

Elevator Safety Act Updates; House Sub. for SB 143

House Sub. for SB 143 makes various changes to the Elevator Safety Act (Act). The bill amends the Act to:

- Add a requirement that owners of elevators, other than escalators, notify the State Fire Marshal of accidents on elevators, other than escalators, resulting in death, personal injury, or property damage in excess of \$1,000 and not allow the elevator to operate until the State Fire Marshal has investigated such accident. The bill makes a violation of this requirement a class A nonperson misdemeanor;
- Remove power-driven stairways, moving walkways, and stairway chair lifts from the definition of elevator;
- Provide that regular routine inspections of elevators are not required when the elevator is insured by an insurance company rated B or better by the AM Best insurance industry rating services agency and the owner or user files a certificate of inspection by such insurance company with the State Fire Marshal and pays an administrative fee of up to \$100;
- Require the State Fire Marshal to adopt suitable signage to be affixed to the doors of an elevator that has been determined would jeopardize public safety; the unauthorized removal of such sign or operation of such elevator will be a class A nonperson misdemeanor;
- Prohibit work performed on elevators to be inspected by the individuals who have performed such work;
- Allow services an elevator mechanic or elevator contractor must perform to be performed by employees of licensees at the direction of such licensee;
- Provide that elevators must, beginning on July 1, 2024, conform to the applicable code in effect on the date of the elevator's installation or reinstallation or the code in effect on the date alterations are made to the elevator constituting more than 49.0 percent of such elevator. The bill also specifies that rules and regulations may not require compliance with current American National Standards under the safety code except as provided by the Act;
- Eliminate a provision requiring an applicant for an elevator contractor's license to employ a licensed elevator mechanic prior to applying for such license [*Note*: Continuing law requires licensed elevator mechanics to perform the work.];
- Authorize certification of completion of an elevator technician program through a postsecondary educational institution or passing an equivalency examination prepared by the State Fire Marshal as a way to qualify an individual for an elevator mechanic license;

- Authorize certification of completion of an elevator inspector program through a postsecondary educational institution or passing an equivalency examination prepared by the State Fire Marshal as a way for an individual to qualify for an elevator inspector license;
- Reduce from 8,000 hours to 4,000 hours the hours-worked basis for a person to qualify for elevator mechanic licensure;
- Modify the elevator testing requirements of the Act to specify that only those tests indicated by a written inspection report are required, require a load test to be conducted every six years, and allow a load test conducted by an insurance company inspector or under an elevator maintenance agreement, as well as by a licensed elevator mechanic or contractor, to satisfy the requirement;
- Replace a provision requiring annual elevator inspections with provisions requiring the inspection of all elevators within three years of the effective date of the Act, and:
 - Every year thereafter for elevators located in any county with a population of 100,000 or more;
 - Every other year for elevators located in any county with a population of at least 50,000 but less than 100,000; and
 - Every three years in all other counties;
- Specify that elevators that are subject to elevator maintenance agreements between the owner and a licensee are not subject to the elevator inspection and testing requirements of the Act; and
- Provide that certificates of operation be effective through 30 days following the inspection required by the Act and, in the cases of renewal applications, for the time necessary for the State Fire Marshal to make a determination on the application for renewal.