

Date of Hearing: June 27, 2018

ASSEMBLY COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT

David Chiu, Chair

SB 969 (Dodd) – As Amended June 14, 2018

SENATE VOTE: 39-0

SUBJECT: Automatic garage door openers: backup batteries

SUMMARY: Requires residential automatic garage door openers manufactured for sale, sold, purchased, or installed in California on or after July 1, 2019, to have a backup battery that is designed to operate during an electrical outage and prohibits replacement garage doors from being installed to an opener that does not have a backup battery. Specifically, **this bill:**

- 1) Requires automatic garage door openers manufactured for sale, sold, or installed in a residence in California on or after July 1, 2019 to include a backup battery that is designed to operate in the case of an electrical outage.
- 2) Applies to all automatic garage door openers manufactured for use in a residence and to any other application of residential openers manufactured for commercial use.
- 3) Beginning July 1, 2019, prohibits installation of a replacement residential garage door to an existing residential automatic garage door opener that does not have a backup battery that is designed to operate in the case of an electrical outage.
- 4) Makes a violation of these provisions subject to a civil penalty of \$1,000.

EXISTING LAW:

- 1) Requires all automatic garage door openers manufactured for sale, sold, purchased, or installed in a residence to comply with specified safety requirements:
 - a) The garage door opener must have an automatic reverse safety device that complies with applicable standards set forth in the Underwriters Laboratories Inc., Standard for Safety;
 - b) The garage door opener must have a tactile garage door edge sensor, an optical sensor, or a similar device that when activated causes a closing door to open and prevent an open door from closing; and
 - c) The garage door opener must comply with federal labeling requirements.
 - d) The garage door opener must include a set of installation, operation, maintenance, and testing instructions.
- 2) Applies to all automatic garage door openers manufactured for use in a residence and to any openers manufactured for commercial purposes, but sold for, or installed in, a residence.
- 3) Requires that any person hired to service or repair any residential automatic garage door opener test the ability of the garage door to reverse upon contact with a rigid two-inch high

obstacle. If the garage door opener fails this test, then a warning label must be attached to the opener.

- 4) Prohibits installation of a replacement residential garage door to an existing residential automatic garage door opener that fails this test.
- 5) Makes a violation of these provisions subject to civil penalties, as specified.

FISCAL EFFECT: None.

COMMENTS:

Background: In the early 1990s, the California Legislature passed AB 3600 (Polanco, Chapter 1336, Statutes of 1990), which required automatic garage door openers to be manufactured with an automatic reverse safety device and sensor to protect young children from being trapped under garage doors. Congress followed by mandating similar entrapment protection requirements for all automatic residential garage door openers manufactured for the United States after 1993.

Beginning July 1, 2019 this bill would require that garage door openers sold or installed have a backup battery so that if the electricity is cut to a home the garage door opener continues to work. The bill imposes a \$1000 penalty for violating the provisions of the bill.

Purpose of this bill: According to the author, the 2017 Northern California wildfires were the most deadly in California's history, killing 43 people and forcing thousands to evacuate from their homes. It has been reported that at least five of these people lost their lives during the evacuation because they could not drive out of their garages during the power outages. As strong winds accelerate the spread of wildfires, utilities oftentimes pre-emptively shut off the power to prevent a falling line from igniting new fires. Cutting power increases the risk of residents being blocked by their garage doors, which do not operate during an outage. Requiring that automatic garage door openers manufactured for sale or installation include a backup battery will assist California residents in safely evacuating their residence during a planned or unplanned evacuation.

Cost of back-up batteries: Depending on the model, it can cost between \$20-100 to add a backup battery to an existing door opener. Some older automatic garage door openers may not have the capacity to be connected to a backup battery, and so a new opener would have to be purchased and installed. A new garage door opener with a backup battery can cost between \$150-350, depending on the model. The additional cost of the backup battery has discouraged the use of this readily available technology.

Arguments in opposition: The Door and Access Systems Manufactures Association International support the idea behind SB 969 but would like to modify the bill so that there is no expectation that an automatic garage door opener equipped with a battery backup system will save lives during the electrical outage. It is unclear how this amendment can be accomplished.

Double referred: This bill was also referred to the Committee on Judiciary where it will be heard if it passes out of this committee.

REGISTERED SUPPORT / OPPOSITION:

Support

Consumer Federation of California (sponsor)

The Arc, California

California Alliance for Retired Americans

California Commission On Aging

City Of Santa Rosa

Congress of California Seniors

Napa County Board of Supervisors

Solano County Board of Supervisors

Sonoma County Board of Supervisors

The Arc

United Cerebral Palsy of California

Opposition

Door and Access Systems Manufacturers Association

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