MODEL ELEVATOR LAW

The proper names of state offices may have to be changed. Please read this document carefully and correct to the proper name or title.

ELEVATORS, ESCALATORS, PLATFORM AND STAIRWAY CHAIR LIFTS, DUMBWAITERS, MOVING WALKS, AUTOMATED PEOPLE MOVERS AND OTHER CONVEYANCES

§1 Equipment Covered by this Chapter

1.1 This chapter covers the design, construction, operation, inspection, testing, maintenance, alteration, and repair of the following equipment, its associated parts, and its hoistways, (except as modified by Section 2.1).

(a) Hoisting and lowering mechanisms equipped with a car or platform, which move between two or more landings. This equipment includes, but is not limited to, the following (also see ASME A17.1/CSA B44, ASME A17.7/CSA B44.7, ASME A17.3 and ASME A18.1):
1. Elevators;
2. Platform lifts and stairway chair lifts;

(b) Power driven stairways and walkways for carrying persons between landings. This equipment includes, but is not limited to, the following (also see ASME A17.1/CSA B44, ASME A17.7/CSA B44.7, and ASME A17.3):
1. Escalators;
2. Moving Walks;

(c) Hoisting and lowering mechanisms equipped with a car, which serves two or more landings and is restricted to the carrying of material by its limited size or limited access to the car. This equipment includes, but is not limited to, the following (also see ASME A17.1/CSA B44, ASME A17.7/CSA B44.7, and ASME A17.3):
1. Dumbwaiters;
2. Material lifts and dumbwaiters with automatic transfer devices.

1.2 This chapter covers the design, construction, operation, inspection, maintenance, alteration and repair of automatic guided transit vehicles on guideways with an exclusive right-of way. This equipment includes, but is not limited to, automated people mover (also see ASCE 21):

§2 Equipment Not Covered by This Chapter

2.1 Equipment not covered by this chapter includes, but not limited to, the following:

(a) Material hoists within the scope of ANSI A10.5
(b) Manlifts within the scope of ASME A90.1
(c) Mobile scaffolds, towers and platforms within the scope of ANSI A92
(d) Powered platforms and equipment for exterior and interior maintenance within the scope of ANSI 120.1
(e) Conveyors and related equipment within the scope of ASME B20.1;
(f) Cranes, derricks, hoists, hooks, jacks and slings within the scope of ASME B30;
(g) Industrial trucks within the scope of ASME B56;
(h) Portable equipment, except for portable escalators which are covered by ASME A17.1/CSA B44 and ASME A17.7/CSA B44.7;
(i) Tiering or piling machines used to move materials to and from storage located and operating entirely within one story;
(j) Equipment for feeding or positioning materials at machine tools, printing presses etc.;
(k) Skip or furnace hoists;
(l) Wharf ramps;
(m) Railroad car lifts or dumpers;
(n) Line jacks, false cars, shafters, moving platforms and similar equipment used for installing an elevator by a contractor licensed in this state.

§3 PURPOSE

3.1 The purpose of this Chapter is to provide for the safety of installers, maintainers, operators and users, and to promote public safety awareness. The use of unsafe and defective lifting devices imposes a substantial probability of serious and preventable injury to employees and the public exposed to unsafe conditions. The prevention of these injuries and protection of employees and the public from unsafe conditions is in the best interest of the people of this state. Elevator personnel performing work covered by this Code shall by documented training or experience or both, be familiar with the operation and safety functions of the components and equipment. Training and experience shall include, but not be limited to, recognizing the safety hazards and performing the procedures to which they are assigned in conformance with the requirements of the Code. This Chapter shall establish the minimum standards for elevator personnel.

3.2 The provisions of this Chapter are not intended to prevent the use of systems, methods, or devices of equivalent or superior quality, strength, fire resistance, code effectiveness, durability, and safety to those required by the Code, provided that there is technical documentation to demonstrate the equivalency of the system, method, or device, as prescribed in ASME A17.1/CSA B44, ASME A17.7/CSA B44.7, ASME A18.1 or ASCE 21.

§4 Definitions

4.1 ADMINISTRATORS – The Commissioner of [Inspections and Community Revitalization] and the Commissioner of [Public Works] or the officer (s) designated by the Elevator Safety Review Board.

4.2 ASCE 21 – American Society of Civil Engineers Automated People Mover Standards.

4.3 ASME A17.1/CSA B44 – The Safety Code for Elevators and Escalators, an American National Standard.

4.4 ASME A17.3 – The Safety Code for Existing Elevators and Escalators, an American National Standard.

4.5 ASME A17.7/CSA B44.7 – The Performance - Based Safety Code for Elevators and Escalators, an American National Standard.

4.6 ASME A18.1 – The Safety Standard for Platform Lifts and Stairway Chairlifts, an American National Standard.

4.7 AUTOMATED PEOPLE MOVER – An installation as defined as an “automated people mover” in ASCE 21.

4.8 BOARD – The Elevator Safety Review Board as described in this chapter.

4.9 CERTIFICATE OF OPERATION - A document issued by the Director of Licenses that indicates that the conveyance has had the required safety inspection and tests and fees have been paid as set forth in this Chapter.

4.10 CERTIFICATE OF OPERATION; TEMPORARY – A document issued by the Director of Licenses which permits the temporary use of a non-compliant conveyance by the general public for a limited time, thirty days while minor repairs are being completed.

4.11 CONVEYANCE - Any elevator, dumbwaiter, escalator, moving sidewalk, platform lifts stairway chairlifts and automated people movers.

4.12 DORMANT ELEVATOR, DUMBWAITER OR ESCALATOR – An installation placed out of service as specified in ASME A17.1/CSA B44 and ASME A18.1.

4.13 ELEVATOR - An installation as defined as an “elevator” in ASME A17.1/CSA B44.

4.14 ELEVATOR CONTRACTOR - Any sole proprietor, firm, or corporation who possesses an elevator contractors license in accordance with the provisions of Section 9 and 10 and who is engaged in the business of erecting, constructing, installing, altering, servicing, repairing or maintaining elevators or related conveyance covered by this chapter.

4.15 ELEVATOR HELPER/APPRENTICE – Works under the general direction of Licensed Elevator Mechanic. A license is not required.

4.16 ELEVATOR INSPECTOR - Any person, as defined in ASME QEI as an inspector who possesses an elevator inspector’s license in accordance with the provisions of this chapter.

4.17 ELEVATOR MECHANIC – Any person, who possesses an elevator mechanic license in accordance with the provisions of Section 9 and 10 and who is engaged in erecting, constructing, installing, altering, servicing, repairing or maintaining elevators or related conveyance covered by this chapter.

4.18 ESCALATOR - An installation as defined as an “escalator” in ASME A17.1/CSA B44.

4.19 EXISTING INSTALLATION – An installation as defined as an “installation, existing” in ASME A17.1/CSA B44.

4.20 LICENSE - A written license, duly issued by the Director of Licenses, authorizing a person, sole proprietor, firm, or corporation to carry on the business of erecting, constructing, installing, altering, servicing, repairing or maintaining or performing inspections of elevators or related conveyance covered by this chapter.

4.21 LICENSE, ELEVATOR CONTRACTORS - A license which is issued to an elevator contractor who has been authorized by the Elevator Safety Review Board to possess this type of license. It shall entitle the holder thereof to engage in the business of erecting, constructing, installing, altering, servicing, testing, repairing, or maintaining elevators or related conveyance covered by this chapter.

4.22 LICENSE, INSPECTOR - A license which is issued to an ASME QEI certified elevator inspector who has proven his/her qualifications and ability and has been authorized by the Elevator Safety Review Board to possess this type of license. It shall entitle the holder thereof to engage in the business of inspecting elevators or related conveyance covered by this chapter.

4.23 LICENSE, LIMITED ELEVATOR CONTRACTORS - A license which is issued by the Director of Licenses, authorizing a sole proprietor, firm, or corporation who employees individuals to carry on a business of erecting, constructing, installing, altering, servicing, repairing, or maintaining platform lifts, and stairway chairlifts within any building or structure, including but not limited to private residences.

4.24 LICENSE, ELEVATOR MECHANIC – A license, which is issued to a person who has proven his/her qualifications and ability and has been authorized by the Elevator Safety Review Board to work on conveyance equipment. It shall entitle the holder thereof to install, construct, alter, service, repair, test, maintain and perform electrical work on elevators or related conveyance covered by this chapter.

4.25 LICENSEE - The elevator mechanic, elevator contractor or elevator inspector.

4.26 MATERIAL ALTERATION - An “alteration” as defined in the referenced standards.

4.27 MOVING WALK (SIDEWALK) - An installation as defined as a “moving walk” in ASME A17.1/CSA B44.

4.28 PRIVATE RESIDENCE - A separate dwelling or a separate apartment in a multiple dwelling, which is occupied by members of a single-family unit.

4.29 REPAIR - A “repair” as defined in the referenced standards. This does not require a permit.

4.30 TEMPORARILY DORMANT ELEVATOR, DUMBWAITER OR ESCALATOR - An installation whose power supply has been disconnected by removing fuses and placing a padlock on the mainline disconnect switch in the “OFF” position. The car is parked and the hoistway doors are in the closed and latched position. A wire seal shall be installed on the mainline disconnect switch by a licensed elevator inspector. This installation shall not be used again until it has been put in safe running order and is in condition for use. Annual inspections shall continue for the duration of the temporally dormant status by a licensed elevator inspector. “Temporally Dormant" status shall be renewable on

an annual basis, and shall not exceed a five-year period. The inspector shall file a report with chief elevator inspector describing the current conditions. The wire seal and padlock shall not be removed for any purpose without permission from the elevator inspector.

All other building transportation terms are defined in the latest edition of ASME A 17.1/CSA B44, ASME A17.7/CSA B44.7 and ASME A18.1.

§5 License Required

5.1 No person shall erect, construct, alter, replace, maintain, remove or dismantle any conveyance contained within buildings or structures in the jurisdiction of this state unless an Elevator Mechanic license has been issued as described herein and is working under the direct supervision of a sole proprietor, firm or corporation who is an Elevator Contractor pursuant to this chapter. No person shall wire any conveyance, from the mainline feeder terminals on the controller, in the jurisdiction of this state unless an Elevator Mechanic license has been issued as described herein and is working under the direct supervision of a sole proprietor, firm or corporation who is an Elevator Contractor pursuant to this chapter. No other license shall be required for this work. A licensed elevator contractor is not required for removing or dismantling conveyances, which are destroyed as a result of a complete demolition of a secured building or structure or where the hoistway or wellway is demolished back to the basic support structure whereby no access is permitted therein to endanger the safety and welfare of a person.

5.2 No person shall inspect any conveyance within buildings or structures, including but not limited to private residences, unless an inspector's license has been issued as described herein.

§6 Elevator Safety Review Board

6.1 There is hereby created the Elevator Safety Review Board, herein referred to as the "Board" consisting of nine members, one of whom shall be the Commissioner of [Public Works] or his delegate, one of whom shall be the Commissioner of [Inspections and Community Revitalization] or his delegate. The Governor shall appoint the remaining seven members of the Board as follows; one representative from a major elevator manufacturing company or it's authorized representative; one representative from an elevator servicing company; one representative of the architectural design or elevator consulting profession; one representative of the general public; one representative of a municipality in this state; one representative of a building owner or manager; and one representative of Labor involved in the installation, maintenance and repair of elevators.

6.2 The members constituting such Board shall serve for terms of three years, excluding the Commissioner of [Inspections and Community Revitalization], and the Commissioner of [Public Works] who shall serve continuously. The members shall serve without salary. The board member shall receive from the state expenses necessarily incurred by them in performance of their duties. The Governor shall appoint one of the members to serve as Chairman; the Chairman shall be the deciding vote in the event of a tie vote.

§7 Meeting of Board

7.1 The Board shall meet and organize within ten days after the appointment of its members and at

such meeting shall elect one Secretary of the Board to serve during the term to be fixed by the rules and regulations to be adopted by the Board. The Board shall meet regularly once in each month at a time and place to be fixed by it and at such times as it is deemed necessary for the consideration of code regulations, appeals, variances and for the transaction of such other business as properly may come before it. Special meetings shall be called as provided in the rules and regulations. Any appointed Board Member absent from three consecutive meetings shall be dismissed.

§8 Powers of Board

8.1 The Board shall be authorized to consult with engineering authorities and organizations concerned with standard safety codes; rules and regulations governing the operation, maintenance, servicing, construction, alteration, installation, and/or inspection of elevators, dumbwaiters, escalators etc, and the qualifications which are adequate, reasonable and necessary for the elevator mechanic, contractor and inspector. Therefore, the Board shall be authorized to recommend the amendments of applicable legislation, when appropriate, to legislators.

8.2 The Board shall establish the State regulations for the equipment regulated by this Chapter. Said regulations shall include the Safety Code for Elevators and Escalators, ASME A17.1/CSA B44; the Safety Code for Existing Elevators and Escalators, ASME A17.3; the Performance-Based Safety Code for Elevators and Escalators, ASME A17.7/CSA B44.7, the Safety Standards for Platform Lifts and Stairway Chairlifts, ASME A18.1; Standard for the Qualification of Elevator Inspectors, ASME QEI-1; and Automated People Mover Standards, ASCE 21. The Board shall adopt the latest editions of said standards with six months of their effective date. Any modifications to said standards, that the Board deems necessary, shall be justified in writing by the Board.

8.3 The Board shall also have the authority to grant exceptions and variances from the literal requirements of applicable code and standards, regulations, and/or local legislation in cases where such variances would not jeopardize the public safety and welfare. The Board shall have the authority to hear appeals, hold hearings and decide upon such within 30 days of the appeal.

8.4 The Board shall establish fee schedules for licenses, permits, certificates and inspections. The fees shall reflect the actual costs and expenses to operate this department and to conduct the duties as described in this chapter.

§9 Application for Elevator Contractors or Inspector's License

9.1 Elevator Contractor; Any sole proprietor, firm or corporation wishing to engage in the business of elevator, dumbwaiter, escalator, moving sidewalks installation, alteration, service, replacement or maintenance within the jurisdiction shall make application for a license with the Director of Licenses on a form provided by the Director.

9.2 Elevator Mechanic; Any person, wishing to engage in installing, altering, repairing or servicing elevator, dumbwaiter, escalator, moving sidewalks installation, alteration, service, replacement or maintenance within the jurisdiction shall make application for a license with the Director of Licenses on a form provided by the Director.

9.3 Inspector; Any person, wishing to engage in the business of elevator, dumbwaiter, escalator, moving walks, platform or stairway chairlifts, inspections within the jurisdiction, upon proof of ASME

QEI certification shall make application for a license with the Director of Licenses on a form to be provided by the Director.

9.4 The applications shall contain information for the following provisions:

(a) If a person or sole proprietor, the name, residence and business address of the applicant.

(b) If a partnership, the name, residence and business address of each partner.

(c) If a domestic corporation, the name and business address of the corporation and the name and residence address of the principal officer of said corporation; if a corporation other than a domestic corporation, the name and address of an agent located locally who shall be authorized to accept service of process and/or official notices.

(d) The number of years the applicant has engaged in the business of installing, inspecting, and/or maintaining or servicing elevators and/or platform lifts.

(e) The approximate number of persons, if any, to be employed by the Elevator Contractor applicant, and if applicable, satisfactory evidence that the employees are or will be covered by workers' compensation insurance.

(f) Satisfactory evidence that the applicant is or will be covered by general liability, personal injury and property damage insurance.

(g) Criminal record of convictions, if any, as verified by the Commissioner of Police.

(h) Such other information as the Director of License may require.

9.5 Qualifications of Elevator Mechanic

(a) No license shall be granted to any person who has not demonstrated their qualifications and abilities. Applicants for a mechanic license must demonstrate the following qualifications:

(b) An acceptable combination of documented experience and education credits: not less than three years work experience in the elevator industry, in construction, maintenance or service/repair or any combination thereof, as verified by current and previous employers licensed to do business in this state. Satisfactory completion of a written examination administered by the Elevator Safety Review Board on the most recent referenced codes and standards.

(c) Any person who furnishes the commissioner with acceptable proof that they have worked as an elevator constructor, maintenance, or repair person shall upon making application for a license and paying the license fee shall be entitled to receive a license without an examination. They shall have worked without direct and immediate supervision for an elevator contractor licensed to do business in this state. This employment shall not be less than three years immediately prior to the effective date of this document. The person must make application within one year of the effective date of this document.

(d) Certificates of completion and successfully passing the mechanic examination of a nationally recognized training program for the elevator industry such as the National Elevator Industry Educational Program or its equivalent; or

(e) Certificates of completion of an apprenticeship program for elevator mechanic, having standards substantially equal to those of this chapter, and registered with the Bureau of Apprenticeship and Training, U.S. Department of Labor or a state apprenticeship council.

(f) A license shall be issued to an individual holding a valid license from a state having standards substantially equal to those of this chapter, upon application and without examination.

9.6 Qualifications Elevator Inspector

No inspector's license shall be granted to any person, unless they demonstrate to the satisfaction of the Commissioner or officer designated by the Board, thereinafter referred to as the "administrators," that they meet the current ASME QEI-1, Standards for the Qualifications of Elevator Inspectors.

9.7 Qualifications of Elevator Contractor

(a) No license shall be granted to any sole proprietor, firm or corporation that has not demonstrated the requisite qualifications and abilities. Duly authorized applicants for an Elevator Contractor's license must demonstrate the following qualifications:

(b) Shall have in their employ licensed elevator mechanic(s) who perform the work described in Subsection 5.1 and have proof of compliance with the insurance requirements set forth in Section 18.

9.8 A license may be issued to a sole proprietor, firm or corporation holding a valid license from a state having standards substantially equal to those of this chapter, upon application.

§10 Issuance and Renewal of Licenses; Fees

10.1 Upon approval of an application by the administrator, the Director of Licenses may issue a license [s], all of which shall be renewable biennially. The fee for such license [s] for any renewal thereafter shall be set by the Board.

10.2 When ever an emergency exists in the state due to disaster, act of God or work stoppage and the number of persons in the state holding licenses granted by the board is insufficient to cope with the emergency, Elevator Contractors shall respond as necessary to assure the safety of the public. Any person certified by a licensed Elevator Contractor to have an acceptable combination of documented experience and education to perform elevator work without direct and immediate supervision shall seek an Emergency Elevator Mechanic license from the Director of Licenses within five business days after commencing work requiring a license. The administrator shall issue Emergency Elevator Mechanic licenses. The Elevator Contractor shall furnish proof of competency as the administrator may require. Each such license shall recite that it is valid for a period of forty-five (45) days from the

date thereof and for such particular elevators or geographical areas as the administrator may designate and otherwise shall entitle the licensee to the rights and privileges of an Elevator Mechanic license issued in this chapter. The administrator shall renew an emergency Elevator Mechanic license during the existence of an emergency. No fee shall be charged for any emergency Elevator Mechanic license or renewal thereof.

10.3 An Elevator Contractor shall notify the administrator when there are no licensed personnel available to perform elevator work. The Elevator Contractor may request that the administrator issue Temporary Elevator Mechanic licenses to persons certified by the licensed Elevator Contractor to have an acceptable combination of documented experience and education to perform elevator work without direct and immediate supervision. Any person certified by an Elevator Contractor to have an acceptable combination of documented experience and education to perform elevator work without direct and immediate supervision shall immediately seek a Temporary Elevator Mechanic license from the Director of Licenses and shall pay such fee, as the Board shall determine. Each such license shall recite that it is valid for the term specified in Section 10.1 and while employed by the licensed elevator contractor that certified the individual as qualified. It shall be renewable as long as the shortage of license holders shall continue.

10.4 The renewal of all licenses granted under the provisions of this section shall be conditioned upon the submission of a certificate of completion of a course designed to ensure the continuing education of licensees on new and existing provisions of the regulations of the Elevator Safety Review Board. Such course shall consist of not less than eight hours of instruction that shall be attended and completed within one year immediately preceding any such license renewal.

10.5 The courses shall be taught by instructors through continuing education providers that may include, but shall not be limited to, association seminars, and labor training programs. The Elevator Safety Review Board shall approve the continuing education providers. All instructors shall be approved by the Board and exempt from the requirements of the preceding paragraph with regard to their application for license renewal provided that such applicant was qualified as an instructor at any time during the one year immediately preceding the scheduled date for such renewal**.**

10.6 A licensee who is unable to complete the continuing education course required under this section prior to the expiration of their license due to a temporary disability may apply for a waiver from the Board. This will be on a form provided by said board which shall be signed under the pains and penalties of perjury and accompanied by a certified statement from a competent physician attesting to such temporary disability. Upon the termination of such temporary disability, such licensee shall submit to said board a certified statement from the same physician, if practicable, attesting to the termination of such temporary disability. At which time a waiver sticker, valid for 90 days, shall be Issued to such licensee and affixed to his license.

10.7 Approved training providers shall keep uniform records, for a period of ten years, of attendance of licensees following a format approved by the Board and such records shall be available for Inspection by said board at its request. Approved training providers shall be responsible for the security of all attendance records and certificates of completion; provided, however, that falsifying or knowingly allowing another to falsity such attendance records or certificates of completion shall constitute grounds for suspension or revocation of the approval required under this section.

§11 Civil Penalties, Suspension and Revocation of Licenses

11.1 A license issued pursuant to this chapter may be suspended, revoked or subject to civil penalty by the administrators upon verification that any one or more of the following reasons exist:

(a) Any false statement as to material matter in the application.

(b) Fraud, misrepresentation or bribery in securing a license.

(c) Failure to notify the Director of Licenses and the owner or lessee of an elevator or related mechanisms of any condition not in compliance with this chapter.

(d) Violation of any provisions of this chapter.

§12 Hearing on Charges; Decision

12.1 No license shall be suspended, revoked or subject to civil penalty until after a hearing before the administrator upon notice to the licensee of at least ten days at the last known address appearing on the license, served personally or by registered mail. The notice shall state the date, hour, and place of hearing and set forth a statement of facts constituting the grounds for the charges against the licensee. The administrator shall suspend or revoke the license or dismiss the proceeding.

§13 Appeals

13.1 Any person, sole proprietor firm or corporation whose license is revoked, suspended or subject to civil penalty may appeal from such determination to the Board, which shall within thirty days thereafter, hold a hearing, of which at least fifteen days written notice shall be given to all interested parties. The Board shall**,** within thirty days after such hearing, issue a decision.

§ 14 Registration of Existing Elevators, Platform Lifts, Dumbwaiters, Escalators, Moving Walks and any Other Conveyance

14.1 Within six months after the date of the appointment of the Board, the owner or lessee of every existing conveyance shall register with the Director of Licenses each such elevator, dumbwaiter, platform lift, and escalator or device described in section one, owned and operated by them, giving the type, rated load and speed, name of manufacturer, it's location and the purpose for which it is used and such additional information as the Director of Licenses may require. Elevators, dumbwaiters, platform lifts escalators and moving walks or other conveyances which construction has begun subsequent to the date of the creation of the Board shall be registered at the time they are completed and placed in service.

§15 Compliance with State Fire Prevention and Building Code

15.1 It shall be the responsibility of individuals, firms or corporations licensed as described above to ensure that installation and/or service and maintenance of elevators and devices described in section one, is performed in compliance with the provisions contained in the State Fire Prevention and Building Code, and with generally accepted standards referenced in said code.

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§16 Permits

16.1 No conveyance, covered by this Chapter shall be erected, constructed, installed or altered within buildings or structures within the jurisdiction unless a permit has been obtained from the Director of Licenses before the work is commenced. Where any material alteration, as defined herein, is made, the device shall conform to applicable requirements in ASME A17.1/CSA B44, ASME A17.7/CSA B44.7, ASME A18.1 or ASCE 21 for the alteration. No permit required hereunder shall be issued except to a sole proprietor, firm, or corporation holding a current Elevator Contractor's license, duly issued pursuant to this chapter. A copy of such permit shall be kept at the construction site at all times while the work is in progress.

16.2 The permit fee shall be as set by the Board. Permit Fees collected are non-refundable.

16.3 Permit Requirements**:**

(a) Each application for a permit shall be accompanied by copies of specifications and accurately scaled and fully dimensioned plans showing the location of the installation in relation to the plans and elevation of the building; the location of the machinery room and the equipment to be installed, relocated or altered; and all structural supporting members thereof, including foundations, and shall specify all materials to be employed and all loads to be supported or conveyed. Such plans and specifications shall be sufficiently complete to illustrate all details of construction and design.

(b) The applicable fees shall accompany each permit application.

16.4 Revocation of Permits**:** Permits may be revoked for the following reasons:

(a) Where any false statements or misrepresentation as to the material facts in the application, plans, or specifications on which the permit was based.

(b) Where the permit was issued in error and should not have been issued in accordance with the code.

(c) Where the work detailed under the permit is not being performed in accordance with the provisions of the application, plans or specifications or with the code or conditions of the permit.

(d) Where the Elevator Contractor to whom the permit was issued fails or refuses to comply with a STOP WORK order.

16.5 Expiration of Permits**:**

(a) If the work authorized by such permit is not commenced within six months after the date of issuance, or within a shorter period of time as the Director or his duly authorized representative in his discretion may specify at the time the permit is issued.

(b) If the work is suspended or abandoned for a period of sixty days, or such shorter period of time as the Director or his duly authorized representative in his discretion may specify at the time the permit is issued, after the work has been started. For good cause, the Director or his

representative may allow an extension of the foregoing period at his discretion.

§17 New Installations / Annual inspections and Registrations

17.1 Installations: [Certificate of Operation required.] All new conveyance installations shall be performed by a sole proprietor, firm or corporation to which a license to install or service conveyances has been issued. Subsequent to installation, said licensed sole proprietor, firm or corporation must certify compliance with the applicable sections of this Chapter. Prior to any conveyance being used, the property owner or lessee must obtain a Certificate of Operation from the Director of Licenses. A fee as set forth in this Chapter, shall be paid for said certificate of operation. It shall be the responsibility of the licensed Elevator Contractor to complete and submit first time registration[s] for new installations. The Certificate of Operation fee for newly installed platform lifts and stairway chair lifts for private residences shall be subsequent to an inspection by a licensed third party inspection firm.

17.2 The Certificate of Operation fee for all new and existing platform and stairway chair lifts for private residences and any renewal certificate fees shall be waived. The Director of Housing and Property inspections or his designee shall inspect, in accordance with the requirements set forth in this Chapter, all newly installed and existing platform lifts and stairway chair lifts for private residences subsequent to an inspection by a person, firm or corporation to which a license to inspect conveyances has been issued. The Administrator shall provide notice to the owner of the private residence where the conveyance is located with relevant information about conveyance safety requirements, including, but not limited to having the owner contact the Administrator in order to ensure that the conveyance is periodically and timely inspected and made safe before the permit for the conveyance expires. The inspection shall only be done at the request and consent of the private residence owner. All penalty provisions of this Act shall not apply to private residence owners.

17.3 Display Certificate of Operation. Certificate of Operation referenced in Subsections 17.1 and 17.2 above are renewable annually [One year] except for certificates issued for platform and stairway chairlifts for private residences, which shall be valid for a period of three years. Certificates of Operation must be clearly displayed on or in each conveyance or in the machine room for use for the benefit of code enforcement staff.

§18 Insurance Requirements

18.1 Elevator Contractors shall submit to the Director of Licenses, an insurance policy or certified copy thereof, issued by an insurance company authorized to do business in the State, to provide general liability coverage of at least one million dollars for injury or death of any number of persons in any one occurrence, with the coverage of at least five hundred thousand dollars for property damage in any one occurrence and the statutory workers compensation insurance coverage.

18.2 Elevator Inspectors, not employed by the Authority Having Jurisdiction, shall submit to the Director of Licenses, an insurance policy or certified copy thereof, issued by an insurance company authorized to do business in the State, to provide general liability coverage of at least one million dollars for injury or death of any number of persons in any one occurrence, with the coverage of at least five hundred thousand dollars for property damage in any one occurrence and the statutory workers compensation insurance coverage.

18.3 Such policies, or duly certified copies thereof, or an appropriate certificate of insurance, approved as to form by the Corporation Council and as to sufficiency by the Comptroller, shall be delivered to the Director of Licenses before or at the time of the issuance of a license. In the event of any material alteration or cancellation of any policy at least ten days notice thereof shall be given to the Director of Licenses.

§19 Enforcement

19.1 It shall be the duty of the Elevator Safety Review Board to develop an enforcement program, which will ensure compliance with regulations and requirements referenced in this chapter. This will include but will not be limited to regulations for identification of property locations which are subject to said regulations and requirements; issuing notifications to violating property owners or operators, random on-site inspections and tests on existing installations; witnessing periodic inspections and testing in order to ensure satisfactory performance by licensed persons, sole proprietors, firms or corporations; and assist in development of public awareness programs.

19.2 Any person may make a request for an investigation into alleged violation of this chapter by giving notice to the director of such violation or danger. Such notice shall be in writing, shall set forth with reasonable particularity the grounds for the notice and shall be signed by the person making the request. Upon the request of any person signing the notice, such person's name shall not appear on any copy of such notice or any record published, released or made available.

19.3 If upon receipt of such notification the director determines that there are reasonable grounds to believe that such violation or danger exists, the director shall cause to be made an investigation in accordance with the provisions of this chapter as soon as practicable to determine if such violation or danger exists. If the director determines that there are no reasonable grounds to believe that a violation or danger exists, the director shall notify the party in writing of such determination.

§20 Liability

20.1 This chapter shall not be construed to relieve or lessen the responsibility or liability of any person, firm or corporation owning, operating, controlling, maintaining, erecting, constructing, installing, altering, inspecting, testing or repairing any elevator or other related mechanisms covered by this chapter for damages to person or property caused by any defect therein, nor does the State assume any such liability or responsibility therefore or any liability to any person for whatever reason whatsoever by the adoption of this chapter or any acts or omissions arising hereunder.

§21 Civil Penalties for Offenses

21.1 Any owner or lessee who shall violate any of the provisions of this chapter, upon conviction thereof, shall be fined in an amount not to exceed one thousand, five hundred dollars or be imprisoned for a period not exceeding thirty days or both fined and imprisonment.

§22 Provisions not Retroactive

22.1 The provisions of this chapter are not retroactive unless otherwise stated and equipment shall be required to comply with the applicable code at the date of its installation or within the period

determined by the Board for compliance with ASME A17.3, whichever is more stringent. If upon the inspection of any device covered by this chapter, the equipment is found in dangerous condition or there is an immediate hazard to those riding or using such equipment, or if the design or the method of operation in combination with devices used is considered inherently dangerous in the opinion of the director, he/she shall notify the owner of the condition and shall order such alterations or additions as may be deemed necessary to eliminate the dangerous condition.

§23 Inspection and Testing

23.1 Annual Inspections: [Certificate of Operation required.] It shall be the responsibility of the owner of all new and existing conveyances located in any building or structure to have the conveyance inspected annually (ASME A17.1/CSA B44, category one) by a licensed Elevator Inspector. Subsequent to inspection, said licensed elevator inspector shall supply the property owner [s] or lessee and the director with a written inspection report describing any and all code violations. It shall be the responsibility of the director to gain code compliance. Property owners shall have thirty days from the date of the published inspection report to be in full compliance with correcting the violations.

23.2 It shall be the responsibility of the owner of all conveyances to have an Elevator Contractor, as described herein this chapter, insure that the required tests are performed at intervals in compliance with the ASME A17.1/CSA B44 Appendix N, ASME A18.1 and ASCE 21.

23.3 All tests shall be performed by a licensed Elevator Mechanic.

§24 State Law, Code or Regulation

24.1. Whenever a provision in this chapter is found to be inconsistent with any provision of the applicable state law, code or regulation, the state law shall prevail. This chapter, unless specifically stated otherwise, is not intended to establish more stringent or more restrictive standards than standards set forth in the applicable state law.