PLAINTIFF'S EXHIBIT

KM-443

142.3 or 6500 of the Labor Code, or of the rules and regulations adopte pursuant thereto.

(Added by Stats.1974, c. 1432, 3135, § 1. Amended by Stats.1976, c. 449, p. 1184, § eff. July 7, 1976; Stats.1978, c. 303, p. 629, § 1, eff. June 28, 1978; Stats.1978, c. 100 p. 3075, § 1, operative July 1, 1979.)

Historical and Statutory Notes

As added in 1974, the section read:

"No person, on or after July 1, 1975, shall cause or permit the spraying of any substance containing more than one-half of 1 percent asbestos in or upon a building or other structure during its construction, alteration, or repair. No person, on or after July 1, 1976, shall cause or permit the spraying of any substance containing any amount of asbestos in or upon a building or other structure during its construction, alteration, or repair.

"Cold process cutback asphalt roof coatings shall be exempted from the provisions of this chapter."

The 1976 amendment rewrote the section to read:

"(a) Except as provided in subdivision (b), no person, on or after July 1, 1975, shall cause or permit the spraying of any substance containing more than one-half of 1 percent asbestos in or upon a building or other structure during its construction, alteration, or repair. Except as provided in subdivision (b), no person, on or after July 1, 1976, shall cause or permit spraying of any substance containing any amount of asbestos in or upon a building or other structure during its construction, alteration, or repair.

"(b) Portland cement plaster containing less than one-half of 1 percent asbestos, and exterior and interior coatings and laminating resins containing encapsulated asbestos fibers bou within the finished product from manufactu through application, shall be exempt from th provisions of this chapter until July 1, 197 Cold process cutback asphalt roof coatings shal be exempt from the provisions of this chapte

The 1978 amendment, by c. 303, rewro subd. (a) to read:

"Except as provided subdivisions (b), (c), an (d), no person shall cause or permit the spra ing of any substance containing any amount asbestos in or upon a building or other stru ture during its construction, alteration, or pair."; rewrote subd. (b) to read:

"(b)(1) Portland cement plaster containin less than one-half of 1 percent asbestos shall b exempt from the provisions of this chapter unti July 1, 1979."; added pars. (2) and (3) to subd (b) [now pars. (2) and (3) of subd. (c)]; and added subds. (c), (d), and (e) [now subds. (d) (e), and (f)].

The 1978 amendment by c. 1001, amending c 303, substituted in the exception at the begin ning of subd. (a) "subdivisions (c), (d), or (e)" for "subdivisions (b), (c), and (d)"; inserted a new subd. (b); and relettered former subds. (b) to (e) to be subds. (c) to (f).

Section 3 of Stats.1978, c. 1001, provided:

"The provisions of Sections 1 and 2 of this act shall become operative on July 1, 1979."

Cross References

Assisting enforcement of section, see Labor Code § 6307.1.
Citing violations, see Labor Code § 6317.
Sealant for asbestos fibers in air duct systems, see Health and Safety Code § 25999.
Temporary restraining order, see Labor Code § 6324.

Code of Regulations References

Classification of violations and definitions, see 8 Cal. Code of Regs. § 334.

Law Review and Journal Commentaries

Asbestos in the work place: What every employee should know. 31 Santa Clara Law.Rev. 423 (1991).

Library References

Health and Environment ⇐33.
WESTLAW Topic No. 199.
C.J.S. Health and Environment § 47.

Treatises and Practice Aids
Witkin, Summary (9th ed) Agency §§ 319, 325.