of the date the Board adopts this Proposed Decision, each Applicant listed in the above section A.1 table shall have permanent variances from sections 3041, subdivision (e)(1)(C) and 3141.7, subdivision (b) subject of the following conditions:

1. All medical emergency service elevator(s) shall comply with the requirements of the 2019 California Building Code section 3002.4.1a:

   > The medical emergency service elevator shall accommodate the loading and transport of two emergency personnel, each requiring a minimum clear 21-inch (533 mm) diameter circular area and an ambulance gurney or stretcher [minimum size 24 inches by 84 inches (610 mm by 2134 mm) with not less than 5-inch (127 mm) radius corners] in the horizontal, open position.

2. All medical emergency service elevator(s) shall be identified in the building construction documents in accordance with the 2019 California Building Code, section 3002.4a.
3. Dimensional drawings and other information necessary to demonstrate compliance with the conditions of this permanent variance decision shall be provided to Cal/OSHA, at the time of inspection, for all medical emergency service elevator(s).
4. Any Certified Qualified Conveyance Company performing inspections, maintenance, servicing, or testing the elevators shall be provided a copy of this variance decision.
5. Cal/OSHA shall be notified when the elevator is ready for inspection. The elevator shall be inspected by Cal/OSHA, and all applicable requirements met, including conditions of this permanent variance, prior to a Permit to Operate the elevator being issued. The elevator shall not be placed in service prior to the Permit to Operate being issued by Cal/OSHA.
6. Applicant shall notify its employees and their authorized representative, of this order in the same way and to the same extent that employees and authorized representatives are to be notified of docketed permanent variance applications pursuant to sections 411.2 and 411.3.
7. This Decision and Order shall remain in effect unless duly modified or revoked upon application by Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in accordance with then in effect administrative procedures of the Board.

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

DATED: April 23, 2026

Michelle Iorio

Michelle Iorio, Hearing Officer

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application for Permanent Variance Regarding:

Otis Gen2S/Gen3Edge/Gen3 Core Elevator & Medical Emergency Car Dimensions

Permanent Variance No: See section A.1 table below

PROPOSED DECISION

Hearing Date: April 22, 2026
Location: Zoom

A. Subject Matter

1. The applicants ("Applicants") below have applied for permanent variances from provisions of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, all references in this matter are to the California Code of Regulations, title 8. The variance applications are as follows:

Permanent Variance No.	Applicant Name	Variance Location Address	No. of Conveyances
26-V-123	Julio C. Vargas	10213 Inglewood Ave. Inglewood, CA	1

2. This proceeding is conducted in accordance with Labor Code section 143 and section 401, et seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026 via videoconference by the Board with Hearing Officer Michelle Iorio, both presiding and hearing the matter on its merit as a basis of proposed decision to be advanced to the Board for its consideration.

2. At the hearing, Dan Leacox, with Leacox & Associates, appeared on behalf of each Applicant; Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Documentary and oral evidence was received at the hearing, and by stipulation of all parties, documents were admitted into evidence:

Exhibit Number	Description of Exhibit
PD1	Application(s) for Permanent Variance per section A.1 table
PD2	OSHSB Notice of Hearing

PD3	Cal/OSHA Review of Variance Application
PD4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the Elevator Safety Order requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Findings of Fact

1. Each Applicant intends to utilize Otis Gen3 Edge/Gen2S/Gen3 Core elevators at the locations and in the numbers stated in the above section A.1 table. Applicant may utilize the variance from minimum inside car platform dimensions for other elevators designated for emergency medical service at the same variance location.
2. The installation contracts for these elevators were or will be signed on or after May 1, 2008, making the elevators subject to the Group IV Elevator Safety Orders.
3. The Board incorporates by reference the relevant findings in previous Board decisions:
    a. Items D.3 through D.9 of the Proposed Decision adopted by the Board on July 18, 2013 for Permanent Variance No. 12-V-093;
    b. Item D.4 of the Proposed Decision adopted by the Board on September 25, 2014 for Permanent Variance No. 14-V-206;
    c. Item B of the Proposed Decision adopted by the Board on September 15, 2022 for Permanent Variance No. 22-V-302 regarding medical emergency car dimensions; and
    d. Items C and D of the Proposed Decision adopted by the Board on June 20, 2024 for Permanent Variance No. 24-V-193 regarding the Gen3 Core elevator equivalent safety.
4. Cal/OSHA, by way of written submissions to the record (Exhibit PD-3), and position stated at hearing, is of the well informed opinion that grant of requested permanent variance, as limited and conditioned per the below Decision and Order will provide employment, places of employment, and subject conveyances, as safe and healthful as would prevail given non-variant conformity with the Elevator Safety Order requirements from which variance has been requested.

D. Conclusive Findings

A preponderance of the evidence supports the finding that each Applicants' proposal, subject to all conditions and limitations set forth in the below Decision and Order, will provide equivalent safety and health to that which would prevail upon full compliance with the requirements of the Elevator Safety Orders from which variance is being sought.

E. Decision and Order

Each permanent variance application the subject of this proceeding is conditionally GRANTED as specified below, and to the extent, as of the date the Board adopts this Proposed Decision, each Applicant listed in the above section A table shall have permanent variances from the following sections of ASME A17.1-2004 that section 3141 makes applicable to the elevators the subject of those applications:

- **Car top railing**: sections 2.14.1.7.1 (to permit an inset car top railing, if, in fact, the car top railing is inset);
- **Speed governor over-speed switch**: 2.18.4.2.5(a) (to permit the use of the speed reducing system proposed by the Applicants, where the speed reducing switch resides in the controller algorithms, rather than on the governor, with the necessary speed input supplied by the main encoder signal from the motor);
- **Governor rope diameter**: 2.18.5.1 (to allow the use of reduced diameter governor rope);
- **Pitch diameter**: 2.18.7.4 (to permit the use of the speed-reducing system proposed by the Applicant, where the rope sheave pitch diameter is not less than 180 mm [7.1 in.]);
- **Suspension means**: 2.20.1, 2.20.2.1, 2.20.2.2(a), 2.20.2.2(f), 2.20.3, 2.20.4, 2.20.9.3.4 and 2.20.9.5.4—the variances from these "suspension means" provisions to permit the use of Otis Gen2 flat coated steel suspension belts in lieu of conventional steel suspension ropes;
- **Inspection transfer switch**: 2.26.1.4.4(a) (to allow the inspection transfer switch to reside at a location other than a machine room, if, in fact, it does not reside in the machine room); and
- **Seismic reset switch**: 8.4.10.1.1(a)(2)(b) (to allow the seismic reset switch to reside at a location other than a machine room, if, in fact, it does not reside in the machine room).
- **Minimum Inside Car Platform Dimensions**: 3041(e)(1)(C) and 3141.7(b) (to comply with the performance-based requirements of the 2019 California Building Code section 3002.4.1a)

These variances apply to the locations and numbers of elevators stated in the section A table (so long as the elevators are Gen3 Edge/Gen2S Group and Gen3 Core & Medical Emergency Elevator Car Dimensions (Group IV) that are designed, equipped, and installed in accordance with, and are otherwise consistent with, and are subject to the following conditions:

1. The suspension system shall comply with the following:
    a. The coated steel belt and connections shall have factors of safety equal to those permitted for use by section 3141 [ASME A17.1-2004, section 2.20.3] on wire rope suspended elevators.
    b. Steel coated belts that have been installed and used on another installation shall not be reused.
    c. The coated steel belt shall be fitted with a monitoring device which has been accepted by Cal/OSHA and which will automatically stop the car if the residual strength of any single belt drops below 60 percent. If the residual strength of any single belt drops below 60 percent, the device shall prevent the elevator from restarting after a normal stop at a landing.
    d. Upon initial inspection, the readings from the monitoring device shall be documented and submitted to Cal/OSHA.
    e. A successful test of the monitoring device's functionality shall be conducted at least once a year (the record of the annual test of the monitoring device shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).
    f. The coated steel belts used shall be accepted by Cal/OSHA.

2. With respect to each elevator subject to this variance, the applicant shall comply with Cal/OSHA Circular Letter E-10-04, the substance of which is attached hereto as Addendum 1 and incorporated herein by this reference.

3. The Applicant shall not utilize the elevator unless the manufacturer has written procedures for the installation, maintenance, inspection, and testing of the belts and monitoring device and criteria for belt replacement, and the applicant shall make those procedures and criteria available to Cal/OSHA upon request.

4. The flat coated steel belts shall be provided with a metal data tag that is securely attached to one of those belts. This data tag shall bear the following flat steel coated belt data:

    a. The width and thickness in millimeters or inches;

    b. The manufacturer's rated breaking strength in (kN) or (lbf);

    c. The name of the person or organization that installed the flat coated steel belts;

    d. The month and year the flat coated steel belts were installed;

    e. The month and year the flat coated steel belts were first shortened;

    f. The name or trademark of the manufacturer of the flat coated steel belts; and

    g. Lubrication information.

5. There shall be a crosshead data plate of the sort required by section 2.20.2.1, and that plate shall bear the following flat steel coated belt data:

    a. The number of belts;

    b. The belt width and thickness in millimeters or inches; and

    c. The manufacturer's rated breaking strength per belt in (kN) or (lbf).

6. The opening to the hoistway shall be effectively barricaded when car top inspection, maintenance, servicing, or testing of elevator equipment in the hoistway is required. If service personnel must leave the area for any reason, the hoistway and control room doors shall be closed.

7. If there is an inset car top railing:

    a. Serviceable equipment shall be positioned so that mechanics and inspectors do not have to climb on railings to perform adjustment, maintenance, repairs or inspections. The applicant shall not permit anyone to stand on or climb over the car top railing.

    b. The distance that the car top railing may be inset shall be limited to no more than 6 inches.

    c. All exposed areas outside the car top railing shall preclude standing or placing objects or persons which may fall and shall be beveled from the mid- or top rail to the outside of the car top.

    d. The top of the beveled area and/or car top outside the railing, shall be clearly marked. The markings shall consist of alternating 4 inch diagonal red and white stripes.

    e. The applicant shall provide durable signs with lettering not less than ½ inch on a

contrasting background on each inset railing; each sign shall state:

CAUTION
DO NOT STAND ON OR CLIMB OVER RAILING

f. The Group IV requirements for car top clearances shall be maintained (car top clearances outside the railing shall be measured from the car top and not from the required bevel).

8. If the seismic reset switch does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the inspection and test control panel located in one upper floor hoistway door jamb or in the control space (outside the hoistway) used by the motion controller.
9. If the inspection transfer switch required by ASME A17.1, rule 2.26.1.4.4(a) does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the inspection and test control panel located in one upper floor hoistway door jamb or in the control space (outside the hoistway) used by the motion controller.
10. When the inspection and testing panel is located in the hoistway door jamb, the inspection and test control panel shall be openable only by use of a Security Group I restricted key.
11. The governor speed-reducing switch function shall comply with the following:
    a. It shall be used only with direct drive machines; i.e., no gear reduction is permitted between the drive motor and the suspension means.
    b. The velocity encoder shall be coupled to the driving machine motor shaft. The “C” channel of the encoder shall be utilized for velocity measurements required by the speed reducing system. The signal from “C” channel of the encoder shall be verified with the “A” and “B” channels for failure. If a failure is detected then an emergency stop shall be initiated.
    c. Control system parameters utilized in the speed-reducing system shall be held in non-volatile memory.
    d. It shall be used in conjunction with approved car-mounted speed governors only.
    e. It shall be used in conjunction with an effective traction monitoring system that detects a loss of traction between the driving sheave and the suspension means. If a loss of traction is detected, then an emergency stop shall be initiated.
    f. A successful test of the speed-reducing switch system’s functionality shall be conducted at least once a year (the record of the annual test of the speed-reducing switch system shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).
    g. A successful test of the traction monitoring system’s functionality shall be conducted at least once a year (the record of the annual test of the traction monitoring system shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).
    h. The Applicant shall not utilize the elevator unless the manufacturer has written procedures for the maintenance, inspection, and testing of the speed-reducing switch and traction monitoring systems. The Applicant shall make the procedures available to Cal/OSHA upon

request.

12. The speed governor rope and sheaves shall comply with the following:
    a. The governor shall be used in conjunction with a 6 mm (0.25 in.) diameter steel governor rope with 6-strand, regular lay construction.
    b. The governor rope shall have a factor of safety of 8 or greater as related to the strength necessary to activate the safety.
    c. The governor sheaves shall have a pitch diameter of not less than 180 mm (7.1 in.).

13. All medical emergency service elevators shall comply with the following:
    a. The requirements of the 2019 California Building Code (CBC), section 3002.4.1a;

    The medical emergency service elevator shall accommodate the loading and transport of two emergency personnel, each requiring a minimum clear 21-inch (533 mm) diameter circular area and an ambulance gurney or stretcher [minimum size 24 inches by 84 inches (610 mm by 2134 mm) with not less than 5inch (127 mm) radius corners] in the horizontal, open position.

    b. All medical emergency service elevators shall be identified in the building construction documents in accordance with the 2019 CBC, section 3002.4a.
    c. Dimensional drawings and other information necessary to demonstrate compliance with these conditions shall be provided to Cal/OSHA, at the time of inspection, for all medical emergency service elevator(s).

14. The elevator shall be serviced, maintained, adjusted, tested, and inspected only by Certified Competent Conveyance Mechanics who have been trained to, and are competent to, perform those tasks on the Gen3 Edge/Gen2S/Gen3 Core elevator system in accordance with the written procedures and criteria required by Condition No. 3 and in accordance with the terms of this permanent variance.
15. Any Certified Qualified Conveyance Company performing inspections, maintenance, servicing, or testing of the elevators shall be provided a copy of this variance decision.
16. Cal/OSHA shall be notified when the elevator is ready for inspection. The elevator shall be inspected by Cal/OSHA, and a Permit to Operate shall be issued before the elevator is placed in service.
17. The Applicant shall be subject to the Suspension Means – Replacement Reporting Condition stated in Addendum 2, as hereby incorporated by this reference.
18. The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way and to the same extent that employees and authorized representatives are to be notified of docketed permanent variance applications.
19. This Decision and Order shall remain in effect unless modified or revoked upon application by the Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in

accordance with the Board's procedural regulations at section 426, subdivision (b).

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

DATED: April 24, 2026

Michelle Iorio

Michelle Iorio, Hearing Officer

ADDENDUM 1

October 6, 2010

CIRCULAR LETTER E-10-04

TO: Installers, Manufacturers of Conveyances and Related Equipment and, Other Interested Parties

SUBJECT: Coated Steel Belt Monitoring

The Elevator Safety Orders require routine inspection of the suspension means of an elevator to assure its safe operation.

The California Labor Code section 7318 allows Cal/OSHA to promulgate special safety orders in the absence of regulation.

As it is not possible to see the steel cable suspension means of a Coated Steel Belt, a monitoring device which has been accepted by Cal/OSHA is required on all Coated Steel Belts which will automatically stop the car if the residual strength of any belt drops below 60%. The Device shall prevent the elevator from restarting after a normal stop at a landing.

The monitoring device must be properly installed and functional. A functioning device may be removed only after a determination has been made that the residual strength of each belt exceeds 60%. These findings and the date of removal are to be conspicuously documented in the elevator machine room. The removed device must be replaced or returned to proper service within 30 days.

If upon routine inspection, the monitoring device is found to be in a non-functional state, the date and findings are to be conspicuously documented in the elevator machine room.

If upon inspection by Cal/OSHA, the monitoring device is found to be non-functional or removed, and the required documentation is not in place, the elevator will be removed from service.

If the device is removed to facilitate belt replacement, it must be properly installed and functional before the elevator is returned to service.

A successful test of the device’s functionality shall be conducted once a year.

This circular does not preempt Cal/OSHA from adopting regulations in the future, which may address the monitoring of Coated Steel Belts or any other suspension means.

This circular does not create an obligation on the part of Cal/OSHA to permit new conveyances utilizing Coated Steel Belts.

Debra Tudor
Principal Engineer
Cal/OSHA-Elevator Unit HQS

ADDENDUM 2

Suspension Means - Replacement Reporting Condition

Beginning on the date the Board adopts this Proposed Decision and continuing for a period of two years, the Applicant shall report to Cal/OSHA within 30 days any and all replacement activity performed on the elevator(s) pursuant to the requirements of ASME A17.1-2004, section 8.6.3 involving the suspension means or suspension means fastenings.

Further:

1. A separate report for each elevator shall be submitted, in a manner acceptable to Cal/OSHA, to the following address (or to such other address as Cal/OSHA might specify in the future): Cal/OSHA Elevator Unit, 2 MacArthur Place, Suite 700, Santa Ana, CA 92707, Attn: Engineering section.
2. Each such report shall contain, but not necessarily be limited to, the following information:
    a. The State-issued conveyance number, complete address, and Permanent Variance number that identifies the permanent variance.
    b. The business name, complete address, telephone number, and contact person of the elevator responsible party (presumably the Applicant or the subsequent holder of this variance).
    c. The business name, complete address, telephone number, and Certified Qualified Conveyance Company (CQCC) certification number of the firm performing the replacement work.
    d. The name (as listed on certification), Certified Competent Conveyance Mechanic (CCCM) certification number, certification expiration date, and signature of each CCCM performing the replacement work.
    e. The date and time the elevator was removed from normal service for suspension replacement, the date and time the replacement work commenced, the date and time the replacement work was completed, and the date and time the elevator was returned to normal service.
    f. A detailed description of, and clear color photographs depicting, (1) all the conditions that existed in the suspension components requiring their replacement and (2) any conditions that existed to cause damage or distress to the suspension components being replaced.
    g. A detailed list of all elevator components adjusted, repaired, or replaced in conjunction with the suspension component replacement.
    h. All information provided on the crosshead data plate per ASME A17.1-2004, section 2.20.2.1, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.
    i. For the suspension means being replaced, all information provided on the data tag required per ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is

modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

j. For the replacement suspension means, all information provided on the data tag required by ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

k. Any other information requested by Cal/OSHA regarding the replacement of the suspension means or fastenings.

3. In addition to the submission of the report to Cal/OSHA, the findings of any testing, failure analysis, or other engineering evaluations performed on any portion of the replaced suspension components, or other elevator components replaced in conjunction therewith, shall be submitted to Cal/OSHA referencing the information contained in item 2a above.

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application for Permanent Variance Regarding:

Otis Gen2S/Gen3Edge/Gen3 Core Elevator & Medical Emergency Car Dimensions

Permanent Variance No: See section A.1 table below

PROPOSED DECISION

Hearing Date: April 22, 2026
Location: Zoom

A. Subject Matter

1. The applicants ("Applicants") below have applied for permanent variances from provisions of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, all references in this matter are to the California Code of Regulations, title 8. The variance applications are as follows:

Permanent Variance No.	Applicant Name	Variance Location Address	No. of Conveyances
26-V-124	2300-2310 Ellsworth, LLC a Delaware Limited Liability Company	2300 Ellsworth St. Berkeley, CA	2

2. This proceeding is conducted in accordance with Labor Code section 143 and section 401, et seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026 via videoconference by the Board with Hearing Officer Michelle Iorio, both presiding and hearing the matter on its merit as a basis of proposed decision to be advanced to the Board for its consideration.

2. At the hearing, Dan Leacox, with Leacox & Associates, appeared on behalf of each Applicant; Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Documentary and oral evidence was received at the hearing, and by stipulation of all parties, documents were admitted into evidence:

Exhibit Number	Description of Exhibit
PD1	Application(s) for Permanent Variance per section A.1 table

PD2	OSHSB Notice of Hearing
PD3	Cal/OSHA Review of Variance Application
PD4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the Elevator Safety Order requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Findings of Fact

1. Each Applicant intends to utilize Otis Gen3 Edge/Gen2S/Gen3 Core elevators at the locations and in the numbers stated in the above section A.1 table. Applicant may utilize the variance from minimum inside car platform dimensions for other elevators designated for emergency medical service at the same variance location.
2. The installation contracts for these elevators were or will be signed on or after May 1, 2008, making the elevators subject to the Group IV Elevator Safety Orders.
3. The Board incorporates by reference the relevant findings in previous Board decisions:
    a. Items D.3 through D.9 of the Proposed Decision adopted by the Board on July 18, 2013 for Permanent Variance No. 12-V-093;
    b. Item D.4 of the Proposed Decision adopted by the Board on September 25, 2014 for Permanent Variance No. 14-V-206;
    c. Item B of the Proposed Decision adopted by the Board on September 15, 2022 for Permanent Variance No. 22-V-302 regarding medical emergency car dimensions; and
    d. Items C and D of the Proposed Decision adopted by the Board on June 20, 2024 for Permanent Variance No. 24-V-193 regarding the Gen3 Core elevator equivalent safety.
4. Cal/OSHA, by way of written submissions to the record (Exhibit PD-3), and position stated at hearing, is of the well informed opinion that grant of requested permanent variance, as limited and conditioned per the below Decision and Order will provide employment, places of employment, and subject conveyances, as safe and healthful as would prevail given non-variant conformity with the Elevator Safety Order requirements from which variance has been requested.

D. Conclusive Findings

A preponderance of the evidence supports the finding that each Applicants' proposal, subject to all conditions and limitations set forth in the below Decision and Order, will provide equivalent safety and health to that which would prevail upon full compliance with the requirements of the Elevator Safety Orders from which variance is being sought.

E. Decision and Order

Each permanent variance application the subject of this proceeding is conditionally GRANTED as specified below, and to the extent, as of the date the Board adopts this Proposed Decision, each Applicant listed in the above section A table shall have permanent variances from the following sections of ASME A17.1-2004 that section 3141 makes applicable to the elevators the

subject of those applications:

- **Car top railing**: sections 2.14.1.7.1 (to permit an inset car top railing, if, in fact, the car top railing is inset);
- **Speed governor over-speed switch**: 2.18.4.2.5(a) (to permit the use of the speed reducing system proposed by the Applicants, where the speed reducing switch resides in the controller algorithms, rather than on the governor, with the necessary speed input supplied by the main encoder signal from the motor);
- **Governor rope diameter**: 2.18.5.1 (to allow the use of reduced diameter governor rope);
- **Pitch diameter**: 2.18.7.4 (to permit the use of the speed-reducing system proposed by the Applicant, where the rope sheave pitch diameter is not less than 180 mm [7.1 in.]);
- **Suspension means**: 2.20.1, 2.20.2.1, 2.20.2.2(a), 2.20.2.2(f), 2.20.3, 2.20.4, 2.20.9.3.4 and 2.20.9.5.4—the variances from these "suspension means" provisions to permit the use of Otis Gen2 flat coated steel suspension belts in lieu of conventional steel suspension ropes;
- **Inspection transfer switch**: 2.26.1.4.4(a) (to allow the inspection transfer switch to reside at a location other than a machine room, if, in fact, it does not reside in the machine room); and
- **Seismic reset switch**: 8.4.10.1.1(a)(2)(b) (to allow the seismic reset switch to reside at a location other than a machine room, if, in fact, it does not reside in the machine room).
- **Minimum Inside Car Platform Dimensions**: 3041(e)(1)(C) and 3141.7(b) (to comply with the performance-based requirements of the 2019 California Building Code section 3002.4.1a)

These variances apply to the locations and numbers of elevators stated in the section A table (so long as the elevators are Gen3 Edge/Gen2S Group and Gen3 Core & Medical Emergency Elevator Car Dimensions (Group IV) that are designed, equipped, and installed in accordance with, and are otherwise consistent with, and are subject to the following conditions:

1. The suspension system shall comply with the following:
    a. The coated steel belt and connections shall have factors of safety equal to those permitted for use by section 3141 [ASME A17.1-2004, section 2.20.3] on wire rope suspended elevators.
    b. Steel coated belts that have been installed and used on another installation shall not be reused.
    c. The coated steel belt shall be fitted with a monitoring device which has been accepted by Cal/OSHA and which will automatically stop the car if the residual strength of any single belt drops below 60 percent. If the residual strength of any single belt drops below 60 percent, the device shall prevent the elevator from restarting after a normal stop at a landing.
    d. Upon initial inspection, the readings from the monitoring device shall be documented and submitted to Cal/OSHA.
    e. A successful test of the monitoring device's functionality shall be conducted at least once a year (the record of the annual test of the monitoring device shall be a maintenance

record subject to ASME A17.1-2004, section 8.6.1.4).

f. The coated steel belts used shall be accepted by Cal/OSHA.

2. With respect to each elevator subject to this variance, the applicant shall comply with Cal/OSHA Circular Letter E-10-04, the substance of which is attached hereto as Addendum 1 and incorporated herein by this reference.

3. The Applicant shall not utilize the elevator unless the manufacturer has written procedures for the installation, maintenance, inspection, and testing of the belts and monitoring device and criteria for belt replacement, and the applicant shall make those procedures and criteria available to Cal/OSHA upon request.

4. The flat coated steel belts shall be provided with a metal data tag that is securely attached to one of those belts. This data tag shall bear the following flat steel coated belt data:

   a. The width and thickness in millimeters or inches;

   b. The manufacturer's rated breaking strength in (kN) or (lbf);

   c. The name of the person or organization that installed the flat coated steel belts;

   d. The month and year the flat coated steel belts were installed;

   e. The month and year the flat coated steel belts were first shortened;

   f. The name or trademark of the manufacturer of the flat coated steel belts; and

   g. Lubrication information.

5. There shall be a crosshead data plate of the sort required by section 2.20.2.1, and that plate shall bear the following flat steel coated belt data:

   a. The number of belts;

   b. The belt width and thickness in millimeters or inches; and

   c. The manufacturer's rated breaking strength per belt in (kN) or (lbf).

6. The opening to the hoistway shall be effectively barricaded when car top inspection, maintenance, servicing, or testing of elevator equipment in the hoistway is required. If service personnel must leave the area for any reason, the hoistway and control room doors shall be closed.

7. If there is an inset car top railing:

   a. Serviceable equipment shall be positioned so that mechanics and inspectors do not have to climb on railings to perform adjustment, maintenance, repairs or inspections. The applicant shall not permit anyone to stand on or climb over the car top railing.

   b. The distance that the car top railing may be inset shall be limited to no more than 6 inches.

   c. All exposed areas outside the car top railing shall preclude standing or placing objects or persons which may fall and shall be beveled from the mid- or top rail to the outside of the car top.

d. The top of the beveled area and/or car top outside the railing, shall be clearly marked. The markings shall consist of alternating 4 inch diagonal red and white stripes.

e. The applicant shall provide durable signs with lettering not less than ½ inch on a contrasting background on each inset railing; each sign shall state:

CAUTION
DO NOT STAND ON OR CLIMB OVER RAILING

f. The Group IV requirements for car top clearances shall be maintained (car top clearances outside the railing shall be measured from the car top and not from the required bevel).

8. If the seismic reset switch does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the inspection and test control panel located in one upper floor hoistway door jamb or in the control space (outside the hoistway) used by the motion controller.
9. If the inspection transfer switch required by ASME A17.1, rule 2.26.1.4.4(a) does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the inspection and test control panel located in one upper floor hoistway door jamb or in the control space (outside the hoistway) used by the motion controller.
10. When the inspection and testing panel is located in the hoistway door jamb, the inspection and test control panel shall be openable only by use of a Security Group I restricted key.
11. The governor speed-reducing switch function shall comply with the following:
    a. It shall be used only with direct drive machines; i.e., no gear reduction is permitted between the drive motor and the suspension means.
    b. The velocity encoder shall be coupled to the driving machine motor shaft. The “C” channel of the encoder shall be utilized for velocity measurements required by the speed reducing system. The signal from “C” channel of the encoder shall be verified with the “A” and “B” channels for failure. If a failure is detected then an emergency stop shall be initiated.
    c. Control system parameters utilized in the speed-reducing system shall be held in non-volatile memory.
    d. It shall be used in conjunction with approved car-mounted speed governors only.
    e. It shall be used in conjunction with an effective traction monitoring system that detects a loss of traction between the driving sheave and the suspension means. If a loss of traction is detected, then an emergency stop shall be initiated.
    f. A successful test of the speed-reducing switch system’s functionality shall be conducted at least once a year (the record of the annual test of the speed-reducing switch system shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).
    g. A successful test of the traction monitoring system’s functionality shall be conducted at least once a year (the record of the annual test of the traction monitoring system shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).

h. The Applicant shall not utilize the elevator unless the manufacturer has written procedures for the maintenance, inspection, and testing of the speed-reducing switch and traction monitoring systems. The Applicant shall make the procedures available to Cal/OSHA upon request.

12. The speed governor rope and sheaves shall comply with the following:

    a. The governor shall be used in conjunction with a 6 mm (0.25 in.) diameter steel governor rope with 6-strand, regular lay construction.

    b. The governor rope shall have a factor of safety of 8 or greater as related to the strength necessary to activate the safety.

    c. The governor sheaves shall have a pitch diameter of not less than 180 mm (7.1 in.).

13. All medical emergency service elevators shall comply with the following:

    a. The requirements of the 2019 California Building Code (CBC), section 3002.4.1a;

    The medical emergency service elevator shall accommodate the loading and transport of two emergency personnel, each requiring a minimum clear 21-inch (533 mm) diameter circular area and an ambulance gurney or stretcher [minimum size 24 inches by 84 inches (610 mm by 2134 mm) with not less than 5inch (127 mm) radius corners] in the horizontal, open position.

    b. All medical emergency service elevators shall be identified in the building construction documents in accordance with the 2019 CBC, section 3002.4a.

    c. Dimensional drawings and other information necessary to demonstrate compliance with these conditions shall be provided to Cal/OSHA, at the time of inspection, for all medical emergency service elevator(s).

14. The elevator shall be serviced, maintained, adjusted, tested, and inspected only by Certified Competent Conveyance Mechanics who have been trained to, and are competent to, perform those tasks on the Gen3 Edge/Gen2S/Gen3 Core elevator system in accordance with the written procedures and criteria required by Condition No. 3 and in accordance with the terms of this permanent variance.

15. Any Certified Qualified Conveyance Company performing inspections, maintenance, servicing, or testing of the elevators shall be provided a copy of this variance decision.

16. Cal/OSHA shall be notified when the elevator is ready for inspection. The elevator shall be inspected by Cal/OSHA, and a Permit to Operate shall be issued before the elevator is placed in service.

17. The Applicant shall be subject to the Suspension Means – Replacement Reporting Condition stated in Addendum 2, as hereby incorporated by this reference.

18. The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way and to the same extent that employees and authorized representatives

are to be notified of docketed permanent variance applications.

19. This Decision and Order shall remain in effect unless modified or revoked upon application by the Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in accordance with the Board's procedural regulations at section 426, subdivision (b).

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

DATED: April 24, 2026

Michelle Iorio

Michelle Iorio, Hearing Officer

ADDENDUM 1

October 6, 2010

CIRCULAR LETTER E-10-04

TO: Installers, Manufacturers of Conveyances and Related Equipment and, Other Interested Parties

SUBJECT: Coated Steel Belt Monitoring

The Elevator Safety Orders require routine inspection of the suspension means of an elevator to assure its safe operation.

The California Labor Code section 7318 allows Cal/OSHA to promulgate special safety orders in the absence of regulation.

As it is not possible to see the steel cable suspension means of a Coated Steel Belt, a monitoring device which has been accepted by Cal/OSHA is required on all Coated Steel Belts which will automatically stop the car if the residual strength of any belt drops below 60%. The Device shall prevent the elevator from restarting after a normal stop at a landing.

The monitoring device must be properly installed and functional. A functioning device may be removed only after a determination has been made that the residual strength of each belt exceeds 60%. These findings and the date of removal are to be conspicuously documented in the elevator machine room. The removed device must be replaced or returned to proper service within 30 days.

If upon routine inspection, the monitoring device is found to be in a non-functional state, the date and findings are to be conspicuously documented in the elevator machine room.

If upon inspection by Cal/OSHA, the monitoring device is found to be non-functional or removed, and the required documentation is not in place, the elevator will be removed from service.

If the device is removed to facilitate belt replacement, it must be properly installed and functional before the elevator is returned to service.

A successful test of the device’s functionality shall be conducted once a year.

This circular does not preempt Cal/OSHA from adopting regulations in the future, which may address the monitoring of Coated Steel Belts or any other suspension means.

This circular does not create an obligation on the part of Cal/OSHA to permit new conveyances utilizing Coated Steel Belts.

Debra Tudor
Principal Engineer
Cal/OSHA-Elevator Unit HQS

ADDENDUM 2

Suspension Means - Replacement Reporting Condition

Beginning on the date the Board adopts this Proposed Decision and continuing for a period of two years, the Applicant shall report to Cal/OSHA within 30 days any and all replacement activity performed on the elevator(s) pursuant to the requirements of ASME A17.1-2004, section 8.6.3 involving the suspension means or suspension means fastenings.

Further:

1. A separate report for each elevator shall be submitted, in a manner acceptable to Cal/OSHA, to the following address (or to such other address as Cal/OSHA might specify in the future): Cal/OSHA Elevator Unit, 2 MacArthur Place, Suite 700, Santa Ana, CA 92707, Attn: Engineering section.
2. Each such report shall contain, but not necessarily be limited to, the following information:
    a. The State-issued conveyance number, complete address, and Permanent Variance number that identifies the permanent variance.
    b. The business name, complete address, telephone number, and contact person of the elevator responsible party (presumably the Applicant or the subsequent holder of this variance).
    c. The business name, complete address, telephone number, and Certified Qualified Conveyance Company (CQCC) certification number of the firm performing the replacement work.
    d. The name (as listed on certification), Certified Competent Conveyance Mechanic (CCCM) certification number, certification expiration date, and signature of each CCCM performing the replacement work.
    e. The date and time the elevator was removed from normal service for suspension replacement, the date and time the replacement work commenced, the date and time the replacement work was completed, and the date and time the elevator was returned to normal service.
    f. A detailed description of, and clear color photographs depicting, (1) all the conditions that existed in the suspension components requiring their replacement and (2) any conditions that existed to cause damage or distress to the suspension components being replaced.
    g. A detailed list of all elevator components adjusted, repaired, or replaced in conjunction with the suspension component replacement.
    h. All information provided on the crosshead data plate per ASME A17.1-2004, section 2.20.2.1, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.
    i. For the suspension means being replaced, all information provided on the data tag required per ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is

modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

j. For the replacement suspension means, all information provided on the data tag required by ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

k. Any other information requested by Cal/OSHA regarding the replacement of the suspension means or fastenings.

3. In addition to the submission of the report to Cal/OSHA, the findings of any testing, failure analysis, or other engineering evaluations performed on any portion of the replaced suspension components, or other elevator components replaced in conjunction therewith, shall be submitted to Cal/OSHA referencing the information contained in item 2a above.

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application for Permanent Variance Regarding:

Otis Gen2S/Gen3Edge/Gen3 Core Elevator & Medical Emergency Car Dimensions

Permanent Variance No: See section A.1 table below

PROPOSED DECISION

Hearing Date: April 22, 2026
Location: Zoom

A. Subject Matter

1. The applicants ("Applicants") below have applied for permanent variances from provisions of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, all references in this matter are to the California Code of Regulations, title 8. The variance applications are as follows:

Permanent Variance No.	Applicant Name	Variance Location Address	No. of Conveyances
26-V-125	Arnold Associates LLC	69 Bluxome St. San Franciso, CA	1

2. This proceeding is conducted in accordance with Labor Code section 143 and section 401, et seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026 via videoconference by the Board with Hearing Officer Michelle Iorio, both presiding and hearing the matter on its merit as a basis of proposed decision to be advanced to the Board for its consideration.

2. At the hearing, Dan Leacox, with Leacox & Associates, appeared on behalf of each Applicant; Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Documentary and oral evidence was received at the hearing, and by stipulation of all parties, documents were admitted into evidence:

Exhibit Number	Description of Exhibit
PD1	Application(s) for Permanent Variance per section A.1 table
PD2	OSHSB Notice of Hearing

PD3	Cal/OSHA Review of Variance Application
PD4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the Elevator Safety Order requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Findings of Fact

1. Each Applicant intends to utilize Otis Gen3 Edge/Gen2S/Gen3 Core elevators at the locations and in the numbers stated in the above section A.1 table. Applicant may utilize the variance from minimum inside car platform dimensions for other elevators designated for emergency medical service at the same variance location.
2. The installation contracts for these elevators were or will be signed on or after May 1, 2008, making the elevators subject to the Group IV Elevator Safety Orders.
3. The Board incorporates by reference the relevant findings in previous Board decisions:
    a. Items D.3 through D.9 of the Proposed Decision adopted by the Board on July 18, 2013 for Permanent Variance No. 12-V-093;
    b. Item D.4 of the Proposed Decision adopted by the Board on September 25, 2014 for Permanent Variance No. 14-V-206;
    c. Item B of the Proposed Decision adopted by the Board on September 15, 2022 for Permanent Variance No. 22-V-302 regarding medical emergency car dimensions; and
    d. Items C and D of the Proposed Decision adopted by the Board on June 20, 2024 for Permanent Variance No. 24-V-193 regarding the Gen3 Core elevator equivalent safety.
4. Cal/OSHA, by way of written submissions to the record (Exhibit PD-3), and position stated at hearing, is of the well informed opinion that grant of requested permanent variance, as limited and conditioned per the below Decision and Order will provide employment, places of employment, and subject conveyances, as safe and healthful as would prevail given non-variant conformity with the Elevator Safety Order requirements from which variance has been requested.

D. Conclusive Findings

A preponderance of the evidence supports the finding that each Applicants' proposal, subject to all conditions and limitations set forth in the below Decision and Order, will provide equivalent safety and health to that which would prevail upon full compliance with the requirements of the Elevator Safety Orders from which variance is being sought.

E. Decision and Order

Each permanent variance application the subject of this proceeding is conditionally GRANTED as specified below, and to the extent, as of the date the Board adopts this Proposed Decision, each Applicant listed in the above section A table shall have permanent variances from the following sections of ASME A17.1-2004 that section 3141 makes applicable to the elevators the subject of those applications:

- **Car top railing**: sections 2.14.1.7.1 (to permit an inset car top railing, if, in fact, the car top railing is inset);
- **Speed governor over-speed switch**: 2.18.4.2.5(a) (to permit the use of the speed reducing system proposed by the Applicants, where the speed reducing switch resides in the controller algorithms, rather than on the governor, with the necessary speed input supplied by the main encoder signal from the motor);
- **Governor rope diameter**: 2.18.5.1 (to allow the use of reduced diameter governor rope);
- **Pitch diameter**: 2.18.7.4 (to permit the use of the speed-reducing system proposed by the Applicant, where the rope sheave pitch diameter is not less than 180 mm [7.1 in.]);
- **Suspension means**: 2.20.1, 2.20.2.1, 2.20.2.2(a), 2.20.2.2(f), 2.20.3, 2.20.4, 2.20.9.3.4 and 2.20.9.5.4—the variances from these "suspension means" provisions to permit the use of Otis Gen2 flat coated steel suspension belts in lieu of conventional steel suspension ropes;
- **Inspection transfer switch**: 2.26.1.4.4(a) (to allow the inspection transfer switch to reside at a location other than a machine room, if, in fact, it does not reside in the machine room); and
- **Seismic reset switch**: 8.4.10.1.1(a)(2)(b) (to allow the seismic reset switch to reside at a location other than a machine room, if, in fact, it does not reside in the machine room).
- **Minimum Inside Car Platform Dimensions**: 3041(e)(1)(C) and 3141.7(b) (to comply with the performance-based requirements of the 2019 California Building Code section 3002.4.1a)

These variances apply to the locations and numbers of elevators stated in the section A table (so long as the elevators are Gen3 Edge/Gen2S Group and Gen3 Core & Medical Emergency Elevator Car Dimensions (Group IV) that are designed, equipped, and installed in accordance with, and are otherwise consistent with, and are subject to the following conditions:

1. The suspension system shall comply with the following:
    a. The coated steel belt and connections shall have factors of safety equal to those permitted for use by section 3141 [ASME A17.1-2004, section 2.20.3] on wire rope suspended elevators.
    b. Steel coated belts that have been installed and used on another installation shall not be reused.
    c. The coated steel belt shall be fitted with a monitoring device which has been accepted by Cal/OSHA and which will automatically stop the car if the residual strength of any single belt drops below 60 percent. If the residual strength of any single belt drops below 60 percent, the device shall prevent the elevator from restarting after a normal stop at a landing.
    d. Upon initial inspection, the readings from the monitoring device shall be documented and submitted to Cal/OSHA.
    e. A successful test of the monitoring device's functionality shall be conducted at least once a year (the record of the annual test of the monitoring device shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).
    f. The coated steel belts used shall be accepted by Cal/OSHA.

2. With respect to each elevator subject to this variance, the applicant shall comply with Cal/OSHA Circular Letter E-10-04, the substance of which is attached hereto as Addendum 1 and incorporated herein by this reference.

3. The Applicant shall not utilize the elevator unless the manufacturer has written procedures for the installation, maintenance, inspection, and testing of the belts and monitoring device and criteria for belt replacement, and the applicant shall make those procedures and criteria available to Cal/OSHA upon request.

4. The flat coated steel belts shall be provided with a metal data tag that is securely attached to one of those belts. This data tag shall bear the following flat steel coated belt data:

    a. The width and thickness in millimeters or inches;

    b. The manufacturer's rated breaking strength in (kN) or (lbf);

    c. The name of the person or organization that installed the flat coated steel belts;

    d. The month and year the flat coated steel belts were installed;

    e. The month and year the flat coated steel belts were first shortened;

    f. The name or trademark of the manufacturer of the flat coated steel belts; and

    g. Lubrication information.

5. There shall be a crosshead data plate of the sort required by section 2.20.2.1, and that plate shall bear the following flat steel coated belt data:

    a. The number of belts;

    b. The belt width and thickness in millimeters or inches; and

    c. The manufacturer's rated breaking strength per belt in (kN) or (lbf).

6. The opening to the hoistway shall be effectively barricaded when car top inspection, maintenance, servicing, or testing of elevator equipment in the hoistway is required. If service personnel must leave the area for any reason, the hoistway and control room doors shall be closed.

7. If there is an inset car top railing:

    a. Serviceable equipment shall be positioned so that mechanics and inspectors do not have to climb on railings to perform adjustment, maintenance, repairs or inspections. The applicant shall not permit anyone to stand on or climb over the car top railing.

    b. The distance that the car top railing may be inset shall be limited to no more than 6 inches.

    c. All exposed areas outside the car top railing shall preclude standing or placing objects or persons which may fall and shall be beveled from the mid- or top rail to the outside of the car top.

    d. The top of the beveled area and/or car top outside the railing, shall be clearly marked. The markings shall consist of alternating 4 inch diagonal red and white stripes.

    e. The applicant shall provide durable signs with lettering not less than ½ inch on a

contrasting background on each inset railing; each sign shall state:

CAUTION
DO NOT STAND ON OR CLIMB OVER RAILING

f. The Group IV requirements for car top clearances shall be maintained (car top clearances outside the railing shall be measured from the car top and not from the required bevel).

8. If the seismic reset switch does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the inspection and test control panel located in one upper floor hoistway door jamb or in the control space (outside the hoistway) used by the motion controller.
9. If the inspection transfer switch required by ASME A17.1, rule 2.26.1.4.4(a) does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the inspection and test control panel located in one upper floor hoistway door jamb or in the control space (outside the hoistway) used by the motion controller.
10. When the inspection and testing panel is located in the hoistway door jamb, the inspection and test control panel shall be openable only by use of a Security Group I restricted key.
11. The governor speed-reducing switch function shall comply with the following:
    a. It shall be used only with direct drive machines; i.e., no gear reduction is permitted between the drive motor and the suspension means.
    b. The velocity encoder shall be coupled to the driving machine motor shaft. The “C” channel of the encoder shall be utilized for velocity measurements required by the speed reducing system. The signal from “C” channel of the encoder shall be verified with the “A” and “B” channels for failure. If a failure is detected then an emergency stop shall be initiated.
    c. Control system parameters utilized in the speed-reducing system shall be held in non-volatile memory.
    d. It shall be used in conjunction with approved car-mounted speed governors only.
    e. It shall be used in conjunction with an effective traction monitoring system that detects a loss of traction between the driving sheave and the suspension means. If a loss of traction is detected, then an emergency stop shall be initiated.
    f. A successful test of the speed-reducing switch system’s functionality shall be conducted at least once a year (the record of the annual test of the speed-reducing switch system shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).
    g. A successful test of the traction monitoring system’s functionality shall be conducted at least once a year (the record of the annual test of the traction monitoring system shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).
    h. The Applicant shall not utilize the elevator unless the manufacturer has written procedures for the maintenance, inspection, and testing of the speed-reducing switch and traction monitoring systems. The Applicant shall make the procedures available to Cal/OSHA upon

request.

12. The speed governor rope and sheaves shall comply with the following:
    a. The governor shall be used in conjunction with a 6 mm (0.25 in.) diameter steel governor rope with 6-strand, regular lay construction.
    b. The governor rope shall have a factor of safety of 8 or greater as related to the strength necessary to activate the safety.
    c. The governor sheaves shall have a pitch diameter of not less than 180 mm (7.1 in.).

13. All medical emergency service elevators shall comply with the following:
    a. The requirements of the 2019 California Building Code (CBC), section 3002.4.1a;

    The medical emergency service elevator shall accommodate the loading and transport of two emergency personnel, each requiring a minimum clear 21-inch (533 mm) diameter circular area and an ambulance gurney or stretcher [minimum size 24 inches by 84 inches (610 mm by 2134 mm) with not less than 5inch (127 mm) radius corners] in the horizontal, open position.

    b. All medical emergency service elevators shall be identified in the building construction documents in accordance with the 2019 CBC, section 3002.4a.
    c. Dimensional drawings and other information necessary to demonstrate compliance with these conditions shall be provided to Cal/OSHA, at the time of inspection, for all medical emergency service elevator(s).

14. The elevator shall be serviced, maintained, adjusted, tested, and inspected only by Certified Competent Conveyance Mechanics who have been trained to, and are competent to, perform those tasks on the Gen3 Edge/Gen2S/Gen3 Core elevator system in accordance with the written procedures and criteria required by Condition No. 3 and in accordance with the terms of this permanent variance.
15. Any Certified Qualified Conveyance Company performing inspections, maintenance, servicing, or testing of the elevators shall be provided a copy of this variance decision.
16. Cal/OSHA shall be notified when the elevator is ready for inspection. The elevator shall be inspected by Cal/OSHA, and a Permit to Operate shall be issued before the elevator is placed in service.
17. The Applicant shall be subject to the Suspension Means – Replacement Reporting Condition stated in Addendum 2, as hereby incorporated by this reference.
18. The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way and to the same extent that employees and authorized representatives are to be notified of docketed permanent variance applications.
19. This Decision and Order shall remain in effect unless modified or revoked upon application by the Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in

accordance with the Board's procedural regulations at section 426, subdivision (b).

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

DATED: April 24, 2026

Michelle Iorio

Michelle Iorio, Hearing Officer

ADDENDUM 1

October 6, 2010

CIRCULAR LETTER E-10-04

TO: Installers, Manufacturers of Conveyances and Related Equipment and, Other Interested Parties

SUBJECT: Coated Steel Belt Monitoring

The Elevator Safety Orders require routine inspection of the suspension means of an elevator to assure its safe operation.

The California Labor Code section 7318 allows Cal/OSHA to promulgate special safety orders in the absence of regulation.

As it is not possible to see the steel cable suspension means of a Coated Steel Belt, a monitoring device which has been accepted by Cal/OSHA is required on all Coated Steel Belts which will automatically stop the car if the residual strength of any belt drops below 60%. The Device shall prevent the elevator from restarting after a normal stop at a landing.

The monitoring device must be properly installed and functional. A functioning device may be removed only after a determination has been made that the residual strength of each belt exceeds 60%. These findings and the date of removal are to be conspicuously documented in the elevator machine room. The removed device must be replaced or returned to proper service within 30 days.

If upon routine inspection, the monitoring device is found to be in a non-functional state, the date and findings are to be conspicuously documented in the elevator machine room.

If upon inspection by Cal/OSHA, the monitoring device is found to be non-functional or removed, and the required documentation is not in place, the elevator will be removed from service.

If the device is removed to facilitate belt replacement, it must be properly installed and functional before the elevator is returned to service.

A successful test of the device’s functionality shall be conducted once a year.

This circular does not preempt Cal/OSHA from adopting regulations in the future, which may address the monitoring of Coated Steel Belts or any other suspension means.

This circular does not create an obligation on the part of Cal/OSHA to permit new conveyances utilizing Coated Steel Belts.

Debra Tudor
Principal Engineer
Cal/OSHA-Elevator Unit HQS

ADDENDUM 2

Suspension Means - Replacement Reporting Condition

Beginning on the date the Board adopts this Proposed Decision and continuing for a period of two years, the Applicant shall report to Cal/OSHA within 30 days any and all replacement activity performed on the elevator(s) pursuant to the requirements of ASME A17.1-2004, section 8.6.3 involving the suspension means or suspension means fastenings.

Further:

1. A separate report for each elevator shall be submitted, in a manner acceptable to Cal/OSHA, to the following address (or to such other address as Cal/OSHA might specify in the future): Cal/OSHA Elevator Unit, 2 MacArthur Place, Suite 700, Santa Ana, CA 92707, Attn: Engineering section.
2. Each such report shall contain, but not necessarily be limited to, the following information:
    a. The State-issued conveyance number, complete address, and Permanent Variance number that identifies the permanent variance.
    b. The business name, complete address, telephone number, and contact person of the elevator responsible party (presumably the Applicant or the subsequent holder of this variance).
    c. The business name, complete address, telephone number, and Certified Qualified Conveyance Company (CQCC) certification number of the firm performing the replacement work.
    d. The name (as listed on certification), Certified Competent Conveyance Mechanic (CCCM) certification number, certification expiration date, and signature of each CCCM performing the replacement work.
    e. The date and time the elevator was removed from normal service for suspension replacement, the date and time the replacement work commenced, the date and time the replacement work was completed, and the date and time the elevator was returned to normal service.
    f. A detailed description of, and clear color photographs depicting, (1) all the conditions that existed in the suspension components requiring their replacement and (2) any conditions that existed to cause damage or distress to the suspension components being replaced.
    g. A detailed list of all elevator components adjusted, repaired, or replaced in conjunction with the suspension component replacement.
    h. All information provided on the crosshead data plate per ASME A17.1-2004, section 2.20.2.1, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.
    i. For the suspension means being replaced, all information provided on the data tag required per ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is

modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

j. For the replacement suspension means, all information provided on the data tag required by ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

k. Any other information requested by Cal/OSHA regarding the replacement of the suspension means or fastenings.

3. In addition to the submission of the report to Cal/OSHA, the findings of any testing, failure analysis, or other engineering evaluations performed on any portion of the replaced suspension components, or other elevator components replaced in conjunction therewith, shall be submitted to Cal/OSHA referencing the information contained in item 2a above.

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application for Permanent Variance Regarding:

Schindler Model 3300 Elevators MRL (Group IV)

Permanent Variance No: See section A.1 table below

PROPOSED DECISION

Hearing Date: April 22, 2026
Location: Zoom

A. Subject Matter

1. The applicants ("Applicants") below have applied for permanent variances from provisions of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, all references in this matter are to the California Code of Regulations, title 8. The variance applications are as follows:

Permanent Variance No.	Applicant Name	Variance Location Address	No. of Conveyances
26-V-126	1616 Euclid Home LLC	1616 Euclid Ave. San Gabriel, CA	2
26-V-127	California State University Long Beach	CSULB – Hillside North Housing 1250 N. Bellflower Blvd. Long Beach, CA	3

2. This proceeding is conducted in accordance with Labor Code section 143 and section 401, et seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026 via videoconference by the Board with Hearing Officer Michelle Iorio, both presiding and hearing the matter on its merit as a basis of proposed decision to be advanced to the Board for its consideration.

2. At the hearing, Pete Cuellar, with SCHINDLER ELEVATOR CORPORATION, appeared on behalf of each Applicant; Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Documentary and oral evidence was received at the hearing, and by stipulation of all parties,

documents were admitted into evidence:

Exhibit Number	Description of Exhibit
PD1	Application(s) for Permanent Variance per section A.1 table
PD2	OSHSB Notice of Hearing
PD3	Cal/OSHA Review of Variance Application
PD4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the Elevator Safety Order requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Relevant Safety Order Provisions

Applicant seeks a permanent variance from section 3141 [ASME A17.1-2004, sections 2.20.1, 2.20.2.1, 2.20.2.2(a), 2.20.2.2(f), 2.20.3, 2.20.4, 2.20.9.3.4, 2.20.9.5.4, 2.26.1.4.4(a), 8.4.10.1.1(a)(2)(b), 2.14.1.7.1, 2.18.7.4, and 2.26.9.6.1] of the Elevator Safety Orders, with respect to the suspension ropes and connections, inspection transfer switch relocation, seismic reset switch relocation, the location and construction of car-top railings, governor-sheave diameter, and means of removing power from the driving machine motor for one (1) Schindler model 3300 MRL elevator.

The relevant language of those sections are below.

1. Suspension Means
    - Section 3141 [ASME A17.1-2004, section 2.20.1, Suspension Means] states in part:
        - Elevator cars shall be suspended by steel wire ropes attached to the car frame or passing around sheaves attached to the car frame specified in 2.15.1. Ropes that have previously been installed and used on another installation shall not be reused. Only iron (low carbon steel) or steel wire ropes, having the commercial classification "Elevator Wire Rope," or wire rope specifically constructed for elevator use, shall be used for the suspension of elevator cars and for the suspension of counterweights. The wire material for ropes shall be manufactured by the open hearth or electric furnace process, or their equivalent.
    - Section 3141 [ASME A17.1-2004, section 2.20.2.1(b), On Crosshead Data Plate] states in part:
        - The crosshead data plate required by 2.16.3 shall bear the following wire rope data:
            - (b) the diameter in millimeters (mm) or inches (in.)
    - Section 3141 [ASME A17.1-2004, section 2.20.2.2(a) and (f) On Rope Data Tag] states in part:
        - A metal data tag shall be securely attached to one of the wire rope fastenings. This data tag shall bear the following wire rope data:

- (a) the diameter in millimeters (mm) or inches (in.)
- […]
- (f) whether the ropes were non preformed or preformed

- Section 3141 [ASME A17.1-2004, section 2.20.3, Factor of Safety] states:
  - The factor of safety of the suspension wire ropes shall be not less than shown in Table 2.20.3. Figure 8.2.7 gives the minimum factor of safety for intermediate rope speeds. The factor of safety shall be based on the actual rope speed corresponding to the rated speed of the car.
  - The factor of safety shall be calculated by the following formula:

$$f = \frac{(S \times N)}{W}$$

- where:
  - N = number of runs of rope under load. For 2:1 roping, N shall be two times the number of ropes used, etc.
  - S = manufacturer's rated breaking strength of one rope
  - W = maximum static load imposed on all car ropes with the car and its rated load at any position in the hoistway

- Section 3141 [ASME A17.1-2004, section 2.20.4, Minimum Number and Diameter of Suspension Ropes] states:
  - The minimum number of hoisting ropes used shall be three for traction elevators and two for drum type elevators.
  - Where a car counterweight is used, the number of counterweight ropes used shall be not less than two.
  - The term “diameter,” where used in reference to ropes, shall refer to the nominal diameter as given by the rope manufacturer.
  - The minimum diameter of hoisting and counterweight ropes shall be 9.5 mm (0.375 in.). Outer wires of the ropes shall be not less than 0.56 mm (0.024 in.) in diameter.

- Section 3141 [ASME A17.1-2004, section 2.20.9.3.4] states:
  - Cast or forged steel rope sockets, shackle rods, and their connections shall be made of unwelded steel, having an elongation of not less than 20% in a gauge length of 50 mm (2 in.), when measured in accordance with ASTM E 8, and conforming to ASTM A 668, Class B for forged steel, and ASTM A 27, Grade 60/30 for cast steel, and shall be stress relieved. Steels of greater strength shall be permitted, provided they have an elongation of not less than 20% in a length of 50 mm (2 in.).

- Section 3141 [ASME A17.1-2004, section 2.20.9.5.4] states:
    - When the rope has been seated in the wedge socket by the load on the rope, the wedge shall be visible, and at least two wire rope retaining clips shall be provided to attach the termination side to the load carrying side of the rope (see Fig. 2.20.9.5). The first clip shall be placed a maximum of 4 times the rope diameter above the socket, and the second clip shall be located within 8 times the rope diameter above the first clip. The purpose of the two clips is to retain the wedge and prevent the rope from slipping in the socket should the load on the rope be removed for any reason. The clips shall be designed and installed so that they do not distort or damage the rope in any manner.

2. Requested Transfer Switch Placement Variance

- As it pertains to installation of the requisite transfer switch within a “machine room” location incompatible with machine-room-less design of the Schindler Model 3300 elevator, the Applicant presently seeks permanent variance from the following Elevator Safety Order incorporated ASME Code A17.1-2004, subsection:
    - Subsection 2.26.1.4.4(a)--Transfer Switch Placement in Machine Room

- Section 3141[ASME A17.1-2004, section 2.26.1.4.4(a), Machine Room Inspection Operation] states:
- When machine room inspection operation is provided, it shall conform to 2.26.1.4.1, and the transfer switch shall be
- (a) located in the machine room[.]

3. Requested Seismic Reset Switch Placement Variance

- As it pertains to installation of the requisite seismic reset switch within a “machine room” location incompatible with machine-room-less design of the Schindler Model 3300 elevator, the Applicant presently seeks permanent variance from the following Elevator Safety Order incorporated ASME Code subsection:
    - Subsection 8.4.10.1.1(a)(2)(b)--Seismic Reset Switch Placement in Machine Room

- Section 3141[ASME A17.1-2004, section 8.4.10.1.1(a)(2)(b), Earthquake Equipment] states:
    - (a) All traction elevators operating at a rated speed of 0.75 m/s (150 ft/min) or more and having counterweights located in the same hoistway shall be provided with the following:
    - (1) seismic zone 3 or greater: a minimum of one seismic switch per building
    - (2) seismic zone 2 or greater:
        - (a) a displacement switch for each elevator
        - (b) an identified momentary reset button or switch for each elevator, located in the control panel in the elevator machine room

4. Requested Car Top Railing Inset Variance

- As it pertains to top of car railing placement requiring space occupied by upper hoistway mounted elevator machinery characteristic of the Schindler Model 3300 elevator, the Applicant presently seeks permanent variance from the following Elevator Safety Order incorporated ASME Code A17.1-2004, section:
  - Section 2.14.1.7.1—Top of Car Perimeter Railing Placement

- Section 3141[ASME A17.1-2004, section 2.14.1.7.1] states:
  - A standard railing conforming to 2.10.2 shall be provided on the outside perimeter of the car top on all sides where the perpendicular distance between the edges of the car top and the adjacent hoistway enclosure exceeds 300 mm (12 in.) horizontal clearance.

5. Pitch Diameter of Governor Sheaves

- Section 3141 [ASME A17.1-2004, Section 2.18.7.4] states:
  - "The pitch diameter of governor sheaves and governor tension sheaves shall be not less than the product of the diameter of the rope and the applicable multiplier listed in Table 2.18.7.4, based on the rated speed and the number of strands in the rope."

Table 2.18.7.4 Multiplier for Determining Governor Sheave Pitch Diameter
[from ASME A17.1-2004]

Rated Speed m/s (ft./min)	**Number of Strands**	**Multiplier**
1.00 or less (200 or less)	6	42
1.00 or less (200 or less)	8	30
Over 1.0 (over 200)	6	46
Over 1.0 (over 200)	8	32

6. SIL Rated System to Inhibit Current Flow to AC Drive Motor

- Section 3141[ASME A17.1-2004, section 2.26.9.6.1] states:
  - Two separate means shall be provided to independently inhibit the flow of alternating current through the solid state devices that connect the direct current power source to the alternating current driving motor. At least one of the means shall be an electromechanical relay.

D. Findings of Fact

1. Each respective Applicant intends to utilize Schindler model 3300 MRL elevator cars, in the quantity, at the locations specified in Jurisdictional and Procedural Matters, section 1.
2. The installation contract for these elevators was or will be signed on or after May 1, 2008, thus making the elevator subject to the Group IV Elevator Safety Orders.
3. The Schindler model 3300 MRL elevator cars are not supported by circular steel wire ropes, as required by the Elevator Safety Orders. They utilize non circular elastomeric coated steel belts and specialized suspension means fastenings.
4. No machine room is provided, preventing the inspection transfer switch from being located in the elevator machine room. The lack of machine room also prevents the seismic reset switch from being located in the elevator machine room.
5. Applicant proposes to relocate the inspection transfer switch and seismic reset switch in an alternative enclosure.
6. Due to the use of a 6 mm (0.25 in.) governor rope with 6-strand construction, the provided governor sheave pitch diameter is less than that required by the Elevator Safety Orders.
7. The driving machine and governor are positioned in the hoistway and restrict the required overhead clearance to the elevator car top.
8. Applicant proposes to insert the car top railings at the perimeter of the car top.
9. Applicant intends to use an elevator control system, model CO NX100NA or CO NX300NA, with a standalone, solid state motor control drive system that includes devices and circuits having a Safety Integrity Level (SIL) rating to execute specific elevator safety functions.

E. Conclusive Findings

A preponderance of the evidence supports the finding that each Applicant's proposal, subject to all conditions and limitations set forth in the below Decision and Order, will provide equivalent safety and health to that which would prevail upon full compliance with the requirements of the Elevator Safety Order from which variance is being sought.

F. Decision and Order

Each permanent variance application the subject of this proceeding is conditionally GRANTED as specified below, and to the extent, as of the date the Board adopts this Proposed Decision, each Applicant listed in the above table in Jurisdictional and Procedural Matters shall have permanent variances from sections 3041, subdivision (e)(1)(C) and 3141.7, subdivision (b) subject of the following conditions:

Elevator Safety Orders:

- Suspension Means: 2.20.1, 2.20.2.1, 2.20.2.2(a), 2.20.2.2(f), 2.20.3, 2.20.4, 2.20.9.3.4, and 2.20.9.5.4 (Only to the extent necessary to permit the use of the Elastomeric coated Steel Belts proposed by the Applicant, in lieu of circular steel suspension ropes.);
- Inspection transfer switch: 2.26.1.4.4(a) (Only to the extent necessary to permit the inspection

transfer switch to reside at a location other than the machine room);

- Seismic reset switch: 8.4.10.1.1(a)(2)(b) (Only to the extent necessary to permit the seismic reset switch to reside at a location other than the machine room. room);
- Car Top Railing: 2.14.1.7.1 (Only to the extent necessary to permit the use of the car top railing system proposed by the Applicant, where the railing system is located inset from the elevator car top perimeter);
- Governor Rope and Sheave: The Applicant shall conditionally hold permanent variance from certain requirements of section 3141, incorporated section of ASME A17.1-2004, to the limited extent variance is necessary to allow for the below specified governor rope and governor sheave parameters: section 2.18.7.4.
- Means of Removing Power: 2.26.9.6.1 (Only to the extent necessary to permit the use of SIL rated devices and circuits as a means to remove power from the AC driving motor, where the redundant monitoring of electrical protective devices is required by the Elevator Safety Orders).

Conditions:

1. The elevator suspension system shall comply to the following:
    a. The suspension traction media (STM) members and their associated fastenings shall conform to the applicable requirements of ASME A17.1-2013, sections:
        - 2.20.4.3 - Minimum Number of Suspension Members
        - 2.20.3 - Factor of Safety
        - 2.20.9 - Suspension Member Fastening

    b. The Applicant shall not utilize the elevator unless the manufacturer has written procedures for the installation, maintenance, inspection and testing of the STM members, fastenings, related monitoring and detection systems, and criteria for STM replacement. The Applicant shall make those procedures and criteria available to the Certified Competent Conveyance Mechanic (CCCM) at the location of the elevator, and to the Cal/OSHA upon request.
        - STM member mandatory replacement criteria shall include:
            i. Any exposed wire, strand or cord;
            ii. Any wire, strand or cord breaks through the elastomeric coating;
            iii. Any evidence of rouging (steel tension element corrosion) on any part of the elastomeric coated steel suspension member;
            iv. Any deformation in the elastomeric suspension member such as, but not limited to, kinks or bends;

    c. Traction drive sheaves must have a minimum diameter of 72 mm. The maximum speed of STM members running on 72 mm, 87 mm and 125 mm drive sheaves shall be no greater than 2.5 m/s, 6.0 m/s and 8.0 m/s respectively.

    d. If any one STM member needs replacement, the complete set of suspension members on the elevator shall be replaced. Exception: if a new suspension member is damaged during

installation, and prior to any contemporaneously installed STM having been placed into service, it is permissible to replace the individual damaged suspension member. STM members that have been installed on another installation shall not be re used.

e. A traction loss detection means shall be provided that conforms to the requirements of ASME A17.1-2013, section 2.20.8.1. The means shall be tested for correct function annually in accordance with ASME A17.1-2013, section 8.6.4.19.12.

f. A broken suspension member detection means shall be provided that conforms to the requirements of ASME A17.1-2013, section 2.20.8.2. The means shall be tested for correct function annually in accordance with ASME A17.1-2013, section 8.6.4.19.13(a).

g. An elevator controller integrated bend cycle monitoring system shall monitor actual STM bend cycles, by means of continuously counting, and storing in nonvolatile memory, the number of trips that the STM makes traveling, and thereby being bent, over the elevator sheaves. The bend cycle limit monitoring means shall automatically stop the car normally at the next available landing before the bend cycle correlated residual strength of any single STM member drops below 80 percent of full rated strength. The monitoring means shall prevent the car from restarting. The bend cycle monitoring system shall be tested annually in accordance with the procedures required by condition 1b above.

h. The elevator shall be provided with a device to monitor the remaining residual strength of each STM member. The device shall conform to the requirements of Cal/OSHA Circular Letter E-10-04, a copy of which is attached hereto as Exhibit 1 and incorporated herein by reference.

i. The elevator crosshead data plate shall comply with the requirements of ASME A17.1 2013, section 2.20.2.1.

j. A suspension means data tag shall be provided that complies with the requirements of ASME A17.1 2013, section 2.20.2.2.

k. Comprehensive visual inspections of the entire length of each and all installed suspension members, to the criteria developed in condition 1b, shall be conducted and documented every six months by a CCCM.

l. The Applicant shall be subject to the requirements set out in Exhibit 2 of this Decision and Order, “Suspension Means Replacement Reporting Condition,” Incorporated herein by this reference.

m. Records of all tests and inspections shall be maintenance records subject to ASME A17.1 2004, sections 8.6.1.2 and 8.6.1.4, respectively.

2. If the inspection transfer switch required by ASME A17.1-2004, section 2.26.1.4.4 does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the control/machinery room/space containing the elevator's control equipment in an enclosure secured by a lock openable by a Group 1 security key. The enclosure is to remain locked at all times when not in use.

3. If the seismic reset switch does not reside in the machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the control/machinery room/space containing the elevator's control equipment in an enclosure secured by a lock openable by a Group 1 security key. The enclosure is to remain locked at all times when not in use.

4. If there is an inset car top railing:

a. Serviceable equipment shall be positioned so that mechanics and inspectors do not have to climb on the railings to perform adjustments, maintenance, repairs or inspections. The Applicant shall not permit anyone to stand or climb over the car top railing.

b. The distance that the railing can be inset shall be limited to not more than 6 inches.

c. All exposed areas of the car top outside the car top railing where the distance from the railing to the edge of the car top exceeds 2 inches, shall be beveled with metal, at an angle of not less than 75 degrees with the horizontal, from the mid or top rail to the outside of the car top, such that no person or object can stand, sit, kneel, rest, or be placed in the exposed areas.

d. The top of the beveled area and/or car top outside the railing shall be clearly marked. The markings shall consist of alternating 4 inch diagonal red and white stripes.

e. The applicant shall provide durable signs with lettering not less than 1/2 inch on a contrasting background on each inset railing. Each sign shall state:

CAUTION
STAY INSIDE RAILING
NO LEANING BEYOND RAILING
NO STEPPING ON, OR BEYOND, RAILING

f. The Group IV requirements for car top clearances shall be maintained (car top clearances outside the railing will be measured from the car top and not from the required bevel).

5. The speed governor rope and sheaves shall comply with the following:

a. The governor shall be used in conjunction with a steel 6 mm (0.25 in.) diameter governor rope with 6 strand, regular lay construction.

b. The governor rope shall have a factor of safety of 8 or greater as related to the strength necessary to activate the safety.

c. The governor sheaves shall have a pitch diameter of not less than 200 mm (7.87 in.).

6. The SIL rated devices and circuits used to inhibit electrical current flow in accordance with ASME A17.1-2004, section 2.26.9.6.1 shall comply with the following:

a. The SIL-rated devices and circuits shall consist of a Variodyn SIL3 rated Regenerative, Variable Voltage Variable Frequency (VVVF) motor drive unit, model VAF013, VAF023, or VAF043 labeled or marked with the SIL rating (not less than SIL 3), the name or mark of the certifying organization, and the SIL certification number (968/FSP 1556.00), and followed by the applicable revision number (as in 968/FSP 1556.00/19).

b. The devices and circuits shall be certified for compliance with the applicable requirements of ASME A17.1-2013, section 2.26.4.3.2.

c. The access door or cover of the enclosures containing the SIL rated components shall be clearly labeled or tagged on their exterior with the statement:

Assembly contains SIL rated devices.
Refer to Maintenance Control Program and
wiring diagrams prior to performing work.

d. Unique maintenance procedures or methods required for the inspection, testing, or replacement of the SIL rated circuits shall be developed and a copy maintained in the elevator machine/control room/space. The procedures or methods shall include clear color photographs of each SIL rated component, with notations identifying parts and locations.

e. Wiring diagrams that include part identification, SIL, and certification information shall be maintained in the elevator machine/control room/space.

f. A successful test of the SIL rated devices and circuits shall be conducted initially and not less than annually in accordance with the testing procedure. The test shall demonstrate that SIL rated devices, safety functions, and related circuits operate as intended.

g. Any alterations to the SIL rated devices and circuits shall be made in compliance with the Elevator Safety Orders. If the Elevator Safety Orders do not contain specific provisions for the alteration of SIL rated devices, the alterations shall be made in conformance with ASME A17.1-2013, section 8.7.1.9.

h. Any replacement of the SIL rated devices and circuits shall be made in compliance with the Elevator Safety Orders. If the Elevator Safety Orders do not contain specific provisions for the replacement of SIL rated devices, the replacement shall be made in conformance with ASME A17.1-2013, section 8.6.3.14.

i. Any repairs to the SIL rated devices and circuits shall be made in compliance with the Elevator Safety Orders. If the Elevator Safety Orders do not contain specific provisions for the repair of SIL rated devices, the repairs shall be made in conformance with ASME A17.1-2013, section 8.6.2.6.

j. Any space containing SIL rated devices and circuits shall be maintained within the temperature and humidity range specified by Schindler Elevator Corporation. The temperature and humidity range shall be posted on each enclosure containing SIL rated devices and circuits.

k. Field changes to the SIL rated system are not permitted. Any changes to the SIL rated system's devices and circuitry will require recertification and all necessary updates to the documentation and diagrams required by conditions d. and e. above.

7. Cal/OSHA shall be notified when the elevator is ready for inspection. The elevator shall be inspected by Cal/OSHA, and all applicable requirements met, including conditions of this permanent variance, prior to a Permit to Operate the elevator being issued. The elevator shall not be placed in service prior to the Permit to Operate being issued by Cal/OSHA.

8. The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way that the Applicant was required to notify them of the docketed application for permanent variance per sections 411.2 and 411.3.

9. This Decision and Order shall remain in effect unless duly modified or revoked upon application by Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in the procedural manner prescribed.

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

DATED: April 23, 2026

Michelle Iorio

Michelle Iorio, Hearing Officer

EXHIBIT 1

October 6, 2010

CIRCULAR LETTER E-10-04

TO: Installers, Manufacturers of Conveyances and Related Equipment and Other Interested Parties

SUBJECT: Coated Steel Belt Monitoring

The Elevator Safety Orders require routine inspection of the suspension means of an elevator to assure its safe operation.

The California Labor Code section 7318 allows Cal/OSHA to promulgate special safety orders in the absence of regulation.

As it is not possible to see the steel cable suspension means of a Coated Steel Belt, a monitoring device which has been accepted by Cal/OSHA is required on all Coated Steel Belts which will automatically stop the car if the residual strength of any belt drops below 60%. The Device shall prevent the elevator from restarting after a normal stop at a landing.

The monitoring device must be properly installed and functional. A functioning device may be removed only after a determination has been made that the residual strength of each belt exceeds 60%. These findings and the date of removal are to be conspicuously documented in the elevator machine room. The removed device must be replaced or returned to proper service within 30 days.

If upon routine inspection, the monitoring device is found to be in a non-functional state, the date and findings are to be conspicuously documented in the elevator machine room.

If upon inspection by Cal/OSHA, the monitoring device is found to be non-functional or removed, and the required documentation is not in place, the elevator will be removed from service.

If the device is removed to facilitate belt replacement, it must be properly installed and functional before the elevator is returned to service.

A successful test of the device’s functionality shall be conducted once a year.

This circular does not preempt Cal/OSHA from adopting regulations in the future, which may address the monitoring of Coated Steel Belts or any other suspension means.

This circular does not create an obligation on the part of Cal/OSHA to permit new conveyances utilizing Coated Steel Belts.

Debra Tudor
Principal Engineer
Cal/OSHA Elevator Unit HQS

EXHIBIT 2

Suspension Means - Replacement Reporting Condition

Beginning on the date the Board adopts this Proposed Decision and continuing for a period of two years, the Applicant shall report to Cal/OSHA within 30 days any and all replacement activity performed on the elevator(s) pursuant to the requirements of ASME A17.1-2004, section 8.6.3 involving the suspension means or suspension means fastenings. Further:

1. A separate report for each elevator shall be submitted, in a manner acceptable to Cal/OSHA, to the following address (or to such other address as Cal/OSHA might specify in the future): CAL/OSHA Elevator Unit, 2 MacArthur Pl., Suite 700, Santa Ana, CA 92707, Attn: Engineering Section.
2. Each such report shall contain, but not necessarily be limited to, the following information:
    a. The State-issued conveyance number, complete address, and Permanent Variance file number that identifies the permanent variance.
    b. The business name, complete address, telephone number, and contact person of the elevator responsible party (presumably the Applicant or the subsequent holder of this variance).
    c. The business name, complete address, telephone number, and Certified Qualified Conveyance Company (CQCC) certification number of the firm performing the replacement work.
    d. The name (as listed on certification), Certified Competent Conveyance Mechanic (CCCM) certification number, certification expiration date, and signature of each CCCM performing the replacement work.
    e. The date and time the elevator was removed from normal service for suspension replacement, the date and time the replacement work commenced, the date and time the replacement work was completed, and the date and time the elevator was returned to normal service.
    f. A detailed description of, and clear color photographs depicting, (1) all the conditions that existed in the suspension components requiring their replacement and (2) any conditions that existed to cause damage or distress to the suspension components being replaced.
    g. A detailed list of all elevator components adjusted, repaired, or replaced in conjunction with the suspension component replacement.
    h. All information provided on the crosshead data plate per ASME Al7.l-2004, section 2.20.2.1, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.
    i. For the suspension means being replaced, all information provided on the data tag required per ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

j. For the replacement suspension means, all information provided on the data tag required by ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

k. Any other information requested by Cal/OSHA regarding the replacement of the suspension means or fastenings.

3. In addition to the submission of the report to Cal/OSHA, the findings of any testing, failure analysis, or other engineering evaluations performed on any portion of the replaced suspension components, or other elevator components replaced in conjunction therewith, shall be submitted to Cal/OSHA referencing the information contained in item 2a above.

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application for Permanent Variance Regarding:	Permanent Variance No: See section A.1 table Below
KONE Monospace 500 Elevators (Group IV)	**PROPOSED DECISION** Hearing Date: April 22, 2026 Location: Zoom

A. Subject Matter

1. The applicants ("Applicants") below have applied for permanent variances from provisions of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, all references in this matter are to the California Code of Regulations, title 8. The variance applications are as follows:

Permanent Variance No.	Applicant Name	Variance Location Address	No. of Conveyances
26-V-132	GS Campanile Owner, LLC	5757 Montezuma, San Diego, CA	2

2. This proceeding is conducted in accordance with Labor Code section 143 and section 401, et seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on via videoconference by the Board with Hearing Officer, Michelle Iorio, both presiding and hearing the matter on its merit as a basis of proposed decision to be advanced to the Board for its consideration.

2. At the hearing, Fuei Saetern, with KONE INC., appeared on behalf of each Applicant; and Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Documentary and oral evidence was received at the hearing, and by stipulation of all parties, documents were admitted into evidence:

Exhibit Number	Description of Exhibit
PD1	Application(s) for Permanent Variance per section A.1 table
PD2	OSHSB Notice of Hearing

PD3	Cal/OSHA Review of Variance Application
PD4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the Elevator Safety Order requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Findings of Fact

1. Each respective Applicant intends to utilize the KONE, Inc. Monospace 500 type elevator, in the quantity, at the location, specified per the above section A.1 table.
2. The installation contract for this elevator was or will be signed on or after May 1, 2008, thus making the elevator subject to the Group IV Elevator Safety Orders.
3. Each Applicant proposes to use hoisting ropes that are 8 mm in diameter which also consist of 0.51 mm diameter outer wires, in variance from the express requirements of ASME A17.1-2004, section 2.20.4.
4. In relevant part, ASME A17.1-2004, section 2.20.4 states:

   2.20.4 Minimum Number and Diameter of Suspension Ropes

   …The minimum diameter of hoisting and counterweight ropes shall be 9.5 mm (0.375 in.). Outer wires of the ropes shall be not less than 0.56 mm (0.024 in.) in diameter.
5. An intent of ASME A17.1-2004, section 2.20.4, is to ensure that the number, diameter, and construction of suspension ropes are adequate to provided safely robust and durable suspension means over the course of the ropes' foreseen service life.
6. KONE has represented to Cal/OSHA, having established an engineering practice for purposes of Monospace 500 elevator design, of meeting or exceeding the minimum factor of safety of 12 for 8 mm suspension members, as required in ASME A17.1-2010 - under which, given that factor of safety, supplemental broken suspension member protection is not required.
7. Also, each Applicant proposes as a further means of maintaining safety equivalence, monitoring the rope in conformity with the criteria specified within the *Inspector's Guide to 6 mm Diameter Governor and 8 mm Diameter Suspension Ropes for KONE Elevators* (per Application attachment "B", or as thereafter revised by KONE subject Cal/OSHA approval).
8. In addition, each Applicant has proposed to utilize 6 mm diameter governor ropes in variance from Title 8, section 3141, incorporated ASME A17.1-2004, section 2.18.5.1.
9. ASME A17.1-2004, section 2.18.5.1, specifies, in relevant part:

   2.18.5.1 Material and Factor of Safety.

   … [Governor ropes] not less than 9.5 mm (0.375 in.) in diameter. The factor of safety of governor ropes shall be not less than 5…
10. The Board takes notice of section 3141.7, subpart (a)(10):

    A reduced diameter governor rope of equivalent construction and material to that required by

ASME A17.1-2004, is permissible if the factor of safety as related to the strength necessary to activate the safety is 5 or greater;

11. Applicants propose use of 6mm governor rope having a safety factor of 5 or greater, in conformity with section 3141.7(a)(10), the specific parameters of which, being expressly set out within the Elevator Safety Orders (ESO), take precedence over more generally referenced governor rope diameter requirements per ASME A17.1-2004, section 2.18.5.1. Accordingly, the governor rope specifications being presently proposed, inclusive of a factor of safety of 5 or greater, would comply with current requirements, and therefore not be subject to issuance of permanent variance.

12. Absent evident diminution in elevator safety, over the past decade the Board has issued numerous permanent variances for use in KONE (Ecospace) elevator systems of 8 mm diameter suspension rope materially similar to that presently proposed (e.g. Permanent Variance Nos. 06-V-203, 08-V-245, and 13-V-303).

13. As noted by the Board in permanent Variance Nos. 18-V-044, and 18-V-045, Decision and Order Findings, subpart B.17 (hereby incorporated by reference), the strength of wire rope operating as an elevator's suspension means does not remain constant over its years of projected service life. With increasing usage cycles, a reduction in the cross-sectional area of the wire rope normally occurs, resulting in decreased residual strength. This characteristic is of particular relevance to the present matter because, decreasing wire rope diameter is associated with a higher rate of residual strength loss. This foreseeable reduction in cross-sectional area primarily results from elongation under sheave rounding load, as well as from wear, and wire or strand breaks. However, these characteristics need not compromise elevator safety when properly accounted for in the engineering of elevator suspension means, and associated components.

14. The presently proposed wire rope is Wuxi Universal steel rope Co LTD. 8 mm 8x19S+8x7+PP, with a manufacturer rated breaking strength of 35.8 kN, and an outer wire diameter of less than 0.56 mm, but not less than 0.51 mm. Cal/OSHA's safety engineer has scrutinized the material and structural specifications, and performance testing data, of this particular proposed rope, and concluded it will provide for safety equivalent to ESO compliant 9.5 mm wire rope, with 0.56 mm outer wire (under conditions of use included within the below Decision and Order).

15. The applicant supplies tabulated data regarding the "Maximum Static Load on All Suspension Ropes." To obtain the tabulated data, the applicant uses the following formula derived from ASME A17.1 2004, section 2.20.3:

$$W = \frac{(S \times N)}{f}$$ *where:*

W = maximum static load imposed on all car ropes with the car and its rated load at any position in the hoistway

N = number of runs of rope under load. For 2:1 roping, N shall be two times the number of ropes used, etc.

S = manufacturer's rated breaking strength of one rope

f = the factor of safety from Table 2.20.3

16. ASME A17.1-2010 sections 2.20.3 and 2.20.4 utilize the same formula, but provide for use of suspension ropes having a diameter smaller than 9.5 mm, under specified conditions, key

among them being that use of ropes having a diameter of between 8 mm to 9.5 mm be engineered with a factor of safety of 12 or higher This is a higher minimum factor of safety than that proposed by Applicant but a minimum recommended by Cal/OSHA as a condition of variance necessary to the achieving of safety equivalence to 9.5 mm rope

17. Cal/OSHA is in accord with Applicant, in proposing as a condition of safety equivalence, that periodic physical examination of the wire ropes be performed to confirm the ropes continue to meet the criteria set out in the (Application attachment) *Inspector's Guide to 6 mm Diameter Governor and 8 mm Diameter Suspension Ropes for KONE Elevators*. Adherence to this condition will provide an additional assurance of safety equivalence, regarding smaller minimum diameter suspension rope outer wire performance over the course of its service life.
18. Cal/OSHA, by way of written submission to the record (Exhibit PD3), and stated position at hearing, is of the well informed opinion that grant of permanent variance, as limited and conditioned per the below Decision and Order will provide employment, places of employment, and subject conveyances, as safe and healthful as would prevail given non-variant conformity with the requirements from which variance has been requested.

D. Conclusive Findings

A preponderance of the evidence supports the finding that each Applicants' proposal, subject to all conditions and limitations set forth in the below Decision and Order, will provide equivalent safety and health to that which would prevail upon full compliance with the requirements of the Elevator Safety Orders from which variance is being sought.

E. Decision and Order

Each Application being the subject of this proceeding, per above section A.1 table, is conditionally GRANTED, to the extent that each such Applicant shall be issued permanent variance from section 3141 incorporated ASME A17.1-2004, section 2.20.4, in as much as it precludes use of suspension rope of between 8 mm and 9.5 mm, or outer wire of between 0.51 mm and 0.56 mm in diameter, at such locations and numbers of Group IV KONE Monospace 500 elevators identified in each respective Application, subject to the following conditions:

1. The diameter of the hoisting steel ropes shall be not less than 8 mm (0.315 in) diameter and the roping ratio shall be two to one (2:1).
2. The outer wires of the suspension ropes shall be not less than 0.51 mm (0.02 in.) in diameter.
3. The number of suspension ropes shall be not fewer than those specified per hereby incorporated Decision and Order Appendix 1 Table.
4. The ropes shall be inspected annually for wire damage (rouge, valley break etc.) in accordance with "KONE, Inc. Inspector's Guide to 6 mm diameter and 8 mm diameter steel ropes for KONE Elevators" (per Application Exhibit B, or as thereafter amended by KONE subject to Cal/OSHA approval).
5. A rope inspection log shall be maintained and available in the elevator controller room / space at all times.
6. The elevator rated speed shall not exceed those speeds specified per the Decision and Order Appendix 1 Table.

7. The maximum suspended load shall not exceed those weights (plus 5%) specified per the Decision and Order Appendix 1 Table.
8. The opening to the hoistway shall be effectively barricaded when car top inspection, maintenance, servicing, or testing of the elevator equipment in the hoistway is required. If the service personnel must leave the area for any reason, the hoistway and control room doors shall be closed.
9. The installation shall meet the suspension wire rope factor of safety requirements of ASME A17.1-2013 section 2.20.3.
10. Any Certified Qualified Conveyance Company performing inspections, maintenance, servicing or testing the elevators shall be provided a copy of this variance decision.
11. Cal/OSHA shall be notified when the elevator is ready for inspection. The elevator shall be inspected by Cal/OSHA and a “Permit to Operate” issued before the elevator is placed in service.
12. The Applicant shall comply with suspension means replacement reporting condition per hereby incorporated Decision and Order Appendix 2.
13. The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way and to the same extent that employees and authorized representatives are to be notified of docketed permanent variance applications pursuant to sections 411.2 and 411.3.
14. This Decision and Order shall remain in effect unless modified or revoked upon application by the Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in the procedural manner prescribed.

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

DATED: April 24, 2026

Michelle Iorio

Michelle Iorio, Hearing Officer

APPENDIX 1

Variance Number	Elevator ID	Minimum Quantity of Ropes (per Condition 3)	Maximum Speed in Feet per Minute (per Condition 6)	Maximum Suspended Load (per Condition 7)
26-V-132	3	8	200	13,207
	4	8	200	13,207

APPENDIX 2

Suspension Means - Replacement Reporting Condition

Beginning on the date the Board adopts this Proposed Decision and continuing for a period of two years, the Applicant shall report to Cal/OSHA within 30 days any and all replacement activity performed on the elevator(s) pursuant to the requirements of ASME A17.1-2004, section 8.6.3 involving the suspension means or suspension means fastenings.

Further:

1. A separate report for each elevator shall be submitted, in a manner acceptable to Cal/OSHA, to the following address (or to such other address as Cal/OSHA might specify in the future): Cal/OSHA Elevator Unit, 2 MacArthur Place, Suite 700, Santa Ana, CA 92707, Attn: Engineering section.
2. Each such report shall contain, but not necessarily be limited to, the following information:
    a. The State-issued conveyance number, complete address, and Permanent Variance number that identifies the permanent variance.
    b. The business name, complete address, telephone number, and contact person of the elevator responsible party (presumably the Applicant or the subsequent holder of this variance).
    c. The business name, complete address, telephone number, and Certified Qualified Conveyance Company (CQCC) certification number of the firm performing the replacement work.
    d. The name (as listed on certification), Certified Competent Conveyance Mechanic (CCCM) certification number, certification expiration date, and signature of each CCCM performing the replacement work.
    e. The date and time the elevator was removed from normal service for suspension replacement, the date and time the replacement work commenced, the date and time the replacement work was completed, and the date and time the elevator was returned to normal service.
    f. A detailed description of, and clear color photographs depicting, (1) all the conditions that existed in the suspension components requiring their replacement and (2) any conditions that existed to cause damage or distress to the suspension components being replaced.
    g. A detailed list of all elevator components adjusted, repaired, or replaced in conjunction with the suspension component replacement.
    h. All information provided on the crosshead data plate per ASME A17.1-2004, section 2.20.2.1, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.
    i. For the suspension means being replaced, all information provided on the data tag required per ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is

modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

j. For the replacement suspension means, all information provided on the data tag required by ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

k. Any other information requested by Cal/OSHA regarding the replacement of the suspension means or fastenings.

3. In addition to the submission of the report to Cal/OSHA, the findings of any testing, failure analysis, or other engineering evaluations performed on any portion of the replaced suspension components, or other elevator components replaced in conjunction therewith, shall be submitted to Cal/OSHA referencing the information contained in item 2a above.

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application for Permanent Variance Regarding:

Otis Gen2S/Gen3Edge/Gen3 Core Elevator & Medical Emergency Car Dimensions

Permanent Variance No: See section A.1 table below

PROPOSED DECISION

Hearing Date: April 22, 2026
Location: Zoom

A. Subject Matter

1. The applicants ("Applicants") below have applied for permanent variances from provisions of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, all references in this matter are to the California Code of Regulations, title 8. The variance applications are as follows:

Permanent Variance No.	Applicant Name	Variance Location Address	No. of Conveyances
26-V-135	BC Idaho Two, LLC	4536 Idaho St. San Diego, CA	1

2. This proceeding is conducted in accordance with Labor Code section 143 and section 401, et seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026 via videoconference by the Board with Hearing Officer Michelle Iorio, both presiding and hearing the matter on its merit as a basis of proposed decision to be advanced to the Board for its consideration.

2. At the hearing, Dan Leacox, with Leacox & Associates, appeared on behalf of each Applicant; Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Documentary and oral evidence was received at the hearing, and by stipulation of all parties, documents were admitted into evidence:

Exhibit Number	Description of Exhibit
PD1	Application(s) for Permanent Variance per section A.1 table
PD2	OSHSB Notice of Hearing

PD3	Cal/OSHA Review of Variance Application
PD4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the Elevator Safety Order requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Findings of Fact

1. Each Applicant intends to utilize Otis Gen3 Edge/Gen2S/Gen3 Core elevators at the locations and in the numbers stated in the above section A.1 table. Applicant may utilize the variance from minimum inside car platform dimensions for other elevators designated for emergency medical service at the same variance location.
2. The installation contracts for these elevators were or will be signed on or after May 1, 2008, making the elevators subject to the Group IV Elevator Safety Orders.
3. The Board incorporates by reference the relevant findings in previous Board decisions:
    a. Items D.3 through D.9 of the Proposed Decision adopted by the Board on July 18, 2013 for Permanent Variance No. 12-V-093;
    b. Item D.4 of the Proposed Decision adopted by the Board on September 25, 2014 for Permanent Variance No. 14-V-206;
    c. Item B of the Proposed Decision adopted by the Board on September 15, 2022 for Permanent Variance No. 22-V-302 regarding medical emergency car dimensions; and
    d. Items C and D of the Proposed Decision adopted by the Board on June 20, 2024 for Permanent Variance No. 24-V-193 regarding the Gen3 Core elevator equivalent safety.
4. Cal/OSHA, by way of written submissions to the record (Exhibit PD-3), and position stated at hearing, is of the well informed opinion that grant of requested permanent variance, as limited and conditioned per the below Decision and Order will provide employment, places of employment, and subject conveyances, as safe and healthful as would prevail given non-variant conformity with the Elevator Safety Order requirements from which variance has been requested.

D. Conclusive Findings

A preponderance of the evidence supports the finding that each Applicants' proposal, subject to all conditions and limitations set forth in the below Decision and Order, will provide equivalent safety and health to that which would prevail upon full compliance with the requirements of the Elevator Safety Orders from which variance is being sought.

E. Decision and Order

Each permanent variance application the subject of this proceeding is conditionally GRANTED as specified below, and to the extent, as of the date the Board adopts this Proposed Decision, each Applicant listed in the above section A table shall have permanent variances from the following sections of ASME A17.1-2004 that section 3141 makes applicable to the elevators the subject of those applications:

- **Car top railing**: sections 2.14.1.7.1 (to permit an inset car top railing, if, in fact, the car top railing is inset);
- **Speed governor over-speed switch**: 2.18.4.2.5(a) (to permit the use of the speed reducing system proposed by the Applicants, where the speed reducing switch resides in the controller algorithms, rather than on the governor, with the necessary speed input supplied by the main encoder signal from the motor);
- **Governor rope diameter**: 2.18.5.1 (to allow the use of reduced diameter governor rope);
- **Pitch diameter**: 2.18.7.4 (to permit the use of the speed-reducing system proposed by the Applicant, where the rope sheave pitch diameter is not less than 180 mm [7.1 in.]);
- **Suspension means**: 2.20.1, 2.20.2.1, 2.20.2.2(a), 2.20.2.2(f), 2.20.3, 2.20.4, 2.20.9.3.4 and 2.20.9.5.4—the variances from these "suspension means" provisions to permit the use of Otis Gen2 flat coated steel suspension belts in lieu of conventional steel suspension ropes;
- **Inspection transfer switch**: 2.26.1.4.4(a) (to allow the inspection transfer switch to reside at a location other than a machine room, if, in fact, it does not reside in the machine room); and
- **Seismic reset switch**: 8.4.10.1.1(a)(2)(b) (to allow the seismic reset switch to reside at a location other than a machine room, if, in fact, it does not reside in the machine room).
- **Minimum Inside Car Platform Dimensions**: 3041(e)(1)(C) and 3141.7(b) (to comply with the performance-based requirements of the 2019 California Building Code section 3002.4.1a)

These variances apply to the locations and numbers of elevators stated in the section A table (so long as the elevators are Gen3 Edge/Gen2S Group and Gen3 Core & Medical Emergency Elevator Car Dimensions (Group IV) that are designed, equipped, and installed in accordance with, and are otherwise consistent with, and are subject to the following conditions:

1. The suspension system shall comply with the following:
    a. The coated steel belt and connections shall have factors of safety equal to those permitted for use by section 3141 [ASME A17.1-2004, section 2.20.3] on wire rope suspended elevators.
    b. Steel coated belts that have been installed and used on another installation shall not be reused.
    c. The coated steel belt shall be fitted with a monitoring device which has been accepted by Cal/OSHA and which will automatically stop the car if the residual strength of any single belt drops below 60 percent. If the residual strength of any single belt drops below 60 percent, the device shall prevent the elevator from restarting after a normal stop at a landing.
    d. Upon initial inspection, the readings from the monitoring device shall be documented and submitted to Cal/OSHA.
    e. A successful test of the monitoring device's functionality shall be conducted at least once a year (the record of the annual test of the monitoring device shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).
    f. The coated steel belts used shall be accepted by Cal/OSHA.

2. With respect to each elevator subject to this variance, the applicant shall comply with Cal/OSHA Circular Letter E-10-04, the substance of which is attached hereto as Addendum 1 and incorporated herein by this reference.

3. The Applicant shall not utilize the elevator unless the manufacturer has written procedures for the installation, maintenance, inspection, and testing of the belts and monitoring device and criteria for belt replacement, and the applicant shall make those procedures and criteria available to Cal/OSHA upon request.

4. The flat coated steel belts shall be provided with a metal data tag that is securely attached to one of those belts. This data tag shall bear the following flat steel coated belt data:

    a. The width and thickness in millimeters or inches;

    b. The manufacturer's rated breaking strength in (kN) or (lbf);

    c. The name of the person or organization that installed the flat coated steel belts;

    d. The month and year the flat coated steel belts were installed;

    e. The month and year the flat coated steel belts were first shortened;

    f. The name or trademark of the manufacturer of the flat coated steel belts; and

    g. Lubrication information.

5. There shall be a crosshead data plate of the sort required by section 2.20.2.1, and that plate shall bear the following flat steel coated belt data:

    a. The number of belts;

    b. The belt width and thickness in millimeters or inches; and

    c. The manufacturer's rated breaking strength per belt in (kN) or (lbf).

6. The opening to the hoistway shall be effectively barricaded when car top inspection, maintenance, servicing, or testing of elevator equipment in the hoistway is required. If service personnel must leave the area for any reason, the hoistway and control room doors shall be closed.

7. If there is an inset car top railing:

    a. Serviceable equipment shall be positioned so that mechanics and inspectors do not have to climb on railings to perform adjustment, maintenance, repairs or inspections. The applicant shall not permit anyone to stand on or climb over the car top railing.

    b. The distance that the car top railing may be inset shall be limited to no more than 6 inches.

    c. All exposed areas outside the car top railing shall preclude standing or placing objects or persons which may fall and shall be beveled from the mid- or top rail to the outside of the car top.

    d. The top of the beveled area and/or car top outside the railing, shall be clearly marked. The markings shall consist of alternating 4 inch diagonal red and white stripes.

    e. The applicant shall provide durable signs with lettering not less than ½ inch on a

contrasting background on each inset railing; each sign shall state:

CAUTION
DO NOT STAND ON OR CLIMB OVER RAILING

f. The Group IV requirements for car top clearances shall be maintained (car top clearances outside the railing shall be measured from the car top and not from the required bevel).

8. If the seismic reset switch does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the inspection and test control panel located in one upper floor hoistway door jamb or in the control space (outside the hoistway) used by the motion controller.
9. If the inspection transfer switch required by ASME A17.1, rule 2.26.1.4.4(a) does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the inspection and test control panel located in one upper floor hoistway door jamb or in the control space (outside the hoistway) used by the motion controller.
10. When the inspection and testing panel is located in the hoistway door jamb, the inspection and test control panel shall be openable only by use of a Security Group I restricted key.
11. The governor speed-reducing switch function shall comply with the following:
    a. It shall be used only with direct drive machines; i.e., no gear reduction is permitted between the drive motor and the suspension means.
    b. The velocity encoder shall be coupled to the driving machine motor shaft. The “C” channel of the encoder shall be utilized for velocity measurements required by the speed reducing system. The signal from “C” channel of the encoder shall be verified with the “A” and “B” channels for failure. If a failure is detected then an emergency stop shall be initiated.
    c. Control system parameters utilized in the speed-reducing system shall be held in non-volatile memory.
    d. It shall be used in conjunction with approved car-mounted speed governors only.
    e. It shall be used in conjunction with an effective traction monitoring system that detects a loss of traction between the driving sheave and the suspension means. If a loss of traction is detected, then an emergency stop shall be initiated.
    f. A successful test of the speed-reducing switch system’s functionality shall be conducted at least once a year (the record of the annual test of the speed-reducing switch system shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).
    g. A successful test of the traction monitoring system’s functionality shall be conducted at least once a year (the record of the annual test of the traction monitoring system shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).
    h. The Applicant shall not utilize the elevator unless the manufacturer has written procedures for the maintenance, inspection, and testing of the speed-reducing switch and traction monitoring systems. The Applicant shall make the procedures available to Cal/OSHA upon

request.

12. The speed governor rope and sheaves shall comply with the following:
    a. The governor shall be used in conjunction with a 6 mm (0.25 in.) diameter steel governor rope with 6-strand, regular lay construction.
    b. The governor rope shall have a factor of safety of 8 or greater as related to the strength necessary to activate the safety.
    c. The governor sheaves shall have a pitch diameter of not less than 180 mm (7.1 in.).

13. All medical emergency service elevators shall comply with the following:
    a. The requirements of the 2019 California Building Code (CBC), section 3002.4.1a;

    The medical emergency service elevator shall accommodate the loading and transport of two emergency personnel, each requiring a minimum clear 21-inch (533 mm) diameter circular area and an ambulance gurney or stretcher [minimum size 24 inches by 84 inches (610 mm by 2134 mm) with not less than 5inch (127 mm) radius corners] in the horizontal, open position.

    b. All medical emergency service elevators shall be identified in the building construction documents in accordance with the 2019 CBC, section 3002.4a.
    c. Dimensional drawings and other information necessary to demonstrate compliance with these conditions shall be provided to Cal/OSHA, at the time of inspection, for all medical emergency service elevator(s).

14. The elevator shall be serviced, maintained, adjusted, tested, and inspected only by Certified Competent Conveyance Mechanics who have been trained to, and are competent to, perform those tasks on the Gen3 Edge/Gen2S/Gen3 Core elevator system in accordance with the written procedures and criteria required by Condition No. 3 and in accordance with the terms of this permanent variance.
15. Any Certified Qualified Conveyance Company performing inspections, maintenance, servicing, or testing of the elevators shall be provided a copy of this variance decision.
16. Cal/OSHA shall be notified when the elevator is ready for inspection. The elevator shall be inspected by Cal/OSHA, and a Permit to Operate shall be issued before the elevator is placed in service.
17. The Applicant shall be subject to the Suspension Means – Replacement Reporting Condition stated in Addendum 2, as hereby incorporated by this reference.
18. The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way and to the same extent that employees and authorized representatives are to be notified of docketed permanent variance applications.
19. This Decision and Order shall remain in effect unless modified or revoked upon application by the Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in

accordance with the Board's procedural regulations at section 426, subdivision (b).

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

DATED: April 24, 2026

Michelle Iorio

Michelle Iorio, Hearing Officer

ADDENDUM 1

October 6, 2010

CIRCULAR LETTER E-10-04

TO: Installers, Manufacturers of Conveyances and Related Equipment and, Other Interested Parties

SUBJECT: Coated Steel Belt Monitoring

The Elevator Safety Orders require routine inspection of the suspension means of an elevator to assure its safe operation.

The California Labor Code section 7318 allows Cal/OSHA to promulgate special safety orders in the absence of regulation.

As it is not possible to see the steel cable suspension means of a Coated Steel Belt, a monitoring device which has been accepted by Cal/OSHA is required on all Coated Steel Belts which will automatically stop the car if the residual strength of any belt drops below 60%. The Device shall prevent the elevator from restarting after a normal stop at a landing.

The monitoring device must be properly installed and functional. A functioning device may be removed only after a determination has been made that the residual strength of each belt exceeds 60%. These findings and the date of removal are to be conspicuously documented in the elevator machine room. The removed device must be replaced or returned to proper service within 30 days.

If upon routine inspection, the monitoring device is found to be in a non-functional state, the date and findings are to be conspicuously documented in the elevator machine room.

If upon inspection by Cal/OSHA, the monitoring device is found to be non-functional or removed, and the required documentation is not in place, the elevator will be removed from service.

If the device is removed to facilitate belt replacement, it must be properly installed and functional before the elevator is returned to service.

A successful test of the device’s functionality shall be conducted once a year.

This circular does not preempt Cal/OSHA from adopting regulations in the future, which may address the monitoring of Coated Steel Belts or any other suspension means.

This circular does not create an obligation on the part of Cal/OSHA to permit new conveyances utilizing Coated Steel Belts.

Debra Tudor
Principal Engineer
Cal/OSHA-Elevator Unit HQS

ADDENDUM 2

Suspension Means - Replacement Reporting Condition

Beginning on the date the Board adopts this Proposed Decision and continuing for a period of two years, the Applicant shall report to Cal/OSHA within 30 days any and all replacement activity performed on the elevator(s) pursuant to the requirements of ASME A17.1-2004, section 8.6.3 involving the suspension means or suspension means fastenings.

Further:

1. A separate report for each elevator shall be submitted, in a manner acceptable to Cal/OSHA, to the following address (or to such other address as Cal/OSHA might specify in the future): Cal/OSHA Elevator Unit, 2 MacArthur Place, Suite 700, Santa Ana, CA 92707, Attn: Engineering section.
2. Each such report shall contain, but not necessarily be limited to, the following information:
    a. The State-issued conveyance number, complete address, and Permanent Variance number that identifies the permanent variance.
    b. The business name, complete address, telephone number, and contact person of the elevator responsible party (presumably the Applicant or the subsequent holder of this variance).
    c. The business name, complete address, telephone number, and Certified Qualified Conveyance Company (CQCC) certification number of the firm performing the replacement work.
    d. The name (as listed on certification), Certified Competent Conveyance Mechanic (CCCM) certification number, certification expiration date, and signature of each CCCM performing the replacement work.
    e. The date and time the elevator was removed from normal service for suspension replacement, the date and time the replacement work commenced, the date and time the replacement work was completed, and the date and time the elevator was returned to normal service.
    f. A detailed description of, and clear color photographs depicting, (1) all the conditions that existed in the suspension components requiring their replacement and (2) any conditions that existed to cause damage or distress to the suspension components being replaced.
    g. A detailed list of all elevator components adjusted, repaired, or replaced in conjunction with the suspension component replacement.
    h. All information provided on the crosshead data plate per ASME A17.1-2004, section 2.20.2.1, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.
    i. For the suspension means being replaced, all information provided on the data tag required per ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is

modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

j. For the replacement suspension means, all information provided on the data tag required by ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

k. Any other information requested by Cal/OSHA regarding the replacement of the suspension means or fastenings.

3. In addition to the submission of the report to Cal/OSHA, the findings of any testing, failure analysis, or other engineering evaluations performed on any portion of the replaced suspension components, or other elevator components replaced in conjunction therewith, shall be submitted to Cal/OSHA referencing the information contained in item 2a above.

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application for Permanent Variance Regarding:

Otis Gen2O and/or Gen3 Peak with Variant Governor Rope and Sheaves & Medical Emergency Car Dimensions

Permanent Variance No: See section A.1 table below

PROPOSED DECISION

Hearing Date: April 22, 2026
Location: Zoom

A. Subject Matter

1. The applicants ("Applicants") below have applied for permanent variances from provisions of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, all references in this matter are to the California Code of Regulations, title 8. The variance applications are as follows:

Permanent Variance No.	Applicant Name	Variance Location Address	No. of Conveyances
26-V-136	Lone Oak - Rancho, L.L.C.	Production Center 10670 6th St. Rancho Cucamonga, CA	2

2. These proceedings are conducted in accordance with Labor Code section 143 and section 401, et seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026, and via teleconference, by Occupational Safety and Health Standards Board ("Board") with Hearing Officer Michelle Iorio, both presiding and hearing the matter on its merit, as a basis of proposed decision to be advanced to the Board for its consideration, in accordance with section 426.

2. At the hearing, Dan Leacox, with Leacox & Associates, appeared on behalf of each Applicant; Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Oral evidence was received at the hearing, and by stipulation of all parties, documents were

admitted into evidence:

Exhibit Number	Description of Exhibit
PD1	Application(s) for Permanent Variance per section A.1 table
PD2	OSHSB Notice of Hearing
PD3	Cal/OSHA Review of Variance Application
PD4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the Elevator Safety Order requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Applicable Regulation

1. The Applicants request variance from some or all of the following sections of ASME A17.1-2004 that section 3141 makes applicable to the elevators the subject of those applications:

    a. Suspension Means: 2.20.1, 2.20.2.1, 2.20.2.2(a), 2.20.2.2(f), 2.20.3, 2.20.4, 2.20.9.3.4, and 2.20.9.5.4 (to permit the use of the Elastomeric Coated Steel Belts proposed by the Applicant in lieu of circular steel suspension ropes.);

    b. Cartop Railing: 2.14.1.7.1 (to permit the use of the car top railing system proposed by the Applicant, where the railing system is located inset from the elevator car top perimeter);

    c. Inspection transfer switch: 2.26.1.4.4(a) (to permit the inspection transfer switch to reside at a location other than the machine room);

    d. Seismic reset switch: 8.4.10.1.1(a)(2)(b) (to permit the seismic reset switch to reside at a location other than the machine room);

    e. Governor Rope Diameter: 2.18.5.1 (to permit the use of the governor rope proposed by the Applicant, where the rope has a diameter of 8 mm [0.315 in.]); Note: A variance from the section above is not required. However, the Board has included a variance from this code requirement in similar previous variances.

    f. Pitch Diameter: 2.18.7.4 (to permit the use of the speed governor system, proposed by the Applicant, where the rope sheave pitch diameter is less than what is required by the Elevator Safety Orders).

    g. Minimum Inside Car Platform Dimensions: 3041(e)(1)(C) and 3141.7(b) (to comply with the performance-based requirements of the 2019 California Building Code section 3002.4.1a)

D. Findings of Fact

1. The Board incorporates by reference the findings stated in:

    a. Items 3 through 5.c, 5.e, and 5.f of the "Findings of Fact" section of the Proposed Decision adopted by the Board on February 19, 2009, in Permanent Variance No. 08-V-247;

b. Item D.3 of the Proposed Decision adopted by the Board on July 16, 2009, in Permanent Variance No. 09-V-042;

c. Item D.4 of the Proposed Decision adopted by the Board on September 16, 2010, in Permanent Variance No. 10-V-029;

d. Items D.4, D.5, and D.7 of the Proposed Decision adopted by the Board on July 18, 2013, in Permanent Variance No. 12-V-146; and

e. Items D.4 and D.5 of the Proposed Decision adopted by the Board on September 25, 2014, in Permanent Variance No. 14-V-170.

f. Item B of the Proposed Decision adopted by the Board on September 15, 2022 for OSHSB File No. 22-V-302 regarding medical emergency car dimensions.

2. Regarding requested variance in governor sheave diameter, and governor rope diameter, in variance from section 3141, incorporated ASME A17.1-2004, sections 2.18.7.4 and 2.18.5.1, respectively, the Board incorporates by reference the following previous findings of record: Items 8 through 12 of the Proposed Decision adopted by the Board on December 13, 2018, in Permanent Variance No. 18-V-425, and further substantiating bases per therein cited Permanent Variance Decisions of the Board.
3. The installation contracts for elevators, the subject of the permanent variance application, were signed on or after May 1, 2008, making the elevators subject to the Group IV Elevator Safety Orders ("ESO").
4. Cal/OSHA safety engineers, by way of written submissions to the record (Exhibit PD-3), and positions stated at hearing, are of the well informed opinion that grant of requested permanent variance, as limited and conditioned per the below Decision and Order will provide employment, places of employment, and subject conveyances, as safe and healthful as would prevail given non-variant conformity with the Elevator Safety Order requirements from which variance has been requested.

E. Conclusive Findings

A preponderance of the evidence supports the finding that each Applicants' proposal, subject to all conditions and limitations set forth in the below Decision and Order, will provide equivalent safety and health to that which would prevail upon full compliance with the requirements of the Elevator Safety Orders from which variance is being sought.

F. Decision and Order

Each permanent variance application the subject of this proceeding is conditionally GRANTED as specified below, and to the extent, as of the date the Board adopts this Proposed Decision, Applicant shall have permanent variances from section 3141 and from the following sections of ASME A17.1-2004 that section 3141 makes applicable to the elevators the subject of those applications:

- Suspension Means: 2.20.1, 2.20.2.1, 2.20.2.2(a), 2.20.2.2(f), 2.20.3, 2.20.4, 2.20.9.3.4, and 2.20.9.5.4 (To permit the use of the Elastomeric Coated Steel Belts proposed by the Applicant in lieu of circular steel suspension ropes.);
- Cartop Railing: 2.14.1.7.1 (To permit the use of the car top railing system proposed by the

Applicant, where the railing system is located inset from the elevator car top perimeter);

- Inspection transfer switch: 2.26.1.4.4(a) (To permit the inspection transfer switch to reside at a location other than the machine room);
- Seismic reset switch: 8.4.10.1.1(a)(2)(b) (To permit the seismic reset switch to reside at a location other than the machine room);
- Governor Rope Diameter: 2.18.5.1 (To permit the use of the governor rope proposed by the Applicant, where the rope has a diameter of 8 mm [0.315 in.]); Note: A variance from the section above is not required. However, the Board has included a variance from this code requirement in similar previous variances.
- Pitch Diameter: 2.18.7.4 (To permit the use of the speed governor system, proposed by the Applicant, where the rope sheave pitch diameter is less than what is required by the Elevator Safety Orders).
- Minimum Inside Car Platform Dimensions: 3041(e)(1)(C) and 3141.7(b) (to comply with the performance-based requirements of the 2019 California Building Code section 3002.4.1a)

The variance shall be subject to, and limited by, the following additional conditions:

1. Each elevator subject to this variance shall comply with all applicable Group IV Elevator Safety Orders and with all ASME provisions made applicable by those Group IV Elevator Safety Orders, except those from which variances are granted, as set forth in the prefatory portion of this Decision and Order.
2. The suspension system shall comply with the following:
    a. The coated steel belt shall have a factor of safety at least equal to the factor of safety that ASME A17.1-2004, section 2.20.3, would require for wire ropes if the elevator were suspended by wire ropes rather than the coated steel belt.
    b. Steel-coated belts that have been installed and used on another installation shall not be reused.
    c. The coated steel belt shall be fitted with a monitoring device which has been accepted by Cal/OSHA and which will automatically stop the car if the residual strength of any single belt drops below 60 percent. If the residual strength of any single belt drops below 60 percent, the device shall prevent the elevator from restarting after a normal stop at a landing.
    d. Upon initial inspection, the readings from the monitoring device shall be documented and submitted to Cal/OSHA.
    e. A successful test of the monitoring device’s functionality shall be conducted at least once a year (the record of the annual test of the monitoring device shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).
    f. The coated steel belts used shall be accepted by Cal/OSHA.
    g. The installation of belts and connections shall be in conformance with the manufacturer’s specifications, which shall be provided to Cal/OSHA.

3. With respect to each elevator subject to this variance, the applicant shall comply with Cal/OSHA Circular Letter E-10-04, a copy of which is attached hereto as Addendum 1 and incorporated herein by this reference.
4. The Applicant shall not utilize each elevator unless the manufacturer has written procedures for the installation, maintenance, inspection, and testing of the belts and monitoring device, and criteria for belt replacement, and shall make those procedures and criteria available to Cal/OSHA upon request.
5. The flat coated steel belts shall be provided with a metal data tag that is securely attached to one of those belts. This data tag shall bear the following flat steel coated belt data:
    a. The width and thickness in millimeters or inches;
    b. The manufacturer's rated breaking strength in (kN) or (lbf);
    c. The name of the person who, or organization that, installed the flat coated steel belts;
    d. The month and year the flat coated steel belts were installed;
    e. The month and year the flat coated steel belts were first shortened;
    f. The name or trademark of the manufacturer of the flat coated steel belts;
    g. Lubrication information.
6. There shall be a crosshead data plate of the sort required by section 2.20.2.1, and that plate shall bear the following flat steel coated belt data:
    a. The number of belts,
    b. The belt width and thickness in millimeters or inches, and
    c. The manufacturer's rated breaking strength per belt in (kN) or (lbf).
7. If the seismic reset switch does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the inspection and test control panel located in one upper floor hoistway door jamb or in the control space (outside the hoistway) used by the motion controller.
8. If the inspection transfer switch required by ASME A17.1, rule 2.26.1.4.4(a), does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the inspection and test control panel located in one upper floor hoistway door jamb or in the control space (outside the hoistway) used by the motion controller.
9. When the inspection and test control panel is located in the hoistway door jamb, the inspection and test control panel shall be openable only by use of a Security Group I restricted key.
10. The opening to the hoistway shall be effectively barricaded when car top inspection, maintenance, servicing, or testing of elevator equipment in the hoistway is required. If service personnel must leave the area for any reason, the hoistway and control room doors shall be closed.
11. If there is an inset car top railing:
    a. Serviceable equipment shall be positioned so that mechanics and inspectors do not have

to climb on railings to perform adjustment, maintenance, repairs, or inspections. The Applicant shall not permit anyone to stand on or climb over the car top railing.

b. The distance that the car top railing may be inset from the car top perimeter shall be limited to no more than 6 inches.

c. All exposed areas of the car top outside the car top railing shall preclude standing or placing objects or persons which may fall and shall be beveled from the mid- or top rail to the outside of the car top.

d. The top of the beveled area and/or the car top outside the railing, shall be clearly marked. The markings shall consist of alternating four-inch diagonal red and white stripes.

e. The Applicant shall provide, on each inset railing, durable signs with lettering not less than ½ inch on a contrasting background. Each sign shall state:

CAUTION
DO NOT STAND ON OR CLIMB OVER RAILING

f. The Group IV requirements for car top clearances shall be maintained (car top clearances outside the railing shall be measured from the car top, and not from the required bevel).

11. The speed governor rope and sheaves shall comply with the following:

a. The governor shall be used in conjunction with a 8 mm (0.315 in.) diameter steel governor rope with 8-strand, regular lay construction.

b. The governor rope shall have a factor of safety of 8 or greater as related to the strength necessary to activate the safety.

c. The governor sheaves shall have a pitch diameter of not less than 240 mm (9.45 in.).

12. Each elevator shall be serviced, maintained, adjusted, tested, and inspected only by Certified Competent Conveyance Mechanics who have been trained to, and are competent to, perform those tasks on the Gen2(O) and/or Gen3 Peak elevator system the Applicant proposes to use, in accordance with the written procedures and criteria required by Condition No. 4 and the terms of this permanent variance.

13. All medical emergency service elevators shall comply with the following:

a. The requirements of the 2019 California Building Code (CBC), section 3002.4.1a;

The medical emergency service elevator shall accommodate the loading and transport of two emergency personnel, each requiring a minimum clear 21- inch (533 mm) diameter circular area and an ambulance gurney or stretcher [minimum size 24 inches by 84 inches (610 mm by 2134 mm) with not less than 5 inch (127 mm) radius corners] in the horizontal, open position.

b. All medical emergency service elevators shall be identified in the building construction documents in accordance with the 2019 CBC, section 3002.4a.

c. Dimensional drawings and other information necessary to demonstrate compliance with

these conditions shall be provided to Cal/OSHA, at the time of inspection, for all medical emergency service elevator(s).

14. Any Certified Qualified Conveyance Company performing inspections, maintenance, servicing, or testing of the elevators shall be provided a copy of this variance decision.
15. Cal/OSHA shall be notified when each elevator is ready for inspection. Each elevator shall be inspected by Cal/OSHA, and a Permit to Operate shall be issued before each elevator is placed in service.
16. The Applicant shall be subject to the suspension means replacement reporting condition stated in Addendum 2; that condition is incorporated herein by this reference.
17. The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way that the Applicant was required to notify them of the application for permanent variance, per sections 411.2 and 411.3.
18. This Decision and Order shall remain in effect unless duly modified or revoked upon application by the Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in the procedural manner prescribed.

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

DATED: April 24, 2026

Michelle Iorio

Michelle Iorio, Hearing Officer

ADDENDUM 1

October 6, 2010

CIRCULAR LETTER E-10-04

TO: Installers, Manufacturers of Conveyances and Related Equipment and, Other Interested Parties

SUBJECT: Coated Steel Belt Monitoring

The Elevator Safety Orders require routine inspection of the suspension means of an elevator to assure its safe operation.

The California Labor Code section 7318 allows Cal/OSHA to promulgate special safety orders in the absence of regulation.

As it is not possible to see the steel cable suspension means of a Coated Steel Belt, a monitoring device which has been accepted by Cal/OSHA is required on all Coated Steel Belts which will automatically stop the car if the residual strength of any belt drops below 60%. The Device shall prevent the elevator from restarting after a normal stop at a landing.

The monitoring device must be properly installed and functional. A functioning device may be removed only after a determination has been made that the residual strength of each belt exceeds 60%. These findings and the date of removal are to be conspicuously documented in the elevator machine room. The removed device must be replaced or returned to proper service within 30 days.

If upon routine inspection, the monitoring device is found to be in a non-functional state, the date and findings are to be conspicuously documented in the elevator machine room.

If upon inspection by Cal/OSHA, the monitoring device is found to be non-functional or removed, and the required documentation is not in place, the elevator will be removed from service.

If the device is removed to facilitate belt replacement, it must be properly installed and functional before the elevator is returned to service.

A successful test of the device’s functionality shall be conducted once a year.

This circular does not preempt Cal/OSHA from adopting regulations in the future, which may address the monitoring of Coated Steel Belts or any other suspension means.

This circular does not create an obligation on the part of Cal/OSHA to permit new conveyances utilizing Coated Steel Belts.

Debra Tudor
Principal Engineer
Cal/OSHA-Elevator Unit HQS

ADDENDUM 2

Suspension Means - Replacement Reporting Condition

Beginning on the date the Board adopts this Proposed Decision and continuing for a period of two years, the Applicant shall report to Cal/OSHA within 30 days any and all replacement activity performed on the elevator(s) pursuant to the requirements of ASME A17.1-2004, section 8.6.3 involving the suspension means or suspension means fastenings.

Further:

1. A separate report for each elevator shall be submitted, in a manner acceptable to Cal/OSHA, to the following address (or to such other address as Cal/OSHA might specify in the future): Cal/OSHA Elevator Unit, 2 MacArthur Place, Suite 700, Santa Ana, CA 92707, Attn: Engineering section.
2. Each such report shall contain, but not necessarily be limited to, the following information:
    a. The State-issued conveyance number, complete address, and Permanent Variance number that identifies the permanent variance.
    b. The business name, complete address, telephone number, and contact person of the elevator responsible party (presumably the Applicant or the subsequent holder of this variance).
    c. The business name, complete address, telephone number, and Certified Qualified Conveyance Company (CQCC) certification number of the firm performing the replacement work.
    d. The name (as listed on certification), Certified Competent Conveyance Mechanic (CCCM) certification number, certification expiration date, and signature of each CCCM performing the replacement work.
    e. The date and time the elevator was removed from normal service for suspension replacement, the date and time the replacement work commenced, the date and time the replacement work was completed, and the date and time the elevator was returned to normal service.
    f. A detailed description of, and clear color photographs depicting, (1) all the conditions that existed in the suspension components requiring their replacement and (2) any conditions that existed to cause damage or distress to the suspension components being replaced.
    g. A detailed list of all elevator components adjusted, repaired, or replaced in conjunction with the suspension component replacement.
    h. All information provided on the crosshead data plate per ASME A17.1-2004, section 2.20.2.1, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.
    i. For the suspension means being replaced, all information provided on the data tag required per ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is

modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

j. For the replacement suspension means, all information provided on the data tag required by ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

k. Any other information requested by Cal/OSHA regarding the replacement of the suspension means or fastenings.

3. In addition to the submission of the report to Cal/OSHA, the findings of any testing, failure analysis, or other engineering evaluations performed on any portion of the replaced suspension components, or other elevator components replaced in conjunction therewith, shall be submitted to Cal/OSHA referencing the information contained in item 2a above.

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application for Permanent Variance Regarding: Arrow Lift Symmetry VPL ELP-168 Vertical Platform Lift	Permanent Variance No.: 26-V-138 **PROPOSED DECISION** Hearing Date: April 22, 2026 Location: Zoom

A. Subject Matter

1. The applicants ("Applicant") below have applied for permanent variance from provisions of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, all references in this matter are to the California Code of Regulations, title 8. The variance applications are as follows:

Permanent Variance No.	Applicant Name	Variance Location Address	No. of Conveyances
26-V-138	Imperial Community College District	380 East Aten Road, Imperial, CA	2

2. This proceeding is conducted in accordance with Labor Code section 143 and section 401, et seq. of the Occupational Safety and Health Standard Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026 via videoconference by the Board with Hearing Officer, Michelle Iorio, both presiding and hearing the matter on its merit as the basis of a proposed decision to be advanced to the Board for its consideration.

2. At the hearing, Patrick Austin with Arrow Lift of California, appeared on behalf of each Applicant; Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Oral evidence was received at the hearing, and by stipulation of all parties, documents were admitted into evidence:

Exhibit Number	**Description of Exhibit**
PD-1	Permanent Variance Applications

Exhibit Number	Description of Exhibit
PD-2	OSHSB Notice of Hearing
PD-3	Cal/OSHA Review of Variance Application
PD-4	Review Draft-1 Proposed Decision

4. Official notice taken of the Board's files, records, recordings and decisions concerning the Elevator Safety Order requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Findings of Fact

1. Applicant intends to utilize the vertical platform (wheelchair) lift(s) in the quantity, at the location, specified per the above section A.1 table.

2. The subject vertical lift is proposed to be a Symmetry Model VPL ELP-168, with a vertical travel range of approximately 145 inches. That range of travel exceeds the 12 foot maximum vertical rise allowed by ASME A18.1-2003, section 2.7.1—the State of California standard in force at the time of this Decision.

3. The Cal/OSHA evaluation in this matter, states that the more recent consensus code ASME A18.1-2005 allows for vertical platform lifts to have a travel not exceeding 14 feet (168 in.).

4. Permanent variances regarding the extended travel of vertical platform lifts, of similar configuration to that of the subject proposed model, have been previously granted, absent subsequent harm attributable to such variance being reported by Cal/OSHA. (e.g. Permanent Variance No. 17-V-270).

5. With respect to the equivalence or superior of safety, conditions and limitations of the Decision and Order are in material conformity with findings and conditions of prior Board permanent variance decisions, including the above cited.

6. Per its written Review of Application for Permanent Variance, Exhibit PD-3, it is the informed opinion of Cal/OSHA that equivalent safety (at minimum) will be achieved upon grant of presently requested permanent variance, subject to conditions and limitations incorporated into the below Decision and Order.

D. Conclusive Findings

A preponderance of the evidence supports the finding that each Applicant's proposal, subject to all conditions and limitations set forth in the below Decision and Order, will provide equivalent safety and health to that which would prevail upon full compliance with the requirements of the Elevator Safety Orders from which variance is being sought.

E. Decision and Order

Each permanent variance application the subject of this proceeding is conditionally GRANTED as specified below, and to the extent, as of the date the Board adopts this Proposed Decision, each Applicant listed in the above section A.1 table shall have permanent variances from sections 3041(a) and 3142.1, incorporated ASME A18.1-2003, section 2.7.1, inasmuch as it restricts the vertical rise of a wheelchair lift to a maximum of 12 feet and subject to the following further conditions and limitations:

1. This lift may travel up to 168 inches, unless the manufacturer's instructions provide for a lesser vertical travel limit, or lesser total elevation change, in which case, travel shall be limited to the lesser limit or elevation change.

2. The wheelchair lift shall be installed and operated in accordance with the manufacturer's instructions, unless the provisions of this variance or applicable provisions of the law provide otherwise.

3. Durable signs with lettering not less than 5/16 inch on a contrasting background shall be permanently and conspicuously posted inside the car and at all landings indicating that the lift is for the exclusive use of persons with physical impairments and that the lift is not to be used to transport material or equipment. The use of the lift shall be limited in accordance with these signs.

4. A maintenance contract shall be executed between the owner/operator and a Certified Qualified Conveyance Company (CQCC). The contract shall stipulate that the routine preventive maintenance required by section 3094.5(a)(1) shall be performed at least quarterly and shall include but not be limited to:

    a. Platform driving means examination;

    b. Platform examination;

    c. Suspension means examination;

    d. Platform alignment;

    e. Vibration examination;

    f. Door/gate electrical; and

    g. Mechanical lock examination.

5. The lift shall be tested annually for proper operation under rated load conditions. The Cal/OSHA Elevator Unit District Office shall be provided written notification in advance of the test, and the test shall include a check of car or platform safety device.

6. The lift shall be shut down immediately if the lift experiences unusual noise and vibration, and the Applicant shall notify the CQCC immediately. The lift shall only be restarted by the CQCC.

7. The Applicant shall notify the CQCC if the lift shuts down for any reason. The lift shall only be restarted by the CQCC.

8. Service logs including, but not limited to, the device shutdown(s) shall be kept in the maintenance office and shall be available to Cal/OSHA. The shutdown information shall contain the date of the shutdown, cause of the shutdown, and the action taken to correct the shutdown.

9. The Applicant shall provide training on the safe operation of the lift in accordance with section 3203. Such training shall be conducted annually for all employees using or who will be assisting others in using the lift. The Applicant shall notify Cal/OSHA in writing that training has been conducted. A copy of the training manual (used for the subject training), and documentation identifying the trainer and attendees shall be maintained for at least 1 year and provided to Cal/OSHA upon request.

10. Any CQCC performing inspections, maintenance, servicing or testing of the elevators shall be provided a copy of this variance decision.

11. Cal/OSHA shall be notified when the lift is ready for inspection, and the lift shall be inspected by Cal/OSHA and a Permit to Operate shall be issued before the lift is put into service.

12. The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way and to the same extent that employees and authorized representatives are to be notified of docketed permanent variance applications pursuant to sections 411.2 and 411.3.

13. This Decision and Order shall remain in effect unless duly modified or revoked upon application by the Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion.

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

DATED: April 23, 2026

Michelle Iorio

Michelle Iorio, Hearing Officer

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application for Permanent Variance Regarding:

Otis Gen2S/Gen3Edge/Gen3 Core Elevator & Medical Emergency Car Dimensions

Permanent Variance No: See section A.1 table below

PROPOSED DECISION

Hearing Date: April 22, 2026
Location: Zoom

A. Subject Matter

1. The applicants ("Applicants") below have applied for permanent variances from provisions of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, all references in this matter are to the California Code of Regulations, title 8. The variance applications are as follows:

Permanent Variance No.	Applicant Name	Variance Location Address	No. of Conveyances
26-V-139	PREG Kifer, LP	170 San Zeno Way Sunnyvale, CA	4

2. This proceeding is conducted in accordance with Labor Code section 143 and section 401, et seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026 via videoconference by the Board with Hearing Officer Michelle Iorio, both presiding and hearing the matter on its merit as a basis of proposed decision to be advanced to the Board for its consideration.

2. At the hearing, Dan Leacox, with Leacox & Associates, appeared on behalf of each Applicant; Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Documentary and oral evidence was received at the hearing, and by stipulation of all parties, documents were admitted into evidence:

Exhibit Number	Description of Exhibit
PD1	Application(s) for Permanent Variance per section A.1 table
PD2	OSHSB Notice of Hearing

PD3	Cal/OSHA Review of Variance Application
PD4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the Elevator Safety Order requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Findings of Fact

1. Each Applicant intends to utilize Otis Gen3 Edge/Gen2S/Gen3 Core elevators at the locations and in the numbers stated in the above section A.1 table. Applicant may utilize the variance from minimum inside car platform dimensions for other elevators designated for emergency medical service at the same variance location.
2. The installation contracts for these elevators were or will be signed on or after May 1, 2008, making the elevators subject to the Group IV Elevator Safety Orders.
3. The Board incorporates by reference the relevant findings in previous Board decisions:
    a. Items D.3 through D.9 of the Proposed Decision adopted by the Board on July 18, 2013 for Permanent Variance No. 12-V-093;
    b. Item D.4 of the Proposed Decision adopted by the Board on September 25, 2014 for Permanent Variance No. 14-V-206;
    c. Item B of the Proposed Decision adopted by the Board on September 15, 2022 for Permanent Variance No. 22-V-302 regarding medical emergency car dimensions; and
    d. Items C and D of the Proposed Decision adopted by the Board on June 20, 2024 for Permanent Variance No. 24-V-193 regarding the Gen3 Core elevator equivalent safety.
4. Cal/OSHA, by way of written submissions to the record (Exhibit PD-3), and position stated at hearing, is of the well informed opinion that grant of requested permanent variance, as limited and conditioned per the below Decision and Order will provide employment, places of employment, and subject conveyances, as safe and healthful as would prevail given non-variant conformity with the Elevator Safety Order requirements from which variance has been requested.

D. Conclusive Findings

A preponderance of the evidence supports the finding that each Applicants' proposal, subject to all conditions and limitations set forth in the below Decision and Order, will provide equivalent safety and health to that which would prevail upon full compliance with the requirements of the Elevator Safety Orders from which variance is being sought.

E. Decision and Order

Each permanent variance application the subject of this proceeding is conditionally GRANTED as specified below, and to the extent, as of the date the Board adopts this Proposed Decision, each Applicant listed in the above section A table shall have permanent variances from the following sections of ASME A17.1-2004 that section 3141 makes applicable to the elevators the subject of those applications:

- **Car top railing**: sections 2.14.1.7.1 (to permit an inset car top railing, if, in fact, the car top railing is inset);
- **Speed governor over-speed switch**: 2.18.4.2.5(a) (to permit the use of the speed reducing system proposed by the Applicants, where the speed reducing switch resides in the controller algorithms, rather than on the governor, with the necessary speed input supplied by the main encoder signal from the motor);
- **Governor rope diameter**: 2.18.5.1 (to allow the use of reduced diameter governor rope);
- **Pitch diameter**: 2.18.7.4 (to permit the use of the speed-reducing system proposed by the Applicant, where the rope sheave pitch diameter is not less than 180 mm [7.1 in.]);
- **Suspension means**: 2.20.1, 2.20.2.1, 2.20.2.2(a), 2.20.2.2(f), 2.20.3, 2.20.4, 2.20.9.3.4 and 2.20.9.5.4—the variances from these "suspension means" provisions to permit the use of Otis Gen2 flat coated steel suspension belts in lieu of conventional steel suspension ropes;
- **Inspection transfer switch**: 2.26.1.4.4(a) (to allow the inspection transfer switch to reside at a location other than a machine room, if, in fact, it does not reside in the machine room); and
- **Seismic reset switch**: 8.4.10.1.1(a)(2)(b) (to allow the seismic reset switch to reside at a location other than a machine room, if, in fact, it does not reside in the machine room).
- **Minimum Inside Car Platform Dimensions**: 3041(e)(1)(C) and 3141.7(b) (to comply with the performance-based requirements of the 2019 California Building Code section 3002.4.1a)

These variances apply to the locations and numbers of elevators stated in the section A table (so long as the elevators are Gen3 Edge/Gen2S Group and Gen3 Core & Medical Emergency Elevator Car Dimensions (Group IV) that are designed, equipped, and installed in accordance with, and are otherwise consistent with, and are subject to the following conditions:

1. The suspension system shall comply with the following:
    a. The coated steel belt and connections shall have factors of safety equal to those permitted for use by section 3141 [ASME A17.1-2004, section 2.20.3] on wire rope suspended elevators.
    b. Steel coated belts that have been installed and used on another installation shall not be reused.
    c. The coated steel belt shall be fitted with a monitoring device which has been accepted by Cal/OSHA and which will automatically stop the car if the residual strength of any single belt drops below 60 percent. If the residual strength of any single belt drops below 60 percent, the device shall prevent the elevator from restarting after a normal stop at a landing.
    d. Upon initial inspection, the readings from the monitoring device shall be documented and submitted to Cal/OSHA.
    e. A successful test of the monitoring device's functionality shall be conducted at least once a year (the record of the annual test of the monitoring device shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).
    f. The coated steel belts used shall be accepted by Cal/OSHA.

2. With respect to each elevator subject to this variance, the applicant shall comply with Cal/OSHA Circular Letter E-10-04, the substance of which is attached hereto as Addendum 1 and incorporated herein by this reference.

3. The Applicant shall not utilize the elevator unless the manufacturer has written procedures for the installation, maintenance, inspection, and testing of the belts and monitoring device and criteria for belt replacement, and the applicant shall make those procedures and criteria available to Cal/OSHA upon request.

4. The flat coated steel belts shall be provided with a metal data tag that is securely attached to one of those belts. This data tag shall bear the following flat steel coated belt data:

    a. The width and thickness in millimeters or inches;

    b. The manufacturer's rated breaking strength in (kN) or (lbf);

    c. The name of the person or organization that installed the flat coated steel belts;

    d. The month and year the flat coated steel belts were installed;

    e. The month and year the flat coated steel belts were first shortened;

    f. The name or trademark of the manufacturer of the flat coated steel belts; and

    g. Lubrication information.

5. There shall be a crosshead data plate of the sort required by section 2.20.2.1, and that plate shall bear the following flat steel coated belt data:

    a. The number of belts;

    b. The belt width and thickness in millimeters or inches; and

    c. The manufacturer's rated breaking strength per belt in (kN) or (lbf).

6. The opening to the hoistway shall be effectively barricaded when car top inspection, maintenance, servicing, or testing of elevator equipment in the hoistway is required. If service personnel must leave the area for any reason, the hoistway and control room doors shall be closed.

7. If there is an inset car top railing:

    a. Serviceable equipment shall be positioned so that mechanics and inspectors do not have to climb on railings to perform adjustment, maintenance, repairs or inspections. The applicant shall not permit anyone to stand on or climb over the car top railing.

    b. The distance that the car top railing may be inset shall be limited to no more than 6 inches.

    c. All exposed areas outside the car top railing shall preclude standing or placing objects or persons which may fall and shall be beveled from the mid- or top rail to the outside of the car top.

    d. The top of the beveled area and/or car top outside the railing, shall be clearly marked. The markings shall consist of alternating 4 inch diagonal red and white stripes.

    e. The applicant shall provide durable signs with lettering not less than ½ inch on a

contrasting background on each inset railing; each sign shall state:

CAUTION
DO NOT STAND ON OR CLIMB OVER RAILING

f. The Group IV requirements for car top clearances shall be maintained (car top clearances outside the railing shall be measured from the car top and not from the required bevel).

8. If the seismic reset switch does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the inspection and test control panel located in one upper floor hoistway door jamb or in the control space (outside the hoistway) used by the motion controller.
9. If the inspection transfer switch required by ASME A17.1, rule 2.26.1.4.4(a) does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the inspection and test control panel located in one upper floor hoistway door jamb or in the control space (outside the hoistway) used by the motion controller.
10. When the inspection and testing panel is located in the hoistway door jamb, the inspection and test control panel shall be openable only by use of a Security Group I restricted key.
11. The governor speed-reducing switch function shall comply with the following:
    a. It shall be used only with direct drive machines; i.e., no gear reduction is permitted between the drive motor and the suspension means.
    b. The velocity encoder shall be coupled to the driving machine motor shaft. The “C” channel of the encoder shall be utilized for velocity measurements required by the speed reducing system. The signal from “C” channel of the encoder shall be verified with the “A” and “B” channels for failure. If a failure is detected then an emergency stop shall be initiated.
    c. Control system parameters utilized in the speed-reducing system shall be held in non-volatile memory.
    d. It shall be used in conjunction with approved car-mounted speed governors only.
    e. It shall be used in conjunction with an effective traction monitoring system that detects a loss of traction between the driving sheave and the suspension means. If a loss of traction is detected, then an emergency stop shall be initiated.
    f. A successful test of the speed-reducing switch system’s functionality shall be conducted at least once a year (the record of the annual test of the speed-reducing switch system shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).
    g. A successful test of the traction monitoring system’s functionality shall be conducted at least once a year (the record of the annual test of the traction monitoring system shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).
    h. The Applicant shall not utilize the elevator unless the manufacturer has written procedures for the maintenance, inspection, and testing of the speed-reducing switch and traction monitoring systems. The Applicant shall make the procedures available to Cal/OSHA upon

request.

12. The speed governor rope and sheaves shall comply with the following:
    a. The governor shall be used in conjunction with a 6 mm (0.25 in.) diameter steel governor rope with 6-strand, regular lay construction.
    b. The governor rope shall have a factor of safety of 8 or greater as related to the strength necessary to activate the safety.
    c. The governor sheaves shall have a pitch diameter of not less than 180 mm (7.1 in.).

13. All medical emergency service elevators shall comply with the following:
    a. The requirements of the 2019 California Building Code (CBC), section 3002.4.1a;

    The medical emergency service elevator shall accommodate the loading and transport of two emergency personnel, each requiring a minimum clear 21-inch (533 mm) diameter circular area and an ambulance gurney or stretcher [minimum size 24 inches by 84 inches (610 mm by 2134 mm) with not less than 5inch (127 mm) radius corners] in the horizontal, open position.

    b. All medical emergency service elevators shall be identified in the building construction documents in accordance with the 2019 CBC, section 3002.4a.
    c. Dimensional drawings and other information necessary to demonstrate compliance with these conditions shall be provided to Cal/OSHA, at the time of inspection, for all medical emergency service elevator(s).

14. The elevator shall be serviced, maintained, adjusted, tested, and inspected only by Certified Competent Conveyance Mechanics who have been trained to, and are competent to, perform those tasks on the Gen3 Edge/Gen2S/Gen3 Core elevator system in accordance with the written procedures and criteria required by Condition No. 3 and in accordance with the terms of this permanent variance.
15. Any Certified Qualified Conveyance Company performing inspections, maintenance, servicing, or testing of the elevators shall be provided a copy of this variance decision.
16. Cal/OSHA shall be notified when the elevator is ready for inspection. The elevator shall be inspected by Cal/OSHA, and a Permit to Operate shall be issued before the elevator is placed in service.
17. The Applicant shall be subject to the Suspension Means – Replacement Reporting Condition stated in Addendum 2, as hereby incorporated by this reference.
18. The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way and to the same extent that employees and authorized representatives are to be notified of docketed permanent variance applications.
19. This Decision and Order shall remain in effect unless modified or revoked upon application by the Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in

accordance with the Board's procedural regulations at section 426, subdivision (b).

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

DATED: April 24, 2026

Michelle Iorio

Michelle Iorio, Hearing Officer

ADDENDUM 1

October 6, 2010

CIRCULAR LETTER E-10-04

TO: Installers, Manufacturers of Conveyances and Related Equipment and, Other Interested Parties

SUBJECT: Coated Steel Belt Monitoring

The Elevator Safety Orders require routine inspection of the suspension means of an elevator to assure its safe operation.

The California Labor Code section 7318 allows Cal/OSHA to promulgate special safety orders in the absence of regulation.

As it is not possible to see the steel cable suspension means of a Coated Steel Belt, a monitoring device which has been accepted by Cal/OSHA is required on all Coated Steel Belts which will automatically stop the car if the residual strength of any belt drops below 60%. The Device shall prevent the elevator from restarting after a normal stop at a landing.

The monitoring device must be properly installed and functional. A functioning device may be removed only after a determination has been made that the residual strength of each belt exceeds 60%. These findings and the date of removal are to be conspicuously documented in the elevator machine room. The removed device must be replaced or returned to proper service within 30 days.

If upon routine inspection, the monitoring device is found to be in a non-functional state, the date and findings are to be conspicuously documented in the elevator machine room.

If upon inspection by Cal/OSHA, the monitoring device is found to be non-functional or removed, and the required documentation is not in place, the elevator will be removed from service.

If the device is removed to facilitate belt replacement, it must be properly installed and functional before the elevator is returned to service.

A successful test of the device’s functionality shall be conducted once a year.

This circular does not preempt Cal/OSHA from adopting regulations in the future, which may address the monitoring of Coated Steel Belts or any other suspension means.

This circular does not create an obligation on the part of Cal/OSHA to permit new conveyances utilizing Coated Steel Belts.

Debra Tudor
Principal Engineer
Cal/OSHA-Elevator Unit HQS

ADDENDUM 2

Suspension Means - Replacement Reporting Condition

Beginning on the date the Board adopts this Proposed Decision and continuing for a period of two years, the Applicant shall report to Cal/OSHA within 30 days any and all replacement activity performed on the elevator(s) pursuant to the requirements of ASME A17.1-2004, section 8.6.3 involving the suspension means or suspension means fastenings.

Further:

1. A separate report for each elevator shall be submitted, in a manner acceptable to Cal/OSHA, to the following address (or to such other address as Cal/OSHA might specify in the future): Cal/OSHA Elevator Unit, 2 MacArthur Place, Suite 700, Santa Ana, CA 92707, Attn: Engineering section.
2. Each such report shall contain, but not necessarily be limited to, the following information:
    a. The State-issued conveyance number, complete address, and Permanent Variance number that identifies the permanent variance.
    b. The business name, complete address, telephone number, and contact person of the elevator responsible party (presumably the Applicant or the subsequent holder of this variance).
    c. The business name, complete address, telephone number, and Certified Qualified Conveyance Company (CQCC) certification number of the firm performing the replacement work.
    d. The name (as listed on certification), Certified Competent Conveyance Mechanic (CCCM) certification number, certification expiration date, and signature of each CCCM performing the replacement work.
    e. The date and time the elevator was removed from normal service for suspension replacement, the date and time the replacement work commenced, the date and time the replacement work was completed, and the date and time the elevator was returned to normal service.
    f. A detailed description of, and clear color photographs depicting, (1) all the conditions that existed in the suspension components requiring their replacement and (2) any conditions that existed to cause damage or distress to the suspension components being replaced.
    g. A detailed list of all elevator components adjusted, repaired, or replaced in conjunction with the suspension component replacement.
    h. All information provided on the crosshead data plate per ASME A17.1-2004, section 2.20.2.1, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.
    i. For the suspension means being replaced, all information provided on the data tag required per ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is

modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

j. For the replacement suspension means, all information provided on the data tag required by ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

k. Any other information requested by Cal/OSHA regarding the replacement of the suspension means or fastenings.

3. In addition to the submission of the report to Cal/OSHA, the findings of any testing, failure analysis, or other engineering evaluations performed on any portion of the replaced suspension components, or other elevator components replaced in conjunction therewith, shall be submitted to Cal/OSHA referencing the information contained in item 2a above.

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application for Permanent Variance Regarding:

Otis Gen2S/Gen3Edge/Gen3 Core Elevator & Medical Emergency Car Dimensions

Permanent Variance No: See section A.1 table below

PROPOSED DECISION

Hearing Date: April 22, 2026
Location: Zoom

A. Subject Matter

1. The applicants ("Applicants") below have applied for permanent variances from provisions of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, all references in this matter are to the California Code of Regulations, title 8. The variance applications are as follows:

Permanent Variance No.	Applicant Name	Variance Location Address	No. of Conveyances
26-V-140	Passo Centinela, LP	4129 S. Centinela Ave. Los Angeles, CA	1

2. This proceeding is conducted in accordance with Labor Code section 143 and section 401, et seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026 via videoconference by the Board with Hearing Officer Michelle Iorio, both presiding and hearing the matter on its merit as a basis of proposed decision to be advanced to the Board for its consideration.

2. At the hearing, Dan Leacox, with Leacox & Associates, appeared on behalf of each Applicant; Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Documentary and oral evidence was received at the hearing, and by stipulation of all parties, documents were admitted into evidence:

Exhibit Number	Description of Exhibit
PD1	Application(s) for Permanent Variance per section A.1 table
PD2	OSHSB Notice of Hearing

PD3	Cal/OSHA Review of Variance Application
PD4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the Elevator Safety Order requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Findings of Fact

1. Each Applicant intends to utilize Otis Gen3 Edge/Gen2S/Gen3 Core elevators at the locations and in the numbers stated in the above section A.1 table. Applicant may utilize the variance from minimum inside car platform dimensions for other elevators designated for emergency medical service at the same variance location.
2. The installation contracts for these elevators were or will be signed on or after May 1, 2008, making the elevators subject to the Group IV Elevator Safety Orders.
3. The Board incorporates by reference the relevant findings in previous Board decisions:
    a. Items D.3 through D.9 of the Proposed Decision adopted by the Board on July 18, 2013 for Permanent Variance No. 12-V-093;
    b. Item D.4 of the Proposed Decision adopted by the Board on September 25, 2014 for Permanent Variance No. 14-V-206;
    c. Item B of the Proposed Decision adopted by the Board on September 15, 2022 for Permanent Variance No. 22-V-302 regarding medical emergency car dimensions; and
    d. Items C and D of the Proposed Decision adopted by the Board on June 20, 2024 for Permanent Variance No. 24-V-193 regarding the Gen3 Core elevator equivalent safety.
4. Cal/OSHA, by way of written submissions to the record (Exhibit PD-3), and position stated at hearing, is of the well informed opinion that grant of requested permanent variance, as limited and conditioned per the below Decision and Order will provide employment, places of employment, and subject conveyances, as safe and healthful as would prevail given non-variant conformity with the Elevator Safety Order requirements from which variance has been requested.

D. Conclusive Findings

A preponderance of the evidence supports the finding that each Applicants' proposal, subject to all conditions and limitations set forth in the below Decision and Order, will provide equivalent safety and health to that which would prevail upon full compliance with the requirements of the Elevator Safety Orders from which variance is being sought.

E. Decision and Order

Each permanent variance application the subject of this proceeding is conditionally GRANTED as specified below, and to the extent, as of the date the Board adopts this Proposed Decision, each Applicant listed in the above section A table shall have permanent variances from the following sections of ASME A17.1-2004 that section 3141 makes applicable to the elevators the subject of those applications:

- **Car top railing**: sections 2.14.1.7.1 (to permit an inset car top railing, if, in fact, the car top railing is inset);
- **Speed governor over-speed switch**: 2.18.4.2.5(a) (to permit the use of the speed reducing system proposed by the Applicants, where the speed reducing switch resides in the controller algorithms, rather than on the governor, with the necessary speed input supplied by the main encoder signal from the motor);
- **Governor rope diameter**: 2.18.5.1 (to allow the use of reduced diameter governor rope);
- **Pitch diameter**: 2.18.7.4 (to permit the use of the speed-reducing system proposed by the Applicant, where the rope sheave pitch diameter is not less than 180 mm [7.1 in.]);
- **Suspension means**: 2.20.1, 2.20.2.1, 2.20.2.2(a), 2.20.2.2(f), 2.20.3, 2.20.4, 2.20.9.3.4 and 2.20.9.5.4—the variances from these "suspension means" provisions to permit the use of Otis Gen2 flat coated steel suspension belts in lieu of conventional steel suspension ropes;
- **Inspection transfer switch**: 2.26.1.4.4(a) (to allow the inspection transfer switch to reside at a location other than a machine room, if, in fact, it does not reside in the machine room); and
- **Seismic reset switch**: 8.4.10.1.1(a)(2)(b) (to allow the seismic reset switch to reside at a location other than a machine room, if, in fact, it does not reside in the machine room).
- **Minimum Inside Car Platform Dimensions**: 3041(e)(1)(C) and 3141.7(b) (to comply with the performance-based requirements of the 2019 California Building Code section 3002.4.1a)

These variances apply to the locations and numbers of elevators stated in the section A table (so long as the elevators are Gen3 Edge/Gen2S Group and Gen3 Core & Medical Emergency Elevator Car Dimensions (Group IV) that are designed, equipped, and installed in accordance with, and are otherwise consistent with, and are subject to the following conditions:

1. The suspension system shall comply with the following:
    a. The coated steel belt and connections shall have factors of safety equal to those permitted for use by section 3141 [ASME A17.1-2004, section 2.20.3] on wire rope suspended elevators.
    b. Steel coated belts that have been installed and used on another installation shall not be reused.
    c. The coated steel belt shall be fitted with a monitoring device which has been accepted by Cal/OSHA and which will automatically stop the car if the residual strength of any single belt drops below 60 percent. If the residual strength of any single belt drops below 60 percent, the device shall prevent the elevator from restarting after a normal stop at a landing.
    d. Upon initial inspection, the readings from the monitoring device shall be documented and submitted to Cal/OSHA.
    e. A successful test of the monitoring device's functionality shall be conducted at least once a year (the record of the annual test of the monitoring device shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).
    f. The coated steel belts used shall be accepted by Cal/OSHA.

2. With respect to each elevator subject to this variance, the applicant shall comply with Cal/OSHA Circular Letter E-10-04, the substance of which is attached hereto as Addendum 1 and incorporated herein by this reference.

3. The Applicant shall not utilize the elevator unless the manufacturer has written procedures for the installation, maintenance, inspection, and testing of the belts and monitoring device and criteria for belt replacement, and the applicant shall make those procedures and criteria available to Cal/OSHA upon request.

4. The flat coated steel belts shall be provided with a metal data tag that is securely attached to one of those belts. This data tag shall bear the following flat steel coated belt data:

    a. The width and thickness in millimeters or inches;

    b. The manufacturer's rated breaking strength in (kN) or (lbf);

    c. The name of the person or organization that installed the flat coated steel belts;

    d. The month and year the flat coated steel belts were installed;

    e. The month and year the flat coated steel belts were first shortened;

    f. The name or trademark of the manufacturer of the flat coated steel belts; and

    g. Lubrication information.

5. There shall be a crosshead data plate of the sort required by section 2.20.2.1, and that plate shall bear the following flat steel coated belt data:

    a. The number of belts;

    b. The belt width and thickness in millimeters or inches; and

    c. The manufacturer's rated breaking strength per belt in (kN) or (lbf).

6. The opening to the hoistway shall be effectively barricaded when car top inspection, maintenance, servicing, or testing of elevator equipment in the hoistway is required. If service personnel must leave the area for any reason, the hoistway and control room doors shall be closed.

7. If there is an inset car top railing:

    a. Serviceable equipment shall be positioned so that mechanics and inspectors do not have to climb on railings to perform adjustment, maintenance, repairs or inspections. The applicant shall not permit anyone to stand on or climb over the car top railing.

    b. The distance that the car top railing may be inset shall be limited to no more than 6 inches.

    c. All exposed areas outside the car top railing shall preclude standing or placing objects or persons which may fall and shall be beveled from the mid- or top rail to the outside of the car top.

    d. The top of the beveled area and/or car top outside the railing, shall be clearly marked. The markings shall consist of alternating 4 inch diagonal red and white stripes.

    e. The applicant shall provide durable signs with lettering not less than ½ inch on a

contrasting background on each inset railing; each sign shall state:

CAUTION
DO NOT STAND ON OR CLIMB OVER RAILING

f. The Group IV requirements for car top clearances shall be maintained (car top clearances outside the railing shall be measured from the car top and not from the required bevel).

8. If the seismic reset switch does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the inspection and test control panel located in one upper floor hoistway door jamb or in the control space (outside the hoistway) used by the motion controller.
9. If the inspection transfer switch required by ASME A17.1, rule 2.26.1.4.4(a) does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the inspection and test control panel located in one upper floor hoistway door jamb or in the control space (outside the hoistway) used by the motion controller.
10. When the inspection and testing panel is located in the hoistway door jamb, the inspection and test control panel shall be openable only by use of a Security Group I restricted key.
11. The governor speed-reducing switch function shall comply with the following:
    a. It shall be used only with direct drive machines; i.e., no gear reduction is permitted between the drive motor and the suspension means.
    b. The velocity encoder shall be coupled to the driving machine motor shaft. The “C” channel of the encoder shall be utilized for velocity measurements required by the speed reducing system. The signal from “C” channel of the encoder shall be verified with the “A” and “B” channels for failure. If a failure is detected then an emergency stop shall be initiated.
    c. Control system parameters utilized in the speed-reducing system shall be held in non-volatile memory.
    d. It shall be used in conjunction with approved car-mounted speed governors only.
    e. It shall be used in conjunction with an effective traction monitoring system that detects a loss of traction between the driving sheave and the suspension means. If a loss of traction is detected, then an emergency stop shall be initiated.
    f. A successful test of the speed-reducing switch system’s functionality shall be conducted at least once a year (the record of the annual test of the speed-reducing switch system shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).
    g. A successful test of the traction monitoring system’s functionality shall be conducted at least once a year (the record of the annual test of the traction monitoring system shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).
    h. The Applicant shall not utilize the elevator unless the manufacturer has written procedures for the maintenance, inspection, and testing of the speed-reducing switch and traction monitoring systems. The Applicant shall make the procedures available to Cal/OSHA upon

request.

12. The speed governor rope and sheaves shall comply with the following:
    a. The governor shall be used in conjunction with a 6 mm (0.25 in.) diameter steel governor rope with 6-strand, regular lay construction.
    b. The governor rope shall have a factor of safety of 8 or greater as related to the strength necessary to activate the safety.
    c. The governor sheaves shall have a pitch diameter of not less than 180 mm (7.1 in.).

13. All medical emergency service elevators shall comply with the following:
    a. The requirements of the 2019 California Building Code (CBC), section 3002.4.1a;

    The medical emergency service elevator shall accommodate the loading and transport of two emergency personnel, each requiring a minimum clear 21-inch (533 mm) diameter circular area and an ambulance gurney or stretcher [minimum size 24 inches by 84 inches (610 mm by 2134 mm) with not less than 5inch (127 mm) radius corners] in the horizontal, open position.

    b. All medical emergency service elevators shall be identified in the building construction documents in accordance with the 2019 CBC, section 3002.4a.
    c. Dimensional drawings and other information necessary to demonstrate compliance with these conditions shall be provided to Cal/OSHA, at the time of inspection, for all medical emergency service elevator(s).

14. The elevator shall be serviced, maintained, adjusted, tested, and inspected only by Certified Competent Conveyance Mechanics who have been trained to, and are competent to, perform those tasks on the Gen3 Edge/Gen2S/Gen3 Core elevator system in accordance with the written procedures and criteria required by Condition No. 3 and in accordance with the terms of this permanent variance.
15. Any Certified Qualified Conveyance Company performing inspections, maintenance, servicing, or testing of the elevators shall be provided a copy of this variance decision.
16. Cal/OSHA shall be notified when the elevator is ready for inspection. The elevator shall be inspected by Cal/OSHA, and a Permit to Operate shall be issued before the elevator is placed in service.
17. The Applicant shall be subject to the Suspension Means – Replacement Reporting Condition stated in Addendum 2, as hereby incorporated by this reference.
18. The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way and to the same extent that employees and authorized representatives are to be notified of docketed permanent variance applications.
19. This Decision and Order shall remain in effect unless modified or revoked upon application by the Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in

accordance with the Board's procedural regulations at section 426, subdivision (b).

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

DATED: April 24, 2026

Michelle Iorio

Michelle Iorio, Hearing Officer

ADDENDUM 1

October 6, 2010

CIRCULAR LETTER E-10-04

TO: Installers, Manufacturers of Conveyances and Related Equipment and, Other Interested Parties

SUBJECT: Coated Steel Belt Monitoring

The Elevator Safety Orders require routine inspection of the suspension means of an elevator to assure its safe operation.

The California Labor Code section 7318 allows Cal/OSHA to promulgate special safety orders in the absence of regulation.

As it is not possible to see the steel cable suspension means of a Coated Steel Belt, a monitoring device which has been accepted by Cal/OSHA is required on all Coated Steel Belts which will automatically stop the car if the residual strength of any belt drops below 60%. The Device shall prevent the elevator from restarting after a normal stop at a landing.

The monitoring device must be properly installed and functional. A functioning device may be removed only after a determination has been made that the residual strength of each belt exceeds 60%. These findings and the date of removal are to be conspicuously documented in the elevator machine room. The removed device must be replaced or returned to proper service within 30 days.

If upon routine inspection, the monitoring device is found to be in a non-functional state, the date and findings are to be conspicuously documented in the elevator machine room.

If upon inspection by Cal/OSHA, the monitoring device is found to be non-functional or removed, and the required documentation is not in place, the elevator will be removed from service.

If the device is removed to facilitate belt replacement, it must be properly installed and functional before the elevator is returned to service.

A successful test of the device’s functionality shall be conducted once a year.

This circular does not preempt Cal/OSHA from adopting regulations in the future, which may address the monitoring of Coated Steel Belts or any other suspension means.

This circular does not create an obligation on the part of Cal/OSHA to permit new conveyances utilizing Coated Steel Belts.

Debra Tudor
Principal Engineer
Cal/OSHA-Elevator Unit HQS

ADDENDUM 2

Suspension Means - Replacement Reporting Condition

Beginning on the date the Board adopts this Proposed Decision and continuing for a period of two years, the Applicant shall report to Cal/OSHA within 30 days any and all replacement activity performed on the elevator(s) pursuant to the requirements of ASME A17.1-2004, section 8.6.3 involving the suspension means or suspension means fastenings.

Further:

1. A separate report for each elevator shall be submitted, in a manner acceptable to Cal/OSHA, to the following address (or to such other address as Cal/OSHA might specify in the future): Cal/OSHA Elevator Unit, 2 MacArthur Place, Suite 700, Santa Ana, CA 92707, Attn: Engineering section.
2. Each such report shall contain, but not necessarily be limited to, the following information:
    a. The State-issued conveyance number, complete address, and Permanent Variance number that identifies the permanent variance.
    b. The business name, complete address, telephone number, and contact person of the elevator responsible party (presumably the Applicant or the subsequent holder of this variance).
    c. The business name, complete address, telephone number, and Certified Qualified Conveyance Company (CQCC) certification number of the firm performing the replacement work.
    d. The name (as listed on certification), Certified Competent Conveyance Mechanic (CCCM) certification number, certification expiration date, and signature of each CCCM performing the replacement work.
    e. The date and time the elevator was removed from normal service for suspension replacement, the date and time the replacement work commenced, the date and time the replacement work was completed, and the date and time the elevator was returned to normal service.
    f. A detailed description of, and clear color photographs depicting, (1) all the conditions that existed in the suspension components requiring their replacement and (2) any conditions that existed to cause damage or distress to the suspension components being replaced.
    g. A detailed list of all elevator components adjusted, repaired, or replaced in conjunction with the suspension component replacement.
    h. All information provided on the crosshead data plate per ASME A17.1-2004, section 2.20.2.1, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.
    i. For the suspension means being replaced, all information provided on the data tag required per ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is

modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

j. For the replacement suspension means, all information provided on the data tag required by ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

k. Any other information requested by Cal/OSHA regarding the replacement of the suspension means or fastenings.

3. In addition to the submission of the report to Cal/OSHA, the findings of any testing, failure analysis, or other engineering evaluations performed on any portion of the replaced suspension components, or other elevator components replaced in conjunction therewith, shall be submitted to Cal/OSHA referencing the information contained in item 2a above.

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application for Permanent Variance Regarding:

Otis Gen2S/Gen3Edge/Gen3 Core Elevator & Medical Emergency Car Dimensions

Permanent Variance No: See section A.1 table below

PROPOSED DECISION

Hearing Date: April 22, 2026
Location: Zoom

A. Subject Matter

1. The applicants ("Applicants") below have applied for permanent variances from provisions of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, all references in this matter are to the California Code of Regulations, title 8. The variance applications are as follows:

Permanent Variance No.	Applicant Name	Variance Location Address	No. of Conveyances
26-V-141	Passo Centinela 2, LP	4706 S. Centinela Ave. Los Angeles, CA	1

2. This proceeding is conducted in accordance with Labor Code section 143 and section 401, et seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026 via videoconference by the Board with Hearing Officer Michelle Iorio, both presiding and hearing the matter on its merit as a basis of proposed decision to be advanced to the Board for its consideration.

2. At the hearing, Dan Leacox, with Leacox & Associates, appeared on behalf of each Applicant; Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Documentary and oral evidence was received at the hearing, and by stipulation of all parties, documents were admitted into evidence:

Exhibit Number	Description of Exhibit
PD1	Application(s) for Permanent Variance per section A.1 table
PD2	OSHSB Notice of Hearing

PD3	Cal/OSHA Review of Variance Application
PD4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the Elevator Safety Order requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Findings of Fact

1. Each Applicant intends to utilize Otis Gen3 Edge/Gen2S/Gen3 Core elevators at the locations and in the numbers stated in the above section A.1 table. Applicant may utilize the variance from minimum inside car platform dimensions for other elevators designated for emergency medical service at the same variance location.
2. The installation contracts for these elevators were or will be signed on or after May 1, 2008, making the elevators subject to the Group IV Elevator Safety Orders.
3. The Board incorporates by reference the relevant findings in previous Board decisions:
    a. Items D.3 through D.9 of the Proposed Decision adopted by the Board on July 18, 2013 for Permanent Variance No. 12-V-093;
    b. Item D.4 of the Proposed Decision adopted by the Board on September 25, 2014 for Permanent Variance No. 14-V-206;
    c. Item B of the Proposed Decision adopted by the Board on September 15, 2022 for Permanent Variance No. 22-V-302 regarding medical emergency car dimensions; and
    d. Items C and D of the Proposed Decision adopted by the Board on June 20, 2024 for Permanent Variance No. 24-V-193 regarding the Gen3 Core elevator equivalent safety.
4. Cal/OSHA, by way of written submissions to the record (Exhibit PD-3), and position stated at hearing, is of the well informed opinion that grant of requested permanent variance, as limited and conditioned per the below Decision and Order will provide employment, places of employment, and subject conveyances, as safe and healthful as would prevail given non-variant conformity with the Elevator Safety Order requirements from which variance has been requested.

D. Conclusive Findings

A preponderance of the evidence supports the finding that each Applicants' proposal, subject to all conditions and limitations set forth in the below Decision and Order, will provide equivalent safety and health to that which would prevail upon full compliance with the requirements of the Elevator Safety Orders from which variance is being sought.

E. Decision and Order

Each permanent variance application the subject of this proceeding is conditionally GRANTED as specified below, and to the extent, as of the date the Board adopts this Proposed Decision, each Applicant listed in the above section A table shall have permanent variances from the following sections of ASME A17.1-2004 that section 3141 makes applicable to the elevators the subject of those applications:

- **Car top railing**: sections 2.14.1.7.1 (to permit an inset car top railing, if, in fact, the car top railing is inset);
- **Speed governor over-speed switch**: 2.18.4.2.5(a) (to permit the use of the speed reducing system proposed by the Applicants, where the speed reducing switch resides in the controller algorithms, rather than on the governor, with the necessary speed input supplied by the main encoder signal from the motor);
- **Governor rope diameter**: 2.18.5.1 (to allow the use of reduced diameter governor rope);
- **Pitch diameter**: 2.18.7.4 (to permit the use of the speed-reducing system proposed by the Applicant, where the rope sheave pitch diameter is not less than 180 mm [7.1 in.]);
- **Suspension means**: 2.20.1, 2.20.2.1, 2.20.2.2(a), 2.20.2.2(f), 2.20.3, 2.20.4, 2.20.9.3.4 and 2.20.9.5.4—the variances from these "suspension means" provisions to permit the use of Otis Gen2 flat coated steel suspension belts in lieu of conventional steel suspension ropes;
- **Inspection transfer switch**: 2.26.1.4.4(a) (to allow the inspection transfer switch to reside at a location other than a machine room, if, in fact, it does not reside in the machine room); and
- **Seismic reset switch**: 8.4.10.1.1(a)(2)(b) (to allow the seismic reset switch to reside at a location other than a machine room, if, in fact, it does not reside in the machine room).
- **Minimum Inside Car Platform Dimensions**: 3041(e)(1)(C) and 3141.7(b) (to comply with the performance-based requirements of the 2019 California Building Code section 3002.4.1a)

These variances apply to the locations and numbers of elevators stated in the section A table (so long as the elevators are Gen3 Edge/Gen2S Group and Gen3 Core & Medical Emergency Elevator Car Dimensions (Group IV) that are designed, equipped, and installed in accordance with, and are otherwise consistent with, and are subject to the following conditions:

1. The suspension system shall comply with the following:
    a. The coated steel belt and connections shall have factors of safety equal to those permitted for use by section 3141 [ASME A17.1-2004, section 2.20.3] on wire rope suspended elevators.
    b. Steel coated belts that have been installed and used on another installation shall not be reused.
    c. The coated steel belt shall be fitted with a monitoring device which has been accepted by Cal/OSHA and which will automatically stop the car if the residual strength of any single belt drops below 60 percent. If the residual strength of any single belt drops below 60 percent, the device shall prevent the elevator from restarting after a normal stop at a landing.
    d. Upon initial inspection, the readings from the monitoring device shall be documented and submitted to Cal/OSHA.
    e. A successful test of the monitoring device's functionality shall be conducted at least once a year (the record of the annual test of the monitoring device shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).
    f. The coated steel belts used shall be accepted by Cal/OSHA.

2. With respect to each elevator subject to this variance, the applicant shall comply with Cal/OSHA Circular Letter E-10-04, the substance of which is attached hereto as Addendum 1 and incorporated herein by this reference.

3. The Applicant shall not utilize the elevator unless the manufacturer has written procedures for the installation, maintenance, inspection, and testing of the belts and monitoring device and criteria for belt replacement, and the applicant shall make those procedures and criteria available to Cal/OSHA upon request.

4. The flat coated steel belts shall be provided with a metal data tag that is securely attached to one of those belts. This data tag shall bear the following flat steel coated belt data:

    a. The width and thickness in millimeters or inches;

    b. The manufacturer's rated breaking strength in (kN) or (lbf);

    c. The name of the person or organization that installed the flat coated steel belts;

    d. The month and year the flat coated steel belts were installed;

    e. The month and year the flat coated steel belts were first shortened;

    f. The name or trademark of the manufacturer of the flat coated steel belts; and

    g. Lubrication information.

5. There shall be a crosshead data plate of the sort required by section 2.20.2.1, and that plate shall bear the following flat steel coated belt data:

    a. The number of belts;

    b. The belt width and thickness in millimeters or inches; and

    c. The manufacturer's rated breaking strength per belt in (kN) or (lbf).

6. The opening to the hoistway shall be effectively barricaded when car top inspection, maintenance, servicing, or testing of elevator equipment in the hoistway is required. If service personnel must leave the area for any reason, the hoistway and control room doors shall be closed.

7. If there is an inset car top railing:

    a. Serviceable equipment shall be positioned so that mechanics and inspectors do not have to climb on railings to perform adjustment, maintenance, repairs or inspections. The applicant shall not permit anyone to stand on or climb over the car top railing.

    b. The distance that the car top railing may be inset shall be limited to no more than 6 inches.

    c. All exposed areas outside the car top railing shall preclude standing or placing objects or persons which may fall and shall be beveled from the mid- or top rail to the outside of the car top.

    d. The top of the beveled area and/or car top outside the railing, shall be clearly marked. The markings shall consist of alternating 4 inch diagonal red and white stripes.

    e. The applicant shall provide durable signs with lettering not less than ½ inch on a

contrasting background on each inset railing; each sign shall state:

CAUTION
DO NOT STAND ON OR CLIMB OVER RAILING

f. The Group IV requirements for car top clearances shall be maintained (car top clearances outside the railing shall be measured from the car top and not from the required bevel).

8. If the seismic reset switch does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the inspection and test control panel located in one upper floor hoistway door jamb or in the control space (outside the hoistway) used by the motion controller.
9. If the inspection transfer switch required by ASME A17.1, rule 2.26.1.4.4(a) does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the inspection and test control panel located in one upper floor hoistway door jamb or in the control space (outside the hoistway) used by the motion controller.
10. When the inspection and testing panel is located in the hoistway door jamb, the inspection and test control panel shall be openable only by use of a Security Group I restricted key.
11. The governor speed-reducing switch function shall comply with the following:
    a. It shall be used only with direct drive machines; i.e., no gear reduction is permitted between the drive motor and the suspension means.
    b. The velocity encoder shall be coupled to the driving machine motor shaft. The “C” channel of the encoder shall be utilized for velocity measurements required by the speed reducing system. The signal from “C” channel of the encoder shall be verified with the “A” and “B” channels for failure. If a failure is detected then an emergency stop shall be initiated.
    c. Control system parameters utilized in the speed-reducing system shall be held in non-volatile memory.
    d. It shall be used in conjunction with approved car-mounted speed governors only.
    e. It shall be used in conjunction with an effective traction monitoring system that detects a loss of traction between the driving sheave and the suspension means. If a loss of traction is detected, then an emergency stop shall be initiated.
    f. A successful test of the speed-reducing switch system’s functionality shall be conducted at least once a year (the record of the annual test of the speed-reducing switch system shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).
    g. A successful test of the traction monitoring system’s functionality shall be conducted at least once a year (the record of the annual test of the traction monitoring system shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).
    h. The Applicant shall not utilize the elevator unless the manufacturer has written procedures for the maintenance, inspection, and testing of the speed-reducing switch and traction monitoring systems. The Applicant shall make the procedures available to Cal/OSHA upon

request.

12. The speed governor rope and sheaves shall comply with the following:
    a. The governor shall be used in conjunction with a 6 mm (0.25 in.) diameter steel governor rope with 6-strand, regular lay construction.
    b. The governor rope shall have a factor of safety of 8 or greater as related to the strength necessary to activate the safety.
    c. The governor sheaves shall have a pitch diameter of not less than 180 mm (7.1 in.).

13. All medical emergency service elevators shall comply with the following:
    a. The requirements of the 2019 California Building Code (CBC), section 3002.4.1a;

    The medical emergency service elevator shall accommodate the loading and transport of two emergency personnel, each requiring a minimum clear 21-inch (533 mm) diameter circular area and an ambulance gurney or stretcher [minimum size 24 inches by 84 inches (610 mm by 2134 mm) with not less than 5inch (127 mm) radius corners] in the horizontal, open position.

    b. All medical emergency service elevators shall be identified in the building construction documents in accordance with the 2019 CBC, section 3002.4a.
    c. Dimensional drawings and other information necessary to demonstrate compliance with these conditions shall be provided to Cal/OSHA, at the time of inspection, for all medical emergency service elevator(s).

14. The elevator shall be serviced, maintained, adjusted, tested, and inspected only by Certified Competent Conveyance Mechanics who have been trained to, and are competent to, perform those tasks on the Gen3 Edge/Gen2S/Gen3 Core elevator system in accordance with the written procedures and criteria required by Condition No. 3 and in accordance with the terms of this permanent variance.
15. Any Certified Qualified Conveyance Company performing inspections, maintenance, servicing, or testing of the elevators shall be provided a copy of this variance decision.
16. Cal/OSHA shall be notified when the elevator is ready for inspection. The elevator shall be inspected by Cal/OSHA, and a Permit to Operate shall be issued before the elevator is placed in service.
17. The Applicant shall be subject to the Suspension Means – Replacement Reporting Condition stated in Addendum 2, as hereby incorporated by this reference.
18. The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way and to the same extent that employees and authorized representatives are to be notified of docketed permanent variance applications.
19. This Decision and Order shall remain in effect unless modified or revoked upon application by the Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in

accordance with the Board's procedural regulations at section 426, subdivision (b).

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

DATED: April 24, 2026

Michelle Iorio

Michelle Iorio, Hearing Officer

ADDENDUM 1

October 6, 2010

CIRCULAR LETTER E-10-04

TO: Installers, Manufacturers of Conveyances and Related Equipment and, Other Interested Parties

SUBJECT: Coated Steel Belt Monitoring

The Elevator Safety Orders require routine inspection of the suspension means of an elevator to assure its safe operation.

The California Labor Code section 7318 allows Cal/OSHA to promulgate special safety orders in the absence of regulation.

As it is not possible to see the steel cable suspension means of a Coated Steel Belt, a monitoring device which has been accepted by Cal/OSHA is required on all Coated Steel Belts which will automatically stop the car if the residual strength of any belt drops below 60%. The Device shall prevent the elevator from restarting after a normal stop at a landing.

The monitoring device must be properly installed and functional. A functioning device may be removed only after a determination has been made that the residual strength of each belt exceeds 60%. These findings and the date of removal are to be conspicuously documented in the elevator machine room. The removed device must be replaced or returned to proper service within 30 days.

If upon routine inspection, the monitoring device is found to be in a non-functional state, the date and findings are to be conspicuously documented in the elevator machine room.

If upon inspection by Cal/OSHA, the monitoring device is found to be non-functional or removed, and the required documentation is not in place, the elevator will be removed from service.

If the device is removed to facilitate belt replacement, it must be properly installed and functional before the elevator is returned to service.

A successful test of the device’s functionality shall be conducted once a year.

This circular does not preempt Cal/OSHA from adopting regulations in the future, which may address the monitoring of Coated Steel Belts or any other suspension means.

This circular does not create an obligation on the part of Cal/OSHA to permit new conveyances utilizing Coated Steel Belts.

Debra Tudor
Principal Engineer
Cal/OSHA-Elevator Unit HQS

ADDENDUM 2

Suspension Means - Replacement Reporting Condition

Beginning on the date the Board adopts this Proposed Decision and continuing for a period of two years, the Applicant shall report to Cal/OSHA within 30 days any and all replacement activity performed on the elevator(s) pursuant to the requirements of ASME A17.1-2004, section 8.6.3 involving the suspension means or suspension means fastenings.

Further:

1. A separate report for each elevator shall be submitted, in a manner acceptable to Cal/OSHA, to the following address (or to such other address as Cal/OSHA might specify in the future): Cal/OSHA Elevator Unit, 2 MacArthur Place, Suite 700, Santa Ana, CA 92707, Attn: Engineering section.
2. Each such report shall contain, but not necessarily be limited to, the following information:
    a. The State-issued conveyance number, complete address, and Permanent Variance number that identifies the permanent variance.
    b. The business name, complete address, telephone number, and contact person of the elevator responsible party (presumably the Applicant or the subsequent holder of this variance).
    c. The business name, complete address, telephone number, and Certified Qualified Conveyance Company (CQCC) certification number of the firm performing the replacement work.
    d. The name (as listed on certification), Certified Competent Conveyance Mechanic (CCCM) certification number, certification expiration date, and signature of each CCCM performing the replacement work.
    e. The date and time the elevator was removed from normal service for suspension replacement, the date and time the replacement work commenced, the date and time the replacement work was completed, and the date and time the elevator was returned to normal service.
    f. A detailed description of, and clear color photographs depicting, (1) all the conditions that existed in the suspension components requiring their replacement and (2) any conditions that existed to cause damage or distress to the suspension components being replaced.
    g. A detailed list of all elevator components adjusted, repaired, or replaced in conjunction with the suspension component replacement.
    h. All information provided on the crosshead data plate per ASME A17.1-2004, section 2.20.2.1, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.
    i. For the suspension means being replaced, all information provided on the data tag required per ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is

modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

j. For the replacement suspension means, all information provided on the data tag required by ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

k. Any other information requested by Cal/OSHA regarding the replacement of the suspension means or fastenings.

3. In addition to the submission of the report to Cal/OSHA, the findings of any testing, failure analysis, or other engineering evaluations performed on any portion of the replaced suspension components, or other elevator components replaced in conjunction therewith, shall be submitted to Cal/OSHA referencing the information contained in item 2a above.

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application for Permanent Variance Regarding:

Otis Gen2S/Gen3Edge/Gen3 Core Elevator & Medical Emergency Car Dimensions

Permanent Variance No: See section A.1 table below

PROPOSED DECISION

Hearing Date: April 22, 2026
Location: Zoom

A. Subject Matter

1. The applicants ("Applicants") below have applied for permanent variances from provisions of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, all references in this matter are to the California Code of Regulations, title 8. The variance applications are as follows:

Permanent Variance No.	Applicant Name	Variance Location Address	No. of Conveyances
26-V-142	Passo Stoner, LP	1747 S. Stoner Ave. Los Angeles, CA	1

2. This proceeding is conducted in accordance with Labor Code section 143 and section 401, et seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026 via videoconference by the Board with Hearing Officer Michelle Iorio, both presiding and hearing the matter on its merit as a basis of proposed decision to be advanced to the Board for its consideration.

2. At the hearing, Dan Leacox, with Leacox & Associates, appeared on behalf of each Applicant; Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Documentary and oral evidence was received at the hearing, and by stipulation of all parties, documents were admitted into evidence:

Exhibit Number	Description of Exhibit
PD1	Application(s) for Permanent Variance per section A.1 table
PD2	OSHSB Notice of Hearing

PD3	Cal/OSHA Review of Variance Application
PD4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the Elevator Safety Order requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Findings of Fact

1. Each Applicant intends to utilize Otis Gen3 Edge/Gen2S/Gen3 Core elevators at the locations and in the numbers stated in the above section A.1 table. Applicant may utilize the variance from minimum inside car platform dimensions for other elevators designated for emergency medical service at the same variance location.
2. The installation contracts for these elevators were or will be signed on or after May 1, 2008, making the elevators subject to the Group IV Elevator Safety Orders.
3. The Board incorporates by reference the relevant findings in previous Board decisions:
    a. Items D.3 through D.9 of the Proposed Decision adopted by the Board on July 18, 2013 for Permanent Variance No. 12-V-093;
    b. Item D.4 of the Proposed Decision adopted by the Board on September 25, 2014 for Permanent Variance No. 14-V-206;
    c. Item B of the Proposed Decision adopted by the Board on September 15, 2022 for Permanent Variance No. 22-V-302 regarding medical emergency car dimensions; and
    d. Items C and D of the Proposed Decision adopted by the Board on June 20, 2024 for Permanent Variance No. 24-V-193 regarding the Gen3 Core elevator equivalent safety.
4. Cal/OSHA, by way of written submissions to the record (Exhibit PD-3), and position stated at hearing, is of the well informed opinion that grant of requested permanent variance, as limited and conditioned per the below Decision and Order will provide employment, places of employment, and subject conveyances, as safe and healthful as would prevail given non-variant conformity with the Elevator Safety Order requirements from which variance has been requested.

D. Conclusive Findings

A preponderance of the evidence supports the finding that each Applicants' proposal, subject to all conditions and limitations set forth in the below Decision and Order, will provide equivalent safety and health to that which would prevail upon full compliance with the requirements of the Elevator Safety Orders from which variance is being sought.

E. Decision and Order

Each permanent variance application the subject of this proceeding is conditionally GRANTED as specified below, and to the extent, as of the date the Board adopts this Proposed Decision, each Applicant listed in the above section A table shall have permanent variances from the following sections of ASME A17.1-2004 that section 3141 makes applicable to the elevators the subject of those applications:

- **Car top railing**: sections 2.14.1.7.1 (to permit an inset car top railing, if, in fact, the car top railing is inset);
- **Speed governor over-speed switch**: 2.18.4.2.5(a) (to permit the use of the speed reducing system proposed by the Applicants, where the speed reducing switch resides in the controller algorithms, rather than on the governor, with the necessary speed input supplied by the main encoder signal from the motor);
- **Governor rope diameter**: 2.18.5.1 (to allow the use of reduced diameter governor rope);
- **Pitch diameter**: 2.18.7.4 (to permit the use of the speed-reducing system proposed by the Applicant, where the rope sheave pitch diameter is not less than 180 mm [7.1 in.]);
- **Suspension means**: 2.20.1, 2.20.2.1, 2.20.2.2(a), 2.20.2.2(f), 2.20.3, 2.20.4, 2.20.9.3.4 and 2.20.9.5.4—the variances from these "suspension means" provisions to permit the use of Otis Gen2 flat coated steel suspension belts in lieu of conventional steel suspension ropes;
- **Inspection transfer switch**: 2.26.1.4.4(a) (to allow the inspection transfer switch to reside at a location other than a machine room, if, in fact, it does not reside in the machine room); and
- **Seismic reset switch**: 8.4.10.1.1(a)(2)(b) (to allow the seismic reset switch to reside at a location other than a machine room, if, in fact, it does not reside in the machine room).
- **Minimum Inside Car Platform Dimensions**: 3041(e)(1)(C) and 3141.7(b) (to comply with the performance-based requirements of the 2019 California Building Code section 3002.4.1a)

These variances apply to the locations and numbers of elevators stated in the section A table (so long as the elevators are Gen3 Edge/Gen2S Group and Gen3 Core & Medical Emergency Elevator Car Dimensions (Group IV) that are designed, equipped, and installed in accordance with, and are otherwise consistent with, and are subject to the following conditions:

1. The suspension system shall comply with the following:
    a. The coated steel belt and connections shall have factors of safety equal to those permitted for use by section 3141 [ASME A17.1-2004, section 2.20.3] on wire rope suspended elevators.
    b. Steel coated belts that have been installed and used on another installation shall not be reused.
    c. The coated steel belt shall be fitted with a monitoring device which has been accepted by Cal/OSHA and which will automatically stop the car if the residual strength of any single belt drops below 60 percent. If the residual strength of any single belt drops below 60 percent, the device shall prevent the elevator from restarting after a normal stop at a landing.
    d. Upon initial inspection, the readings from the monitoring device shall be documented and submitted to Cal/OSHA.
    e. A successful test of the monitoring device's functionality shall be conducted at least once a year (the record of the annual test of the monitoring device shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).
    f. The coated steel belts used shall be accepted by Cal/OSHA.

2. With respect to each elevator subject to this variance, the applicant shall comply with Cal/OSHA Circular Letter E-10-04, the substance of which is attached hereto as Addendum 1 and incorporated herein by this reference.

3. The Applicant shall not utilize the elevator unless the manufacturer has written procedures for the installation, maintenance, inspection, and testing of the belts and monitoring device and criteria for belt replacement, and the applicant shall make those procedures and criteria available to Cal/OSHA upon request.

4. The flat coated steel belts shall be provided with a metal data tag that is securely attached to one of those belts. This data tag shall bear the following flat steel coated belt data:

    a. The width and thickness in millimeters or inches;

    b. The manufacturer's rated breaking strength in (kN) or (lbf);

    c. The name of the person or organization that installed the flat coated steel belts;

    d. The month and year the flat coated steel belts were installed;

    e. The month and year the flat coated steel belts were first shortened;

    f. The name or trademark of the manufacturer of the flat coated steel belts; and

    g. Lubrication information.

5. There shall be a crosshead data plate of the sort required by section 2.20.2.1, and that plate shall bear the following flat steel coated belt data:

    a. The number of belts;

    b. The belt width and thickness in millimeters or inches; and

    c. The manufacturer's rated breaking strength per belt in (kN) or (lbf).

6. The opening to the hoistway shall be effectively barricaded when car top inspection, maintenance, servicing, or testing of elevator equipment in the hoistway is required. If service personnel must leave the area for any reason, the hoistway and control room doors shall be closed.

7. If there is an inset car top railing:

    a. Serviceable equipment shall be positioned so that mechanics and inspectors do not have to climb on railings to perform adjustment, maintenance, repairs or inspections. The applicant shall not permit anyone to stand on or climb over the car top railing.

    b. The distance that the car top railing may be inset shall be limited to no more than 6 inches.

    c. All exposed areas outside the car top railing shall preclude standing or placing objects or persons which may fall and shall be beveled from the mid- or top rail to the outside of the car top.

    d. The top of the beveled area and/or car top outside the railing, shall be clearly marked. The markings shall consist of alternating 4 inch diagonal red and white stripes.

    e. The applicant shall provide durable signs with lettering not less than ½ inch on a

contrasting background on each inset railing; each sign shall state:

CAUTION
DO NOT STAND ON OR CLIMB OVER RAILING

f. The Group IV requirements for car top clearances shall be maintained (car top clearances outside the railing shall be measured from the car top and not from the required bevel).

8. If the seismic reset switch does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the inspection and test control panel located in one upper floor hoistway door jamb or in the control space (outside the hoistway) used by the motion controller.
9. If the inspection transfer switch required by ASME A17.1, rule 2.26.1.4.4(a) does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the inspection and test control panel located in one upper floor hoistway door jamb or in the control space (outside the hoistway) used by the motion controller.
10. When the inspection and testing panel is located in the hoistway door jamb, the inspection and test control panel shall be openable only by use of a Security Group I restricted key.
11. The governor speed-reducing switch function shall comply with the following:
    a. It shall be used only with direct drive machines; i.e., no gear reduction is permitted between the drive motor and the suspension means.
    b. The velocity encoder shall be coupled to the driving machine motor shaft. The “C” channel of the encoder shall be utilized for velocity measurements required by the speed reducing system. The signal from “C” channel of the encoder shall be verified with the “A” and “B” channels for failure. If a failure is detected then an emergency stop shall be initiated.
    c. Control system parameters utilized in the speed-reducing system shall be held in non-volatile memory.
    d. It shall be used in conjunction with approved car-mounted speed governors only.
    e. It shall be used in conjunction with an effective traction monitoring system that detects a loss of traction between the driving sheave and the suspension means. If a loss of traction is detected, then an emergency stop shall be initiated.
    f. A successful test of the speed-reducing switch system’s functionality shall be conducted at least once a year (the record of the annual test of the speed-reducing switch system shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).
    g. A successful test of the traction monitoring system’s functionality shall be conducted at least once a year (the record of the annual test of the traction monitoring system shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).
    h. The Applicant shall not utilize the elevator unless the manufacturer has written procedures for the maintenance, inspection, and testing of the speed-reducing switch and traction monitoring systems. The Applicant shall make the procedures available to Cal/OSHA upon

request.

12. The speed governor rope and sheaves shall comply with the following:
    a. The governor shall be used in conjunction with a 6 mm (0.25 in.) diameter steel governor rope with 6-strand, regular lay construction.
    b. The governor rope shall have a factor of safety of 8 or greater as related to the strength necessary to activate the safety.
    c. The governor sheaves shall have a pitch diameter of not less than 180 mm (7.1 in.).

13. All medical emergency service elevators shall comply with the following:
    a. The requirements of the 2019 California Building Code (CBC), section 3002.4.1a;

    The medical emergency service elevator shall accommodate the loading and transport of two emergency personnel, each requiring a minimum clear 21-inch (533 mm) diameter circular area and an ambulance gurney or stretcher [minimum size 24 inches by 84 inches (610 mm by 2134 mm) with not less than 5inch (127 mm) radius corners] in the horizontal, open position.

    b. All medical emergency service elevators shall be identified in the building construction documents in accordance with the 2019 CBC, section 3002.4a.
    c. Dimensional drawings and other information necessary to demonstrate compliance with these conditions shall be provided to Cal/OSHA, at the time of inspection, for all medical emergency service elevator(s).

14. The elevator shall be serviced, maintained, adjusted, tested, and inspected only by Certified Competent Conveyance Mechanics who have been trained to, and are competent to, perform those tasks on the Gen3 Edge/Gen2S/Gen3 Core elevator system in accordance with the written procedures and criteria required by Condition No. 3 and in accordance with the terms of this permanent variance.
15. Any Certified Qualified Conveyance Company performing inspections, maintenance, servicing, or testing of the elevators shall be provided a copy of this variance decision.
16. Cal/OSHA shall be notified when the elevator is ready for inspection. The elevator shall be inspected by Cal/OSHA, and a Permit to Operate shall be issued before the elevator is placed in service.
17. The Applicant shall be subject to the Suspension Means – Replacement Reporting Condition stated in Addendum 2, as hereby incorporated by this reference.
18. The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way and to the same extent that employees and authorized representatives are to be notified of docketed permanent variance applications.
19. This Decision and Order shall remain in effect unless modified or revoked upon application by the Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in

accordance with the Board's procedural regulations at section 426, subdivision (b).

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

DATED: April 24, 2026

Michelle Iorio

Michelle Iorio, Hearing Officer

ADDENDUM 1

October 6, 2010

CIRCULAR LETTER E-10-04

TO: Installers, Manufacturers of Conveyances and Related Equipment and, Other Interested Parties

SUBJECT: Coated Steel Belt Monitoring

The Elevator Safety Orders require routine inspection of the suspension means of an elevator to assure its safe operation.

The California Labor Code section 7318 allows Cal/OSHA to promulgate special safety orders in the absence of regulation.

As it is not possible to see the steel cable suspension means of a Coated Steel Belt, a monitoring device which has been accepted by Cal/OSHA is required on all Coated Steel Belts which will automatically stop the car if the residual strength of any belt drops below 60%. The Device shall prevent the elevator from restarting after a normal stop at a landing.

The monitoring device must be properly installed and functional. A functioning device may be removed only after a determination has been made that the residual strength of each belt exceeds 60%. These findings and the date of removal are to be conspicuously documented in the elevator machine room. The removed device must be replaced or returned to proper service within 30 days.

If upon routine inspection, the monitoring device is found to be in a non-functional state, the date and findings are to be conspicuously documented in the elevator machine room.

If upon inspection by Cal/OSHA, the monitoring device is found to be non-functional or removed, and the required documentation is not in place, the elevator will be removed from service.

If the device is removed to facilitate belt replacement, it must be properly installed and functional before the elevator is returned to service.

A successful test of the device’s functionality shall be conducted once a year.

This circular does not preempt Cal/OSHA from adopting regulations in the future, which may address the monitoring of Coated Steel Belts or any other suspension means.

This circular does not create an obligation on the part of Cal/OSHA to permit new conveyances utilizing Coated Steel Belts.

Debra Tudor
Principal Engineer
Cal/OSHA-Elevator Unit HQS

ADDENDUM 2

Suspension Means - Replacement Reporting Condition

Beginning on the date the Board adopts this Proposed Decision and continuing for a period of two years, the Applicant shall report to Cal/OSHA within 30 days any and all replacement activity performed on the elevator(s) pursuant to the requirements of ASME A17.1-2004, section 8.6.3 involving the suspension means or suspension means fastenings.

Further:

1. A separate report for each elevator shall be submitted, in a manner acceptable to Cal/OSHA, to the following address (or to such other address as Cal/OSHA might specify in the future): Cal/OSHA Elevator Unit, 2 MacArthur Place, Suite 700, Santa Ana, CA 92707, Attn: Engineering section.
2. Each such report shall contain, but not necessarily be limited to, the following information:
    a. The State-issued conveyance number, complete address, and Permanent Variance number that identifies the permanent variance.
    b. The business name, complete address, telephone number, and contact person of the elevator responsible party (presumably the Applicant or the subsequent holder of this variance).
    c. The business name, complete address, telephone number, and Certified Qualified Conveyance Company (CQCC) certification number of the firm performing the replacement work.
    d. The name (as listed on certification), Certified Competent Conveyance Mechanic (CCCM) certification number, certification expiration date, and signature of each CCCM performing the replacement work.
    e. The date and time the elevator was removed from normal service for suspension replacement, the date and time the replacement work commenced, the date and time the replacement work was completed, and the date and time the elevator was returned to normal service.
    f. A detailed description of, and clear color photographs depicting, (1) all the conditions that existed in the suspension components requiring their replacement and (2) any conditions that existed to cause damage or distress to the suspension components being replaced.
    g. A detailed list of all elevator components adjusted, repaired, or replaced in conjunction with the suspension component replacement.
    h. All information provided on the crosshead data plate per ASME A17.1-2004, section 2.20.2.1, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.
    i. For the suspension means being replaced, all information provided on the data tag required per ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is

modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

j. For the replacement suspension means, all information provided on the data tag required by ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

k. Any other information requested by Cal/OSHA regarding the replacement of the suspension means or fastenings.

3. In addition to the submission of the report to Cal/OSHA, the findings of any testing, failure analysis, or other engineering evaluations performed on any portion of the replaced suspension components, or other elevator components replaced in conjunction therewith, shall be submitted to Cal/OSHA referencing the information contained in item 2a above.

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application for Permanent Variance Regarding:

Otis Gen2S/Gen3Edge/Gen3 Core Elevator & Medical Emergency Car Dimensions

Permanent Variance No: See section A.1 table below

PROPOSED DECISION

Hearing Date: April 22, 2026
Location: Zoom

A. Subject Matter

1. The applicants ("Applicants") below have applied for permanent variances from provisions of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, all references in this matter are to the California Code of Regulations, title 8. The variance applications are as follows:

Permanent Variance No.	Applicant Name	Variance Location Address	No. of Conveyances
26-V-143	Passo Barrington, LP	1734 S. Barrington Ave. Los Angeles, CA	1

2. This proceeding is conducted in accordance with Labor Code section 143 and section 401, et seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026 via videoconference by the Board with Hearing Officer Michelle Iorio, both presiding and hearing the matter on its merit as a basis of proposed decision to be advanced to the Board for its consideration.

2. At the hearing, Dan Leacox, with Leacox & Associates, appeared on behalf of each Applicant; Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Documentary and oral evidence was received at the hearing, and by stipulation of all parties, documents were admitted into evidence:

Exhibit Number	Description of Exhibit
PD1	Application(s) for Permanent Variance per section A.1 table
PD2	OSHSB Notice of Hearing

PD3	Cal/OSHA Review of Variance Application
PD4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the Elevator Safety Order requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Findings of Fact

1. Each Applicant intends to utilize Otis Gen3 Edge/Gen2S/Gen3 Core elevators at the locations and in the numbers stated in the above section A.1 table. Applicant may utilize the variance from minimum inside car platform dimensions for other elevators designated for emergency medical service at the same variance location.
2. The installation contracts for these elevators were or will be signed on or after May 1, 2008, making the elevators subject to the Group IV Elevator Safety Orders.
3. The Board incorporates by reference the relevant findings in previous Board decisions:
    a. Items D.3 through D.9 of the Proposed Decision adopted by the Board on July 18, 2013 for Permanent Variance No. 12-V-093;
    b. Item D.4 of the Proposed Decision adopted by the Board on September 25, 2014 for Permanent Variance No. 14-V-206;
    c. Item B of the Proposed Decision adopted by the Board on September 15, 2022 for Permanent Variance No. 22-V-302 regarding medical emergency car dimensions; and
    d. Items C and D of the Proposed Decision adopted by the Board on June 20, 2024 for Permanent Variance No. 24-V-193 regarding the Gen3 Core elevator equivalent safety.
4. Cal/OSHA, by way of written submissions to the record (Exhibit PD-3), and position stated at hearing, is of the well informed opinion that grant of requested permanent variance, as limited and conditioned per the below Decision and Order will provide employment, places of employment, and subject conveyances, as safe and healthful as would prevail given non-variant conformity with the Elevator Safety Order requirements from which variance has been requested.

D. Conclusive Findings

A preponderance of the evidence supports the finding that each Applicants' proposal, subject to all conditions and limitations set forth in the below Decision and Order, will provide equivalent safety and health to that which would prevail upon full compliance with the requirements of the Elevator Safety Orders from which variance is being sought.

E. Decision and Order

Each permanent variance application the subject of this proceeding is conditionally GRANTED as specified below, and to the extent, as of the date the Board adopts this Proposed Decision, each Applicant listed in the above section A table shall have permanent variances from the following sections of ASME A17.1-2004 that section 3141 makes applicable to the elevators the subject of those applications:

- **Car top railing**: sections 2.14.1.7.1 (to permit an inset car top railing, if, in fact, the car top railing is inset);
- **Speed governor over-speed switch**: 2.18.4.2.5(a) (to permit the use of the speed reducing system proposed by the Applicants, where the speed reducing switch resides in the controller algorithms, rather than on the governor, with the necessary speed input supplied by the main encoder signal from the motor);
- **Governor rope diameter**: 2.18.5.1 (to allow the use of reduced diameter governor rope);
- **Pitch diameter**: 2.18.7.4 (to permit the use of the speed-reducing system proposed by the Applicant, where the rope sheave pitch diameter is not less than 180 mm [7.1 in.]);
- **Suspension means**: 2.20.1, 2.20.2.1, 2.20.2.2(a), 2.20.2.2(f), 2.20.3, 2.20.4, 2.20.9.3.4 and 2.20.9.5.4—the variances from these "suspension means" provisions to permit the use of Otis Gen2 flat coated steel suspension belts in lieu of conventional steel suspension ropes;
- **Inspection transfer switch**: 2.26.1.4.4(a) (to allow the inspection transfer switch to reside at a location other than a machine room, if, in fact, it does not reside in the machine room); and
- **Seismic reset switch**: 8.4.10.1.1(a)(2)(b) (to allow the seismic reset switch to reside at a location other than a machine room, if, in fact, it does not reside in the machine room).
- **Minimum Inside Car Platform Dimensions**: 3041(e)(1)(C) and 3141.7(b) (to comply with the performance-based requirements of the 2019 California Building Code section 3002.4.1a)

These variances apply to the locations and numbers of elevators stated in the section A table (so long as the elevators are Gen3 Edge/Gen2S Group and Gen3 Core & Medical Emergency Elevator Car Dimensions (Group IV) that are designed, equipped, and installed in accordance with, and are otherwise consistent with, and are subject to the following conditions:

1. The suspension system shall comply with the following:
    a. The coated steel belt and connections shall have factors of safety equal to those permitted for use by section 3141 [ASME A17.1-2004, section 2.20.3] on wire rope suspended elevators.
    b. Steel coated belts that have been installed and used on another installation shall not be reused.
    c. The coated steel belt shall be fitted with a monitoring device which has been accepted by Cal/OSHA and which will automatically stop the car if the residual strength of any single belt drops below 60 percent. If the residual strength of any single belt drops below 60 percent, the device shall prevent the elevator from restarting after a normal stop at a landing.
    d. Upon initial inspection, the readings from the monitoring device shall be documented and submitted to Cal/OSHA.
    e. A successful test of the monitoring device's functionality shall be conducted at least once a year (the record of the annual test of the monitoring device shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).
    f. The coated steel belts used shall be accepted by Cal/OSHA.

2. With respect to each elevator subject to this variance, the applicant shall comply with Cal/OSHA Circular Letter E-10-04, the substance of which is attached hereto as Addendum 1 and incorporated herein by this reference.

3. The Applicant shall not utilize the elevator unless the manufacturer has written procedures for the installation, maintenance, inspection, and testing of the belts and monitoring device and criteria for belt replacement, and the applicant shall make those procedures and criteria available to Cal/OSHA upon request.

4. The flat coated steel belts shall be provided with a metal data tag that is securely attached to one of those belts. This data tag shall bear the following flat steel coated belt data:

    a. The width and thickness in millimeters or inches;

    b. The manufacturer's rated breaking strength in (kN) or (lbf);

    c. The name of the person or organization that installed the flat coated steel belts;

    d. The month and year the flat coated steel belts were installed;

    e. The month and year the flat coated steel belts were first shortened;

    f. The name or trademark of the manufacturer of the flat coated steel belts; and

    g. Lubrication information.

5. There shall be a crosshead data plate of the sort required by section 2.20.2.1, and that plate shall bear the following flat steel coated belt data:

    a. The number of belts;

    b. The belt width and thickness in millimeters or inches; and

    c. The manufacturer's rated breaking strength per belt in (kN) or (lbf).

6. The opening to the hoistway shall be effectively barricaded when car top inspection, maintenance, servicing, or testing of elevator equipment in the hoistway is required. If service personnel must leave the area for any reason, the hoistway and control room doors shall be closed.

7. If there is an inset car top railing:

    a. Serviceable equipment shall be positioned so that mechanics and inspectors do not have to climb on railings to perform adjustment, maintenance, repairs or inspections. The applicant shall not permit anyone to stand on or climb over the car top railing.

    b. The distance that the car top railing may be inset shall be limited to no more than 6 inches.

    c. All exposed areas outside the car top railing shall preclude standing or placing objects or persons which may fall and shall be beveled from the mid- or top rail to the outside of the car top.

    d. The top of the beveled area and/or car top outside the railing, shall be clearly marked. The markings shall consist of alternating 4 inch diagonal red and white stripes.

    e. The applicant shall provide durable signs with lettering not less than ½ inch on a

contrasting background on each inset railing; each sign shall state:

CAUTION
DO NOT STAND ON OR CLIMB OVER RAILING

f. The Group IV requirements for car top clearances shall be maintained (car top clearances outside the railing shall be measured from the car top and not from the required bevel).

8. If the seismic reset switch does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the inspection and test control panel located in one upper floor hoistway door jamb or in the control space (outside the hoistway) used by the motion controller.
9. If the inspection transfer switch required by ASME A17.1, rule 2.26.1.4.4(a) does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the inspection and test control panel located in one upper floor hoistway door jamb or in the control space (outside the hoistway) used by the motion controller.
10. When the inspection and testing panel is located in the hoistway door jamb, the inspection and test control panel shall be openable only by use of a Security Group I restricted key.
11. The governor speed-reducing switch function shall comply with the following:
    a. It shall be used only with direct drive machines; i.e., no gear reduction is permitted between the drive motor and the suspension means.
    b. The velocity encoder shall be coupled to the driving machine motor shaft. The “C” channel of the encoder shall be utilized for velocity measurements required by the speed reducing system. The signal from “C” channel of the encoder shall be verified with the “A” and “B” channels for failure. If a failure is detected then an emergency stop shall be initiated.
    c. Control system parameters utilized in the speed-reducing system shall be held in non-volatile memory.
    d. It shall be used in conjunction with approved car-mounted speed governors only.
    e. It shall be used in conjunction with an effective traction monitoring system that detects a loss of traction between the driving sheave and the suspension means. If a loss of traction is detected, then an emergency stop shall be initiated.
    f. A successful test of the speed-reducing switch system’s functionality shall be conducted at least once a year (the record of the annual test of the speed-reducing switch system shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).
    g. A successful test of the traction monitoring system’s functionality shall be conducted at least once a year (the record of the annual test of the traction monitoring system shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).
    h. The Applicant shall not utilize the elevator unless the manufacturer has written procedures for the maintenance, inspection, and testing of the speed-reducing switch and traction monitoring systems. The Applicant shall make the procedures available to Cal/OSHA upon

request.

12. The speed governor rope and sheaves shall comply with the following:
    a. The governor shall be used in conjunction with a 6 mm (0.25 in.) diameter steel governor rope with 6-strand, regular lay construction.
    b. The governor rope shall have a factor of safety of 8 or greater as related to the strength necessary to activate the safety.
    c. The governor sheaves shall have a pitch diameter of not less than 180 mm (7.1 in.).

13. All medical emergency service elevators shall comply with the following:
    a. The requirements of the 2019 California Building Code (CBC), section 3002.4.1a;

    The medical emergency service elevator shall accommodate the loading and transport of two emergency personnel, each requiring a minimum clear 21-inch (533 mm) diameter circular area and an ambulance gurney or stretcher [minimum size 24 inches by 84 inches (610 mm by 2134 mm) with not less than 5inch (127 mm) radius corners] in the horizontal, open position.

    b. All medical emergency service elevators shall be identified in the building construction documents in accordance with the 2019 CBC, section 3002.4a.
    c. Dimensional drawings and other information necessary to demonstrate compliance with these conditions shall be provided to Cal/OSHA, at the time of inspection, for all medical emergency service elevator(s).

14. The elevator shall be serviced, maintained, adjusted, tested, and inspected only by Certified Competent Conveyance Mechanics who have been trained to, and are competent to, perform those tasks on the Gen3 Edge/Gen2S/Gen3 Core elevator system in accordance with the written procedures and criteria required by Condition No. 3 and in accordance with the terms of this permanent variance.
15. Any Certified Qualified Conveyance Company performing inspections, maintenance, servicing, or testing of the elevators shall be provided a copy of this variance decision.
16. Cal/OSHA shall be notified when the elevator is ready for inspection. The elevator shall be inspected by Cal/OSHA, and a Permit to Operate shall be issued before the elevator is placed in service.
17. The Applicant shall be subject to the Suspension Means – Replacement Reporting Condition stated in Addendum 2, as hereby incorporated by this reference.
18. The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way and to the same extent that employees and authorized representatives are to be notified of docketed permanent variance applications.
19. This Decision and Order shall remain in effect unless modified or revoked upon application by the Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in

accordance with the Board's procedural regulations at section 426, subdivision (b).

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

DATED: April 24, 2026

Michelle Iorio

Michelle Iorio, Hearing Officer

ADDENDUM 1

October 6, 2010

CIRCULAR LETTER E-10-04

TO: Installers, Manufacturers of Conveyances and Related Equipment and, Other Interested Parties

SUBJECT: Coated Steel Belt Monitoring

The Elevator Safety Orders require routine inspection of the suspension means of an elevator to assure its safe operation.

The California Labor Code section 7318 allows Cal/OSHA to promulgate special safety orders in the absence of regulation.

As it is not possible to see the steel cable suspension means of a Coated Steel Belt, a monitoring device which has been accepted by Cal/OSHA is required on all Coated Steel Belts which will automatically stop the car if the residual strength of any belt drops below 60%. The Device shall prevent the elevator from restarting after a normal stop at a landing.

The monitoring device must be properly installed and functional. A functioning device may be removed only after a determination has been made that the residual strength of each belt exceeds 60%. These findings and the date of removal are to be conspicuously documented in the elevator machine room. The removed device must be replaced or returned to proper service within 30 days.

If upon routine inspection, the monitoring device is found to be in a non-functional state, the date and findings are to be conspicuously documented in the elevator machine room.

If upon inspection by Cal/OSHA, the monitoring device is found to be non-functional or removed, and the required documentation is not in place, the elevator will be removed from service.

If the device is removed to facilitate belt replacement, it must be properly installed and functional before the elevator is returned to service.

A successful test of the device’s functionality shall be conducted once a year.

This circular does not preempt Cal/OSHA from adopting regulations in the future, which may address the monitoring of Coated Steel Belts or any other suspension means.

This circular does not create an obligation on the part of Cal/OSHA to permit new conveyances utilizing Coated Steel Belts.

Debra Tudor
Principal Engineer
Cal/OSHA-Elevator Unit HQS

ADDENDUM 2

Suspension Means - Replacement Reporting Condition

Beginning on the date the Board adopts this Proposed Decision and continuing for a period of two years, the Applicant shall report to Cal/OSHA within 30 days any and all replacement activity performed on the elevator(s) pursuant to the requirements of ASME A17.1-2004, section 8.6.3 involving the suspension means or suspension means fastenings.

Further:

1. A separate report for each elevator shall be submitted, in a manner acceptable to Cal/OSHA, to the following address (or to such other address as Cal/OSHA might specify in the future): Cal/OSHA Elevator Unit, 2 MacArthur Place, Suite 700, Santa Ana, CA 92707, Attn: Engineering section.
2. Each such report shall contain, but not necessarily be limited to, the following information:
    a. The State-issued conveyance number, complete address, and Permanent Variance number that identifies the permanent variance.
    b. The business name, complete address, telephone number, and contact person of the elevator responsible party (presumably the Applicant or the subsequent holder of this variance).
    c. The business name, complete address, telephone number, and Certified Qualified Conveyance Company (CQCC) certification number of the firm performing the replacement work.
    d. The name (as listed on certification), Certified Competent Conveyance Mechanic (CCCM) certification number, certification expiration date, and signature of each CCCM performing the replacement work.
    e. The date and time the elevator was removed from normal service for suspension replacement, the date and time the replacement work commenced, the date and time the replacement work was completed, and the date and time the elevator was returned to normal service.
    f. A detailed description of, and clear color photographs depicting, (1) all the conditions that existed in the suspension components requiring their replacement and (2) any conditions that existed to cause damage or distress to the suspension components being replaced.
    g. A detailed list of all elevator components adjusted, repaired, or replaced in conjunction with the suspension component replacement.
    h. All information provided on the crosshead data plate per ASME A17.1-2004, section 2.20.2.1, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.
    i. For the suspension means being replaced, all information provided on the data tag required per ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is

modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

j. For the replacement suspension means, all information provided on the data tag required by ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

k. Any other information requested by Cal/OSHA regarding the replacement of the suspension means or fastenings.

3. In addition to the submission of the report to Cal/OSHA, the findings of any testing, failure analysis, or other engineering evaluations performed on any portion of the replaced suspension components, or other elevator components replaced in conjunction therewith, shall be submitted to Cal/OSHA referencing the information contained in item 2a above.

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application for Permanent Variance Regarding:

Otis Gen2S/Gen3Edge/Gen3 Core Elevator & Medical Emergency Car Dimensions

Permanent Variance No: See section A.1 table below

PROPOSED DECISION

Hearing Date: April 22, 2026
Location: Zoom

A. Subject Matter

1. The applicants ("Applicants") below have applied for permanent variances from provisions of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, all references in this matter are to the California Code of Regulations, title 8. The variance applications are as follows:

Permanent Variance No.	Applicant Name	Variance Location Address	No. of Conveyances
26-V-144	California State University, Fullerton	Landmark Hall Building 800 N. State College Blvd. Fullerton, CA	1

2. This proceeding is conducted in accordance with Labor Code section 143 and section 401, et seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026 via videoconference by the Board with Hearing Officer Michelle Iorio, both presiding and hearing the matter on its merit as a basis of proposed decision to be advanced to the Board for its consideration.

2. At the hearing, Dan Leacox, with Leacox & Associates, appeared on behalf of each Applicant; Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Documentary and oral evidence was received at the hearing, and by stipulation of all parties, documents were admitted into evidence:

Exhibit Number	Description of Exhibit
PD1	Application(s) for Permanent Variance per section A.1 table

PD2	OSHSB Notice of Hearing
PD3	Cal/OSHA Review of Variance Application
PD4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the Elevator Safety Order requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Findings of Fact

1. Each Applicant intends to utilize Otis Gen3 Edge/Gen2S/Gen3 Core elevators at the locations and in the numbers stated in the above section A.1 table. Applicant may utilize the variance from minimum inside car platform dimensions for other elevators designated for emergency medical service at the same variance location.
2. The installation contracts for these elevators were or will be signed on or after May 1, 2008, making the elevators subject to the Group IV Elevator Safety Orders.
3. The Board incorporates by reference the relevant findings in previous Board decisions:
    a. Items D.3 through D.9 of the Proposed Decision adopted by the Board on July 18, 2013 for Permanent Variance No. 12-V-093;
    b. Item D.4 of the Proposed Decision adopted by the Board on September 25, 2014 for Permanent Variance No. 14-V-206;
    c. Item B of the Proposed Decision adopted by the Board on September 15, 2022 for Permanent Variance No. 22-V-302 regarding medical emergency car dimensions; and
    d. Items C and D of the Proposed Decision adopted by the Board on June 20, 2024 for Permanent Variance No. 24-V-193 regarding the Gen3 Core elevator equivalent safety.
4. Cal/OSHA, by way of written submissions to the record (Exhibit PD-3), and position stated at hearing, is of the well informed opinion that grant of requested permanent variance, as limited and conditioned per the below Decision and Order will provide employment, places of employment, and subject conveyances, as safe and healthful as would prevail given non-variant conformity with the Elevator Safety Order requirements from which variance has been requested.

D. Conclusive Findings

A preponderance of the evidence supports the finding that each Applicants' proposal, subject to all conditions and limitations set forth in the below Decision and Order, will provide equivalent safety and health to that which would prevail upon full compliance with the requirements of the Elevator Safety Orders from which variance is being sought.

E. Decision and Order

Each permanent variance application the subject of this proceeding is conditionally GRANTED as specified below, and to the extent, as of the date the Board adopts this Proposed Decision, each Applicant listed in the above section A table shall have permanent variances from the

following sections of ASME A17.1-2004 that section 3141 makes applicable to the elevators the subject of those applications:

- **Car top railing**: sections 2.14.1.7.1 (to permit an inset car top railing, if, in fact, the car top railing is inset);
- **Speed governor over-speed switch**: 2.18.4.2.5(a) (to permit the use of the speed reducing system proposed by the Applicants, where the speed reducing switch resides in the controller algorithms, rather than on the governor, with the necessary speed input supplied by the main encoder signal from the motor);
- **Governor rope diameter**: 2.18.5.1 (to allow the use of reduced diameter governor rope);
- **Pitch diameter**: 2.18.7.4 (to permit the use of the speed-reducing system proposed by the Applicant, where the rope sheave pitch diameter is not less than 180 mm [7.1 in.]);
- **Suspension means**: 2.20.1, 2.20.2.1, 2.20.2.2(a), 2.20.2.2(f), 2.20.3, 2.20.4, 2.20.9.3.4 and 2.20.9.5.4—the variances from these "suspension means" provisions to permit the use of Otis Gen2 flat coated steel suspension belts in lieu of conventional steel suspension ropes;
- **Inspection transfer switch**: 2.26.1.4.4(a) (to allow the inspection transfer switch to reside at a location other than a machine room, if, in fact, it does not reside in the machine room); and
- **Seismic reset switch**: 8.4.10.1.1(a)(2)(b) (to allow the seismic reset switch to reside at a location other than a machine room, if, in fact, it does not reside in the machine room).
- **Minimum Inside Car Platform Dimensions**: 3041(e)(1)(C) and 3141.7(b) (to comply with the performance-based requirements of the 2019 California Building Code section 3002.4.1a)

These variances apply to the locations and numbers of elevators stated in the section A table (so long as the elevators are Gen3 Edge/Gen2S Group and Gen3 Core & Medical Emergency Elevator Car Dimensions (Group IV) that are designed, equipped, and installed in accordance with, and are otherwise consistent with, and are subject to the following conditions:

1. The suspension system shall comply with the following:
    a. The coated steel belt and connections shall have factors of safety equal to those permitted for use by section 3141 [ASME A17.1-2004, section 2.20.3] on wire rope suspended elevators.
    b. Steel coated belts that have been installed and used on another installation shall not be reused.
    c. The coated steel belt shall be fitted with a monitoring device which has been accepted by Cal/OSHA and which will automatically stop the car if the residual strength of any single belt drops below 60 percent. If the residual strength of any single belt drops below 60 percent, the device shall prevent the elevator from restarting after a normal stop at a landing.
    d. Upon initial inspection, the readings from the monitoring device shall be documented and submitted to Cal/OSHA.
    e. A successful test of the monitoring device's functionality shall be conducted at least once

a year (the record of the annual test of the monitoring device shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).

f. The coated steel belts used shall be accepted by Cal/OSHA.

2. With respect to each elevator subject to this variance, the applicant shall comply with Cal/OSHA Circular Letter E-10-04, the substance of which is attached hereto as Addendum 1 and incorporated herein by this reference.

3. The Applicant shall not utilize the elevator unless the manufacturer has written procedures for the installation, maintenance, inspection, and testing of the belts and monitoring device and criteria for belt replacement, and the applicant shall make those procedures and criteria available to Cal/OSHA upon request.

4. The flat coated steel belts shall be provided with a metal data tag that is securely attached to one of those belts. This data tag shall bear the following flat steel coated belt data:

   a. The width and thickness in millimeters or inches;

   b. The manufacturer's rated breaking strength in (kN) or (lbf);

   c. The name of the person or organization that installed the flat coated steel belts;

   d. The month and year the flat coated steel belts were installed;

   e. The month and year the flat coated steel belts were first shortened;

   f. The name or trademark of the manufacturer of the flat coated steel belts; and

   g. Lubrication information.

5. There shall be a crosshead data plate of the sort required by section 2.20.2.1, and that plate shall bear the following flat steel coated belt data:

   a. The number of belts;

   b. The belt width and thickness in millimeters or inches; and

   c. The manufacturer's rated breaking strength per belt in (kN) or (lbf).

6. The opening to the hoistway shall be effectively barricaded when car top inspection, maintenance, servicing, or testing of elevator equipment in the hoistway is required. If service personnel must leave the area for any reason, the hoistway and control room doors shall be closed.

7. If there is an inset car top railing:

   a. Serviceable equipment shall be positioned so that mechanics and inspectors do not have to climb on railings to perform adjustment, maintenance, repairs or inspections. The applicant shall not permit anyone to stand on or climb over the car top railing.

   b. The distance that the car top railing may be inset shall be limited to no more than 6 inches.

   c. All exposed areas outside the car top railing shall preclude standing or placing objects or persons which may fall and shall be beveled from the mid- or top rail to the outside of the car top.

d. The top of the beveled area and/or car top outside the railing, shall be clearly marked. The markings shall consist of alternating 4 inch diagonal red and white stripes.

e. The applicant shall provide durable signs with lettering not less than ½ inch on a contrasting background on each inset railing; each sign shall state:

CAUTION
DO NOT STAND ON OR CLIMB OVER RAILING

f. The Group IV requirements for car top clearances shall be maintained (car top clearances outside the railing shall be measured from the car top and not from the required bevel).

8. If the seismic reset switch does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the inspection and test control panel located in one upper floor hoistway door jamb or in the control space (outside the hoistway) used by the motion controller.
9. If the inspection transfer switch required by ASME A17.1, rule 2.26.1.4.4(a) does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the inspection and test control panel located in one upper floor hoistway door jamb or in the control space (outside the hoistway) used by the motion controller.
10. When the inspection and testing panel is located in the hoistway door jamb, the inspection and test control panel shall be openable only by use of a Security Group I restricted key.
11. The governor speed-reducing switch function shall comply with the following:
    a. It shall be used only with direct drive machines; i.e., no gear reduction is permitted between the drive motor and the suspension means.
    b. The velocity encoder shall be coupled to the driving machine motor shaft. The “C” channel of the encoder shall be utilized for velocity measurements required by the speed reducing system. The signal from “C” channel of the encoder shall be verified with the “A” and “B” channels for failure. If a failure is detected then an emergency stop shall be initiated.
    c. Control system parameters utilized in the speed-reducing system shall be held in non-volatile memory.
    d. It shall be used in conjunction with approved car-mounted speed governors only.
    e. It shall be used in conjunction with an effective traction monitoring system that detects a loss of traction between the driving sheave and the suspension means. If a loss of traction is detected, then an emergency stop shall be initiated.
    f. A successful test of the speed-reducing switch system’s functionality shall be conducted at least once a year (the record of the annual test of the speed-reducing switch system shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).
    g. A successful test of the traction monitoring system’s functionality shall be conducted at least once a year (the record of the annual test of the traction monitoring system shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).

h. The Applicant shall not utilize the elevator unless the manufacturer has written procedures for the maintenance, inspection, and testing of the speed-reducing switch and traction monitoring systems. The Applicant shall make the procedures available to Cal/OSHA upon request.

12. The speed governor rope and sheaves shall comply with the following:

    a. The governor shall be used in conjunction with a 6 mm (0.25 in.) diameter steel governor rope with 6-strand, regular lay construction.

    b. The governor rope shall have a factor of safety of 8 or greater as related to the strength necessary to activate the safety.

    c. The governor sheaves shall have a pitch diameter of not less than 180 mm (7.1 in.).

13. All medical emergency service elevators shall comply with the following:

    a. The requirements of the 2019 California Building Code (CBC), section 3002.4.1a;

    The medical emergency service elevator shall accommodate the loading and transport of two emergency personnel, each requiring a minimum clear 21-inch (533 mm) diameter circular area and an ambulance gurney or stretcher [minimum size 24 inches by 84 inches (610 mm by 2134 mm) with not less than 5inch (127 mm) radius corners] in the horizontal, open position.

    b. All medical emergency service elevators shall be identified in the building construction documents in accordance with the 2019 CBC, section 3002.4a.

    c. Dimensional drawings and other information necessary to demonstrate compliance with these conditions shall be provided to Cal/OSHA, at the time of inspection, for all medical emergency service elevator(s).

14. The elevator shall be serviced, maintained, adjusted, tested, and inspected only by Certified Competent Conveyance Mechanics who have been trained to, and are competent to, perform those tasks on the Gen3 Edge/Gen2S/Gen3 Core elevator system in accordance with the written procedures and criteria required by Condition No. 3 and in accordance with the terms of this permanent variance.

15. Any Certified Qualified Conveyance Company performing inspections, maintenance, servicing, or testing of the elevators shall be provided a copy of this variance decision.

16. Cal/OSHA shall be notified when the elevator is ready for inspection. The elevator shall be inspected by Cal/OSHA, and a Permit to Operate shall be issued before the elevator is placed in service.

17. The Applicant shall be subject to the Suspension Means – Replacement Reporting Condition stated in Addendum 2, as hereby incorporated by this reference.

18. The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way and to the same extent that employees and authorized representatives

are to be notified of docketed permanent variance applications.

19. This Decision and Order shall remain in effect unless modified or revoked upon application by the Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in accordance with the Board's procedural regulations at section 426, subdivision (b).

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

DATED: April 24, 2026

Michelle Iorio

Michelle Iorio, Hearing Officer

ADDENDUM 1

October 6, 2010

CIRCULAR LETTER E-10-04

TO: Installers, Manufacturers of Conveyances and Related Equipment and, Other Interested Parties

SUBJECT: Coated Steel Belt Monitoring

The Elevator Safety Orders require routine inspection of the suspension means of an elevator to assure its safe operation.

The California Labor Code section 7318 allows Cal/OSHA to promulgate special safety orders in the absence of regulation.

As it is not possible to see the steel cable suspension means of a Coated Steel Belt, a monitoring device which has been accepted by Cal/OSHA is required on all Coated Steel Belts which will automatically stop the car if the residual strength of any belt drops below 60%. The Device shall prevent the elevator from restarting after a normal stop at a landing.

The monitoring device must be properly installed and functional. A functioning device may be removed only after a determination has been made that the residual strength of each belt exceeds 60%. These findings and the date of removal are to be conspicuously documented in the elevator machine room. The removed device must be replaced or returned to proper service within 30 days.

If upon routine inspection, the monitoring device is found to be in a non-functional state, the date and findings are to be conspicuously documented in the elevator machine room.

If upon inspection by Cal/OSHA, the monitoring device is found to be non-functional or removed, and the required documentation is not in place, the elevator will be removed from service.

If the device is removed to facilitate belt replacement, it must be properly installed and functional before the elevator is returned to service.

A successful test of the device’s functionality shall be conducted once a year.

This circular does not preempt Cal/OSHA from adopting regulations in the future, which may address the monitoring of Coated Steel Belts or any other suspension means.

This circular does not create an obligation on the part of Cal/OSHA to permit new conveyances utilizing Coated Steel Belts.

Debra Tudor
Principal Engineer
Cal/OSHA-Elevator Unit HQS

ADDENDUM 2

Suspension Means - Replacement Reporting Condition

Beginning on the date the Board adopts this Proposed Decision and continuing for a period of two years, the Applicant shall report to Cal/OSHA within 30 days any and all replacement activity performed on the elevator(s) pursuant to the requirements of ASME A17.1-2004, section 8.6.3 involving the suspension means or suspension means fastenings.

Further:

1. A separate report for each elevator shall be submitted, in a manner acceptable to Cal/OSHA, to the following address (or to such other address as Cal/OSHA might specify in the future): Cal/OSHA Elevator Unit, 2 MacArthur Place, Suite 700, Santa Ana, CA 92707, Attn: Engineering section.
2. Each such report shall contain, but not necessarily be limited to, the following information:
    a. The State-issued conveyance number, complete address, and Permanent Variance number that identifies the permanent variance.
    b. The business name, complete address, telephone number, and contact person of the elevator responsible party (presumably the Applicant or the subsequent holder of this variance).
    c. The business name, complete address, telephone number, and Certified Qualified Conveyance Company (CQCC) certification number of the firm performing the replacement work.
    d. The name (as listed on certification), Certified Competent Conveyance Mechanic (CCCM) certification number, certification expiration date, and signature of each CCCM performing the replacement work.
    e. The date and time the elevator was removed from normal service for suspension replacement, the date and time the replacement work commenced, the date and time the replacement work was completed, and the date and time the elevator was returned to normal service.
    f. A detailed description of, and clear color photographs depicting, (1) all the conditions that existed in the suspension components requiring their replacement and (2) any conditions that existed to cause damage or distress to the suspension components being replaced.
    g. A detailed list of all elevator components adjusted, repaired, or replaced in conjunction with the suspension component replacement.
    h. All information provided on the crosshead data plate per ASME A17.1-2004, section 2.20.2.1, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.
    i. For the suspension means being replaced, all information provided on the data tag required per ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is

modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

j. For the replacement suspension means, all information provided on the data tag required by ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

k. Any other information requested by Cal/OSHA regarding the replacement of the suspension means or fastenings.

3. In addition to the submission of the report to Cal/OSHA, the findings of any testing, failure analysis, or other engineering evaluations performed on any portion of the replaced suspension components, or other elevator components replaced in conjunction therewith, shall be submitted to Cal/OSHA referencing the information contained in item 2a above.

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application for Permanent Variance Regarding:

Otis Gen2S/Gen3Edge/Gen3 Core Elevator & Medical Emergency Car Dimensions

Permanent Variance No: See section A.1 table below

PROPOSED DECISION

Hearing Date: April 22, 2026
Location: Zoom

A. Subject Matter

1. The applicants ("Applicants") below have applied for permanent variances from provisions of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, all references in this matter are to the California Code of Regulations, title 8. The variance applications are as follows:

Permanent Variance No.	Applicant Name	Variance Location Address	No. of Conveyances
26-V-145	Avalon San Ramon, L.P.	6200 Bollinger Canyon Rd. San Ramon, CA	4

2. This proceeding is conducted in accordance with Labor Code section 143 and section 401, et seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026 via videoconference by the Board with Hearing Officer Michelle Iorio, both presiding and hearing the matter on its merit as a basis of proposed decision to be advanced to the Board for its consideration.

2. At the hearing, Dan Leacox, with Leacox & Associates, appeared on behalf of each Applicant; Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Documentary and oral evidence was received at the hearing, and by stipulation of all parties, documents were admitted into evidence:

Exhibit Number	Description of Exhibit
PD1	Application(s) for Permanent Variance per section A.1 table

PD2	OSHSB Notice of Hearing
PD3	Cal/OSHA Review of Variance Application
PD4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the Elevator Safety Order requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Findings of Fact

1. Each Applicant intends to utilize Otis Gen3 Edge/Gen2S/Gen3 Core elevators at the locations and in the numbers stated in the above section A.1 table. Applicant may utilize the variance from minimum inside car platform dimensions for other elevators designated for emergency medical service at the same variance location.
2. The installation contracts for these elevators were or will be signed on or after May 1, 2008, making the elevators subject to the Group IV Elevator Safety Orders.
3. The Board incorporates by reference the relevant findings in previous Board decisions:
    a. Items D.3 through D.9 of the Proposed Decision adopted by the Board on July 18, 2013 for Permanent Variance No. 12-V-093;
    b. Item D.4 of the Proposed Decision adopted by the Board on September 25, 2014 for Permanent Variance No. 14-V-206;
    c. Item B of the Proposed Decision adopted by the Board on September 15, 2022 for Permanent Variance No. 22-V-302 regarding medical emergency car dimensions; and
    d. Items C and D of the Proposed Decision adopted by the Board on June 20, 2024 for Permanent Variance No. 24-V-193 regarding the Gen3 Core elevator equivalent safety.
4. Cal/OSHA, by way of written submissions to the record (Exhibit PD-3), and position stated at hearing, is of the well informed opinion that grant of requested permanent variance, as limited and conditioned per the below Decision and Order will provide employment, places of employment, and subject conveyances, as safe and healthful as would prevail given non-variant conformity with the Elevator Safety Order requirements from which variance has been requested.

D. Conclusive Findings

A preponderance of the evidence supports the finding that each Applicants' proposal, subject to all conditions and limitations set forth in the below Decision and Order, will provide equivalent safety and health to that which would prevail upon full compliance with the requirements of the Elevator Safety Orders from which variance is being sought.

E. Decision and Order

Each permanent variance application the subject of this proceeding is conditionally GRANTED as specified below, and to the extent, as of the date the Board adopts this Proposed Decision, each Applicant listed in the above section A table shall have permanent variances from the following sections of ASME A17.1-2004 that section 3141 makes applicable to the elevators the

subject of those applications:

- **Car top railing**: sections 2.14.1.7.1 (to permit an inset car top railing, if, in fact, the car top railing is inset);
- **Speed governor over-speed switch**: 2.18.4.2.5(a) (to permit the use of the speed reducing system proposed by the Applicants, where the speed reducing switch resides in the controller algorithms, rather than on the governor, with the necessary speed input supplied by the main encoder signal from the motor);
- **Governor rope diameter**: 2.18.5.1 (to allow the use of reduced diameter governor rope);
- **Pitch diameter**: 2.18.7.4 (to permit the use of the speed-reducing system proposed by the Applicant, where the rope sheave pitch diameter is not less than 180 mm [7.1 in.]);
- **Suspension means**: 2.20.1, 2.20.2.1, 2.20.2.2(a), 2.20.2.2(f), 2.20.3, 2.20.4, 2.20.9.3.4 and 2.20.9.5.4—the variances from these "suspension means" provisions to permit the use of Otis Gen2 flat coated steel suspension belts in lieu of conventional steel suspension ropes;
- **Inspection transfer switch**: 2.26.1.4.4(a) (to allow the inspection transfer switch to reside at a location other than a machine room, if, in fact, it does not reside in the machine room); and
- **Seismic reset switch**: 8.4.10.1.1(a)(2)(b) (to allow the seismic reset switch to reside at a location other than a machine room, if, in fact, it does not reside in the machine room).
- **Minimum Inside Car Platform Dimensions**: 3041(e)(1)(C) and 3141.7(b) (to comply with the performance-based requirements of the 2019 California Building Code section 3002.4.1a)

These variances apply to the locations and numbers of elevators stated in the section A table (so long as the elevators are Gen3 Edge/Gen2S Group and Gen3 Core & Medical Emergency Elevator Car Dimensions (Group IV) that are designed, equipped, and installed in accordance with, and are otherwise consistent with, and are subject to the following conditions:

1. The suspension system shall comply with the following:
    a. The coated steel belt and connections shall have factors of safety equal to those permitted for use by section 3141 [ASME A17.1-2004, section 2.20.3] on wire rope suspended elevators.
    b. Steel coated belts that have been installed and used on another installation shall not be reused.
    c. The coated steel belt shall be fitted with a monitoring device which has been accepted by Cal/OSHA and which will automatically stop the car if the residual strength of any single belt drops below 60 percent. If the residual strength of any single belt drops below 60 percent, the device shall prevent the elevator from restarting after a normal stop at a landing.
    d. Upon initial inspection, the readings from the monitoring device shall be documented and submitted to Cal/OSHA.
    e. A successful test of the monitoring device's functionality shall be conducted at least once a year (the record of the annual test of the monitoring device shall be a maintenance

record subject to ASME A17.1-2004, section 8.6.1.4).

f. The coated steel belts used shall be accepted by Cal/OSHA.

2. With respect to each elevator subject to this variance, the applicant shall comply with Cal/OSHA Circular Letter E-10-04, the substance of which is attached hereto as Addendum 1 and incorporated herein by this reference.

3. The Applicant shall not utilize the elevator unless the manufacturer has written procedures for the installation, maintenance, inspection, and testing of the belts and monitoring device and criteria for belt replacement, and the applicant shall make those procedures and criteria available to Cal/OSHA upon request.

4. The flat coated steel belts shall be provided with a metal data tag that is securely attached to one of those belts. This data tag shall bear the following flat steel coated belt data:

   a. The width and thickness in millimeters or inches;

   b. The manufacturer's rated breaking strength in (kN) or (lbf);

   c. The name of the person or organization that installed the flat coated steel belts;

   d. The month and year the flat coated steel belts were installed;

   e. The month and year the flat coated steel belts were first shortened;

   f. The name or trademark of the manufacturer of the flat coated steel belts; and

   g. Lubrication information.

5. There shall be a crosshead data plate of the sort required by section 2.20.2.1, and that plate shall bear the following flat steel coated belt data:

   a. The number of belts;

   b. The belt width and thickness in millimeters or inches; and

   c. The manufacturer's rated breaking strength per belt in (kN) or (lbf).

6. The opening to the hoistway shall be effectively barricaded when car top inspection, maintenance, servicing, or testing of elevator equipment in the hoistway is required. If service personnel must leave the area for any reason, the hoistway and control room doors shall be closed.

7. If there is an inset car top railing:

   a. Serviceable equipment shall be positioned so that mechanics and inspectors do not have to climb on railings to perform adjustment, maintenance, repairs or inspections. The applicant shall not permit anyone to stand on or climb over the car top railing.

   b. The distance that the car top railing may be inset shall be limited to no more than 6 inches.

   c. All exposed areas outside the car top railing shall preclude standing or placing objects or persons which may fall and shall be beveled from the mid- or top rail to the outside of the car top.

d. The top of the beveled area and/or car top outside the railing, shall be clearly marked. The markings shall consist of alternating 4 inch diagonal red and white stripes.

e. The applicant shall provide durable signs with lettering not less than ½ inch on a contrasting background on each inset railing; each sign shall state:

CAUTION
DO NOT STAND ON OR CLIMB OVER RAILING

f. The Group IV requirements for car top clearances shall be maintained (car top clearances outside the railing shall be measured from the car top and not from the required bevel).

8. If the seismic reset switch does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the inspection and test control panel located in one upper floor hoistway door jamb or in the control space (outside the hoistway) used by the motion controller.
9. If the inspection transfer switch required by ASME A17.1, rule 2.26.1.4.4(a) does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the inspection and test control panel located in one upper floor hoistway door jamb or in the control space (outside the hoistway) used by the motion controller.
10. When the inspection and testing panel is located in the hoistway door jamb, the inspection and test control panel shall be openable only by use of a Security Group I restricted key.
11. The governor speed-reducing switch function shall comply with the following:
    a. It shall be used only with direct drive machines; i.e., no gear reduction is permitted between the drive motor and the suspension means.
    b. The velocity encoder shall be coupled to the driving machine motor shaft. The “C” channel of the encoder shall be utilized for velocity measurements required by the speed reducing system. The signal from “C” channel of the encoder shall be verified with the “A” and “B” channels for failure. If a failure is detected then an emergency stop shall be initiated.
    c. Control system parameters utilized in the speed-reducing system shall be held in non-volatile memory.
    d. It shall be used in conjunction with approved car-mounted speed governors only.
    e. It shall be used in conjunction with an effective traction monitoring system that detects a loss of traction between the driving sheave and the suspension means. If a loss of traction is detected, then an emergency stop shall be initiated.
    f. A successful test of the speed-reducing switch system’s functionality shall be conducted at least once a year (the record of the annual test of the speed-reducing switch system shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).
    g. A successful test of the traction monitoring system’s functionality shall be conducted at least once a year (the record of the annual test of the traction monitoring system shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).

h. The Applicant shall not utilize the elevator unless the manufacturer has written procedures for the maintenance, inspection, and testing of the speed-reducing switch and traction monitoring systems. The Applicant shall make the procedures available to Cal/OSHA upon request.

12. The speed governor rope and sheaves shall comply with the following:

    a. The governor shall be used in conjunction with a 6 mm (0.25 in.) diameter steel governor rope with 6-strand, regular lay construction.

    b. The governor rope shall have a factor of safety of 8 or greater as related to the strength necessary to activate the safety.

    c. The governor sheaves shall have a pitch diameter of not less than 180 mm (7.1 in.).

13. All medical emergency service elevators shall comply with the following:

    a. The requirements of the 2019 California Building Code (CBC), section 3002.4.1a;

    The medical emergency service elevator shall accommodate the loading and transport of two emergency personnel, each requiring a minimum clear 21-inch (533 mm) diameter circular area and an ambulance gurney or stretcher [minimum size 24 inches by 84 inches (610 mm by 2134 mm) with not less than 5inch (127 mm) radius corners] in the horizontal, open position.

    b. All medical emergency service elevators shall be identified in the building construction documents in accordance with the 2019 CBC, section 3002.4a.

    c. Dimensional drawings and other information necessary to demonstrate compliance with these conditions shall be provided to Cal/OSHA, at the time of inspection, for all medical emergency service elevator(s).

14. The elevator shall be serviced, maintained, adjusted, tested, and inspected only by Certified Competent Conveyance Mechanics who have been trained to, and are competent to, perform those tasks on the Gen3 Edge/Gen2S/Gen3 Core elevator system in accordance with the written procedures and criteria required by Condition No. 3 and in accordance with the terms of this permanent variance.

15. Any Certified Qualified Conveyance Company performing inspections, maintenance, servicing, or testing of the elevators shall be provided a copy of this variance decision.

16. Cal/OSHA shall be notified when the elevator is ready for inspection. The elevator shall be inspected by Cal/OSHA, and a Permit to Operate shall be issued before the elevator is placed in service.

17. The Applicant shall be subject to the Suspension Means – Replacement Reporting Condition stated in Addendum 2, as hereby incorporated by this reference.

18. The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way and to the same extent that employees and authorized representatives

are to be notified of docketed permanent variance applications.

19. This Decision and Order shall remain in effect unless modified or revoked upon application by the Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in accordance with the Board's procedural regulations at section 426, subdivision (b).

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

DATED: April 24, 2026

Michelle Iorio

Michelle Iorio, Hearing Officer

ADDENDUM 1

October 6, 2010

CIRCULAR LETTER E-10-04

TO: Installers, Manufacturers of Conveyances and Related Equipment and, Other Interested Parties

SUBJECT: Coated Steel Belt Monitoring

The Elevator Safety Orders require routine inspection of the suspension means of an elevator to assure its safe operation.

The California Labor Code section 7318 allows Cal/OSHA to promulgate special safety orders in the absence of regulation.

As it is not possible to see the steel cable suspension means of a Coated Steel Belt, a monitoring device which has been accepted by Cal/OSHA is required on all Coated Steel Belts which will automatically stop the car if the residual strength of any belt drops below 60%. The Device shall prevent the elevator from restarting after a normal stop at a landing.

The monitoring device must be properly installed and functional. A functioning device may be removed only after a determination has been made that the residual strength of each belt exceeds 60%. These findings and the date of removal are to be conspicuously documented in the elevator machine room. The removed device must be replaced or returned to proper service within 30 days.

If upon routine inspection, the monitoring device is found to be in a non-functional state, the date and findings are to be conspicuously documented in the elevator machine room.

If upon inspection by Cal/OSHA, the monitoring device is found to be non-functional or removed, and the required documentation is not in place, the elevator will be removed from service.

If the device is removed to facilitate belt replacement, it must be properly installed and functional before the elevator is returned to service.

A successful test of the device’s functionality shall be conducted once a year.

This circular does not preempt Cal/OSHA from adopting regulations in the future, which may address the monitoring of Coated Steel Belts or any other suspension means.

This circular does not create an obligation on the part of Cal/OSHA to permit new conveyances utilizing Coated Steel Belts.

Debra Tudor
Principal Engineer
Cal/OSHA-Elevator Unit HQS

ADDENDUM 2

Suspension Means - Replacement Reporting Condition

Beginning on the date the Board adopts this Proposed Decision and continuing for a period of two years, the Applicant shall report to Cal/OSHA within 30 days any and all replacement activity performed on the elevator(s) pursuant to the requirements of ASME A17.1-2004, section 8.6.3 involving the suspension means or suspension means fastenings.

Further:

1. A separate report for each elevator shall be submitted, in a manner acceptable to Cal/OSHA, to the following address (or to such other address as Cal/OSHA might specify in the future): Cal/OSHA Elevator Unit, 2 MacArthur Place, Suite 700, Santa Ana, CA 92707, Attn: Engineering section.
2. Each such report shall contain, but not necessarily be limited to, the following information:
    a. The State-issued conveyance number, complete address, and Permanent Variance number that identifies the permanent variance.
    b. The business name, complete address, telephone number, and contact person of the elevator responsible party (presumably the Applicant or the subsequent holder of this variance).
    c. The business name, complete address, telephone number, and Certified Qualified Conveyance Company (CQCC) certification number of the firm performing the replacement work.
    d. The name (as listed on certification), Certified Competent Conveyance Mechanic (CCCM) certification number, certification expiration date, and signature of each CCCM performing the replacement work.
    e. The date and time the elevator was removed from normal service for suspension replacement, the date and time the replacement work commenced, the date and time the replacement work was completed, and the date and time the elevator was returned to normal service.
    f. A detailed description of, and clear color photographs depicting, (1) all the conditions that existed in the suspension components requiring their replacement and (2) any conditions that existed to cause damage or distress to the suspension components being replaced.
    g. A detailed list of all elevator components adjusted, repaired, or replaced in conjunction with the suspension component replacement.
    h. All information provided on the crosshead data plate per ASME A17.1-2004, section 2.20.2.1, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.
    i. For the suspension means being replaced, all information provided on the data tag required per ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is

modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

j. For the replacement suspension means, all information provided on the data tag required by ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

k. Any other information requested by Cal/OSHA regarding the replacement of the suspension means or fastenings.

3. In addition to the submission of the report to Cal/OSHA, the findings of any testing, failure analysis, or other engineering evaluations performed on any portion of the replaced suspension components, or other elevator components replaced in conjunction therewith, shall be submitted to Cal/OSHA referencing the information contained in item 2a above.

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application for Permanent Variance Regarding:

Otis Gen2O and/or Gen3 Peak Alteration

Permanent Variance No: See section A.1 table below

PROPOSED DECISION

Hearing Date: April 22, 2026
Location: Zoom

A. Subject Matter

1. The applicants ("Applicants") below have applied for permanent variances from provisions of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, all references in this matter are to the California Code of Regulations, title 8. The variance applications are as follows:

Permanent Variance No.	Applicant Name	Variance Location Address	No. of Conveyances
26-V-147	Pacific Place HOA	1701 Jackson St. San Francisco, CA	2

2. This proceeding is conducted in accordance with Labor Code section 143 and section 401, et seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026 via videoconference by the Board with Hearing Officer Michelle Iorio, both presiding and hearing the matter on its merit as a basis of proposed decision to be advanced to the Board for its consideration.

2. At the hearing, Dan Leacox, with Leacox & Associates, appeared on behalf of each Applicant; Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Documentary and oral evidence was received at the hearing, and by stipulation of all parties, documents were admitted into evidence:

Exhibit Number	Description of Exhibit
PD1	Application(s) for Permanent Variance per section A.1 table
PD2	OSHSB Notice of Hearing

PD3	Cal/OSHA Review of Variance Application
PD4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the Elevator Safety Order requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Applicable Regulations

1. The Applicants request variance from some or all of the following sections of ASME A17.1-2004 that section 3141 makes applicable to the elevators the subject of those applications:
    a. Applicability of Alteration Requirements; 8.7.1.1(b) (to permit variance from the code sections below);
    b. Suspension Means: 2.20.1, 2.20.2.1, 2.20.2.2(a), 2.20.2.2(f), 2.20.3, 2.20.4, 2.20.9.3.4, and 2.20.9.5.4 (Only to the extent necessary to permit the use of the Elastomeric Coated Steel Belts proposed by the Applicant in lieu of circular steel suspension ropes.);
    c. Cartop Railing: 2.14.1.7.1 (Only to the extent necessary to permit the use of the car top railing system proposed by the Applicant, where the railing system is located inset from the elevator car top perimeter);
    d. Inspection transfer switch: 2.26.1.4.4(a) (Only to the extent necessary to permit the inspection transfer switch to reside at a location other than the machine room);
    e. Seismic reset switch: 8.4.10.1.1(a)(2)(b) (Only to the extent necessary to permit the seismic reset switch to reside at a location other than the machine room);

D. Findings of Fact

1. The Board incorporates by reference the findings stated in:
    a. Items 3 through 5.c, 5.e, and 5.f of the "Findings of Fact" section of the Proposed Decision adopted by the Board on February 19, 2009, in Permanent Variance No. 08-V-247;
    b. Item D.3 of the Proposed Decision adopted by the Board on July 16, 2009, Permanent Variance No. 09-V-042;
    c. Item D.4 of the Proposed Decision adopted by the Board on September 16, 2010, in Permanent Variance No. 10-V-029;
    d. Items D.4, D.5, and D.7 of the Proposed Decision adopted by the Board on July 18, 2013, in Permanent Variance No. 12-V-146; and
    e. Items D.4 and D.5 of the Proposed Decision adopted by the Board on September 25, 2014, in Permanent Variance No. 14-V-170.
2. The alterations will be performed after May 1, 2008, and the contracts for the alterations were or will be signed on or after May 1, 2008, making those alterations subject to the Group IV Elevator Safety Orders.
3. Cal/OSHA safety engineers, by way of written submissions to the record (Exhibit PD-3), and

positions stated at hearing, is of the well informed opinion that grant of requested permanent variance, as limited and conditioned per the below Decision and Order will provide employment, places of employment, and subject conveyances, as safe and healthful as would prevail given non-variant conformity with the Elevator Safety Order requirements from which variance has been requested.

E. Conclusive Findings

A preponderance of the evidence supports the finding that each Applicants' proposal, subject to all conditions and limitations set forth in the below Decision and Order, will provide equivalent safety and health to that which would prevail upon full compliance with the requirements of the Elevator Safety Orders from which variance is being sought.

F. Decision and Order

Each permanent variance application the subject of this proceeding is conditionally GRANTED as specified below, and to the extent, as of the date the Board adopts this Proposed Decision, Applicant shall have permanent variances from section 3141 and 3141.2(a), only to the extent necessary to allow variances from the following provisions of ASME A17.1-2004 made applicable by those provisions:

- Suspension Means: 2.20.1, 2.20.2.1, 2.20.2.2(a), 2.20.2.2(f), 2.20.3, 2.20.4, 2.20.9.3.4, and 2.20.9.5.4 (To permit the use of the Elastomeric Coated Steel Belts proposed by the Applicant in lieu of circular steel suspension ropes.);
- Cartop Railing: 2.14.1.7.1 (To permit the use of the car top railing system proposed by the Applicant, where the railing system is located inset from the elevator car top perimeter);
- Inspection transfer switch: 2.26.1.4.4(a) (To permit the inspection transfer switch to reside at a location other than the machine room);
- Seismic reset switch: 8.4.10.1.1(a)(2)(b) (To permit the seismic reset switch to reside at a location other than the machine room);

The variance shall be subject to, and limited by, the following additional conditions:

1. Each elevator subject to this variance shall comply with all applicable Group IV Elevator Safety Orders and with all ASME provisions made applicable by those Group IV Elevator Safety Orders, except those from which variances are granted, as set forth in the prefatory portion of this Decision and Order.
2. The suspension system shall comply with the following:
    a. The coated steel belt shall have a factor of safety at least equal to the factor of safety that ASME A17.1-2004, section 2.20.3, would require for wire ropes if the elevator were suspended by wire ropes rather than the coated steel belt.
    b. Steel-coated belts that have been installed and used on another installation shall not be reused.

c. The coated steel belt shall be fitted with a monitoring device which has been accepted by Cal/OSHA and which will automatically stop the car if the residual strength of any single belt drops below 60 percent. If the residual strength of any single belt drops below 60 percent, the device shall prevent the elevator from restarting after a normal stop at a landing.

d. Upon initial inspection, the readings from the monitoring device shall be documented and submitted to Cal/OSHA.

e. A successful test of the monitoring device's functionality shall be conducted at least once a year (the record of the annual test of the monitoring device shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).

f. The coated steel belts used shall be accepted by Cal/OSHA.

g. The installation of belts and connections shall be in conformance with the manufacturer's specifications, which shall be provided to Cal/OSHA.

3. With respect to each elevator subject to this variance, the Applicant shall comply with Cal/OSHA Circular Letter E-10-04, a copy of which is attached hereto as Addendum 1 and incorporated herein by this reference.

4. The Applicant shall not utilize each elevator unless the manufacturer has written procedures for the installation, maintenance, inspection, and testing of the belts and monitoring device, and criteria for belt replacement, and shall make those procedures and criteria available to Cal/OSHA upon request.

5. The flat coated steel belts shall be provided with a metal data tag that is securely attached to one of those belts. This data tag shall bear the following flat steel coated belt data:

   a. The width and thickness in millimeters or inches;

   b. The manufacturer's rated breaking strength in (kN) or (lbf);

   c. The name of the person who, or organization that, installed the flat coated steel belts;

   d. The month and year the flat coated steel belts were installed;

   e. The month and year the flat coated steel belts were first shortened;

   f. The name or trademark of the manufacturer of the flat coated steel belts;

   g. Lubrication information.

6. There shall be a crosshead data plate of the sort required by section 2.20.2.1, and that plate shall bear the following flat steel coated belt data:

   a. The number of belts,

   b. The belt width and thickness in millimeters or inches, and

   c. The manufacturer's rated breaking strength per belt in (kN) or (lbf).

7. If the seismic reset switch does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the inspection and test control panel located in one upper floor hoistway door jamb or in the control space (outside the hoistway) used by the motion

controller.

8. If the inspection transfer switch required by ASME A17.1, rule 2.26.1.4.4(a), does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the inspection and test control panel located in one upper floor hoistway door jamb or in the control space (outside the hoistway) used by the motion controller.
9. When the inspection and test control panel is located in the hoistway door jamb, the inspection and test control panel shall be openable only by use of a Security Group I restricted key.
10. The opening to the hoistway shall be effectively barricaded when car top inspection, maintenance, servicing, or testing of elevator equipment in the hoistway is required. If service personnel must leave the area for any reason, the hoistway and control room doors shall be closed.
11. If there is an inset car top railing:
    a. Serviceable equipment shall be positioned so that mechanics and inspectors do not have to climb on railings to perform adjustment, maintenance, repairs, or inspections. The Applicant shall not permit anyone to stand on or climb over the car top railing.
    b. The distance that the car top railing may be inset from the car top perimeter shall be limited to no more than 6 inches.
    c. All exposed areas of the car top outside the car top railing shall preclude standing or placing objects or persons which may fall and shall be beveled from the mid- or top rail to the outside of the car top.
    d. The top of the beveled area and/or the car top outside the railing, shall be clearly marked. The markings shall consist of alternating four-inch diagonal red and white stripes.
    e. The Applicant shall provide, on each inset railing, durable signs with lettering not less than ½ inch on a contrasting background. Each sign shall state:

CAUTION
DO NOT STAND ON OR CLIMB OVER RAILING

    f. The Group IV requirements for car top clearances shall be maintained (car top clearances outside the railing shall be measured from the car top, and not from the required bevel).

12. Each elevator shall be serviced, maintained, adjusted, tested, and inspected only by Certified Competent Conveyance Mechanics who have been trained to, and are competent to, perform those tasks on the Gen2(O) and/or Gen3 Peak elevator system the Applicant proposes to use, in accordance with the written procedures and criteria required by Condition No. 4 and the terms of this permanent variance.
13. Any Certified Qualified Conveyance Company performing inspections, maintenance, servicing, or testing of the elevators shall be provided a copy of this variance decision.
14. Cal/OSHA shall be notified when each elevator is ready for inspection. Each elevator shall be inspected by Cal/OSHA, and a Permit to Operate shall be issued before the elevator is placed in service.

15. The Applicant shall be subject to the suspension means replacement reporting condition stated in Addendum 2; that condition is incorporated herein by this reference.
16. The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way that the Applicant was required to notify them of the application for permanent variance, per sections 411.2 and 411.3.
17. This Decision and Order shall remain in effect unless modified or revoked upon application by the Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in the procedural manner prescribed.

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

DATED: April 24, 2026

Michelle Iorio

Michelle Iorio, Hearing Officer

ADDENDUM 1

October 6, 2010

CIRCULAR LETTER E-10-04

TO: Installers, Manufacturers of Conveyances and Related Equipment and, Other Interested Parties

SUBJECT: Coated Steel Belt Monitoring

The Elevator Safety Orders require routine inspection of the suspension means of an elevator to assure its safe operation.

The California Labor Code section 7318 allows Cal/OSHA to promulgate special safety orders in the absence of regulation.

As it is not possible to see the steel cable suspension means of a Coated Steel Belt, a monitoring device which has been accepted by Cal/OSHA is required on all Coated Steel Belts which will automatically stop the car if the residual strength of any belt drops below 60%. The Device shall prevent the elevator from restarting after a normal stop at a landing.

The monitoring device must be properly installed and functional. A functioning device may be removed only after a determination has been made that the residual strength of each belt exceeds 60%. These findings and the date of removal are to be conspicuously documented in the elevator machine room. The removed device must be replaced or returned to proper service within 30 days.

If upon routine inspection, the monitoring device is found to be in a non-functional state, the date and findings are to be conspicuously documented in the elevator machine room.

If upon inspection by Cal/OSHA, the monitoring device is found to be non-functional or removed, and the required documentation is not in place, the elevator will be removed from service.

If the device is removed to facilitate belt replacement, it must be properly installed and functional before the elevator is returned to service.

A successful test of the device’s functionality shall be conducted once a year.

This circular does not preempt Cal/OSHA from adopting regulations in the future, which may address the monitoring of Coated Steel Belts or any other suspension means.

This circular does not create an obligation on the part of Cal/OSHA to permit new conveyances utilizing Coated Steel Belts.

Debra Tudor
Principal Engineer
Cal/OSHA-Elevator Unit HQS

ADDENDUM 2

Suspension Means - Replacement Reporting Condition

Beginning on the date the Board adopts this Proposed Decision and continuing for a period of two years, the Applicant shall report to Cal/OSHA within 30 days any and all replacement activity performed on the elevator(s) pursuant to the requirements of ASME A17.1-2004, section 8.6.3 involving the suspension means or suspension means fastenings.

Further:

1. A separate report for each elevator shall be submitted, in a manner acceptable to Cal/OSHA, to the following address (or to such other address as Cal/OSHA might specify in the future): Cal/OSHA Elevator Unit, 2 MacArthur Place, Suite 700, Santa Ana, CA 92707, Attn: Engineering section.
2. Each such report shall contain, but not necessarily be limited to, the following information:
    a. The State-issued conveyance number, complete address, and Permanent Variance number that identifies the permanent variance.
    b. The business name, complete address, telephone number, and contact person of the elevator responsible party (presumably the Applicant or the subsequent holder of this variance).
    c. The business name, complete address, telephone number, and Certified Qualified Conveyance Company (CQCC) certification number of the firm performing the replacement work.
    d. The name (as listed on certification), Certified Competent Conveyance Mechanic (CCCM) certification number, certification expiration date, and signature of each CCCM performing the replacement work.
    e. The date and time the elevator was removed from normal service for suspension replacement, the date and time the replacement work commenced, the date and time the replacement work was completed, and the date and time the elevator was returned to normal service.
    f. A detailed description of, and clear color photographs depicting, (1) all the conditions that existed in the suspension components requiring their replacement and (2) any conditions that existed to cause damage or distress to the suspension components being replaced.
    g. A detailed list of all elevator components adjusted, repaired, or replaced in conjunction with the suspension component replacement.
    h. All information provided on the crosshead data plate per ASME A17.1-2004, section 2.20.2.1, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.
    i. For the suspension means being replaced, all information provided on the data tag required per ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is

modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

j. For the replacement suspension means, all information provided on the data tag required by ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

k. Any other information requested by Cal/OSHA regarding the replacement of the suspension means or fastenings.

3. In addition to the submission of the report to Cal/OSHA, the findings of any testing, failure analysis, or other engineering evaluations performed on any portion of the replaced suspension components, or other elevator components replaced in conjunction therewith, shall be submitted to Cal/OSHA referencing the information contained in item 2a above.

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application for Permanent Variance Regarding:

Garaventa GVL-168 (SW or EN) Vertical Platform Lift

Permanent Variance No: See section A.1 table below

PROPOSED DECISION

Hearing Date: April 22, 2026
Location: Zoom

A. Subject Matter

1. The applicants ("Applicants") below have applied for permanent variances from provisions of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, all references in this matter are to the California Code of Regulations, title 8. The variance applications are as follows:

Permanent Variance No.	Applicant Name	Variance Location Address	No. of Conveyances
26-V-148	Alpine County Unified School District	550 Creekside Dr. Bear Valley, CA	1

2. This proceeding is conducted in accordance with Labor Code section 143 and section 401, et seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026 via videoconference by the Board with Hearing Officer Michelle Iorio, both presiding and hearing the matter on its merit as a basis of proposed decision to be advanced to the Board for its consideration.

2. At the hearing, Craig Fiore, with McKinley Elevator Corporation, appeared on behalf of each Applicant; Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Documentary and oral evidence was received at the hearing, and by stipulation of all parties, documents were admitted into evidence:

Exhibit Number	Description of Exhibit
PD1	Application(s) for Permanent Variance per section A.1 table
PD2	OSHSB Notice of Hearing

PD3	Cal/OSHA Review of Variance Application
PD4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the Elevator Safety Order requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Findings of Fact

Based on the record of this proceeding, and officially noticed Board records per stipulation of Applicant and Cal/OSHA—inclusive of permanent variance file records of sworn testimony, findings and decisions in OSHSB File No. 26-V-148, the Board finds the following:

1. The Applicant proposes to install 1 vertical platform (wheelchair) lift at a location having the address of:

   550 Creekside Dr.
   Bear Valley, CA

2. Applicant requests variance solely from section 3142(a) and section 3142.1.
3. The subject vertical lift is proposed to be a Garaventa GVL-168 (SW or EN) Vertical Platform Lift, with a vertical travel range of approximately 168 inches. That range of travel exceeds the 12 foot maximum vertical rise allowed by ASME A18.1-2003, section 2.7.1—the standard in force at the time of this Decision.
4. Cal/OSHA's evaluation in this matter, states that the more recent consensus code, ASME A18.1-2005, allows for vertical platform lifts to have a travel not exceeding 14 feet (168 in.).
5. Permanent variances regarding the extended travel of vertical platform lifts, of similar configuration to that of the subject proposed model, have been previously granted, without subsequent safety problems attributable to such variance being reported. (e.g. Permanent Variance Nos. 13-V-260, 15-V-097, 15-V-297, 18-V-069).
6. It is the opinion of Cal/OSHA that equivalent safety will be achieved upon grant of presently requested permanent variance, subject to conditions materially equivalent to those imposed by Board adopted Decision and Order, In Matters of Application for Permanent Variance Nos. 15-V-297, and 18-V-069.
7. With respect to the equivalence or superior of safety, conditions and limitations of the below Decision and Order are in material conformity with those of previously issued Permanent Variance Nos. 15-V-297, and 18-V-069.

D. Conclusive Findings

A preponderance of the evidence supports the finding that each Applicants' proposal, subject to all conditions and limitations set forth in the below Decision and Order, will provide equivalent safety and health to that which would prevail upon full compliance with the requirements of the Elevator Safety Orders from which variance is being sought.

E. Decision and Order

OSHSB File No. 26-V-148, is conditionally GRANTED to the limited extent, upon the Board's adoption of this Proposed Decision, Alpine County Unified School District, shall have permanent variance from sections 3142(a) and 3142.1 incorporated ASME A18.1-2003, section 2.7.1, inasmuch as each restricts the vertical rise of a wheelchair lift to a maximum of 12 feet, with respect to 1 Garaventa GVL-168 (SW or EN) Vertical Platform Lift, subject to the following further conditions and limitations:

1. This lift may travel up to 168 inches, unless the manufacturer's instructions provide for a lesser vertical travel limit, or lesser total elevation change, in which case, travel shall be limited to the lesser limit or elevation change.
2. The wheelchair lift shall be installed and operated in accordance with the manufacturer's instructions, unless the provisions of this variance or applicable provisions of the law provide or require otherwise.
3. Durable signs with lettering not less than 5/16 inch on a contrasting background shall be permanently and conspicuously posted inside the car and at all landings indicating that the lift is for the exclusive use of persons with physical impairments and that the lift is not to be used to transport material or equipment. The use of the lift shall be limited in accordance with these signs.
4. A maintenance contract shall be executed between the owner/operator and a Certified Qualified Conveyance Company (CQCC). The contract shall stipulate that the routine preventive maintenance required by section 3094.5(a)(1) shall be performed at least quarterly and shall include but not be limited to:
    a. Platform driving means examination;
    b. Platform examination;
    c. Suspension means examination;
    d. Platform alignment;
    e. Vibration examination;
    f. Door/gate electrical; and
    g. Mechanical lock examination.
5. The lift shall be tested annually for proper operation under rated load conditions. Cal/OSHA's Elevator Unit District Office shall be provided written notification in advance of the test, and the test shall include a check of car or platform safety device.
6. The lift shall be shut down immediately if the lift experiences unusual noise and vibration, and the Applicant shall notify the CQCC immediately. The lift shall only be restarted by the CQCC.
7. The Applicant shall notify the CQCC if the lift shuts down for any reason. The lift shall only be restarted by the CQCC.
8. Service logs including, but not limited to, the device shutdown(s) shall be kept in the maintenance office and shall be available to Cal/OSHA. The shutdown information shall contain the date of the shutdown, cause of the shutdown, and the action taken to correct the shutdown.
9. The Applicant shall provide training on the safe operation of the lift in accordance with section 3203. Such training shall be conducted annually for all employees using or who will be assisting

others in using the lift. The Applicant shall notify Cal/OSHA in writing that training has been conducted. A copy of the training manual, and documentation identifying the trainer and attendees, shall be maintained for at least 1 year and provided to Cal/OSHA upon request.

10. Any CQCC performing inspections, maintenance, servicing or testing of the elevators shall be provided a copy of this variance decision.
11. Cal/OSHA shall be notified when the lift is ready for inspection, and the lift shall be inspected by Cal/OSHA and a Permit to Operate shall be issued before the lift is put into service.
12. The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way and to the same extent that employees and authorized representatives are to be notified of docketed permanent variance applications pursuant to sections 411.2 and 411.3.
13. This Decision and Order shall remain in effect unless modified or revoked upon application by the Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in the procedural manner prescribed per the Board's procedural regulations.

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

DATED: April 23, 2026

Michelle Iorio

Michelle Iorio, Hearing Officer

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application for Permanent Variance Regarding:

Otis Gen2O and/or Gen3 Peak Alteration

Permanent Variance No: See section A.1 table below

PROPOSED DECISION

Hearing Date: April 22, 2026
Location: Zoom

A. Subject Matter

1. The applicants ("Applicants") below have applied for permanent variances from provisions of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, all references in this matter are to the California Code of Regulations, title 8. The variance applications are as follows:

Permanent Variance No.	Applicant Name	Variance Location Address	No. of Conveyances
26-V-151	Pacific Place HOA	1800 Washington St. San Francisco, CA	2

2. This proceeding is conducted in accordance with Labor Code section 143 and section 401, et seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026 via videoconference by the Board with Hearing Officer Michelle Iorio, both presiding and hearing the matter on its merit as a basis of proposed decision to be advanced to the Board for its consideration.

2. At the hearing, Dan Leacox, with Leacox & Associates, appeared on behalf of each Applicant; Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Documentary and oral evidence was received at the hearing, and by stipulation of all parties, documents were admitted into evidence:

Exhibit Number	Description of Exhibit
PD1	Application(s) for Permanent Variance per section A.1 table
PD2	OSHSB Notice of Hearing

PD3	Cal/OSHA Review of Variance Application
PD4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the Elevator Safety Order requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Applicable Regulations

1. The Applicants request variance from some or all of the following sections of ASME A17.1-2004 that section 3141 makes applicable to the elevators the subject of those applications:
    a. Applicability of Alteration Requirements; 8.7.1.1(b) (to permit variance from the code sections below);
    b. Suspension Means: 2.20.1, 2.20.2.1, 2.20.2.2(a), 2.20.2.2(f), 2.20.3, 2.20.4, 2.20.9.3.4, and 2.20.9.5.4 (Only to the extent necessary to permit the use of the Elastomeric Coated Steel Belts proposed by the Applicant in lieu of circular steel suspension ropes.);
    c. Cartop Railing: 2.14.1.7.1 (Only to the extent necessary to permit the use of the car top railing system proposed by the Applicant, where the railing system is located inset from the elevator car top perimeter);
    d. Inspection transfer switch: 2.26.1.4.4(a) (Only to the extent necessary to permit the inspection transfer switch to reside at a location other than the machine room);
    e. Seismic reset switch: 8.4.10.1.1(a)(2)(b) (Only to the extent necessary to permit the seismic reset switch to reside at a location other than the machine room);

D. Findings of Fact

1. The Board incorporates by reference the findings stated in:
    a. Items 3 through 5.c, 5.e, and 5.f of the "Findings of Fact" section of the Proposed Decision adopted by the Board on February 19, 2009, in Permanent Variance No. 08-V-247;
    b. Item D.3 of the Proposed Decision adopted by the Board on July 16, 2009, Permanent Variance No. 09-V-042;
    c. Item D.4 of the Proposed Decision adopted by the Board on September 16, 2010, in Permanent Variance No. 10-V-029;
    d. Items D.4, D.5, and D.7 of the Proposed Decision adopted by the Board on July 18, 2013, in Permanent Variance No. 12-V-146; and
    e. Items D.4 and D.5 of the Proposed Decision adopted by the Board on September 25, 2014, in Permanent Variance No. 14-V-170.
2. The alterations will be performed after May 1, 2008, and the contracts for the alterations were or will be signed on or after May 1, 2008, making those alterations subject to the Group IV Elevator Safety Orders.
3. Cal/OSHA safety engineers, by way of written submissions to the record (Exhibit PD-3), and

positions stated at hearing, is of the well informed opinion that grant of requested permanent variance, as limited and conditioned per the below Decision and Order will provide employment, places of employment, and subject conveyances, as safe and healthful as would prevail given non-variant conformity with the Elevator Safety Order requirements from which variance has been requested.

E. Conclusive Findings

A preponderance of the evidence supports the finding that each Applicants' proposal, subject to all conditions and limitations set forth in the below Decision and Order, will provide equivalent safety and health to that which would prevail upon full compliance with the requirements of the Elevator Safety Orders from which variance is being sought.

F. Decision and Order

Each permanent variance application the subject of this proceeding is conditionally GRANTED as specified below, and to the extent, as of the date the Board adopts this Proposed Decision, Applicant shall have permanent variances from section 3141 and 3141.2(a), only to the extent necessary to allow variances from the following provisions of ASME A17.1-2004 made applicable by those provisions:

- Suspension Means: 2.20.1, 2.20.2.1, 2.20.2.2(a), 2.20.2.2(f), 2.20.3, 2.20.4, 2.20.9.3.4, and 2.20.9.5.4 (To permit the use of the Elastomeric Coated Steel Belts proposed by the Applicant in lieu of circular steel suspension ropes.);
- Cartop Railing: 2.14.1.7.1 (To permit the use of the car top railing system proposed by the Applicant, where the railing system is located inset from the elevator car top perimeter);
- Inspection transfer switch: 2.26.1.4.4(a) (To permit the inspection transfer switch to reside at a location other than the machine room);
- Seismic reset switch: 8.4.10.1.1(a)(2)(b) (To permit the seismic reset switch to reside at a location other than the machine room);

The variance shall be subject to, and limited by, the following additional conditions:

1. Each elevator subject to this variance shall comply with all applicable Group IV Elevator Safety Orders and with all ASME provisions made applicable by those Group IV Elevator Safety Orders, except those from which variances are granted, as set forth in the prefatory portion of this Decision and Order.
2. The suspension system shall comply with the following:
    a. The coated steel belt shall have a factor of safety at least equal to the factor of safety that ASME A17.1-2004, section 2.20.3, would require for wire ropes if the elevator were suspended by wire ropes rather than the coated steel belt.
    b. Steel-coated belts that have been installed and used on another installation shall not be reused.

c. The coated steel belt shall be fitted with a monitoring device which has been accepted by Cal/OSHA and which will automatically stop the car if the residual strength of any single belt drops below 60 percent. If the residual strength of any single belt drops below 60 percent, the device shall prevent the elevator from restarting after a normal stop at a landing.

d. Upon initial inspection, the readings from the monitoring device shall be documented and submitted to Cal/OSHA.

e. A successful test of the monitoring device's functionality shall be conducted at least once a year (the record of the annual test of the monitoring device shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).

f. The coated steel belts used shall be accepted by Cal/OSHA.

g. The installation of belts and connections shall be in conformance with the manufacturer's specifications, which shall be provided to Cal/OSHA.

3. With respect to each elevator subject to this variance, the Applicant shall comply with Cal/OSHA Circular Letter E-10-04, a copy of which is attached hereto as Addendum 1 and incorporated herein by this reference.

4. The Applicant shall not utilize each elevator unless the manufacturer has written procedures for the installation, maintenance, inspection, and testing of the belts and monitoring device, and criteria for belt replacement, and shall make those procedures and criteria available to Cal/OSHA upon request.

5. The flat coated steel belts shall be provided with a metal data tag that is securely attached to one of those belts. This data tag shall bear the following flat steel coated belt data:

   a. The width and thickness in millimeters or inches;

   b. The manufacturer's rated breaking strength in (kN) or (lbf);

   c. The name of the person who, or organization that, installed the flat coated steel belts;

   d. The month and year the flat coated steel belts were installed;

   e. The month and year the flat coated steel belts were first shortened;

   f. The name or trademark of the manufacturer of the flat coated steel belts;

   g. Lubrication information.

6. There shall be a crosshead data plate of the sort required by section 2.20.2.1, and that plate shall bear the following flat steel coated belt data:

   a. The number of belts,

   b. The belt width and thickness in millimeters or inches, and

   c. The manufacturer's rated breaking strength per belt in (kN) or (lbf).

7. If the seismic reset switch does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the inspection and test control panel located in one upper floor hoistway door jamb or in the control space (outside the hoistway) used by the motion

controller.

8. If the inspection transfer switch required by ASME A17.1, rule 2.26.1.4.4(a), does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the inspection and test control panel located in one upper floor hoistway door jamb or in the control space (outside the hoistway) used by the motion controller.
9. When the inspection and test control panel is located in the hoistway door jamb, the inspection and test control panel shall be openable only by use of a Security Group I restricted key.
10. The opening to the hoistway shall be effectively barricaded when car top inspection, maintenance, servicing, or testing of elevator equipment in the hoistway is required. If service personnel must leave the area for any reason, the hoistway and control room doors shall be closed.
11. If there is an inset car top railing:
    a. Serviceable equipment shall be positioned so that mechanics and inspectors do not have to climb on railings to perform adjustment, maintenance, repairs, or inspections. The Applicant shall not permit anyone to stand on or climb over the car top railing.
    b. The distance that the car top railing may be inset from the car top perimeter shall be limited to no more than 6 inches.
    c. All exposed areas of the car top outside the car top railing shall preclude standing or placing objects or persons which may fall and shall be beveled from the mid- or top rail to the outside of the car top.
    d. The top of the beveled area and/or the car top outside the railing, shall be clearly marked. The markings shall consist of alternating four-inch diagonal red and white stripes.
    e. The Applicant shall provide, on each inset railing, durable signs with lettering not less than ½ inch on a contrasting background. Each sign shall state:

CAUTION
DO NOT STAND ON OR CLIMB OVER RAILING

    f. The Group IV requirements for car top clearances shall be maintained (car top clearances outside the railing shall be measured from the car top, and not from the required bevel).

12. Each elevator shall be serviced, maintained, adjusted, tested, and inspected only by Certified Competent Conveyance Mechanics who have been trained to, and are competent to, perform those tasks on the Gen2(O) and/or Gen3 Peak elevator system the Applicant proposes to use, in accordance with the written procedures and criteria required by Condition No. 4 and the terms of this permanent variance.
13. Any Certified Qualified Conveyance Company performing inspections, maintenance, servicing, or testing of the elevators shall be provided a copy of this variance decision.
14. Cal/OSHA shall be notified when each elevator is ready for inspection. Each elevator shall be inspected by Cal/OSHA, and a Permit to Operate shall be issued before the elevator is placed in service.

15. The Applicant shall be subject to the suspension means replacement reporting condition stated in Addendum 2; that condition is incorporated herein by this reference.
16. The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way that the Applicant was required to notify them of the application for permanent variance, per sections 411.2 and 411.3.
17. This Decision and Order shall remain in effect unless modified or revoked upon application by the Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in the procedural manner prescribed.

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

DATED: April 24, 2026

Michelle Iorio

Michelle Iorio, Hearing Officer

ADDENDUM 1

October 6, 2010

CIRCULAR LETTER E-10-04

TO: Installers, Manufacturers of Conveyances and Related Equipment and, Other Interested Parties

SUBJECT: Coated Steel Belt Monitoring

The Elevator Safety Orders require routine inspection of the suspension means of an elevator to assure its safe operation.

The California Labor Code section 7318 allows Cal/OSHA to promulgate special safety orders in the absence of regulation.

As it is not possible to see the steel cable suspension means of a Coated Steel Belt, a monitoring device which has been accepted by Cal/OSHA is required on all Coated Steel Belts which will automatically stop the car if the residual strength of any belt drops below 60%. The Device shall prevent the elevator from restarting after a normal stop at a landing.

The monitoring device must be properly installed and functional. A functioning device may be removed only after a determination has been made that the residual strength of each belt exceeds 60%. These findings and the date of removal are to be conspicuously documented in the elevator machine room. The removed device must be replaced or returned to proper service within 30 days.

If upon routine inspection, the monitoring device is found to be in a non-functional state, the date and findings are to be conspicuously documented in the elevator machine room.

If upon inspection by Cal/OSHA, the monitoring device is found to be non-functional or removed, and the required documentation is not in place, the elevator will be removed from service.

If the device is removed to facilitate belt replacement, it must be properly installed and functional before the elevator is returned to service.

A successful test of the device’s functionality shall be conducted once a year.

This circular does not preempt Cal/OSHA from adopting regulations in the future, which may address the monitoring of Coated Steel Belts or any other suspension means.

This circular does not create an obligation on the part of Cal/OSHA to permit new conveyances utilizing Coated Steel Belts.

Debra Tudor
Principal Engineer
Cal/OSHA-Elevator Unit HQS

ADDENDUM 2

Suspension Means - Replacement Reporting Condition

Beginning on the date the Board adopts this Proposed Decision and continuing for a period of two years, the Applicant shall report to Cal/OSHA within 30 days any and all replacement activity performed on the elevator(s) pursuant to the requirements of ASME A17.1-2004, section 8.6.3 involving the suspension means or suspension means fastenings.

Further:

1. A separate report for each elevator shall be submitted, in a manner acceptable to Cal/OSHA, to the following address (or to such other address as Cal/OSHA might specify in the future): Cal/OSHA Elevator Unit, 2 MacArthur Place, Suite 700, Santa Ana, CA 92707, Attn: Engineering section.
2. Each such report shall contain, but not necessarily be limited to, the following information:
    a. The State-issued conveyance number, complete address, and Permanent Variance number that identifies the permanent variance.
    b. The business name, complete address, telephone number, and contact person of the elevator responsible party (presumably the Applicant or the subsequent holder of this variance).
    c. The business name, complete address, telephone number, and Certified Qualified Conveyance Company (CQCC) certification number of the firm performing the replacement work.
    d. The name (as listed on certification), Certified Competent Conveyance Mechanic (CCCM) certification number, certification expiration date, and signature of each CCCM performing the replacement work.
    e. The date and time the elevator was removed from normal service for suspension replacement, the date and time the replacement work commenced, the date and time the replacement work was completed, and the date and time the elevator was returned to normal service.
    f. A detailed description of, and clear color photographs depicting, (1) all the conditions that existed in the suspension components requiring their replacement and (2) any conditions that existed to cause damage or distress to the suspension components being replaced.
    g. A detailed list of all elevator components adjusted, repaired, or replaced in conjunction with the suspension component replacement.
    h. All information provided on the crosshead data plate per ASME A17.1-2004, section 2.20.2.1, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.
    i. For the suspension means being replaced, all information provided on the data tag required per ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is

modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

j. For the replacement suspension means, all information provided on the data tag required by ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

k. Any other information requested by Cal/OSHA regarding the replacement of the suspension means or fastenings.

3. In addition to the submission of the report to Cal/OSHA, the findings of any testing, failure analysis, or other engineering evaluations performed on any portion of the replaced suspension components, or other elevator components replaced in conjunction therewith, shall be submitted to Cal/OSHA referencing the information contained in item 2a above.

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application for Permanent Variance Regarding:

Otis Gen2O and/or Gen3 Peak Alteration

Permanent Variance No: See section A.1 table below

PROPOSED DECISION

Hearing Date: April 22, 2026
Location: Zoom

A. Subject Matter

1. The applicants ("Applicants") below have applied for permanent variances from provisions of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, all references in this matter are to the California Code of Regulations, title 8. The variance applications are as follows:

Permanent Variance No.	Applicant Name	Variance Location Address	No. of Conveyances
26-V-152	Rose Ventures III, Inc. & Granite 1200, LLC	1200 Lakeshore Ave. Oakland, CA	3

2. This proceeding is conducted in accordance with Labor Code section 143 and section 401, et seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026 via videoconference by the Board with Hearing Officer Michelle Iorio, both presiding and hearing the matter on its merit as a basis of proposed decision to be advanced to the Board for its consideration.

2. At the hearing, Dan Leacox, with Leacox & Associates, appeared on behalf of each Applicant; Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Documentary and oral evidence was received at the hearing, and by stipulation of all parties, documents were admitted into evidence:

Exhibit Number	Description of Exhibit
PD1	Application(s) for Permanent Variance per section A.1 table
PD2	OSHSB Notice of Hearing

PD3	Cal/OSHA Review of Variance Application
PD4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the Elevator Safety Order requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Applicable Regulations

1. The Applicants request variance from some or all of the following sections of ASME A17.1-2004 that section 3141 makes applicable to the elevators the subject of those applications:
    a. Applicability of Alteration Requirements; 8.7.1.1(b) (to permit variance from the code sections below);
    b. Suspension Means: 2.20.1, 2.20.2.1, 2.20.2.2(a), 2.20.2.2(f), 2.20.3, 2.20.4, 2.20.9.3.4, and 2.20.9.5.4 (Only to the extent necessary to permit the use of the Elastomeric Coated Steel Belts proposed by the Applicant in lieu of circular steel suspension ropes.);
    c. Cartop Railing: 2.14.1.7.1 (Only to the extent necessary to permit the use of the car top railing system proposed by the Applicant, where the railing system is located inset from the elevator car top perimeter);
    d. Inspection transfer switch: 2.26.1.4.4(a) (Only to the extent necessary to permit the inspection transfer switch to reside at a location other than the machine room);
    e. Seismic reset switch: 8.4.10.1.1(a)(2)(b) (Only to the extent necessary to permit the seismic reset switch to reside at a location other than the machine room);

D. Findings of Fact

1. The Board incorporates by reference the findings stated in:
    a. Items 3 through 5.c, 5.e, and 5.f of the "Findings of Fact" section of the Proposed Decision adopted by the Board on February 19, 2009, in Permanent Variance No. 08-V-247;
    b. Item D.3 of the Proposed Decision adopted by the Board on July 16, 2009, Permanent Variance No. 09-V-042;
    c. Item D.4 of the Proposed Decision adopted by the Board on September 16, 2010, in Permanent Variance No. 10-V-029;
    d. Items D.4, D.5, and D.7 of the Proposed Decision adopted by the Board on July 18, 2013, in Permanent Variance No. 12-V-146; and
    e. Items D.4 and D.5 of the Proposed Decision adopted by the Board on September 25, 2014, in Permanent Variance No. 14-V-170.
2. The alterations will be performed after May 1, 2008, and the contracts for the alterations were or will be signed on or after May 1, 2008, making those alterations subject to the Group IV Elevator Safety Orders.
3. Cal/OSHA safety engineers, by way of written submissions to the record (Exhibit PD-3), and

positions stated at hearing, is of the well informed opinion that grant of requested permanent variance, as limited and conditioned per the below Decision and Order will provide employment, places of employment, and subject conveyances, as safe and healthful as would prevail given non-variant conformity with the Elevator Safety Order requirements from which variance has been requested.

E. Conclusive Findings

A preponderance of the evidence supports the finding that each Applicants' proposal, subject to all conditions and limitations set forth in the below Decision and Order, will provide equivalent safety and health to that which would prevail upon full compliance with the requirements of the Elevator Safety Orders from which variance is being sought.

F. Decision and Order

Each permanent variance application the subject of this proceeding is conditionally GRANTED as specified below, and to the extent, as of the date the Board adopts this Proposed Decision, Applicant shall have permanent variances from section 3141 and 3141.2(a), only to the extent necessary to allow variances from the following provisions of ASME A17.1-2004 made applicable by those provisions:

- Suspension Means: 2.20.1, 2.20.2.1, 2.20.2.2(a), 2.20.2.2(f), 2.20.3, 2.20.4, 2.20.9.3.4, and 2.20.9.5.4 (To permit the use of the Elastomeric Coated Steel Belts proposed by the Applicant in lieu of circular steel suspension ropes.);
- Cartop Railing: 2.14.1.7.1 (To permit the use of the car top railing system proposed by the Applicant, where the railing system is located inset from the elevator car top perimeter);
- Inspection transfer switch: 2.26.1.4.4(a) (To permit the inspection transfer switch to reside at a location other than the machine room);
- Seismic reset switch: 8.4.10.1.1(a)(2)(b) (To permit the seismic reset switch to reside at a location other than the machine room);

The variance shall be subject to, and limited by, the following additional conditions:

1. Each elevator subject to this variance shall comply with all applicable Group IV Elevator Safety Orders and with all ASME provisions made applicable by those Group IV Elevator Safety Orders, except those from which variances are granted, as set forth in the prefatory portion of this Decision and Order.
2. The suspension system shall comply with the following:
    a. The coated steel belt shall have a factor of safety at least equal to the factor of safety that ASME A17.1-2004, section 2.20.3, would require for wire ropes if the elevator were suspended by wire ropes rather than the coated steel belt.
    b. Steel-coated belts that have been installed and used on another installation shall not be reused.

c. The coated steel belt shall be fitted with a monitoring device which has been accepted by Cal/OSHA and which will automatically stop the car if the residual strength of any single belt drops below 60 percent. If the residual strength of any single belt drops below 60 percent, the device shall prevent the elevator from restarting after a normal stop at a landing.

d. Upon initial inspection, the readings from the monitoring device shall be documented and submitted to Cal/OSHA.

e. A successful test of the monitoring device's functionality shall be conducted at least once a year (the record of the annual test of the monitoring device shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).

f. The coated steel belts used shall be accepted by Cal/OSHA.

g. The installation of belts and connections shall be in conformance with the manufacturer's specifications, which shall be provided to Cal/OSHA.

3. With respect to each elevator subject to this variance, the Applicant shall comply with Cal/OSHA Circular Letter E-10-04, a copy of which is attached hereto as Addendum 1 and incorporated herein by this reference.

4. The Applicant shall not utilize each elevator unless the manufacturer has written procedures for the installation, maintenance, inspection, and testing of the belts and monitoring device, and criteria for belt replacement, and shall make those procedures and criteria available to Cal/OSHA upon request.

5. The flat coated steel belts shall be provided with a metal data tag that is securely attached to one of those belts. This data tag shall bear the following flat steel coated belt data:

   a. The width and thickness in millimeters or inches;

   b. The manufacturer's rated breaking strength in (kN) or (lbf);

   c. The name of the person who, or organization that, installed the flat coated steel belts;

   d. The month and year the flat coated steel belts were installed;

   e. The month and year the flat coated steel belts were first shortened;

   f. The name or trademark of the manufacturer of the flat coated steel belts;

   g. Lubrication information.

6. There shall be a crosshead data plate of the sort required by section 2.20.2.1, and that plate shall bear the following flat steel coated belt data:

   a. The number of belts,

   b. The belt width and thickness in millimeters or inches, and

   c. The manufacturer's rated breaking strength per belt in (kN) or (lbf).

7. If the seismic reset switch does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the inspection and test control panel located in one upper floor hoistway door jamb or in the control space (outside the hoistway) used by the motion

controller.

8. If the inspection transfer switch required by ASME A17.1, rule 2.26.1.4.4(a), does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the inspection and test control panel located in one upper floor hoistway door jamb or in the control space (outside the hoistway) used by the motion controller.
9. When the inspection and test control panel is located in the hoistway door jamb, the inspection and test control panel shall be openable only by use of a Security Group I restricted key.
10. The opening to the hoistway shall be effectively barricaded when car top inspection, maintenance, servicing, or testing of elevator equipment in the hoistway is required. If service personnel must leave the area for any reason, the hoistway and control room doors shall be closed.
11. If there is an inset car top railing:
    a. Serviceable equipment shall be positioned so that mechanics and inspectors do not have to climb on railings to perform adjustment, maintenance, repairs, or inspections. The Applicant shall not permit anyone to stand on or climb over the car top railing.
    b. The distance that the car top railing may be inset from the car top perimeter shall be limited to no more than 6 inches.
    c. All exposed areas of the car top outside the car top railing shall preclude standing or placing objects or persons which may fall and shall be beveled from the mid- or top rail to the outside of the car top.
    d. The top of the beveled area and/or the car top outside the railing, shall be clearly marked. The markings shall consist of alternating four-inch diagonal red and white stripes.
    e. The Applicant shall provide, on each inset railing, durable signs with lettering not less than ½ inch on a contrasting background. Each sign shall state:

CAUTION
DO NOT STAND ON OR CLIMB OVER RAILING

    f. The Group IV requirements for car top clearances shall be maintained (car top clearances outside the railing shall be measured from the car top, and not from the required bevel).

12. Each elevator shall be serviced, maintained, adjusted, tested, and inspected only by Certified Competent Conveyance Mechanics who have been trained to, and are competent to, perform those tasks on the Gen2(O) and/or Gen3 Peak elevator system the Applicant proposes to use, in accordance with the written procedures and criteria required by Condition No. 4 and the terms of this permanent variance.
13. Any Certified Qualified Conveyance Company performing inspections, maintenance, servicing, or testing of the elevators shall be provided a copy of this variance decision.
14. Cal/OSHA shall be notified when each elevator is ready for inspection. Each elevator shall be inspected by Cal/OSHA, and a Permit to Operate shall be issued before the elevator is placed in service.

15. The Applicant shall be subject to the suspension means replacement reporting condition stated in Addendum 2; that condition is incorporated herein by this reference.
16. The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way that the Applicant was required to notify them of the application for permanent variance, per sections 411.2 and 411.3.
17. This Decision and Order shall remain in effect unless modified or revoked upon application by the Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in the procedural manner prescribed.

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

DATED: April 24, 2026

Michelle Iorio

Michelle Iorio, Hearing Officer

ADDENDUM 1

October 6, 2010

CIRCULAR LETTER E-10-04

TO: Installers, Manufacturers of Conveyances and Related Equipment and, Other Interested Parties

SUBJECT: Coated Steel Belt Monitoring

The Elevator Safety Orders require routine inspection of the suspension means of an elevator to assure its safe operation.

The California Labor Code section 7318 allows Cal/OSHA to promulgate special safety orders in the absence of regulation.

As it is not possible to see the steel cable suspension means of a Coated Steel Belt, a monitoring device which has been accepted by Cal/OSHA is required on all Coated Steel Belts which will automatically stop the car if the residual strength of any belt drops below 60%. The Device shall prevent the elevator from restarting after a normal stop at a landing.

The monitoring device must be properly installed and functional. A functioning device may be removed only after a determination has been made that the residual strength of each belt exceeds 60%. These findings and the date of removal are to be conspicuously documented in the elevator machine room. The removed device must be replaced or returned to proper service within 30 days.

If upon routine inspection, the monitoring device is found to be in a non-functional state, the date and findings are to be conspicuously documented in the elevator machine room.

If upon inspection by Cal/OSHA, the monitoring device is found to be non-functional or removed, and the required documentation is not in place, the elevator will be removed from service.

If the device is removed to facilitate belt replacement, it must be properly installed and functional before the elevator is returned to service.

A successful test of the device’s functionality shall be conducted once a year.

This circular does not preempt Cal/OSHA from adopting regulations in the future, which may address the monitoring of Coated Steel Belts or any other suspension means.

This circular does not create an obligation on the part of Cal/OSHA to permit new conveyances utilizing Coated Steel Belts.

Debra Tudor
Principal Engineer
Cal/OSHA-Elevator Unit HQS

ADDENDUM 2

Suspension Means - Replacement Reporting Condition

Beginning on the date the Board adopts this Proposed Decision and continuing for a period of two years, the Applicant shall report to Cal/OSHA within 30 days any and all replacement activity performed on the elevator(s) pursuant to the requirements of ASME A17.1-2004, section 8.6.3 involving the suspension means or suspension means fastenings.

Further:

1. A separate report for each elevator shall be submitted, in a manner acceptable to Cal/OSHA, to the following address (or to such other address as Cal/OSHA might specify in the future): Cal/OSHA Elevator Unit, 2 MacArthur Place, Suite 700, Santa Ana, CA 92707, Attn: Engineering section.
2. Each such report shall contain, but not necessarily be limited to, the following information:
    a. The State-issued conveyance number, complete address, and Permanent Variance number that identifies the permanent variance.
    b. The business name, complete address, telephone number, and contact person of the elevator responsible party (presumably the Applicant or the subsequent holder of this variance).
    c. The business name, complete address, telephone number, and Certified Qualified Conveyance Company (CQCC) certification number of the firm performing the replacement work.
    d. The name (as listed on certification), Certified Competent Conveyance Mechanic (CCCM) certification number, certification expiration date, and signature of each CCCM performing the replacement work.
    e. The date and time the elevator was removed from normal service for suspension replacement, the date and time the replacement work commenced, the date and time the replacement work was completed, and the date and time the elevator was returned to normal service.
    f. A detailed description of, and clear color photographs depicting, (1) all the conditions that existed in the suspension components requiring their replacement and (2) any conditions that existed to cause damage or distress to the suspension components being replaced.
    g. A detailed list of all elevator components adjusted, repaired, or replaced in conjunction with the suspension component replacement.
    h. All information provided on the crosshead data plate per ASME A17.1-2004, section 2.20.2.1, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.
    i. For the suspension means being replaced, all information provided on the data tag required per ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is

modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

j. For the replacement suspension means, all information provided on the data tag required by ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

k. Any other information requested by Cal/OSHA regarding the replacement of the suspension means or fastenings.

3. In addition to the submission of the report to Cal/OSHA, the findings of any testing, failure analysis, or other engineering evaluations performed on any portion of the replaced suspension components, or other elevator components replaced in conjunction therewith, shall be submitted to Cal/OSHA referencing the information contained in item 2a above.

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application for Permanent Variance Regarding:

Otis Gen2S/Gen3Edge/Gen3 Core Elevator & Medical Emergency Car Dimensions

Permanent Variance No: See section A.1 table below

PROPOSED DECISION

Hearing Date: April 22, 2026
Location: Zoom

A. Subject Matter

1. The applicants ("Applicants") below have applied for permanent variances from provisions of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, all references in this matter are to the California Code of Regulations, title 8. The variance applications are as follows:

Permanent Variance No.	Applicant Name	Variance Location Address	No. of Conveyances
26-V-153	Central Pointe Phase I Development Partners LP	Apts. & Parking 1851 E. Fourth St. Santa Ana, CA	4

2. This proceeding is conducted in accordance with Labor Code section 143 and section 401, et seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026 via videoconference by the Board with Hearing Officer Michelle Iorio, both presiding and hearing the matter on its merit as a basis of proposed decision to be advanced to the Board for its consideration.

2. At the hearing, Dan Leacox, with Leacox & Associates, appeared on behalf of each Applicant; Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Documentary and oral evidence was received at the hearing, and by stipulation of all parties, documents were admitted into evidence:

Exhibit Number	Description of Exhibit
PD1	Application(s) for Permanent Variance per section A.1 table

PD2	OSHSB Notice of Hearing
PD3	Cal/OSHA Review of Variance Application
PD4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the Elevator Safety Order requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Findings of Fact

1. Each Applicant intends to utilize Otis Gen3 Edge/Gen2S/Gen3 Core elevators at the locations and in the numbers stated in the above section A.1 table. Applicant may utilize the variance from minimum inside car platform dimensions for other elevators designated for emergency medical service at the same variance location.
2. The installation contracts for these elevators were or will be signed on or after May 1, 2008, making the elevators subject to the Group IV Elevator Safety Orders.
3. The Board incorporates by reference the relevant findings in previous Board decisions:
    a. Items D.3 through D.9 of the Proposed Decision adopted by the Board on July 18, 2013 for Permanent Variance No. 12-V-093;
    b. Item D.4 of the Proposed Decision adopted by the Board on September 25, 2014 for Permanent Variance No. 14-V-206;
    c. Item B of the Proposed Decision adopted by the Board on September 15, 2022 for Permanent Variance No. 22-V-302 regarding medical emergency car dimensions; and
    d. Items C and D of the Proposed Decision adopted by the Board on June 20, 2024 for Permanent Variance No. 24-V-193 regarding the Gen3 Core elevator equivalent safety.
4. Cal/OSHA, by way of written submissions to the record (Exhibit PD-3), and position stated at hearing, is of the well informed opinion that grant of requested permanent variance, as limited and conditioned per the below Decision and Order will provide employment, places of employment, and subject conveyances, as safe and healthful as would prevail given non-variant conformity with the Elevator Safety Order requirements from which variance has been requested.

D. Conclusive Findings

A preponderance of the evidence supports the finding that each Applicants' proposal, subject to all conditions and limitations set forth in the below Decision and Order, will provide equivalent safety and health to that which would prevail upon full compliance with the requirements of the Elevator Safety Orders from which variance is being sought.

E. Decision and Order

Each permanent variance application the subject of this proceeding is conditionally GRANTED as specified below, and to the extent, as of the date the Board adopts this Proposed Decision, each Applicant listed in the above section A table shall have permanent variances from the following sections of ASME A17.1-2004 that section 3141 makes applicable to the elevators the

subject of those applications:

- **Car top railing**: sections 2.14.1.7.1 (to permit an inset car top railing, if, in fact, the car top railing is inset);
- **Speed governor over-speed switch**: 2.18.4.2.5(a) (to permit the use of the speed reducing system proposed by the Applicants, where the speed reducing switch resides in the controller algorithms, rather than on the governor, with the necessary speed input supplied by the main encoder signal from the motor);
- **Governor rope diameter**: 2.18.5.1 (to allow the use of reduced diameter governor rope);
- **Pitch diameter**: 2.18.7.4 (to permit the use of the speed-reducing system proposed by the Applicant, where the rope sheave pitch diameter is not less than 180 mm [7.1 in.]);
- **Suspension means**: 2.20.1, 2.20.2.1, 2.20.2.2(a), 2.20.2.2(f), 2.20.3, 2.20.4, 2.20.9.3.4 and 2.20.9.5.4—the variances from these "suspension means" provisions to permit the use of Otis Gen2 flat coated steel suspension belts in lieu of conventional steel suspension ropes;
- **Inspection transfer switch**: 2.26.1.4.4(a) (to allow the inspection transfer switch to reside at a location other than a machine room, if, in fact, it does not reside in the machine room); and
- **Seismic reset switch**: 8.4.10.1.1(a)(2)(b) (to allow the seismic reset switch to reside at a location other than a machine room, if, in fact, it does not reside in the machine room).
- **Minimum Inside Car Platform Dimensions**: 3041(e)(1)(C) and 3141.7(b) (to comply with the performance-based requirements of the 2019 California Building Code section 3002.4.1a)

These variances apply to the locations and numbers of elevators stated in the section A table (so long as the elevators are Gen3 Edge/Gen2S Group and Gen3 Core & Medical Emergency Elevator Car Dimensions (Group IV) that are designed, equipped, and installed in accordance with, and are otherwise consistent with, and are subject to the following conditions:

1. The suspension system shall comply with the following:
    a. The coated steel belt and connections shall have factors of safety equal to those permitted for use by section 3141 [ASME A17.1-2004, section 2.20.3] on wire rope suspended elevators.
    b. Steel coated belts that have been installed and used on another installation shall not be reused.
    c. The coated steel belt shall be fitted with a monitoring device which has been accepted by Cal/OSHA and which will automatically stop the car if the residual strength of any single belt drops below 60 percent. If the residual strength of any single belt drops below 60 percent, the device shall prevent the elevator from restarting after a normal stop at a landing.
    d. Upon initial inspection, the readings from the monitoring device shall be documented and submitted to Cal/OSHA.
    e. A successful test of the monitoring device's functionality shall be conducted at least once a year (the record of the annual test of the monitoring device shall be a maintenance

record subject to ASME A17.1-2004, section 8.6.1.4).

f. The coated steel belts used shall be accepted by Cal/OSHA.

2. With respect to each elevator subject to this variance, the applicant shall comply with Cal/OSHA Circular Letter E-10-04, the substance of which is attached hereto as Addendum 1 and incorporated herein by this reference.

3. The Applicant shall not utilize the elevator unless the manufacturer has written procedures for the installation, maintenance, inspection, and testing of the belts and monitoring device and criteria for belt replacement, and the applicant shall make those procedures and criteria available to Cal/OSHA upon request.

4. The flat coated steel belts shall be provided with a metal data tag that is securely attached to one of those belts. This data tag shall bear the following flat steel coated belt data:

   a. The width and thickness in millimeters or inches;

   b. The manufacturer's rated breaking strength in (kN) or (lbf);

   c. The name of the person or organization that installed the flat coated steel belts;

   d. The month and year the flat coated steel belts were installed;

   e. The month and year the flat coated steel belts were first shortened;

   f. The name or trademark of the manufacturer of the flat coated steel belts; and

   g. Lubrication information.

5. There shall be a crosshead data plate of the sort required by section 2.20.2.1, and that plate shall bear the following flat steel coated belt data:

   a. The number of belts;

   b. The belt width and thickness in millimeters or inches; and

   c. The manufacturer's rated breaking strength per belt in (kN) or (lbf).

6. The opening to the hoistway shall be effectively barricaded when car top inspection, maintenance, servicing, or testing of elevator equipment in the hoistway is required. If service personnel must leave the area for any reason, the hoistway and control room doors shall be closed.

7. If there is an inset car top railing:

   a. Serviceable equipment shall be positioned so that mechanics and inspectors do not have to climb on railings to perform adjustment, maintenance, repairs or inspections. The applicant shall not permit anyone to stand on or climb over the car top railing.

   b. The distance that the car top railing may be inset shall be limited to no more than 6 inches.

   c. All exposed areas outside the car top railing shall preclude standing or placing objects or persons which may fall and shall be beveled from the mid- or top rail to the outside of the car top.

d. The top of the beveled area and/or car top outside the railing, shall be clearly marked. The markings shall consist of alternating 4 inch diagonal red and white stripes.

e. The applicant shall provide durable signs with lettering not less than ½ inch on a contrasting background on each inset railing; each sign shall state:

CAUTION
DO NOT STAND ON OR CLIMB OVER RAILING

f. The Group IV requirements for car top clearances shall be maintained (car top clearances outside the railing shall be measured from the car top and not from the required bevel).

8. If the seismic reset switch does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the inspection and test control panel located in one upper floor hoistway door jamb or in the control space (outside the hoistway) used by the motion controller.
9. If the inspection transfer switch required by ASME A17.1, rule 2.26.1.4.4(a) does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the inspection and test control panel located in one upper floor hoistway door jamb or in the control space (outside the hoistway) used by the motion controller.
10. When the inspection and testing panel is located in the hoistway door jamb, the inspection and test control panel shall be openable only by use of a Security Group I restricted key.
11. The governor speed-reducing switch function shall comply with the following:
    a. It shall be used only with direct drive machines; i.e., no gear reduction is permitted between the drive motor and the suspension means.
    b. The velocity encoder shall be coupled to the driving machine motor shaft. The “C” channel of the encoder shall be utilized for velocity measurements required by the speed reducing system. The signal from “C” channel of the encoder shall be verified with the “A” and “B” channels for failure. If a failure is detected then an emergency stop shall be initiated.
    c. Control system parameters utilized in the speed-reducing system shall be held in non-volatile memory.
    d. It shall be used in conjunction with approved car-mounted speed governors only.
    e. It shall be used in conjunction with an effective traction monitoring system that detects a loss of traction between the driving sheave and the suspension means. If a loss of traction is detected, then an emergency stop shall be initiated.
    f. A successful test of the speed-reducing switch system’s functionality shall be conducted at least once a year (the record of the annual test of the speed-reducing switch system shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).
    g. A successful test of the traction monitoring system’s functionality shall be conducted at least once a year (the record of the annual test of the traction monitoring system shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).

h. The Applicant shall not utilize the elevator unless the manufacturer has written procedures for the maintenance, inspection, and testing of the speed-reducing switch and traction monitoring systems. The Applicant shall make the procedures available to Cal/OSHA upon request.

12. The speed governor rope and sheaves shall comply with the following:

    a. The governor shall be used in conjunction with a 6 mm (0.25 in.) diameter steel governor rope with 6-strand, regular lay construction.

    b. The governor rope shall have a factor of safety of 8 or greater as related to the strength necessary to activate the safety.

    c. The governor sheaves shall have a pitch diameter of not less than 180 mm (7.1 in.).

13. All medical emergency service elevators shall comply with the following:

    a. The requirements of the 2019 California Building Code (CBC), section 3002.4.1a;

    The medical emergency service elevator shall accommodate the loading and transport of two emergency personnel, each requiring a minimum clear 21-inch (533 mm) diameter circular area and an ambulance gurney or stretcher [minimum size 24 inches by 84 inches (610 mm by 2134 mm) with not less than 5inch (127 mm) radius corners] in the horizontal, open position.

    b. All medical emergency service elevators shall be identified in the building construction documents in accordance with the 2019 CBC, section 3002.4a.

    c. Dimensional drawings and other information necessary to demonstrate compliance with these conditions shall be provided to Cal/OSHA, at the time of inspection, for all medical emergency service elevator(s).

14. The elevator shall be serviced, maintained, adjusted, tested, and inspected only by Certified Competent Conveyance Mechanics who have been trained to, and are competent to, perform those tasks on the Gen3 Edge/Gen2S/Gen3 Core elevator system in accordance with the written procedures and criteria required by Condition No. 3 and in accordance with the terms of this permanent variance.

15. Any Certified Qualified Conveyance Company performing inspections, maintenance, servicing, or testing of the elevators shall be provided a copy of this variance decision.

16. Cal/OSHA shall be notified when the elevator is ready for inspection. The elevator shall be inspected by Cal/OSHA, and a Permit to Operate shall be issued before the elevator is placed in service.

17. The Applicant shall be subject to the Suspension Means – Replacement Reporting Condition stated in Addendum 2, as hereby incorporated by this reference.

18. The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way and to the same extent that employees and authorized representatives

are to be notified of docketed permanent variance applications.

19. This Decision and Order shall remain in effect unless modified or revoked upon application by the Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in accordance with the Board's procedural regulations at section 426, subdivision (b).

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

DATED: April 24, 2026

Michelle Iorio

Michelle Iorio, Hearing Officer

ADDENDUM 1

October 6, 2010

CIRCULAR LETTER E-10-04

TO: Installers, Manufacturers of Conveyances and Related Equipment and, Other Interested Parties

SUBJECT: Coated Steel Belt Monitoring

The Elevator Safety Orders require routine inspection of the suspension means of an elevator to assure its safe operation.

The California Labor Code section 7318 allows Cal/OSHA to promulgate special safety orders in the absence of regulation.

As it is not possible to see the steel cable suspension means of a Coated Steel Belt, a monitoring device which has been accepted by Cal/OSHA is required on all Coated Steel Belts which will automatically stop the car if the residual strength of any belt drops below 60%. The Device shall prevent the elevator from restarting after a normal stop at a landing.

The monitoring device must be properly installed and functional. A functioning device may be removed only after a determination has been made that the residual strength of each belt exceeds 60%. These findings and the date of removal are to be conspicuously documented in the elevator machine room. The removed device must be replaced or returned to proper service within 30 days.

If upon routine inspection, the monitoring device is found to be in a non-functional state, the date and findings are to be conspicuously documented in the elevator machine room.

If upon inspection by Cal/OSHA, the monitoring device is found to be non-functional or removed, and the required documentation is not in place, the elevator will be removed from service.

If the device is removed to facilitate belt replacement, it must be properly installed and functional before the elevator is returned to service.

A successful test of the device’s functionality shall be conducted once a year.

This circular does not preempt Cal/OSHA from adopting regulations in the future, which may address the monitoring of Coated Steel Belts or any other suspension means.

This circular does not create an obligation on the part of Cal/OSHA to permit new conveyances utilizing Coated Steel Belts.

Debra Tudor
Principal Engineer
Cal/OSHA-Elevator Unit HQS

ADDENDUM 2

Suspension Means - Replacement Reporting Condition

Beginning on the date the Board adopts this Proposed Decision and continuing for a period of two years, the Applicant shall report to Cal/OSHA within 30 days any and all replacement activity performed on the elevator(s) pursuant to the requirements of ASME A17.1-2004, section 8.6.3 involving the suspension means or suspension means fastenings.

Further:

1. A separate report for each elevator shall be submitted, in a manner acceptable to Cal/OSHA, to the following address (or to such other address as Cal/OSHA might specify in the future): Cal/OSHA Elevator Unit, 2 MacArthur Place, Suite 700, Santa Ana, CA 92707, Attn: Engineering section.
2. Each such report shall contain, but not necessarily be limited to, the following information:
    a. The State-issued conveyance number, complete address, and Permanent Variance number that identifies the permanent variance.
    b. The business name, complete address, telephone number, and contact person of the elevator responsible party (presumably the Applicant or the subsequent holder of this variance).
    c. The business name, complete address, telephone number, and Certified Qualified Conveyance Company (CQCC) certification number of the firm performing the replacement work.
    d. The name (as listed on certification), Certified Competent Conveyance Mechanic (CCCM) certification number, certification expiration date, and signature of each CCCM performing the replacement work.
    e. The date and time the elevator was removed from normal service for suspension replacement, the date and time the replacement work commenced, the date and time the replacement work was completed, and the date and time the elevator was returned to normal service.
    f. A detailed description of, and clear color photographs depicting, (1) all the conditions that existed in the suspension components requiring their replacement and (2) any conditions that existed to cause damage or distress to the suspension components being replaced.
    g. A detailed list of all elevator components adjusted, repaired, or replaced in conjunction with the suspension component replacement.
    h. All information provided on the crosshead data plate per ASME A17.1-2004, section 2.20.2.1, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.
    i. For the suspension means being replaced, all information provided on the data tag required per ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is

modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

j. For the replacement suspension means, all information provided on the data tag required by ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

k. Any other information requested by Cal/OSHA regarding the replacement of the suspension means or fastenings.

3. In addition to the submission of the report to Cal/OSHA, the findings of any testing, failure analysis, or other engineering evaluations performed on any portion of the replaced suspension components, or other elevator components replaced in conjunction therewith, shall be submitted to Cal/OSHA referencing the information contained in item 2a above.

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application for Permanent Variance Regarding:

Otis Gen2S/Gen3Edge/Gen3 Core Elevator & Medical Emergency Car Dimensions

Permanent Variance No: See section A.1 table below

PROPOSED DECISION

Hearing Date: April 22, 2026
Location: Zoom

A. Subject Matter

1. The applicants ("Applicants") below have applied for permanent variances from provisions of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, all references in this matter are to the California Code of Regulations, title 8. The variance applications are as follows:

Permanent Variance No.	Applicant Name	Variance Location Address	No. of Conveyances
26-V-154	2533 Mansfield Owner, L.P.	2517 S. Mansfield Ave. Los Angeles, CA	1

2. This proceeding is conducted in accordance with Labor Code section 143 and section 401, et seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026 via videoconference by the Board with Hearing Officer Michelle Iorio, both presiding and hearing the matter on its merit as a basis of proposed decision to be advanced to the Board for its consideration.

2. At the hearing, Dan Leacox, with Leacox & Associates, appeared on behalf of each Applicant; Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Documentary and oral evidence was received at the hearing, and by stipulation of all parties, documents were admitted into evidence:

Exhibit Number	Description of Exhibit
PD1	Application(s) for Permanent Variance per section A.1 table
PD2	OSHSB Notice of Hearing

PD3	Cal/OSHA Review of Variance Application
PD4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the Elevator Safety Order requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Findings of Fact

1. Each Applicant intends to utilize Otis Gen3 Edge/Gen2S/Gen3 Core elevators at the locations and in the numbers stated in the above section A.1 table. Applicant may utilize the variance from minimum inside car platform dimensions for other elevators designated for emergency medical service at the same variance location.
2. The installation contracts for these elevators were or will be signed on or after May 1, 2008, making the elevators subject to the Group IV Elevator Safety Orders.
3. The Board incorporates by reference the relevant findings in previous Board decisions:
    a. Items D.3 through D.9 of the Proposed Decision adopted by the Board on July 18, 2013 for Permanent Variance No. 12-V-093;
    b. Item D.4 of the Proposed Decision adopted by the Board on September 25, 2014 for Permanent Variance No. 14-V-206;
    c. Item B of the Proposed Decision adopted by the Board on September 15, 2022 for Permanent Variance No. 22-V-302 regarding medical emergency car dimensions; and
    d. Items C and D of the Proposed Decision adopted by the Board on June 20, 2024 for Permanent Variance No. 24-V-193 regarding the Gen3 Core elevator equivalent safety.
4. Cal/OSHA, by way of written submissions to the record (Exhibit PD-3), and position stated at hearing, is of the well informed opinion that grant of requested permanent variance, as limited and conditioned per the below Decision and Order will provide employment, places of employment, and subject conveyances, as safe and healthful as would prevail given non-variant conformity with the Elevator Safety Order requirements from which variance has been requested.

D. Conclusive Findings

A preponderance of the evidence supports the finding that each Applicants' proposal, subject to all conditions and limitations set forth in the below Decision and Order, will provide equivalent safety and health to that which would prevail upon full compliance with the requirements of the Elevator Safety Orders from which variance is being sought.

E. Decision and Order

Each permanent variance application the subject of this proceeding is conditionally GRANTED as specified below, and to the extent, as of the date the Board adopts this Proposed Decision, each Applicant listed in the above section A table shall have permanent variances from the following sections of ASME A17.1-2004 that section 3141 makes applicable to the elevators the subject of those applications:

- **Car top railing**: sections 2.14.1.7.1 (to permit an inset car top railing, if, in fact, the car top railing is inset);
- **Speed governor over-speed switch**: 2.18.4.2.5(a) (to permit the use of the speed reducing system proposed by the Applicants, where the speed reducing switch resides in the controller algorithms, rather than on the governor, with the necessary speed input supplied by the main encoder signal from the motor);
- **Governor rope diameter**: 2.18.5.1 (to allow the use of reduced diameter governor rope);
- **Pitch diameter**: 2.18.7.4 (to permit the use of the speed-reducing system proposed by the Applicant, where the rope sheave pitch diameter is not less than 180 mm [7.1 in.]);
- **Suspension means**: 2.20.1, 2.20.2.1, 2.20.2.2(a), 2.20.2.2(f), 2.20.3, 2.20.4, 2.20.9.3.4 and 2.20.9.5.4—the variances from these "suspension means" provisions to permit the use of Otis Gen2 flat coated steel suspension belts in lieu of conventional steel suspension ropes;
- **Inspection transfer switch**: 2.26.1.4.4(a) (to allow the inspection transfer switch to reside at a location other than a machine room, if, in fact, it does not reside in the machine room); and
- **Seismic reset switch**: 8.4.10.1.1(a)(2)(b) (to allow the seismic reset switch to reside at a location other than a machine room, if, in fact, it does not reside in the machine room).
- **Minimum Inside Car Platform Dimensions**: 3041(e)(1)(C) and 3141.7(b) (to comply with the performance-based requirements of the 2019 California Building Code section 3002.4.1a)

These variances apply to the locations and numbers of elevators stated in the section A table (so long as the elevators are Gen3 Edge/Gen2S Group and Gen3 Core & Medical Emergency Elevator Car Dimensions (Group IV) that are designed, equipped, and installed in accordance with, and are otherwise consistent with, and are subject to the following conditions:

1. The suspension system shall comply with the following:
    a. The coated steel belt and connections shall have factors of safety equal to those permitted for use by section 3141 [ASME A17.1-2004, section 2.20.3] on wire rope suspended elevators.
    b. Steel coated belts that have been installed and used on another installation shall not be reused.
    c. The coated steel belt shall be fitted with a monitoring device which has been accepted by Cal/OSHA and which will automatically stop the car if the residual strength of any single belt drops below 60 percent. If the residual strength of any single belt drops below 60 percent, the device shall prevent the elevator from restarting after a normal stop at a landing.
    d. Upon initial inspection, the readings from the monitoring device shall be documented and submitted to Cal/OSHA.
    e. A successful test of the monitoring device's functionality shall be conducted at least once a year (the record of the annual test of the monitoring device shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).
    f. The coated steel belts used shall be accepted by Cal/OSHA.

2. With respect to each elevator subject to this variance, the applicant shall comply with Cal/OSHA Circular Letter E-10-04, the substance of which is attached hereto as Addendum 1 and incorporated herein by this reference.

3. The Applicant shall not utilize the elevator unless the manufacturer has written procedures for the installation, maintenance, inspection, and testing of the belts and monitoring device and criteria for belt replacement, and the applicant shall make those procedures and criteria available to Cal/OSHA upon request.

4. The flat coated steel belts shall be provided with a metal data tag that is securely attached to one of those belts. This data tag shall bear the following flat steel coated belt data:

    a. The width and thickness in millimeters or inches;

    b. The manufacturer's rated breaking strength in (kN) or (lbf);

    c. The name of the person or organization that installed the flat coated steel belts;

    d. The month and year the flat coated steel belts were installed;

    e. The month and year the flat coated steel belts were first shortened;

    f. The name or trademark of the manufacturer of the flat coated steel belts; and

    g. Lubrication information.

5. There shall be a crosshead data plate of the sort required by section 2.20.2.1, and that plate shall bear the following flat steel coated belt data:

    a. The number of belts;

    b. The belt width and thickness in millimeters or inches; and

    c. The manufacturer's rated breaking strength per belt in (kN) or (lbf).

6. The opening to the hoistway shall be effectively barricaded when car top inspection, maintenance, servicing, or testing of elevator equipment in the hoistway is required. If service personnel must leave the area for any reason, the hoistway and control room doors shall be closed.

7. If there is an inset car top railing:

    a. Serviceable equipment shall be positioned so that mechanics and inspectors do not have to climb on railings to perform adjustment, maintenance, repairs or inspections. The applicant shall not permit anyone to stand on or climb over the car top railing.

    b. The distance that the car top railing may be inset shall be limited to no more than 6 inches.

    c. All exposed areas outside the car top railing shall preclude standing or placing objects or persons which may fall and shall be beveled from the mid- or top rail to the outside of the car top.

    d. The top of the beveled area and/or car top outside the railing, shall be clearly marked. The markings shall consist of alternating 4 inch diagonal red and white stripes.

    e. The applicant shall provide durable signs with lettering not less than ½ inch on a

contrasting background on each inset railing; each sign shall state:

CAUTION
DO NOT STAND ON OR CLIMB OVER RAILING

f. The Group IV requirements for car top clearances shall be maintained (car top clearances outside the railing shall be measured from the car top and not from the required bevel).

8. If the seismic reset switch does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the inspection and test control panel located in one upper floor hoistway door jamb or in the control space (outside the hoistway) used by the motion controller.
9. If the inspection transfer switch required by ASME A17.1, rule 2.26.1.4.4(a) does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the inspection and test control panel located in one upper floor hoistway door jamb or in the control space (outside the hoistway) used by the motion controller.
10. When the inspection and testing panel is located in the hoistway door jamb, the inspection and test control panel shall be openable only by use of a Security Group I restricted key.
11. The governor speed-reducing switch function shall comply with the following:
    a. It shall be used only with direct drive machines; i.e., no gear reduction is permitted between the drive motor and the suspension means.
    b. The velocity encoder shall be coupled to the driving machine motor shaft. The “C” channel of the encoder shall be utilized for velocity measurements required by the speed reducing system. The signal from “C” channel of the encoder shall be verified with the “A” and “B” channels for failure. If a failure is detected then an emergency stop shall be initiated.
    c. Control system parameters utilized in the speed-reducing system shall be held in non-volatile memory.
    d. It shall be used in conjunction with approved car-mounted speed governors only.
    e. It shall be used in conjunction with an effective traction monitoring system that detects a loss of traction between the driving sheave and the suspension means. If a loss of traction is detected, then an emergency stop shall be initiated.
    f. A successful test of the speed-reducing switch system’s functionality shall be conducted at least once a year (the record of the annual test of the speed-reducing switch system shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).
    g. A successful test of the traction monitoring system’s functionality shall be conducted at least once a year (the record of the annual test of the traction monitoring system shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).
    h. The Applicant shall not utilize the elevator unless the manufacturer has written procedures for the maintenance, inspection, and testing of the speed-reducing switch and traction monitoring systems. The Applicant shall make the procedures available to Cal/OSHA upon

request.

12. The speed governor rope and sheaves shall comply with the following:
    a. The governor shall be used in conjunction with a 6 mm (0.25 in.) diameter steel governor rope with 6-strand, regular lay construction.
    b. The governor rope shall have a factor of safety of 8 or greater as related to the strength necessary to activate the safety.
    c. The governor sheaves shall have a pitch diameter of not less than 180 mm (7.1 in.).

13. All medical emergency service elevators shall comply with the following:
    a. The requirements of the 2019 California Building Code (CBC), section 3002.4.1a;

    The medical emergency service elevator shall accommodate the loading and transport of two emergency personnel, each requiring a minimum clear 21-inch (533 mm) diameter circular area and an ambulance gurney or stretcher [minimum size 24 inches by 84 inches (610 mm by 2134 mm) with not less than 5inch (127 mm) radius corners] in the horizontal, open position.

    b. All medical emergency service elevators shall be identified in the building construction documents in accordance with the 2019 CBC, section 3002.4a.
    c. Dimensional drawings and other information necessary to demonstrate compliance with these conditions shall be provided to Cal/OSHA, at the time of inspection, for all medical emergency service elevator(s).

14. The elevator shall be serviced, maintained, adjusted, tested, and inspected only by Certified Competent Conveyance Mechanics who have been trained to, and are competent to, perform those tasks on the Gen3 Edge/Gen2S/Gen3 Core elevator system in accordance with the written procedures and criteria required by Condition No. 3 and in accordance with the terms of this permanent variance.
15. Any Certified Qualified Conveyance Company performing inspections, maintenance, servicing, or testing of the elevators shall be provided a copy of this variance decision.
16. Cal/OSHA shall be notified when the elevator is ready for inspection. The elevator shall be inspected by Cal/OSHA, and a Permit to Operate shall be issued before the elevator is placed in service.
17. The Applicant shall be subject to the Suspension Means – Replacement Reporting Condition stated in Addendum 2, as hereby incorporated by this reference.
18. The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way and to the same extent that employees and authorized representatives are to be notified of docketed permanent variance applications.
19. This Decision and Order shall remain in effect unless modified or revoked upon application by the Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in

accordance with the Board's procedural regulations at section 426, subdivision (b).

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

DATED: April 24, 2026

Michelle Iorio

Michelle Iorio, Hearing Officer

ADDENDUM 1

October 6, 2010

CIRCULAR LETTER E-10-04

TO: Installers, Manufacturers of Conveyances and Related Equipment and, Other Interested Parties

SUBJECT: Coated Steel Belt Monitoring

The Elevator Safety Orders require routine inspection of the suspension means of an elevator to assure its safe operation.

The California Labor Code section 7318 allows Cal/OSHA to promulgate special safety orders in the absence of regulation.

As it is not possible to see the steel cable suspension means of a Coated Steel Belt, a monitoring device which has been accepted by Cal/OSHA is required on all Coated Steel Belts which will automatically stop the car if the residual strength of any belt drops below 60%. The Device shall prevent the elevator from restarting after a normal stop at a landing.

The monitoring device must be properly installed and functional. A functioning device may be removed only after a determination has been made that the residual strength of each belt exceeds 60%. These findings and the date of removal are to be conspicuously documented in the elevator machine room. The removed device must be replaced or returned to proper service within 30 days.

If upon routine inspection, the monitoring device is found to be in a non-functional state, the date and findings are to be conspicuously documented in the elevator machine room.

If upon inspection by Cal/OSHA, the monitoring device is found to be non-functional or removed, and the required documentation is not in place, the elevator will be removed from service.

If the device is removed to facilitate belt replacement, it must be properly installed and functional before the elevator is returned to service.

A successful test of the device’s functionality shall be conducted once a year.

This circular does not preempt Cal/OSHA from adopting regulations in the future, which may address the monitoring of Coated Steel Belts or any other suspension means.

This circular does not create an obligation on the part of Cal/OSHA to permit new conveyances utilizing Coated Steel Belts.

Debra Tudor
Principal Engineer
Cal/OSHA-Elevator Unit HQS

ADDENDUM 2

Suspension Means - Replacement Reporting Condition

Beginning on the date the Board adopts this Proposed Decision and continuing for a period of two years, the Applicant shall report to Cal/OSHA within 30 days any and all replacement activity performed on the elevator(s) pursuant to the requirements of ASME A17.1-2004, section 8.6.3 involving the suspension means or suspension means fastenings.

Further:

1. A separate report for each elevator shall be submitted, in a manner acceptable to Cal/OSHA, to the following address (or to such other address as Cal/OSHA might specify in the future): Cal/OSHA Elevator Unit, 2 MacArthur Place, Suite 700, Santa Ana, CA 92707, Attn: Engineering section.
2. Each such report shall contain, but not necessarily be limited to, the following information:
    a. The State-issued conveyance number, complete address, and Permanent Variance number that identifies the permanent variance.
    b. The business name, complete address, telephone number, and contact person of the elevator responsible party (presumably the Applicant or the subsequent holder of this variance).
    c. The business name, complete address, telephone number, and Certified Qualified Conveyance Company (CQCC) certification number of the firm performing the replacement work.
    d. The name (as listed on certification), Certified Competent Conveyance Mechanic (CCCM) certification number, certification expiration date, and signature of each CCCM performing the replacement work.
    e. The date and time the elevator was removed from normal service for suspension replacement, the date and time the replacement work commenced, the date and time the replacement work was completed, and the date and time the elevator was returned to normal service.
    f. A detailed description of, and clear color photographs depicting, (1) all the conditions that existed in the suspension components requiring their replacement and (2) any conditions that existed to cause damage or distress to the suspension components being replaced.
    g. A detailed list of all elevator components adjusted, repaired, or replaced in conjunction with the suspension component replacement.
    h. All information provided on the crosshead data plate per ASME A17.1-2004, section 2.20.2.1, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.
    i. For the suspension means being replaced, all information provided on the data tag required per ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is

modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

j. For the replacement suspension means, all information provided on the data tag required by ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

k. Any other information requested by Cal/OSHA regarding the replacement of the suspension means or fastenings.

3. In addition to the submission of the report to Cal/OSHA, the findings of any testing, failure analysis, or other engineering evaluations performed on any portion of the replaced suspension components, or other elevator components replaced in conjunction therewith, shall be submitted to Cal/OSHA referencing the information contained in item 2a above.

BEFORE THE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
DEPARTMENT OF INDUSTRIAL RELATIONS
STATE OF CALIFORNIA

In the Matter of Application for Permanent Variance Regarding:

Otis Gen2S/Gen3Edge/Gen3 Core Elevator & Medical Emergency Car Dimensions

Permanent Variance No: See section A.1 table below

PROPOSED DECISION

Hearing Date: April 22, 2026
Location: Zoom

A. Subject Matter

1. The applicants ("Applicants") below have applied for permanent variances from provisions of the Elevator Safety Orders, found at title 8 of the California Code of Regulations. Unless otherwise noted, all references in this matter are to the California Code of Regulations, title 8. The variance applications are as follows:

Permanent Variance No.	Applicant Name	Variance Location Address	No. of Conveyances
26-V-155	Mission Housing Development Corporation	La Maravilla - Bldg. 1 2970 16th St. San Francisco, CA	2

2. This proceeding is conducted in accordance with Labor Code section 143 and section 401, et seq. of the Occupational Safety and Health Standards Board's ("Board" or "OSHSB") procedural regulations.

B. Procedural

1. This hearing was held on April 22, 2026 via videoconference by the Board with Hearing Officer Michelle Iorio, both presiding and hearing the matter on its merit as a basis of proposed decision to be advanced to the Board for its consideration.

2. At the hearing, Dan Leacox, with Leacox & Associates, appeared on behalf of each Applicant; Jose Ceja and Mark Wickens appeared on behalf of the Division of Occupational Safety and Health ("Cal/OSHA").

3. Documentary and oral evidence was received at the hearing, and by stipulation of all parties, documents were admitted into evidence:

Exhibit Number	Description of Exhibit
PD1	Application(s) for Permanent Variance per section A.1 table

PD2	OSHSB Notice of Hearing
PD3	Cal/OSHA Review of Variance Application
PD4	Review Draft-1 Proposed Decision

4. Official notice is taken of the Board's files, records, recordings and decisions concerning the Elevator Safety Order requirements from which variance shall issue. On April 22, 2026, the hearing and record closed, and the matter was taken under submission by the Hearing Officer.

C. Findings of Fact

1. Each Applicant intends to utilize Otis Gen3 Edge/Gen2S/Gen3 Core elevators at the locations and in the numbers stated in the above section A.1 table. Applicant may utilize the variance from minimum inside car platform dimensions for other elevators designated for emergency medical service at the same variance location.
2. The installation contracts for these elevators were or will be signed on or after May 1, 2008, making the elevators subject to the Group IV Elevator Safety Orders.
3. The Board incorporates by reference the relevant findings in previous Board decisions:
    a. Items D.3 through D.9 of the Proposed Decision adopted by the Board on July 18, 2013 for Permanent Variance No. 12-V-093;
    b. Item D.4 of the Proposed Decision adopted by the Board on September 25, 2014 for Permanent Variance No. 14-V-206;
    c. Item B of the Proposed Decision adopted by the Board on September 15, 2022 for Permanent Variance No. 22-V-302 regarding medical emergency car dimensions; and
    d. Items C and D of the Proposed Decision adopted by the Board on June 20, 2024 for Permanent Variance No. 24-V-193 regarding the Gen3 Core elevator equivalent safety.
4. Cal/OSHA, by way of written submissions to the record (Exhibit PD-3), and position stated at hearing, is of the well informed opinion that grant of requested permanent variance, as limited and conditioned per the below Decision and Order will provide employment, places of employment, and subject conveyances, as safe and healthful as would prevail given non-variant conformity with the Elevator Safety Order requirements from which variance has been requested.

D. Conclusive Findings

A preponderance of the evidence supports the finding that each Applicants' proposal, subject to all conditions and limitations set forth in the below Decision and Order, will provide equivalent safety and health to that which would prevail upon full compliance with the requirements of the Elevator Safety Orders from which variance is being sought.

E. Decision and Order

Each permanent variance application the subject of this proceeding is conditionally GRANTED as specified below, and to the extent, as of the date the Board adopts this Proposed Decision, each Applicant listed in the above section A table shall have permanent variances from the following sections of ASME A17.1-2004 that section 3141 makes applicable to the elevators the

subject of those applications:

- **Car top railing**: sections 2.14.1.7.1 (to permit an inset car top railing, if, in fact, the car top railing is inset);
- **Speed governor over-speed switch**: 2.18.4.2.5(a) (to permit the use of the speed reducing system proposed by the Applicants, where the speed reducing switch resides in the controller algorithms, rather than on the governor, with the necessary speed input supplied by the main encoder signal from the motor);
- **Governor rope diameter**: 2.18.5.1 (to allow the use of reduced diameter governor rope);
- **Pitch diameter**: 2.18.7.4 (to permit the use of the speed-reducing system proposed by the Applicant, where the rope sheave pitch diameter is not less than 180 mm [7.1 in.]);
- **Suspension means**: 2.20.1, 2.20.2.1, 2.20.2.2(a), 2.20.2.2(f), 2.20.3, 2.20.4, 2.20.9.3.4 and 2.20.9.5.4—the variances from these "suspension means" provisions to permit the use of Otis Gen2 flat coated steel suspension belts in lieu of conventional steel suspension ropes;
- **Inspection transfer switch**: 2.26.1.4.4(a) (to allow the inspection transfer switch to reside at a location other than a machine room, if, in fact, it does not reside in the machine room); and
- **Seismic reset switch**: 8.4.10.1.1(a)(2)(b) (to allow the seismic reset switch to reside at a location other than a machine room, if, in fact, it does not reside in the machine room).
- **Minimum Inside Car Platform Dimensions**: 3041(e)(1)(C) and 3141.7(b) (to comply with the performance-based requirements of the 2019 California Building Code section 3002.4.1a)

These variances apply to the locations and numbers of elevators stated in the section A table (so long as the elevators are Gen3 Edge/Gen2S Group and Gen3 Core & Medical Emergency Elevator Car Dimensions (Group IV) that are designed, equipped, and installed in accordance with, and are otherwise consistent with, and are subject to the following conditions:

1. The suspension system shall comply with the following:
    a. The coated steel belt and connections shall have factors of safety equal to those permitted for use by section 3141 [ASME A17.1-2004, section 2.20.3] on wire rope suspended elevators.
    b. Steel coated belts that have been installed and used on another installation shall not be reused.
    c. The coated steel belt shall be fitted with a monitoring device which has been accepted by Cal/OSHA and which will automatically stop the car if the residual strength of any single belt drops below 60 percent. If the residual strength of any single belt drops below 60 percent, the device shall prevent the elevator from restarting after a normal stop at a landing.
    d. Upon initial inspection, the readings from the monitoring device shall be documented and submitted to Cal/OSHA.
    e. A successful test of the monitoring device's functionality shall be conducted at least once a year (the record of the annual test of the monitoring device shall be a maintenance

record subject to ASME A17.1-2004, section 8.6.1.4).

f. The coated steel belts used shall be accepted by Cal/OSHA.

2. With respect to each elevator subject to this variance, the applicant shall comply with Cal/OSHA Circular Letter E-10-04, the substance of which is attached hereto as Addendum 1 and incorporated herein by this reference.

3. The Applicant shall not utilize the elevator unless the manufacturer has written procedures for the installation, maintenance, inspection, and testing of the belts and monitoring device and criteria for belt replacement, and the applicant shall make those procedures and criteria available to Cal/OSHA upon request.

4. The flat coated steel belts shall be provided with a metal data tag that is securely attached to one of those belts. This data tag shall bear the following flat steel coated belt data:

   a. The width and thickness in millimeters or inches;

   b. The manufacturer's rated breaking strength in (kN) or (lbf);

   c. The name of the person or organization that installed the flat coated steel belts;

   d. The month and year the flat coated steel belts were installed;

   e. The month and year the flat coated steel belts were first shortened;

   f. The name or trademark of the manufacturer of the flat coated steel belts; and

   g. Lubrication information.

5. There shall be a crosshead data plate of the sort required by section 2.20.2.1, and that plate shall bear the following flat steel coated belt data:

   a. The number of belts;

   b. The belt width and thickness in millimeters or inches; and

   c. The manufacturer's rated breaking strength per belt in (kN) or (lbf).

6. The opening to the hoistway shall be effectively barricaded when car top inspection, maintenance, servicing, or testing of elevator equipment in the hoistway is required. If service personnel must leave the area for any reason, the hoistway and control room doors shall be closed.

7. If there is an inset car top railing:

   a. Serviceable equipment shall be positioned so that mechanics and inspectors do not have to climb on railings to perform adjustment, maintenance, repairs or inspections. The applicant shall not permit anyone to stand on or climb over the car top railing.

   b. The distance that the car top railing may be inset shall be limited to no more than 6 inches.

   c. All exposed areas outside the car top railing shall preclude standing or placing objects or persons which may fall and shall be beveled from the mid- or top rail to the outside of the car top.

d. The top of the beveled area and/or car top outside the railing, shall be clearly marked. The markings shall consist of alternating 4 inch diagonal red and white stripes.

e. The applicant shall provide durable signs with lettering not less than ½ inch on a contrasting background on each inset railing; each sign shall state:

CAUTION
DO NOT STAND ON OR CLIMB OVER RAILING

f. The Group IV requirements for car top clearances shall be maintained (car top clearances outside the railing shall be measured from the car top and not from the required bevel).

8. If the seismic reset switch does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the inspection and test control panel located in one upper floor hoistway door jamb or in the control space (outside the hoistway) used by the motion controller.
9. If the inspection transfer switch required by ASME A17.1, rule 2.26.1.4.4(a) does not reside in a machine room, that switch shall not reside in the elevator hoistway. The switch shall reside in the inspection and test control panel located in one upper floor hoistway door jamb or in the control space (outside the hoistway) used by the motion controller.
10. When the inspection and testing panel is located in the hoistway door jamb, the inspection and test control panel shall be openable only by use of a Security Group I restricted key.
11. The governor speed-reducing switch function shall comply with the following:
    a. It shall be used only with direct drive machines; i.e., no gear reduction is permitted between the drive motor and the suspension means.
    b. The velocity encoder shall be coupled to the driving machine motor shaft. The “C” channel of the encoder shall be utilized for velocity measurements required by the speed reducing system. The signal from “C” channel of the encoder shall be verified with the “A” and “B” channels for failure. If a failure is detected then an emergency stop shall be initiated.
    c. Control system parameters utilized in the speed-reducing system shall be held in non-volatile memory.
    d. It shall be used in conjunction with approved car-mounted speed governors only.
    e. It shall be used in conjunction with an effective traction monitoring system that detects a loss of traction between the driving sheave and the suspension means. If a loss of traction is detected, then an emergency stop shall be initiated.
    f. A successful test of the speed-reducing switch system’s functionality shall be conducted at least once a year (the record of the annual test of the speed-reducing switch system shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).
    g. A successful test of the traction monitoring system’s functionality shall be conducted at least once a year (the record of the annual test of the traction monitoring system shall be a maintenance record subject to ASME A17.1-2004, section 8.6.1.4).

h. The Applicant shall not utilize the elevator unless the manufacturer has written procedures for the maintenance, inspection, and testing of the speed-reducing switch and traction monitoring systems. The Applicant shall make the procedures available to Cal/OSHA upon request.

12. The speed governor rope and sheaves shall comply with the following:

    a. The governor shall be used in conjunction with a 6 mm (0.25 in.) diameter steel governor rope with 6-strand, regular lay construction.

    b. The governor rope shall have a factor of safety of 8 or greater as related to the strength necessary to activate the safety.

    c. The governor sheaves shall have a pitch diameter of not less than 180 mm (7.1 in.).

13. All medical emergency service elevators shall comply with the following:

    a. The requirements of the 2019 California Building Code (CBC), section 3002.4.1a;

    The medical emergency service elevator shall accommodate the loading and transport of two emergency personnel, each requiring a minimum clear 21-inch (533 mm) diameter circular area and an ambulance gurney or stretcher [minimum size 24 inches by 84 inches (610 mm by 2134 mm) with not less than 5inch (127 mm) radius corners] in the horizontal, open position.

    b. All medical emergency service elevators shall be identified in the building construction documents in accordance with the 2019 CBC, section 3002.4a.

    c. Dimensional drawings and other information necessary to demonstrate compliance with these conditions shall be provided to Cal/OSHA, at the time of inspection, for all medical emergency service elevator(s).

14. The elevator shall be serviced, maintained, adjusted, tested, and inspected only by Certified Competent Conveyance Mechanics who have been trained to, and are competent to, perform those tasks on the Gen3 Edge/Gen2S/Gen3 Core elevator system in accordance with the written procedures and criteria required by Condition No. 3 and in accordance with the terms of this permanent variance.

15. Any Certified Qualified Conveyance Company performing inspections, maintenance, servicing, or testing of the elevators shall be provided a copy of this variance decision.

16. Cal/OSHA shall be notified when the elevator is ready for inspection. The elevator shall be inspected by Cal/OSHA, and a Permit to Operate shall be issued before the elevator is placed in service.

17. The Applicant shall be subject to the Suspension Means – Replacement Reporting Condition stated in Addendum 2, as hereby incorporated by this reference.

18. The Applicant shall notify its employees or their authorized representative(s), or both, of this order in the same way and to the same extent that employees and authorized representatives

are to be notified of docketed permanent variance applications.

19. This Decision and Order shall remain in effect unless modified or revoked upon application by the Applicant, affected employee(s), Cal/OSHA, or by the Board on its own motion, in accordance with the Board's procedural regulations at section 426, subdivision (b).

Pursuant to section 426(b), the Proposed Decision is submitted to the Board for consideration of adoption.

DATED: April 24, 2026

Michelle Iorio

Michelle Iorio, Hearing Officer

ADDENDUM 1

October 6, 2010

CIRCULAR LETTER E-10-04

TO: Installers, Manufacturers of Conveyances and Related Equipment and, Other Interested Parties

SUBJECT: Coated Steel Belt Monitoring

The Elevator Safety Orders require routine inspection of the suspension means of an elevator to assure its safe operation.

The California Labor Code section 7318 allows Cal/OSHA to promulgate special safety orders in the absence of regulation.

As it is not possible to see the steel cable suspension means of a Coated Steel Belt, a monitoring device which has been accepted by Cal/OSHA is required on all Coated Steel Belts which will automatically stop the car if the residual strength of any belt drops below 60%. The Device shall prevent the elevator from restarting after a normal stop at a landing.

The monitoring device must be properly installed and functional. A functioning device may be removed only after a determination has been made that the residual strength of each belt exceeds 60%. These findings and the date of removal are to be conspicuously documented in the elevator machine room. The removed device must be replaced or returned to proper service within 30 days.

If upon routine inspection, the monitoring device is found to be in a non-functional state, the date and findings are to be conspicuously documented in the elevator machine room.

If upon inspection by Cal/OSHA, the monitoring device is found to be non-functional or removed, and the required documentation is not in place, the elevator will be removed from service.

If the device is removed to facilitate belt replacement, it must be properly installed and functional before the elevator is returned to service.

A successful test of the device’s functionality shall be conducted once a year.

This circular does not preempt Cal/OSHA from adopting regulations in the future, which may address the monitoring of Coated Steel Belts or any other suspension means.

This circular does not create an obligation on the part of Cal/OSHA to permit new conveyances utilizing Coated Steel Belts.

Debra Tudor
Principal Engineer
Cal/OSHA-Elevator Unit HQS

ADDENDUM 2

Suspension Means - Replacement Reporting Condition

Beginning on the date the Board adopts this Proposed Decision and continuing for a period of two years, the Applicant shall report to Cal/OSHA within 30 days any and all replacement activity performed on the elevator(s) pursuant to the requirements of ASME A17.1-2004, section 8.6.3 involving the suspension means or suspension means fastenings.

Further:

1. A separate report for each elevator shall be submitted, in a manner acceptable to Cal/OSHA, to the following address (or to such other address as Cal/OSHA might specify in the future): Cal/OSHA Elevator Unit, 2 MacArthur Place, Suite 700, Santa Ana, CA 92707, Attn: Engineering section.
2. Each such report shall contain, but not necessarily be limited to, the following information:
    a. The State-issued conveyance number, complete address, and Permanent Variance number that identifies the permanent variance.
    b. The business name, complete address, telephone number, and contact person of the elevator responsible party (presumably the Applicant or the subsequent holder of this variance).
    c. The business name, complete address, telephone number, and Certified Qualified Conveyance Company (CQCC) certification number of the firm performing the replacement work.
    d. The name (as listed on certification), Certified Competent Conveyance Mechanic (CCCM) certification number, certification expiration date, and signature of each CCCM performing the replacement work.
    e. The date and time the elevator was removed from normal service for suspension replacement, the date and time the replacement work commenced, the date and time the replacement work was completed, and the date and time the elevator was returned to normal service.
    f. A detailed description of, and clear color photographs depicting, (1) all the conditions that existed in the suspension components requiring their replacement and (2) any conditions that existed to cause damage or distress to the suspension components being replaced.
    g. A detailed list of all elevator components adjusted, repaired, or replaced in conjunction with the suspension component replacement.
    h. All information provided on the crosshead data plate per ASME A17.1-2004, section 2.20.2.1, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.
    i. For the suspension means being replaced, all information provided on the data tag required per ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is

modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

j. For the replacement suspension means, all information provided on the data tag required by ASME A17.1-2004, section 2.20.2.2, unless that ASME requirement is modified by the conditions of a variance that pertains to the elevator in question, in which case, the information to be reported shall be the information required by the ASME provision as modified by the variance.

k. Any other information requested by Cal/OSHA regarding the replacement of the suspension means or fastenings.

3. In addition to the submission of the report to Cal/OSHA, the findings of any testing, failure analysis, or other engineering evaluations performed on any portion of the replaced suspension components, or other elevator components replaced in conjunction therewith, shall be submitted to Cal/OSHA referencing the information contained in item 2a above.

BEFORE THE
STATE OF CALIFORNIA
OCCUPATIONAL SAFETY AND HEALTH
STANDARDS BOARD

In the Matter of the Variance Application of: **Tutor Perini/O&G JV** **Petitioner**	Docket No. **20-V-096** **DECISION AFTER RECONSIDERATION**

The Occupational Safety and Health Standards Board (Board), acting pursuant to authority vested in it by the California Labor Code and having taken the petition for reconsideration filed by Tutor Perini/O&G JV (Petitioner) under submission, renders the following decision after reconsideration.

On March 6, 2020, Petitioner filed an application for permanent variance with the Board, requesting variance from certain sections of title 8, California Code of Regulations.[1]

A hearing was held by Hearing Officer Michelle Iorio on April 25, 2024, and a panel of Board members Nola Kennedy and Dave Harrison. A request for further information was made by the Hearing Officer to the parties on May 6, 2024, and again on May 15, 2024. The Board adopted the Hearing Officer's proposed decision at the July 18, 2024 board meeting, which denied the variance application.

Petitioner filed a petition for rehearing on October 25, 2024,[2] alleging that the Board's decision was not supported by substantial evidence. The Board granted the petition on November 21, 2024 and has since reviewed the existing record.

The Board finds that the variances requested by Petitioner would not provide equivalent or greater safety than the current regulations as required by Labor Code section 143. Specifically, the Board finds that a construction personnel hoist (CPH) without a stationed operator and with automatic controls will put workers' lives at risk. The current regulation as drafted requires a stationed operator; the operator is necessary due to the operator's familiarity with the specific CPH in use. This familiarity could be the difference between life or death in the instance of a bad break adjustment or with malfunctioning CPH equipment, or in an emergency such as a fire, gas leak, or injury, when time is of the essence. It is also concerning to the Board that in an emergency, under Petitioner's proposal, any person on the job site could operate the

[1] Unless otherwise noted, all references are to title 8, California Code of Regulations.

[2] Due to Board staff's clerical error with service of the variance decision, Petitioner's petition for rehearing was timely pursuant to section 426.1.

CPH regardless of training.

Further, in the case of a seismic event or other emergencies involving fires, manual CPH controls are necessary to prevent the doors from opening when it would be dangerous, as opening the doors would allow smoke to enter the car and risk injuring or killing the occupants. Automatic controls would also prevent override of the CPH when it is necessary to open the doors when and where it would be safest for the CPH occupants to exit the car.

Pursuant to sections 427.3(c) and 427.3(d)(2), the Board has reviewed the existing record and **DENIES** Permanent Variance No. 20-V-096, upholding its initial decision adopted on July 18, 2024.

The Board appreciates that the current CPH regulations may not take into account current technologies and innovations, and that updates to the regulations may be due. The Board directs Board staff to hold an advisory committee to discuss possible changes to the title 8 regulations at issue.

Occupational Safety and Health Standards Board

Business Meeting
Legislative Update

Prepared by the Department of Industrial Relations
Available on the DIR web page: Standards Board (OSHSB) 2026 Meeting Schedule

AB-2137 Occupational safety and health: fabrication activities: slab solid surface products. (2025-2026) – UPDATED

(Chen)

Date	Action
	Set FOR Hearing ON 06-MAY-26 9 a.m.
04/23/26	From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 0.) (April 22). Re-referred to Com. on APPR.
04/16/26	Re-referred to Com. on L. & E.
04/15/26	From committee chair, with author's amendments: Amend, and re-refer to Com. on L. & E. Read second time and amended.
03/23/26	Re-referred to Com. on L. & E.
03/19/26	From committee chair, with author's amendments: Amend, and re-refer to Com. on L. & E. Read second time and amended.
03/19/26	Referred to Com. on L. & E.
02/19/26	From printer. May be heard in committee March 21.
02/18/26	Read first time. To print.

Summary:

AB 2137, as amended, Chen. Occupational safety and health. health: fabrication activities: slab solid surface products.

Existing law establishes the Occupational Safety and Health Standards Board within the Department of Industrial Relations to adopt occupational safety and health standards for the state, including standards dealing with exposure to harmful airborne contaminants. Existing law requires the Division of Occupational Safety and Health within the department to enforce all occupational safety and health standards, as specified.

Existing law imposes restrictions on specified high-exposure trigger tasks on artificial stone, as those terms are defined. Specifically, a person or entity engaged in high-exposure trigger tasks is prohibited from using dry methods, and is required to use effective wet methods when engaging in any high-exposure trigger tasks. Existing law requires the owner or operator of a fabrication shop, or any individual who will employ another individual to perform high-exposure trigger tasks in a fabrication shop, to ensure that an employee who will perform high-exposure tasks receives

specified training and to annually attest to the division that these employees have been trained. Existing law requires the division to enforce these provisions by issuing a citation alleging a violation and a notice of civil penalty.

This bill would require, on or before January 1, 2028, the department to develop an application and certification process for fabrication shops to lawfully engage in slab solid surface product fabrication activities. The bill would authorize fabrication shops to engage in those fabrication activities during the pendency of the application development and certification process. The bill would require the department to develop an initial deposit process for fabrication shops to, during the pendency of the application development and certification process, submit a deposit fee for the application and certification subject to specified requirements, including that the deposit amount goes towards the initial certification fee collected by the department.

This bill would require, beginning July 1, 2028, the department to grant a 3-year certification to a fabrication shop that demonstrates satisfaction of specified criteria involving workplace safety conditions and precautions, and would authorize certification renewal, as specified. Among other conditions, the bill would establish certain regulatory fees in amounts to be determined and adjusted by the department, as specified, for the certification and renewal thereof. The bill would authorize the department to suspend or revoke a certification in certain cases, including for gross negligence, as specified. The bill would require the department, in consultation with the division and the State Department of Public Health, to track and keep a record of specified information on fabrication shops, including the number of citations issued to any of the fabrication shops for failure to comply with any temporary or future standards relating to respirable crystalline silica, as specified.

This bill would prohibit a person or entity, or an employee thereof, from engaging in fabrication activities, as defined, on slab solid surface products unless they conduct the fabrication activities at a fabrication shop that has submitted a valid initial deposit to the department, or, after July 1, 2028, has submitted an application for initial certification or renewal and the application is pending or has a valid certification, as provided. The bill would require the division to enforce this prohibition by issuing a citation alleging a violation and a notice of civil penalty.

This bill would prohibit, beginning July 1, 2028, a person from supplying a slab solid surface product directly to a person, entity, or business engaged in fabrication activities on those products if the person, entity, or business does not have a valid, or pending application for, certification. The bill would require a person that supplies a slab solid surface product to a person, entity, or business engaged in fabrication activities on those products to verify that the person, entity, or business has a certification, or a pending application for certification, as specified. The bill would require a person that supplies a slab solid surface product to a person, entity, or business that is not engaged in fabrication activities to rely on written certification issued under penalty of perjury that, among other things, they will not directly engage in fabrication activities with the product without a certification. By expanding the scope of the crime of perjury, the bill would impose a state-mandated local program. The bill would require a person that seeks services that require fabrication activities and enters into a contract with a person, entity, or business to undertake fabrication activities to verify that the person, entity, or business has a valid certificate before engaging with and providing slab solid surface products to that person, entity, or business. The bill would require the division to enforce these requirements by issuing a citation alleging a violation and a notice of civil penalty.

The bill would establish the Slab Fabrication Activity Account in the Occupational Safety and Health Fund in the State Treasury, and would require all fees, penalties, or other moneys collected by the department under the bill and under the above-described provisions relating to high-exposure trigger tasks to be deposited into the account. The bill would authorize moneys in the account to be expended by the department, upon appropriation by the Legislature, for the purposes

of administering the bill and other provisions related to silicosis risk exposure in fabrication shops.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Board staff is monitoring for potential impacts on Board operations.

AB 2321, as amended, Ortega. Bureau of Investigations. (2025-2026) – UPDATED

(Ortega)

Date	Action
04/29/26	In committee: Set, first hearing. Referred to APPR. suspense file.
04/09/26	From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 0.) (April 8). Re-referred to Com. on APPR.
04/09/26	Coauthors revised.
03/17/26	Re-referred to Com. on L. & E.
03/16/26	From committee chair, with author's amendments: Amend, and re-refer to Com. on L. & E. Read second time and amended.
03/16/26	Referred to Com. on L. & E.
02/20/26	From printer. May be heard in committee March 22.
02/19/26	Read first time. To print.

Summary:

AB 2321, as amended, Ortega. Bureau of Investigations.

Existing law makes the Bureau of Investigations within the Division of Occupational Safety and Health responsible for directing accident investigations involving violations of laws, standards, and orders in which there is a serious injury, death, or request for prosecution by a division representative, reviewing inspection reports involving a serious violation if there have been serious injuries or a serious exposure, and preparing cases for the purpose of prosecution, as specified. Existing law requires the bureau to refer the results of investigations it is required to conduct to the appropriate prosecuting authority having jurisdiction for appropriate action unless it determines that there is legally insufficient evidence of a violation of the law.

This bill would require the bureau to establish written policies and procedures for the process of

reviewing cases and whether to investigate or refer them for prosecution. The bill would, upon appropriation of sufficient funding, remove the bureau's investigation responsibility for violations in which there is a death or permanent total disability, as defined, and would instead require the appropriate prosecuting authority to be responsible for directing those investigations, as specified. The bill would require the division to notify the prosecuting authority and provide information to the authority, as specified. The bill would authorize the Occupational Safety and Health Fund or the Labor and Workforce Development Fund to be expended by the prosecuting authorities, upon appropriation, for the support of these investigatory activities. By imposing new responsibilities on prosecuting authorities, this bill would impose a state-mandated local program.

Existing law requires the bureau to submit an annual report to the division on its activities.

This bill would additionally require the report to be submitted to the Legislature and to include information relating to job classifications and vacancies within the bureau.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Board staff is monitoring for potential impacts on Board operations.

AB-2499 Corrections: prison conditions. (2025-2026) –UPDATED

(Gipson)

Date	Action
05/06/26	In committee: Set, first hearing. Referred to APPR. suspense file.
04/23/26	From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 0.) (April 22). Re-referred to Com. on APPR.
04/14/26	Re-referred to Com. on L. & E.
604/13/26	From committee chair, with author's amendments: Amend, and re-refer to Com. on L. & E. Read second time and amended.
03/25/26	From committee: Do pass and re-refer to Com. on L. & E. (Ayes 7. Noes 0.) (March 24). Re-referred to Com. on L. & E.
03/25/26	Coauthors revised.
03/09/26	Referred to Coms. on PUB. S. and L. & E.

02/21/26	From printer. May be heard in committee March 23.
02/20/26	Read first time. To print.

Summary:

AB 2499, as introduced, Gipson. Corrections: prison conditions.

Under existing law, the California Occupational Safety and Health Act of 1973, the Division of Occupational Safety and Health investigates complaints that a workplace is not safe and may issue orders necessary to ensure employee safety. Under existing law, certain violations of those provisions or a standard, order, or special order authorized by those provisions are a crime.

Existing law establishes the Department of Corrections and Rehabilitation and sets forth its powers and duties regarding the administration of correctional facilities and the care and custody of inmates. Existing law establishes the Office of Emergency Services within the office of the Governor. Existing law requires the Office of Emergency Services to be responsible for the state's emergency and disaster response services for natural, technological, or manmade disasters and emergencies.

This bill, Adrienne's Act, would require the division, by July 1, 2027, to submit a rulemaking proposal for the Occupational Safety and Health Standards Board's review and adoption, specifically applicable to workers in any prison or institution under the jurisdiction of the Department of Corrections and Rehabilitation, as specified.

This bill would require the department to comply with these provisions and any order, rule, or regulation adopted by the Occupational Safety and Health Standards Board pursuant to them. Because this bill would expand the definition of an existing crime, this bill would impose a state-mandated local program.

This bill would also adopt the Climate Justice in Prisons Emergency Response Act, which would require the department to take various actions at specified times, relating to climate control and working conditions in prisons, including, among other things, establishing and implementing minimum interim relief measures during excessive weather events and establishing a working group consisting of representatives from various entities, including community-based organizations and an incarcerated person advisory council. The bill would require the department, subject to an appropriation by the Legislature, to implement a plan to ensure that living quarters, work areas, and recreational spaces at correctional facilities are equipped with specified cooling systems and to install shade structures at facilities that have the greatest exposure to excessive heat. The bill would require the department, by July 1, 2027, to establish a Temperature Monitoring and Data Transparency Pilot Program in at least 3 prisons that represent distinct climate zones. Under the program, the bill would require the department to collect certain temperature data and provide weekly and quarterly summary data, from digital sensors installed at the prisons, to the Office of the Inspector General, the Division of Occupational Safety and Health, and the appropriate policy and budget committees of the Legislature, as specified. The bill would require the department to establish a monitoring system that includes data collection and reporting mechanisms in order to carry out the provisions of the act.

This bill would make related findings and declarations.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that

reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Board staff is monitoring for potential impacts on Board operations.

SB-966 Refinery and chemical plants. (2025-2026) – NEW

(Gonzalez)

Date	Action
05/04/26	May 4 hearing: Placed on APPR. suspense file.
04/24/26	Set for hearing May 4.
04/23/26	April 27 hearing postponed by committee.
04/17/26	Set for hearing April 27.
04/15/26	From committee: Do pass and re-refer to Com. on APPR. (Ayes 4. Noes 1.) (April 15). Re-referred to Com. on APPR.
04/09/26	Set for hearing April 15.
04/08/26	Re-referred to Com. on L., P.E. & R.
03/25/26	From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.
02/11/26	Referred to Com. on RLS.
02/04/26	From printer. May be acted upon on or after March 6.
02/03/26	Introduced. Read first time. To Com. on RLS. for assignment. To print.

Summary:

SB 966, as amended, Gonzalez. Refinery and chemical plants.

Existing law, the California Refinery and Chemical Plant Worker Safety Act of 1990, requires the Occupational Safety and Health Standards Board and the Division of Occupational Safety and Health to promote worker safety through implementation of training and process safety management practices in refineries, chemical plants, and other appropriate facilities, including by adopting process safety management standards and regulations. The act defines “process safety management” and other terms for its purposes. The act also requires an employer to develop and maintain written safety information, emergency action plans, operating procedures, procedures to

manage changes, and inspection and testing programs.

This bill would require an employer, in consultation with employees and employee representatives, to develop, implement, and maintain a written plan to effectively provide for employee participation in all process safety management elements. The bill would also require, on or before April 1, 2027, an employer, in consultation with employee and employee representatives, to develop and implement stop work procedures and procedures for reporting and responding to hazards, as specified. The bill would require an employer to document specific information relating to a partial or complete shut down of an operation or process and reports of hazards. The bill would provide how employees who are and who are not represented by an authorized collective bargaining agent participate in the development of these plans and procedures.

Board staff is monitoring for potential impacts on Board operations.

SB-1046 Occupational safety: transboundary pollution. (2025-2026) – UPDATED

(Blakespear/Padilla)

Date	Action
04/20/26	April 20 hearing: Placed on APPR. suspense file.
04/14/26	Set for hearing April 20.
04/09/26	Read second time and amended. Re-referred to Com. on APPR.
04/08/26	From committee: Do pass as amended and re-refer to Com. on APPR. (Ayes 4. Noes 0.) (April 8).
03/26/26	Set for hearing April 8.
03/25/26	Re-referred to Com. on L., P.E. & R.
03/17/26	From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.
02/18/26	Referred to Com. on RLS.
02/12/26	Referred to Com. on L. & E.
02/20/26	From printer. May be acted upon on or after March 14.
02/11/26	Introduced. Read first time. To Com. on RLS. for assignment. To print.

Summary:

SB 1046, as amended, Blakespear. Occupational safety: transboundary pollution.

Existing law, the California Occupational Safety and Health Act of 1973, exists for the purpose of assuring safe and healthful working conditions for all California workers by authorizing the enforcement of effective standards, assisting and encouraging employers to maintain safe and healthful working conditions, and providing for research, information, education, training, and enforcement in the field of occupational safety and health. Existing law establishes the Occupational Safety and Health Standards Board within the Department of Industrial Relations for the adoption of occupational safety and health standards and establishes the Division of Occupational Safety and Health in that department for the enforcement of those occupational safety and health standards, as prescribed.

This bill would require the division, on or before January 1, 2030, to propose to the board for its review and adoption, a standard that protects the health and safety of employees who risk high or prolonged exposure to transboundary pollution, as defined, in outdoor occupational environments, as specified. The bill would require the board to consider identifying an exposure threshold for hydrogen sulfide at which acute or chronic health effects occur to reference in the standards and may consider exposure thresholds for other relevant pollutants. The bill would authorize the board to develop the standard in consultation with other specified groups. The bill would authorize the board to adopt emergency regulations to implement these provisions.

Board staff is monitoring for potential impacts on Board operations.

H.R.86 NOSHA Act. (2025-2026) – NO UPDATE

(Biggs)

Date	Action
01/03/25	Referred to the House Committee on Education and Workforce.
01/03/25	Introduced in House

Summary:

H.R., as introduced, Biggs. NOSHA Act.

This bill abolishes the Occupational Safety and Health Administration (OSHA) and its functions. OSHA, which is part of the Department of Labor, sets and enforces workplace safety and health standards and provides related training, outreach, education, and assistance.

Board staff is monitoring for potential impacts on Board operations.

H.R.5437 Protection of Lawful Commerce in Stone Slab Products Act. (2025-2026) – NEW

(McClintock/Biggs)

Date	Action
09/17/25	Referred to the House Committee on the Judiciary
09/17/25	Introduced in House

Summary:

H.R., as introduced, McClintock and Biggs. Protection of Lawful Commerce in Stone Slab Products Act.

To prohibit civil actions brought against a manufacturer or seller of a stone slab product for harm resulting from the alteration of such a product by a fabricator, and for other purposes.

Board staff is monitoring for potential impacts on Board operations.