

HB568 INTRODUCED



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



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

SYNOPSIS:

This bill would increase the fee for the child labor certificates from \$15 to \$50 per child.

This bill would provide for the distribution of penalty fees collected for violating child labor laws.

This bill would remove certain boiler and pressure vessels from being exempt from certain boiler and pressure vessel standards.

This bill would further provide for the fee for pressure vessel certificates of inspection and the distribution of those fees.

This bill would require the Elevator Safety Review Board to review the latest editions of elevator safety standards within a certain amount of time and have any adopted standards become effective within six months of the board's review date.

This bill would require new elevator installations to meet the state elevator code that was in effect when the building construction permit was issued or at the time of final approval from the Division of Construction Management, while modifications or alterations must meet the standards in effect at the time the elevator permit was issued.

This would extend the renewal period for certain elevator-related licenses.



HB568 INTRODUCED

29 This bill would also prohibit companies and
30 individuals from altering conveyances from the
31 Department of Workforce.

32

33

34

A BILL

35

TO BE ENTITLED

36

AN ACT

37

38 Relating to the Department of Workforce; to amend
39 Sections 25-5-316, 25-8-45, 25-8-59, 25-12-7, 25-12-18,
40 25-13-6, 25-13-12, and 25-13-15, Code of Alabama 1975, to
41 increase the fee for the child labor certificates; to provide
42 for the distribution of penalty fees collected for violating
43 child labor laws; to further provide for boiler and pressure
44 vessel exceptions; to further provide for the fee for pressure
45 vessel certificates of inspection and its distribution; to
46 further provide for the duties of the Elevator Safety Review
47 Board and elevator safety standards; to extend the renewal
48 period for certain licenses; and to prohibit certain persons
49 from altering conveyances.

50

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

51

Section 1. Sections 25-5-316, 25-8-45, 25-8-59,

52

25-12-7, 25-12-18, 25-13-6, 25-13-12, and 25-13-15, Code of

53

Alabama 1975, are amended to read as follows:

54

"§25-5-316

55

(a) There is established in the State Treasury a fund

56

entitled the Workers' Compensation Administrative Trust Fund,



HB568 INTRODUCED

57 into which ~~shall be deposited~~ certain assessments collected by
58 the Department of Workforce, as provided for under Chapter 5
59 ~~(commencing with Section 25-5-1)~~ of Title 25, shall be
60 deposited. ~~collected by the Department of Labor.~~ The fund
61 shall constitute a separate fund to be disbursed by the ~~state~~
62 Comptroller on order of the Secretary of the ~~Department of~~
63 ~~Labor~~ Department of Workforce. All expenses incurred by the
64 department under the Workers' Compensation Law, including the
65 salaries of all employees, travel ~~cost~~ costs, and any other
66 cost of administration and enforcement as may become
67 necessary, either within or without the state, shall be paid
68 from the separate fund in the State Treasury upon warrants of
69 the ~~state~~ Comptroller drawn upon the State Treasury from time
70 to time when vouchers therefor are approved by the secretary.
71 The State Treasurer shall pay ~~moneys~~ monies from the separate
72 fund upon the order of the secretary. ~~The total expense for~~
73 ~~every purpose incurred shall not exceed the total assessment~~
74 ~~collected and paid into the fund.~~ The total expense for every
75 purpose incurred in implementing this article shall not exceed
76 the amount appropriated by the Legislature in the general fund
77 appropriation act. No funds shall be withdrawn or expended
78 except those budgeted and allocated in accordance with Article
79 4 ~~(commencing with Section 41-4-80)~~ of Chapter 4 of Title 41.
80 All ~~moneys~~ monies remaining unexpended in the separate fund at
81 the end of the fiscal year shall remain in the State Treasury
82 to be expended ~~as herein provided~~ at the discretion of the
83 secretary. Included in the budget shall be an amount of money
84 allocated for the specific and exclusive purpose of paying



HB568 INTRODUCED

85 only benefits to the claimants who have qualified to receive
86 benefits from the Second Injury Trust Fund on May 19, 1992.
87 Payments of these benefits shall be made weekly. The secretary
88 shall each week make requisitions to the ~~state~~ Comptroller who
89 shall draw warrants on the State Treasurer for the weekly
90 compensation amount. The warrants shall be drawn only if there
91 are sufficient ~~moneys~~monies in the State Treasury for
92 immediate payment. Claims shall take priority in an ascending
93 numerical order according to the time of the accident, and the
94 time shown in the settlement between the employer and employee
95 shall be prima facie evidence of the time of the accident. No
96 funds allocated for the payment of benefits from the fund
97 shall be used to pay lump-sum ~~attorney's~~attorney fees.
98 Payment shall resume at the end of the first week of the
99 fiscal year in which the Legislature approves the requested
100 budget for the Workers' Compensation Administrative Trust
101 Fund. The claimants who were receiving weekly benefits from
102 the Second Injury Trust Fund as of August 31, 1991, shall be
103 paid all weekly benefits due to date and the benefits shall be
104 continued for the duration of claim. Those amounts shall be
105 paid from the ~~moneys~~monies as allocated.

106 (b) The State Treasurer shall determine if the money in
107 the trust fund shall be kept in cash or invested. The
108 ~~moneys~~monies in the fund may be invested by the State
109 Treasurer and all ~~moneys~~monies and interest remaining
110 unexpended in the separate fund provided at the end of the
111 fiscal year shall remain in the State Treasury to be expended
112 as herein provided.



HB568 INTRODUCED

113 (c) The secretary is designated as trustee of the fund
114 and the State Treasurer is designated as custodian of the
115 fund, and both shall furnish bonds in amounts deemed
116 appropriate. The cost of bonds for the trustee, custodian, and
117 other employees or officials required to post bond in
118 connection with the program shall be paid out of the fund.

119 (d) Each insurance carrier, self-insured employer, and
120 group fund shall be assessed ~~-\$250.00~~ two hundred fifty dollars
121 (\$250). The gross claims for compensation and medical payments
122 paid by the carriers, self-insured employers, and group funds
123 are the basis for computing the amount to be assessed. The
124 amount of assessment shall be based upon the proportion that
125 the total gross claims for compensation and medical payments
126 paid by the carrier, self-insured employer, or group fund
127 during the preceding calendar year bore to the total gross
128 claims for compensation and medical payments paid by all
129 carriers, self-insured employers, and group funds during that
130 period. The total assessment shall not exceed ~~-\$5,000,000.00~~
131 five million dollars (\$5,000,000) per year. The secretary
132 shall determine if the assessment shall be a specific amount
133 or shall be a percentage of gross claims for compensation and
134 medical payments paid by the insurance carriers, self-insured
135 employers, and group funds. An assessment shall not exceed an
136 amount reasonably necessary to defray the necessary
137 administration expense.

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



HB568 INTRODUCED

141 shall be paid within 30 days from the date that the notice is
142 served upon the insurance carrier, self-insured employer, and
143 group fund. If the amounts are not paid within that period,
144 there may be assessed, for each 30 days that the amount ~~so~~
145 assessed remains unpaid, a civil penalty equal to 10 percent
146 of the amount unpaid. The amount of the civil penalty shall be
147 collected at the same time the amount assessed is collected.

148 (f) If an insurance carrier, self-insured employer, or
149 group fund fails to pay the amounts assessed against it within
150 60 days from the time the notice is served, the department may
151 suspend or revoke the authorization to the self-insurer and
152 may request that the Department of Insurance revoke the
153 authority of the insurance company to insure workers'
154 compensation.

155 (g) The department may require from each insurance
156 carrier, self-insured employer, and group fund reports with
157 respect to all payments of compensation and medical payments
158 by the insurance carriers, self-insured employers, or group
159 funds during each calendar year, and may determine the amounts
160 paid by each insurance carrier, self-insured employer, and
161 group fund and may determine the amounts paid by all insurance
162 carriers, self-insured employers, and group funds during the
163 period.

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



HB568 INTRODUCED

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

176 (i) All money collected under this section shall be
177 deposited in the Workers' Compensation Administrative Trust
178 Fund."

179 "§25-8-45

180 (a) No individual, entity, franchise, corporation, or
181 division of a corporation shall employ, permit, or ~~suffer~~
182 allow to work any minor 14 or 15 years of age in any
183 occupation, except in agricultural service, unless the
184 individual, entity, franchise, corporation, or division of a
185 corporation procures and keeps on file, for the inspection by
186 the officials charged with the enforcement of this chapter, a
187 complete list of those individuals 14 or 15 years of age
188 employed by the employer.

189 (b) Any individual, entity, franchise, corporation, or
190 division of a corporation that wishes to employ, permit, or
191 ~~suffer~~ allow to work any minor 14 or 15 years of age in any
192 occupation, except in agricultural service, shall obtain a
193 Class I Child Labor Certificate from the department for each
194 location where an individual, entity, franchise, corporation,
195 or division of a corporation wishes to employ a minor 14 or 15
196 years of age. The employment shall be in accordance with this



HB568 INTRODUCED

197 chapter.

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

202 (d) The employment of a minor 14 or 15 years of age
203 shall be revoked or suspended by the department if the minor's
204 regular school attendance and performance record is not
205 satisfactory to the head administrator, or, if home schooled,
206 an instructor of the school that the minor attends. The
207 revocation or suspension shall be processed by the department
208 upon notification by the school.

209 (e) Any individual, entity, franchise, corporation, or
210 division of a corporation that wishes to employ, permit, or
211 ~~suffer~~allow to work any minor 16 or 17 years of age in any
212 occupation, except in agricultural service, shall obtain a
213 Class II Child Labor Certificate from the department for each
214 location where an individual, entity, franchise, corporation,
215 or division of a corporation wishes to employ a minor 16 or 17
216 years of age. The employment shall be in accordance with this
217 chapter.

218 (f) The department shall issue Class I and Class II
219 Child Labor Certificates to any individual, entity, franchise,
220 corporation, or division of a corporation that applies to the
221 department. The fee for a Class I or Class II Child Labor
222 Certificate shall be ~~fifteen~~fifty dollars ~~(\$15)~~(\$50). The
223 certificates shall be issued annually.

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



HB568 INTRODUCED

225 shall contain all of the following information specific to the
226 location of the minor's employment:

227 a. The name, address, and telephone number of the
228 individual, entity, franchise, corporation, or division of a
229 corporation that wishes to employ, permit, or ~~suffer~~allow to
230 work any minor.

231 b. The type of business or entity, the federal employer
232 identification number, the names of all incorporators, owners,
233 members, or partners of the business or entity.

234 c. Any other information as required by department
235 rule.

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

238 a. The name of the employer.

239 b. The type of business the employer maintains.

240 c. Any other information as required by department
241 rule.

242 (3) If an individual, entity, franchise, corporation,
243 or division of a corporation employs a minor between 14 and 17
244 years of age without a proper child labor certificate, the
245 individual, entity, franchise, corporation, or division of a
246 corporation shall pay a penalty of fifty dollars (\$50) per
247 minor and then shall obtain a certificate in the proper
248 manner.

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



HB568 INTRODUCED

253 an instructor of the school ~~which~~that the minor attends, of
254 the name, address, and telephone number of the
255 ~~person~~individual, entity, franchise, corporation, or division
256 of a corporation employing the minor."

257 "§25-8-59

258 (a) Any employer who violates this chapter, or who
259 fails or refuses to obey within a reasonable time any lawful
260 order or direction given by the state officials charged with
261 the enforcement of this chapter, and any parent, guardian, or
262 custodian who ~~suffers~~allows or permits an individual under
263 his or her care or control who is under 19 years of age to
264 work in violation of this chapter, shall be subject to civil
265 penalties in addition to other penalties provided in this
266 chapter.

267 (b) The department may impose a civil penalty of not
268 less than three hundred dollars (\$300) upon a determination
269 that an employer has violated a statutory provision of Section
270 25-8-35(a) (17), 25-8-36, 25-8-37, 25-8-38, 25-8-39, 25-8-40,
271 ~~25-8-41~~, 25-8-44(a), 25-8-44(b), 25-8-45, 25-8-54, 25-8-57,
272 25-8-60, or 25-8-61.

273 (c) The department shall impose a civil penalty of five
274 thousand dollars (\$5,000) to ten thousand dollars (\$10,000)
275 upon a determination that an employer has violated a statutory
276 provision of Section 25-8-33, 25-8-35(a) (1) through
277 25-8-35(a) (16), 25-8-43(a), or 25-8-44(d).

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



HB568 INTRODUCED

281 employer's violation.

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

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

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

291 (1) The total civil penalty assessed.

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

295 (3) An advisement that no hearing shall be granted
296 unless a written request for a hearing is received by the
297 department within 30 days from the date of issue of the
298 notice.

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

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

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



HB568 INTRODUCED

309 that the employer has stated adequate facts or legal grounds
310 to warrant a hearing, the secretary or his or her designee
311 shall provide written notice of the hearing to show cause why
312 a civil penalty should not be assessed and shall mail written
313 notice to the employer of the date, time, and place of the
314 hearing. The determination shall be within the discretion of
315 the secretary or his or her designee. The notice shall inform
316 the employer of the employer's rights in the hearing including
317 the following:

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

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

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

327 (k) Following a hearing or after the employer has
328 waived the right to request a hearing, the secretary or his or
329 her designee may uphold or modify the civil penalty
330 assessment. This determination shall be within the sole
331 discretion of the secretary or his or her designee.

332 (l) If the employer requests a hearing but the
333 secretary or his or her designee denies the request for a
334 hearing, the total civil penalty assessed in the notice shall
335 be the final civil penalty.

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



HB568 INTRODUCED

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

340 (n) The department may file an action for the
341 collection of civil penalties imposed pursuant to this section
342 against an employer in the county where the violation
343 occurred.

344 ~~(o) All monies received from the assessment of any~~
345 ~~penalty pursuant to this section shall accrue to the State~~
346 ~~General Fund.~~

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

352 ~~(q)~~ (p) In addition to civil penalties provided for in
353 subsection (c), an employer who is found in violation of
354 subsection (c) involving serious physical injury to or death
355 of a minor may be deemed guilty of a Class B felony or Class C
356 felony. A first conviction shall be deemed a Class C felony. A
357 second or subsequent conviction shall be deemed a Class B
358 felony."

359 "§25-12-7

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

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



HB568 INTRODUCED

365 (2) Pressure vessels used for transportation and
366 storage of compressed or liquefied gases when constructed in
367 compliance with specifications of the United States Department
368 of Transportation and when charged with gas or liquid, marked,
369 maintained, and periodically requalified for use, as required
370 by appropriate regulations of the United States Department of
371 Transportation.

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

375 (4) Air tanks installed on the ~~right-of-way~~
376 right-of-way of railroads and used directly in the operation
377 of trains.

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

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

381 b. One and one-half cubic feet in volume and 600 psig
382 pressure.

383 c. An inside diameter of six inches with no limitation
384 on pressure.

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

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

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



HB568 INTRODUCED

393 limitations are exceeded:

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

395 b. A water temperature of 210 degrees Fahrenheit.

396 c. A nominal ~~water-containing~~ water-containing capacity
397 of 120 gallons.

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

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

403 b. Water temperature of 210 degrees Fahrenheit.

404 c. Nominal ~~water-containing~~ water-containing capacity
405 of 120 gallons.

406 (10) Pressure vessels in the care, custody, and control
407 of research facilities and used solely for research purposes
408 which require one or more details of noncode construction or
409 which involve destruction or reduced life expectancy of those
410 vessels.

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

414 (12) Boilers and pressure vessels operated and
415 maintained for the production and generation of electricity. A
416 person, firm, partnership, or corporation operating such a
417 boiler or pressure vessel shall have insurance or shall be
418 self-insured. The boiler or pressure vessel shall be regularly
419 inspected in accordance with the minimum requirements for
420 safety as defined in the ASME Code by an inspector who has



HB568 INTRODUCED

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

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

427 ~~(14)~~ (13) Boiler or pressure vessels that are subject to
428 OSHA standards of compliance.

429 ~~(15)~~ (14) Boilers and pressure vessels operated and
430 maintained by a public utility, including, but not limited to,
431 boilers and pressure vessels operated and maintained for the
432 production of electricity.

433 ~~(16)~~ (15) Autoclaves used only for the sterilization of
434 reusable medical or dental implements in the place of business
435 of any professional licensed by the laws of this state.

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

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

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

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

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



HB568 INTRODUCED

449 building is at least 220 yards from any vessel.

450 (5) Pressure vessels used for storage of liquid propane
451 gas under the jurisdiction of the State Fire Marshal, except
452 for pressure vessels used for the storage of liquefied
453 petroleum gas, 2,000 gallons or above, which have been
454 modified or altered.

455 (6) Air storage tanks not exceeding 16 cubic feet, 120
456 gallons, ~~r~~ in size, l and ~~under~~ 250 psig pressure.

457 (7) This chapter exempts and shall not regulate any and
458 all pressure vessels associated in any way with oil, natural
459 gas, and related by-products, feedstock, and product
460 manufacturing operations, ~~r~~ l including exploration, production,
461 gas processing, treating refining chemical, pipeline, supply,
462 storage, and transportation. This subdivision shall not apply
463 to buildings or businesses, or both, subject to public
464 utilization."

465 "§25-12-18

466 The owner or user of a boiler or pressure vessel
467 required by this chapter to be inspected by the chief
468 inspector or his or her deputy inspector shall pay directly to
469 the chief inspector, upon completion of inspection, fees as
470 prescribed in rules ~~and regulations promulgated~~ adopted by the
471 secretary. ~~Pressure vessel certificates of inspection fees~~
472 ~~shall not exceed ten dollars (\$10) annually.~~ The chief
473 inspector shall transfer all fees received to a separate fund
474 in the State Treasury to the credit of the department for its
475 operation. All funds, pursuant to this chapter, deposited in
476 the State Treasury shall be appropriated by the Legislature to



HB568 INTRODUCED

477 the Secretary of ~~Labor~~ Workforce pursuant to the Budget
478 Management Act and Article 4 of Chapter 4 of Title 41. ~~All~~
479 ~~fees collected above the appropriated amount shall be~~
480 ~~transferred to the General Fund at the end of each fiscal~~
481 ~~year."~~

482 "§25-13-6

483 (a) The board may consult with engineering authorities
484 and organizations concerned with standard safety codes and
485 rules governing the operation, maintenance, servicing,
486 construction, alteration, installation, and inspection of
487 elevators, dumbwaiters, escalators, and the qualifications
488 ~~which~~ that are adequate, reasonable, and necessary for an
489 elevator mechanic, contractor, and inspector. Therefore, the
490 board may recommend the amendments of applicable legislation,
491 when appropriate, to legislators.

492 (b) The board shall adopt rules for the equipment
493 regulated by this chapter. The rules shall include the Safety
494 Code for Elevators and Escalators, American Society of
495 Mechanical Engineers (ASME) A17.1; the Safety Code for
496 Existing Elevators and Escalators, ASME A17.3; the Safety
497 Standards for Platform Lifts and Stairway Chairlifts, ASME
498 A18.1; and Automated People Mover Standards, American Society
499 of Civil Engineers (ASCE) 21. ~~After the date of publishing of~~
500 ~~the latest editions of the standards by the ASME, which is~~
501 ~~their effective date, the board shall review these editions~~
502 ~~within 12 months and determine whether to adopt the editions~~
503 ~~in part or in whole.~~ The board shall review the latest
504 editions of the standards within 12 months of the effective



HB568 INTRODUCED

505 date and determine whether the board will adopt the latest
506 editions in part, in whole, or not at all. Adoption of the
507 latest editions shall be effective no less than six months
508 from the board's review date. Any modifications to the
509 standards that the administrator deems necessary shall be
510 justified in writing by the board. ~~After adoption by the~~
511 ~~board, the latest editions of the standards by the ASME shall~~
512 ~~be effective on a date determined by the board but in no event~~
513 ~~more than six months after the board's review date.~~

514 (c) The board may grant exceptions and variances from
515 the literal requirements of applicable code and standards,
516 rules, or local legislation, or any combination of these, in
517 cases where the variances would not jeopardize the public
518 safety and welfare. The board may hear appeals, hold hearings,
519 and decide upon appeals within 30 days of the appeal.

520 (d) The board shall establish fee schedules for
521 licenses, permits, certificates, and inspections. The fees
522 shall reflect the actual costs and expenses to conduct the
523 duties as described in this chapter. All fees collected by the
524 administrator pursuant to this chapter shall be remitted to
525 the Elevator Safety Review Board Operational Fund in the State
526 Treasury to the credit of the board for its operation and for
527 the operation of the ~~Department of Labor~~Department of
528 Workforce. Any funds appropriated for the operation of the
529 board that are not needed for current operations as determined
530 by the administrator and within the appropriation ceiling of
531 the board may be used for operation of the department. ~~All~~
532 ~~fees collected in the Elevator Safety Review Board Operational~~



HB568 INTRODUCED

533 ~~Fund above the appropriated amount shall be transferred to the~~
534 ~~State General Fund within one quarter after the end of each~~
535 ~~fiscal year.~~

536 (e) ~~In addition, the administrator may transfer unused~~
537 ~~funds in the Elevator Safety Review Board Operational Fund to~~
538 ~~the State General Fund.~~ The Elevator Safety Review Board shall
539 do all of the following:

540 (1) Require new elevator installations to comply with
541 the most recent elevator safety codes and standards in effect
542 when the building construction permit was issued or at the
543 time of the final approval by the Division of Construction
544 Management.

545 (2) Require elevator modifications or alterations to
546 comply with the most recent elevator safety codes and
547 standards that are in effect at the time the elevator permit
548 is issued."

549 "§25-13-12

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

554 (b) Whenever an emergency exists in the state due to
555 disaster, act of God, or work stoppage and the number of
556 persons in the state holding licenses granted by the
557 administrator is insufficient to cope with the emergency, the
558 licensed elevator contractors shall respond as necessary to
559 assure the safety of the public. Any person certified by a
560 licensed elevator contractor to have an acceptable combination



HB568 INTRODUCED

561 of documented experience and education to perform elevator
562 work without direct and immediate supervision shall seek an
563 emergency elevator mechanic license from the administrator
564 within five business days after commencing work requiring a
565 license. The administrator shall issue emergency elevator
566 mechanic licenses. The licensed elevator contractor shall
567 furnish proof of competency as the administrator may require.
568 Each ~~such~~ license shall recite that it is valid for a period
569 of ~~30~~90 days from the date of issuance for particular
570 elevators or geographical areas as the administrator may
571 designate and shall entitle the licensee to the rights and
572 privileges of an elevator mechanic license issued in this
573 chapter. The administrator shall renew an emergency elevator
574 mechanic license during the existence of an emergency. No fee
575 shall be charged for any emergency elevator mechanic license
576 or renewal ~~thereof~~.

577 (c) A licensed elevator contractor shall notify the
578 administrator when there are no licensed personnel available
579 to perform elevator work. The licensed elevator contractor may
580 request that the administrator issue temporary elevator
581 mechanic licenses to persons certified by the licensed
582 elevator contractor to have an acceptable combination of
583 documented experience and education to perform elevator work
584 without direct and immediate supervision. Any person certified
585 by the licensed elevator contractor to have an acceptable
586 combination of documented experience and education to perform
587 elevator work without direct and immediate supervision shall
588 immediately seek a temporary elevator mechanic license from



HB568 INTRODUCED

589 the administrator and shall pay ~~such~~ the fee as the board
590 ~~shall determined~~ determines. Each ~~such~~ license shall recite that
591 it is valid for ~~30~~ 180 days from the date of issuance and
592 while the person is employed by the licensed elevator
593 contractor who certified the ~~individual~~ person as qualified.
594 The license shall be renewable as long as the shortage of
595 license holders shall continue.

596 (d) (1) The renewal of all licenses granted under this
597 section shall be conditioned upon the submission of a
598 certificate of completion of a course designed to ensure the
599 continuing education of licensees on new and existing
600 provisions of the regulations of the board. The course shall
601 consist of not less than eight hours of instruction and shall
602 be attended and completed within one year immediately
603 preceding any ~~such~~ license renewal.

604 (2) The course shall be taught by instructors through
605 continuing education providers and may include, but not be
606 limited to, association seminars and labor training programs.
607 The board shall approve the continuing education providers.
608 All instructors shall be approved by the board and exempt from
609 the requirements of the preceding paragraph with regard to
610 application for license renewal, provided that the applicant
611 was qualified as an instructor at any time during the year
612 immediately preceding the scheduled date for such renewal.

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



HB568 INTRODUCED

617 provided by the board which shall be signed under the
618 penalties of perjury and accompanied by a certified statement
619 from a competent physician attesting to the temporary
620 disability. Upon the termination of the temporary disability,
621 the licensee shall submit to the board a certified statement
622 from the same physician, if practicable, attesting to the
623 termination of the temporary disability. At that time a waiver
624 sticker, valid for 90 days, shall be issued to the licensee
625 and affixed to his or her license.

626 (4) Approved training providers shall keep uniform
627 records, for a period of 10 years, of attendance of licensees
628 following a format approved by the board, and the records
629 shall be available for inspection by the board. Approved
630 training providers shall be responsible for the security of
631 all attendance records and certificates of completion[†],
632 provided, ~~however,~~ that falsifying or knowingly allowing
633 another to falsify ~~such~~ attendance records or certificates of
634 completion shall constitute grounds for suspension or
635 revocation of the approval required under this section."

636 "§25-13-15

637 (a) It shall be the responsibility of individuals,
638 firms, or corporations licensed by this chapter to ensure that
639 installation and/or service and maintenance of elevators and
640 devices described in Section 25-13-1 are performed in
641 compliance with the provisions contained in the state fire
642 prevention and building codes and with generally accepted
643 standards referenced in the code.

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



HB568 INTRODUCED

645 chapter shall make alterations to any conveyance, including
646 software updates, parameter adjustments, programming changes,
647 etc. unless the individual is physically on property to
648 witness and verify that any and all changes result in code
649 compliance and a safe mode of operation.

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

654 Section 2. This act shall become effective on October
655 1, 2026.