

CALIFORNIA MANDATES BATTERY BACKUP WITH ALL GDOS

EXPERTS CITE PROBLEMS WITH THE LEGISLATION

Editor's note: It is extremely rare to see state or federal legislation about garage door openers. On April 9, 1990, Minnesota passed the nation's first legislation that specifically targeted residential garage door openers (requiring an external reversing mechanism such as a photo eye). At that time, similar legislation was adopted by the U.S. Congress and the states of California, New York, and Indiana.

This new 2018 California law appears to be the first state or federal legislation to target GDOs since the flurry of legislative activity in the early 1990s. Will it spread to other states?

In September, California Gov. Jerry Brown was expected to sign SB 969 into law, effectively requiring that all residential garage door openers sold in the state on or after July 1, 2019, must be equipped with a battery backup (BBU) function.

The bill sailed through the California Senate on a 39-0 vote on May 31, then passed the California Assembly on a 64-7 vote on Aug. 16.

California State Sen. Bill Dodd, D-Napa, introduced the bill in January in response to the 2017 wildfires that left some people trapped in their garages. At least five deaths were reported to have some connection to automatic garage door openers that had no power. Some elderly victims were reportedly unable to use the emergency disconnect and/or lift their garage doors manually.

What this means

Effective on July 1, 2019, the legislation:

- Prohibits a person, corporation, or entity from manufacturing, selling, offering for sale, or installing in California a residential garage door opener "that does not have a battery backup function that is designed to operate when activated because of an electrical outage."
- Applies to commercial operators used in residential applications.
- Requires the battery backup to be "operational without interruption during an electrical outage."
- Makes a violation of these provisions subject to a civil penalty of \$1,000 "per opener installed, manufactured, sold, or offered for sale." (Yes, the fine is "\$1,000 per opener." Other penalties are also possible. See the legislation for specifics.)

- Prohibits a replacement residential garage door from being connected to an existing garage door opener that does not have a battery backup, regardless of the manufacture date of the opener.

Problem: Hurting the good guys

Dan LaRose of Pacific Garage Door in Vista, Calif., recognized the problem of wildfires and the state's frequent droughts. "Most of California (outside the cities) is always ready to burn," he said.

But LaRose and others believe that the law will benefit companies that operate illegally. As Dorian Currier of DoorDorks in San Marcos said, "This bill will potentially hurt businesses that are following the law."

“YES, THE FINE IS \$1,000 PER OPENER.”

He noted that some companies don't have the required contractor's license and don't carry workers' comp or insurance. Such companies will continue to skirt the law and offer lower pricing because they have lower overhead costs and offer less-expensive openers that lack BBUs.

Problem: Throwing away good operators

Since replacement garage doors cannot be attached to non-BBU operators, dealers may find themselves in an awkward spot. "If a

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homeowner recently purchased a new motor from a dealer or box store (before July 1), [and] then they decide to replace the door (after July 1), we get to give them the news that their operator is illegal and has to be replaced,” said LaRose.

Problem: A virtual ban on AC motors

Since BBUs are available only on openers with DC motors, this new law essentially bans AC GDOs from being sold in the state. Scott O’Neill of Madden Door in Concord, Calif., sees that as a problem. He said that DC motors are not always the best option, particularly on heavier doors.

Problem: BBUs are not life-safety equipment

DASMA was the only entity that submitted formal opposition to the bill, noting that “garage door openers with backup batteries are not designed to serve as life safety devices.” DASMA further argued that “battery backup systems require regular maintenance” and “must be regularly tested and periodically replaced.”

The California Senate’s own analysis of the bill estimated that these batteries typically need to be replaced “every three years.” Consequently, in a few short years, we could see (1) many homeowners with BBU units that don’t operate, and (2) a large demand for replacement batteries.

O’Neill added that the law essentially “defeats the safety of knowledge,” since the perceived comfort of a BBU may decrease consumers’ knowledge of how to open the door manually by disengaging an operator from the door. As BBUs age and deplete their charge, Californians will continue to need that basic knowledge of how to operate their door manually.

“This is California”

One San Diego-area dealer showed the law’s provisions to one of his techs, whose first reaction was: “That’s stupid.”

Since California has a reputation for “ridiculous” laws, this new law can get door dealers’ eyes rolling. As Currier noted, “It’s no surprise that businesses are leaving California in droves.”

“Whatever the logic is behind the decision, it is poor,” said a dealer in San Diego.

“But I’m not surprised,” he added. “After all, this is California.” ■

GDOs with BBUs

Many manufacturers are ready for California

Here is the history of the introduction of battery backup capabilities on residential garage door openers, according to announcements published in Door + Access Systems magazine.

- 2003** LiftMaster introduces its Battery Backup System Model 475LM.
- 2004** Marantec America announces the Energie-Pac battery backup system.
- 2006** LiftMaster announces the LiftMaster 3850, “the only garage door opener with an integrated battery backup.”
- 2012** Linear introduces its Battery Backup Unit (BBU) for the LDC0800.
- 2012** Genie announces its Battery Backup that can be purchased with or without an opener. The feature is later added to Overhead Legacy 920 openers.
- 2014** Skylink announces “the first backup battery that also provides lighting.”
- 2015** Guardian demonstrates at Expo its Model 716 GDO with battery backup.
- 2016** Sommer unveils at Expo its evo+ and pro+ GDOs with optional battery pack.



ATA Dominator Advance



Genie 3120



Guardian 715BBU



LiftMaster WLED



Linear LDC0852



Marantec Synergy 370



OHD Legacy 920



Skylink Atoms with BA-100



Sommer evo+