

HB568 ENROLLED



1 HB568
2 2JZB6SI-3
3 By Representative Sells
4 RFD: State Government
5 First Read: 05-Mar-26



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1 Enrolled, An Act,

2

3 Relating to the Department of Workforce; to amend
4 Sections 25-5-316, 25-8-45, 25-8-59, 25-12-7, 25-12-18,
5 25-13-6, 25-13-12, and 25-13-15, Code of Alabama 1975, to
6 increase the fee for the child labor certificates; to provide
7 for the distribution of penalty fees collected for violating
8 child labor laws; to further provide for boiler and pressure
9 vessel exceptions; to further provide for the fee for pressure
10 vessel certificates of inspection and its distribution; to
11 further provide for the duties of the Elevator Safety Review
12 Board and elevator safety standards; to extend the renewal
13 period for certain licenses; and to prohibit certain persons
14 from altering conveyances.

15 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

16 Section 1. Sections 25-5-316, 25-8-45, 25-8-59,
17 25-12-7, 25-12-18, 25-13-6, 25-13-12, and 25-13-15, Code of
18 Alabama 1975, are amended to read as follows:

19 "§25-5-316

20 (a) There is established in the State Treasury a fund
21 entitled the Workers' Compensation Administrative Trust Fund,
22 into which ~~shall be deposited~~ certain assessments collected by
23 the Department of Workforce, as provided for under Chapter 5
24 ~~(commencing with Section 25-5-1)~~ of Title 25, shall be
25 deposited. ~~collected by the Department of Labor.~~ The fund
26 shall constitute a separate fund to be disbursed by the ~~state~~
27 Comptroller on order of the Secretary of the ~~Department of~~
28 ~~Labor~~ Department of Workforce. All expenses incurred by the



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29 department under the Workers' Compensation Law, including the
30 salaries of all employees, ~~travel-cost~~ costs, and any other
31 cost of administration and enforcement as may become
32 necessary, either within or without the state, shall be paid
33 from the separate fund in the State Treasury upon warrants of
34 the ~~state~~ Comptroller drawn upon the State Treasury from time
35 to time when vouchers therefor are approved by the secretary.
36 The State Treasurer shall pay ~~moneys~~ monies from the separate
37 fund upon the order of the secretary. ~~The total expense for~~
38 ~~every purpose incurred shall not exceed the total assessment~~
39 ~~collected and paid into the fund.~~ The total expense for every
40 purpose incurred in implementing this article shall not exceed
41 the amount appropriated by the Legislature in the general fund
42 appropriation act. No funds shall be withdrawn or expended
43 except those budgeted and allocated in accordance with Article
44 4 (~~commencing with Section 41-4-80~~) of Chapter 4 of Title 41.
45 All ~~moneys~~ monies remaining unexpended in the separate fund at
46 the end of the fiscal year shall remain in the State Treasury
47 to be expended ~~as herein provided~~ at the discretion of the
48 secretary to cover the operational costs of administering the
49 workers' compensation program which are not otherwise covered
50 by this subsection, provided that those unexpended monies
51 shall not be used in any manner that results in an additional
52 assessment, fee, surcharge, levy, or other charge against any
53 insurance carrier, self-insured employer, or group
54 self-insurance fund. Included in the budget shall be an amount
55 of money allocated for the specific and exclusive purpose of
56 paying only benefits to the claimants who have qualified to



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57 receive benefits from the Second Injury Trust Fund on May 19,
58 1992. Payments of these benefits shall be made weekly. The
59 secretary shall each week make requisitions to the ~~state~~
60 Comptroller who shall draw warrants on the State Treasurer for
61 the weekly compensation amount. The warrants shall be drawn
62 only if there are sufficient ~~moneys~~moneys in the State
63 Treasury for immediate payment. Claims shall take priority in
64 an ascending numerical order according to the time of the
65 accident, and the time shown in the settlement between the
66 employer and employee shall be prima facie evidence of the
67 time of the accident. No funds allocated for the payment of
68 benefits from the fund shall be used to pay lump-sum
69 ~~attorney's~~attorney fees. Payment shall resume at the end of
70 the first week of the fiscal year in which the Legislature
71 approves the requested budget for the Workers' Compensation
72 Administrative Trust Fund. The claimants who were receiving
73 weekly benefits from the Second Injury Trust Fund as of August
74 31, 1991, shall be paid all weekly benefits due to date and
75 the benefits shall be continued for the duration of claim.
76 Those amounts shall be paid from the ~~moneys~~moneys as
77 allocated.

78 (b) The State Treasurer shall determine if the money in
79 the trust fund shall be kept in cash or invested. The
80 ~~moneys~~moneys in the fund may be invested by the State
81 Treasurer and all ~~moneys~~moneys and interest remaining
82 unexpended in the separate fund provided at the end of the
83 fiscal year shall remain in the State Treasury to be expended
84 as herein provided.



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85 (c) The secretary is designated as trustee of the fund
86 and the State Treasurer is designated as custodian of the
87 fund, and both shall furnish bonds in amounts deemed
88 appropriate. The cost of bonds for the trustee, custodian, and
89 other employees or officials required to post bond in
90 connection with the program shall be paid out of the fund.

91 (d) Each insurance carrier, self-insured employer, and
92 group fund shall be assessed ~~\$250.00~~ two hundred fifty dollars
93 (\$250). The gross claims for compensation and medical payments
94 paid by the carriers, self-insured employers, and group funds
95 are the basis for computing the amount to be assessed. The
96 amount of assessment shall be based upon the proportion that
97 the total gross claims for compensation and medical payments
98 paid by the carrier, self-insured employer, or group fund
99 during the preceding calendar year bore to the total gross
100 claims for compensation and medical payments paid by all
101 carriers, self-insured employers, and group funds during that
102 period. The total assessment shall not exceed ~~\$5,000,000.00~~
103 five million dollars (\$5,000,000) per year. The secretary
104 shall determine if the assessment shall be a specific amount
105 or shall be a percentage of gross claims for compensation and
106 medical payments paid by the insurance carriers, self-insured
107 employers, and group funds. An assessment shall not exceed an
108 amount reasonably necessary to defray the necessary
109 administration expense.

110 (e) The department shall provide by regulation for the
111 collection of the amounts assessed against each insurance
112 carrier, self-insured employer, and group fund. The amounts



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113 shall be paid within 30 days from the date that the notice is
114 served upon the insurance carrier, self-insured employer, and
115 group fund. If the amounts are not paid within that period,
116 there may be assessed, for each 30 days that the amount ~~se~~
117 assessed remains unpaid, a civil penalty equal to 10 percent
118 of the amount unpaid. The amount of the civil penalty shall be
119 collected at the same time the amount assessed is collected.

120 (f) If an insurance carrier, self-insured employer, or
121 group fund fails to pay the amounts assessed against it within
122 60 days from the time the notice is served, the department may
123 suspend or revoke the authorization to the self-insurer and
124 may request that the Department of Insurance revoke the
125 authority of the insurance company to insure workers'
126 compensation.

127 (g) The department may require from each insurance
128 carrier, self-insured employer, and group fund reports with
129 respect to all payments of compensation and medical payments
130 by the insurance carriers, self-insured employers, or group
131 funds during each calendar year, and may determine the amounts
132 paid by each insurance carrier, self-insured employer, and
133 group fund and may determine the amounts paid by all insurance
134 carriers, self-insured employers, and group funds during the
135 period.

136 (h) On or before ~~the first day of~~ March 1 of each year,
137 every insurance carrier, self-insured employer, and group fund
138 shall file with the department a statement on the prescribed
139 forms showing the gross claims for compensation and medical
140 payments paid by the insurance carrier, self-insured employer,



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141 or group fund during the preceding one-year period ending on
142 ~~the 31st day of December~~ 31. Any insurance carrier,
143 self-insured employer, or group fund ~~which~~ that neglects to
144 file its annual written statement within the time provided in
145 this manner shall pay to the Workers' Compensation
146 Administrative Trust Fund a penalty for each day's neglect in
147 an amount prescribed by rule of the secretary.

148 (i) All money collected under this section shall be
149 deposited in the Workers' Compensation Administrative Trust
150 Fund."

151 "§25-8-45

152 (a) No individual, entity, franchise, corporation, or
153 division of a corporation shall employ, permit, or ~~suffer~~
154 allow to work any minor 14 or 15 years of age in any
155 occupation, except in agricultural service, unless the
156 individual, entity, franchise, corporation, or division of a
157 corporation procures and keeps on file, for the inspection by
158 the officials charged with the enforcement of this chapter, a
159 complete list of those individuals 14 or 15 years of age
160 employed by the employer.

161 (b) Any individual, entity, franchise, corporation, or
162 division of a corporation that wishes to employ, permit, or
163 ~~suffer~~ allow to work any minor 14 or 15 years of age in any
164 occupation, except in agricultural service, shall obtain a
165 Class I Child Labor Certificate from the department for each
166 location where an individual, entity, franchise, corporation,
167 or division of a corporation wishes to employ a minor 14 or 15
168 years of age. The employment shall be in accordance with this



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169 chapter.

170 (c) The certificate shall allow the employment of
171 minors 14 or 15 years of age to work only outside of school
172 hours or during vacation periods and only in occupations not
173 prohibited by this chapter for individuals of these ages.

174 (d) The employment of a minor 14 or 15 years of age
175 shall be revoked or suspended by the department if the minor's
176 regular school attendance and performance record is not
177 satisfactory to the head administrator, or, if home schooled,
178 an instructor of the school that the minor attends. The
179 revocation or suspension shall be processed by the department
180 upon notification by the school.

181 (e) Any individual, entity, franchise, corporation, or
182 division of a corporation that wishes to employ, permit, or
183 ~~suffer~~allow to work any minor 16 or 17 years of age in any
184 occupation, except in agricultural service, shall obtain a
185 Class II Child Labor Certificate from the department for each
186 location where an individual, entity, franchise, corporation,
187 or division of a corporation wishes to employ a minor 16 or 17
188 years of age. The employment shall be in accordance with this
189 chapter.

190 (f) The department shall issue Class I and Class II
191 Child Labor Certificates to any individual, entity, franchise,
192 corporation, or division of a corporation that applies to the
193 department. The fee for a Class I or Class II Child Labor
194 Certificate shall be fifteen dollars (\$15). The certificates
195 shall be issued annually.

196 (g) (1) The application for the child labor certificate



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197 shall contain all of the following information specific to the
198 location of the minor's employment:

199 a. The name, address, and telephone number of the
200 individual, entity, franchise, corporation, or division of a
201 corporation that wishes to employ, permit, or ~~suffer~~allow to
202 work any minor.

203 b. The type of business or entity, the federal employer
204 identification number, the names of all incorporators, owners,
205 members, or partners of the business or entity.

206 c. Any other information as required by department
207 rule.

208 (2) The Class I and Class II Child Labor Certificates
209 shall contain all of the following information:

210 a. The name of the employer.

211 b. The type of business the employer maintains.

212 c. Any other information as required by department
213 rule.

214 (3) If an individual, entity, franchise, corporation,
215 or division of a corporation employs a minor between 14 and 17
216 years of age without a proper child labor certificate, the
217 individual, entity, franchise, corporation, or division of a
218 corporation shall pay a penalty of fifty dollars (\$50) per
219 minor and then shall obtain a certificate in the proper
220 manner.

221 (4) The parent or guardian of a minor who is 14 or 15
222 years of age and employed by an individual, entity, franchise,
223 corporation, or division of a corporation shall notify the
224 minor's head administrator, counselor, or if home schooled,



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225 an instructor of the school ~~which~~that the minor attends, of
226 the name, address, and telephone number of the
227 ~~person~~individual, entity, franchise, corporation, or division
228 of a corporation employing the minor."

229 "§25-8-59

230 (a) Any employer who violates this chapter, or who
231 fails or refuses to obey within a reasonable time any lawful
232 order or direction given by the state officials charged with
233 the enforcement of this chapter, and any parent, guardian, or
234 custodian who ~~suffers~~allows or permits an individual under
235 his or her care or control who is under 19 years of age to
236 work in violation of this chapter, shall be subject to civil
237 penalties in addition to other penalties provided in this
238 chapter.

239 (b) The department may impose a civil penalty of not
240 less than three hundred dollars (\$300) upon a determination
241 that an employer has violated a statutory provision of Section
242 25-8-35(a)(17), 25-8-36, 25-8-37, 25-8-38, 25-8-39, 25-8-40,
243 ~~25-8-41~~, 25-8-44(a), 25-8-44(b), 25-8-45, 25-8-54, 25-8-57,
244 25-8-60, or 25-8-61.

245 (c) The department shall impose a civil penalty of five
246 thousand dollars (\$5,000) to ten thousand dollars (\$10,000)
247 upon a determination that an employer has violated a statutory
248 provision of Section 25-8-33, 25-8-35(a)(1) through
249 25-8-35(a)(16), 25-8-43(a), or 25-8-44(d).

250 (d) In determining the number of violations committed
251 by an employer, the department may assess a separate civil
252 penalty for each individual employee affected by the



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253 employer's violation.

254 (e) In addition, the department may assess more than
255 one civil penalty against an employer with respect to the same
256 adversely affected employee if the employer has violated more
257 than one statutory provision of this chapter.

258 (f) The employer shall be notified of a civil penalty
259 assessment by the Notice of Violation and Opportunity to Show
260 Cause which shall be sent to the employer.

261 (g) The Notice of Violation and Opportunity to Show
262 Cause shall provide all of the following:

263 (1) The total civil penalty assessed.

264 (2) The right of the employer to request in writing a
265 hearing to show cause why the civil penalty should not be
266 assessed.

267 (3) An advisement that no hearing shall be granted
268 unless a written request for a hearing is received by the
269 department within 30 days from the date of issue of the
270 notice.

271 (4) The right of the employer to waive the right to
272 request a hearing and to respond in writing to the notice
273 within 30 days of the issue date of the notice.

274 (h) Any employer who seeks to contest a civil penalty
275 assessment shall file, within 30 days from the date the Notice
276 of Violation and Opportunity to Show Cause was issued, a
277 written request for an opportunity to be heard which shall
278 clearly state the reasons for the request, including facts to
279 demonstrate that no violation has occurred.

280 (i) If the secretary or his or her designee determines



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281 that the employer has stated adequate facts or legal grounds
282 to warrant a hearing, the secretary or his or her designee
283 shall provide written notice of the hearing to show cause why
284 a civil penalty should not be assessed and shall mail written
285 notice to the employer of the date, time, and place of the
286 hearing. The determination shall be within the discretion of
287 the secretary or his or her designee. The notice shall inform
288 the employer of the employer's rights in the hearing including
289 the following:

290 (1) The right to be represented by any
291 ~~person~~individual, including an attorney.

292 (2) The right to present documentary evidence and a
293 written argument in support of the employer's position.

294 (j) A request for postponement of a scheduled hearing
295 shall only be granted where the rights of an employer would be
296 substantially prejudiced by the denial of the request or in a
297 medical emergency. Only the secretary or his or her designee
298 has discretion to grant such requests.

299 (k) Following a hearing or after the employer has
300 waived the right to request a hearing, the secretary or his or
301 her designee may uphold or modify the civil penalty
302 assessment. This determination shall be within the sole
303 discretion of the secretary or his or her designee.

304 (l) If the employer requests a hearing but the
305 secretary or his or her designee denies the request for a
306 hearing, the total civil penalty assessed in the notice shall
307 be the final civil penalty.

308 (m) If the employer does not request a hearing or



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309 respond in writing to the notice, the total civil penalty
310 assessed in the notice shall be the final civil penalty unless
311 otherwise modified by the secretary or his or her designee.

312 (n) The department may file an action for the
313 collection of civil penalties imposed pursuant to this section
314 against an employer in the county where the violation
315 occurred.

316 ~~(o) All monies received from the assessment of any~~
317 ~~penalty pursuant to this section shall accrue to the State~~
318 ~~General Fund.~~

319 ~~(p)~~ (o) In addition to the civil penalties provided for
320 in subsection (b), an employer who violates this chapter may
321 be deemed guilty of a Class B or Class C misdemeanor. A first
322 conviction shall be deemed a Class C misdemeanor. A second or
323 subsequent conviction shall be deemed a Class B misdemeanor.

324 ~~(q)~~ (p) In addition to civil penalties provided for in
325 subsection (c), an employer who is found in violation of
326 subsection (c) involving serious physical injury to or death
327 of a minor may be deemed guilty of a Class B felony or Class C
328 felony. A first conviction shall be deemed a Class C felony. A
329 second or subsequent conviction shall be deemed a Class B
330 felony."

331 "§25-12-7

332 (a) This chapter shall not apply to the following
333 boilers and pressure vessels:

334 (1) Boilers and pressure vessels under federal control
335 or under regulations of Title 49 of the Code of Federal
336 Regulations, Parts 192 and 193.



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337 (2) Pressure vessels used for transportation and
338 storage of compressed or liquefied gases when constructed in
339 compliance with specifications of the United States Department
340 of Transportation and when charged with gas or liquid, marked,
341 maintained, and periodically requalified for use, as required
342 by appropriate regulations of the United States Department of
343 Transportation.

344 (3) Pressure vessels located on vehicles operating
345 under the rules of other state or federal authorities and used
346 for carrying passengers or freight.

347 (4) Air tanks installed on the ~~right-of-way~~
348 right-of-way of railroads and used directly in the operation
349 of trains.

350 (5) Pressure vessels that do not exceed any of the
351 following weights and measures:

352 a. Five cubic feet in volume and 250 psig pressure.

353 b. One and one-half cubic feet in volume and 600 psig
354 pressure.

355 c. An inside diameter of six inches with no limitation
356 on pressure.

357 (6) Pressure vessels having an internal or external
358 working pressure not exceeding 15 psig with no limit on size.

359 (7) Pressure vessels with a nominal ~~water-containing~~
360 water-containing capacity of 120 gallons or less for
361 containing water under pressure, including those containing
362 air, the compression of which serves only as a cushion.

363 (8) Pressure vessels containing water heated by steam
364 or any other indirect means when none of the following



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365 limitations are exceeded:

366 a. A heat input of 200,000 BTU per hour.

367 b. A water temperature of 210 degrees Fahrenheit.

368 c. A nominal ~~water containing~~ water-containing capacity
369 of 120 gallons.

370 (9) Hot water supply boilers, equipped with
371 ASME-National ~~Board approved~~ Board-approved safety relief
372 valves, which are directly fired with oil, gas, or electricity
373 when none of the following limitations are exceeded:

374 a. Heat input of 200,000 BTU per hour.

375 b. Water temperature of 210 degrees Fahrenheit.

376 c. Nominal ~~water containing~~ water-containing capacity
377 of 120 gallons.

378 (10) Pressure vessels in the care, custody, and control
379 of research facilities and used solely for research purposes
380 which require one or more details of noncode construction or
381 which involve destruction or reduced life expectancy of those
382 vessels.

383 (11) Pressure vessels or other structures or components
384 that are not considered to be within the scope of ASME Code,
385 Section VIII.

386 (12) Boilers and pressure vessels operated and
387 maintained for the production and generation of electricity. A
388 person, firm, partnership, or corporation operating such a
389 boiler or pressure vessel shall have insurance or shall be
390 self-insured. The boiler or pressure vessel shall be regularly
391 inspected in accordance with the minimum requirements for
392 safety as defined in the ASME Code by an inspector who has



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393 been issued a certificate of competency by the secretary in
394 accordance with Section 25-12-10.

395 ~~(13) Boilers and pressure vessels operated and~~
396 ~~maintained as a part of a manufacturing process. A person,~~
397 ~~firm, partnership, or corporation operating such a boiler or~~
398 ~~pressure vessel shall have insurance or shall be self-insured.~~

399 ~~(14)~~ (13) Boiler or pressure vessels that are subject to
400 OSHA standards of compliance.

401 ~~(15)~~ (14) Boilers and pressure vessels operated and
402 maintained by a public utility, including, but not limited to,
403 boilers and pressure vessels operated and maintained for the
404 production of electricity.

405 ~~(16)~~ (15) Autoclaves used only for the sterilization of
406 reusable medical or dental implements in the place of business
407 of any professional licensed by the laws of this state.

408 (b) The following boilers and pressure vessels shall be
409 exempt from the requirements of subsections (b), (c), and (d)
410 of Section 25-12-14 and Sections 25-12-15 and 25-12-16:

411 (1) Boilers or pressure vessels located on farms and
412 used solely for agricultural or horticultural purposes.

413 (2) Heating boilers or pressure vessels ~~which~~ that are
414 located in private residences or in apartment houses of less
415 than six family units.

416 (3) Any pressure vessel used as an external part of an
417 electrical circuit breaker or transformer.

418 (4) Pressure vessels on remote oil or gas-producing
419 lease locations that have fewer than 10 buildings intended for
420 human occupancy per 0.25 square mile and where the closest



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421 building is at least 220 yards from any vessel.

422 (5) Pressure vessels used for storage of liquid propane
423 gas under the jurisdiction of the State Fire Marshal, except
424 for pressure vessels used for the storage of liquefied
425 petroleum gas, 2,000 gallons or above, which have been
426 modified or altered.

427 (6) Air storage tanks not exceeding 16 cubic feet, 120
428 gallons, ~~in size,~~ and ~~under~~ 250 psig pressure.

429 (7) This chapter exempts and shall not regulate any and
430 all pressure vessels associated in any way with oil, natural
431 gas, and related by-products, feedstock, and product
432 manufacturing operations, including exploration, production,
433 gas processing, treating refining chemical, pipeline, supply,
434 storage, and transportation. This subdivision shall not apply
435 to buildings or businesses, or both, subject to public
436 utilization."

437 "§25-12-18

438 The owner or user of a boiler or pressure vessel
439 required by this chapter to be inspected by the chief
440 inspector or his or her deputy inspector shall pay directly to
441 the chief inspector, upon completion of inspection, fees as
442 prescribed in rules ~~and regulations promulgated~~ adopted by the
443 secretary. ~~Pressure vessel certificates of inspection fees~~
444 ~~shall not exceed ten dollars (\$10) annually.~~ The chief
445 inspector shall transfer all fees received to a separate fund
446 in the State Treasury to the credit of the department for its
447 operation. All funds, pursuant to this chapter, deposited in
448 the State Treasury shall be appropriated by the Legislature to



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449 the Secretary of ~~Labor~~ Workforce pursuant to the Budget
450 Management Act and Article 4 of Chapter 4 of Title 41. ~~All~~
451 ~~fees collected above the appropriated amount shall be~~
452 ~~transferred to the General Fund at the end of each fiscal~~
453 ~~year."~~

454 "§25-13-6

455 (a) The board may consult with engineering authorities
456 and organizations concerned with standard safety codes and
457 rules governing the operation, maintenance, servicing,
458 construction, alteration, installation, and inspection of
459 elevators, dumbwaiters, escalators, and the qualifications
460 ~~which~~ that are adequate, reasonable, and necessary for an
461 elevator mechanic, contractor, and inspector. Therefore, the
462 board may recommend the amendments of applicable legislation,
463 when appropriate, to legislators.

464 (b) The board shall adopt rules for the equipment
465 regulated by this chapter. The rules shall include the Safety
466 Code for Elevators and Escalators, American Society of
467 Mechanical Engineers (ASME) A17.1; the Safety Code for
468 Existing Elevators and Escalators, ASME A17.3; the Safety
469 Standards for Platform Lifts and Stairway Chairlifts, ASME
470 A18.1; and Automated People Mover Standards, American Society
471 of Civil Engineers (ASCE) 21. ~~After the date of publishing of~~
472 ~~the latest editions of the standards by the ASME, which is~~
473 ~~their effective date, the board shall review these editions~~
474 ~~within 12 months and determine whether to adopt the editions~~
475 ~~in part or in whole.~~ The board shall review the latest
476 editions of the standards within 12 months of the effective



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477 date and determine whether the board will adopt the latest
478 editions in part, in whole, or not at all. Adoption of the
479 latest editions shall be effective no less than six months
480 from the board's review date. Any modifications to the
481 standards that the administrator deems necessary shall be
482 justified in writing by the board. ~~After adoption by the~~
483 ~~board, the latest editions of the standards by the ASME shall~~
484 ~~be effective on a date determined by the board but in no event~~
485 ~~more than six months after the board's review date.~~

486 (c) The board may grant exceptions and variances from
487 the literal requirements of applicable code and standards,
488 rules, or local legislation, or any combination of these, in
489 cases where the variances would not jeopardize the public
490 safety and welfare. The board may hear appeals, hold hearings,
491 and decide upon appeals within 30 days of the appeal.

492 (d) The board shall establish fee schedules for
493 licenses, permits, certificates, and inspections. The fees
494 shall reflect the actual costs and expenses to conduct the
495 duties as described in this chapter. All fees collected by the
496 administrator pursuant to this chapter shall be remitted to
497 the Elevator Safety Review Board Operational Fund in the State
498 Treasury to the credit of the board for its operation and for
499 the operation of the ~~Department of Labor~~Department of
500 Workforce. Any funds appropriated for the operation of the
501 board that are not needed for current operations as determined
502 by the administrator and within the appropriation ceiling of
503 the board may be used for operation of the department. ~~All~~
504 ~~fees collected in the Elevator Safety Review Board Operational~~



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505 ~~Fund above the appropriated amount shall be transferred to the~~
506 ~~State General Fund within one quarter after the end of each~~
507 ~~fiscal year.~~

508 ~~(e) In addition, the administrator may transfer unused~~
509 ~~funds in the Elevator Safety Review Board Operational Fund to~~
510 ~~the State General Fund. The Elevator Safety Review Board shall~~
511 ~~do all of the following:~~

512 (1) Require new elevator installations to comply with
513 the most recent elevator safety codes and standards in effect
514 when the building construction permit was issued or at the
515 time of the final approval by the Division of Construction
516 Management.

517 (2) Require elevator modifications or alterations to
518 comply with the most recent elevator safety codes and
519 standards that are in effect at the time the elevator permit
520 is issued."

521 "§25-13-12

522 (a) Upon approval of an application, the administrator
523 may issue a license ~~which that~~ shall be renewable ~~biennially~~
524 annually. The fee for ~~such the~~ license and for any renewal
525 thereafter shall be set by the board.

526 (b) Whenever an emergency exists in the state due to
527 disaster, act of God, or work stoppage and the number of
528 persons in the state holding licenses granted by the
529 administrator is insufficient to cope with the emergency, the
530 licensed elevator contractors shall respond as necessary to
531 assure the safety of the public. Any person certified by a
532 licensed elevator contractor to have an acceptable combination



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533 of documented experience and education to perform elevator
534 work without direct and immediate supervision shall seek an
535 emergency elevator mechanic license from the administrator
536 within five business days after commencing work requiring a
537 license. The administrator shall issue emergency elevator
538 mechanic licenses. The licensed elevator contractor shall
539 furnish proof of competency as the administrator may require.
540 Each ~~such~~ license shall recite that it is valid for a period
541 of ~~30~~90 days from the date of issuance for particular
542 elevators or geographical areas as the administrator may
543 designate and shall entitle the licensee to the rights and
544 privileges of an elevator mechanic license issued in this
545 chapter. The administrator shall renew an emergency elevator
546 mechanic license during the existence of an emergency. No fee
547 shall be charged for any emergency elevator mechanic license
548 or renewal ~~thereof~~.

549 (c) A licensed elevator contractor shall notify the
550 administrator when there are no licensed personnel available
551 to perform elevator work. The licensed elevator contractor may
552 request that the administrator issue temporary elevator
553 mechanic licenses to persons certified by the licensed
554 elevator contractor to have an acceptable combination of
555 documented experience and education to perform elevator work
556 without direct and immediate supervision. Any person certified
557 by the licensed elevator contractor to have an acceptable
558 combination of documented experience and education to perform
559 elevator work without direct and immediate supervision shall
560 immediately seek a temporary elevator mechanic license from



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561 the administrator and shall pay ~~such~~ the fee as the board
562 ~~shall determined~~ determines. Each ~~such~~ license shall recite that
563 it is valid for ~~30~~ 180 days from the date of issuance and
564 while the person is employed by the licensed elevator
565 contractor who ~~certified the individual~~ person as qualified.
566 The license shall be renewable as long as the shortage of
567 license holders shall continue.

568 (d) (1) The renewal of all licenses granted under this
569 section shall be conditioned upon the submission of a
570 certificate of completion of a course designed to ensure the
571 continuing education of licensees on new and existing
572 provisions of the regulations of the board. The course shall
573 consist of not less than eight hours of instruction and shall
574 be attended and completed within one year immediately
575 preceding any ~~such~~ license renewal.

576 (2) The course shall be taught by instructors through
577 continuing education providers and may include, but not be
578 limited to, association seminars and labor training programs.
579 The board shall approve the continuing education providers.
580 All instructors shall be approved by the board and exempt from
581 the requirements of the preceding paragraph with regard to
582 application for license renewal, provided that the applicant
583 was qualified as an instructor at any time during the year
584 immediately preceding the scheduled date for such renewal.

585 (3) A licensee who is unable to complete the continuing
586 education course required under this section prior to the
587 expiration of his or her license due to a temporary disability
588 may apply for a waiver from the board. This shall be on a form



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589 provided by the board which shall be signed under the
590 penalties of perjury and accompanied by a certified statement
591 from a competent physician attesting to the temporary
592 disability. Upon the termination of the temporary disability,
593 the licensee shall submit to the board a certified statement
594 from the same physician, if practicable, attesting to the
595 termination of the temporary disability. At that time a waiver
596 sticker, valid for 90 days, shall be issued to the licensee
597 and affixed to his or her license.

598 (4) Approved training providers shall keep uniform
599 records, for a period of 10 years, of attendance of licensees
600 following a format approved by the board, and the records
601 shall be available for inspection by the board. Approved
602 training providers shall be responsible for the security of
603 all attendance records and certificates of completion~~+~~
604 provided,~~however,~~ that falsifying or knowingly allowing
605 another to falsify~~such~~ attendance records or certificates of
606 completion shall constitute grounds for suspension or
607 revocation of the approval required under this section."

608 "§25-13-15

609 (a) It shall be the responsibility of individuals,
610 firms, or corporations licensed by this chapter to ensure that
611 installation and/or service and maintenance of elevators and
612 devices described in Section 25-13-1 are performed in
613 compliance with the provisions contained in the state fire
614 prevention and building codes and with generally accepted
615 standards referenced in the code.

616 (b) (1) No company or individual licensed by this



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617 chapter shall make alterations to any conveyance, including
618 software updates, parameter adjustments, programming changes,
619 etc. unless the individual is physically on property to
620 witness and verify that any and all changes result in code
621 compliance and a safe mode of operation.

622 (2) At no time shall any action in subdivision (1) be
623 performed off-site or from a remote location. Remote
624 interaction is not allowed on any conveyance in the State of
625 Alabama."

626 Section 2. This act shall become effective on October
627 1, 2026.

