

SENATE BILL 82

E4

3lr0035

(PRE-FILED)

By: **Chair, Finance Committee (By Request – Departmental – Labor,
Licensing and Regulation)**

Requested: October 11, 2012

Introduced and read first time: January 9, 2013

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: January 22, 2013

CHAPTER _____

1 AN ACT concerning

2 **Elevator Safety ~~Review Board~~ – Third-Party Inspectors – Certification**

3 FOR the purpose of altering the definition of “third-party qualified elevator inspector”,
4 as it relates to the regulation of elevator safety, to require certification by a
5 certain nationally recognized safety organization that meets certain standards;
6 and generally relating to elevator safety and third-party qualified elevator
7 inspectors.

8 BY repealing and reenacting, with amendments,
9 Article – Public Safety
10 Section 12-801
11 Annotated Code of Maryland
12 (2011 Replacement Volume and 2012 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article – Public Safety**

16 12-801.

17 (a) In this subtitle the following words have the meanings indicated.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (b) "Accessibility lift mechanic" means a person who is engaged in erecting,
2 constructing, wiring, altering, replacing, maintaining, repairing, dismantling, or
3 servicing commercial stairway chairlifts, vertical platform lifts, or incline platform
4 lifts.

5 (c) "Accessibility lift mechanic specialist" means a person who is licensed as
6 an accessibility lift mechanic and has been certified by the Board to erect, construct,
7 wire, alter, replace, maintain, repair, dismantle, or service private residential
8 elevators.

9 (d) "Board" means the Elevator Safety Review Board.

10 (e) "Certificate" means a certificate of registration and inspection issued by
11 the Commissioner to operate an elevator unit.

12 (f) "Commissioner" means the Commissioner of Labor and Industry or an
13 authorized representative of the Commissioner of Labor and Industry.

14 (g) "Dumbwaiter" means a hoisting and lowering machine equipped with a
15 car of limited capacity and size that moves in guides in a substantially vertical
16 direction and is used exclusively for carrying material.

17 (h) "Elevator" means a hoisting and lowering machine equipped with a car or
18 platform that moves in guides in a substantially vertical direction and serves two or
19 more floors of a building or structure.

20 (i) "Elevator contractor" means a person who is engaged in the business of
21 erecting, constructing, wiring, altering, replacing, maintaining, repairing,
22 dismantling, or servicing elevator or accessibility lift units.

23 (j) "Elevator mechanic" means a person who is engaged in erecting,
24 constructing, wiring, altering, replacing, maintaining, repairing, dismantling, or
25 servicing elevator or accessibility lift units.

26 (k) "Elevator refinisher" means a person who is engaged in the refinishing of
27 existing metal and wood elements in elevator cabs, including the stripping of old
28 lacquer on wood and bronze items, staining wood to match existing finishes, cleaning,
29 polishing, oxidizing, painting, lacquering, and the removing of scratches to maintain
30 existing finishes.

31 (l) "Elevator renovator contractor" means a person who is engaged in the
32 business of performing work:

33 (1) on the interior of an elevator involving the removal or installation
34 of the nonstructural surface of the elevator's wall, ceiling, floor, rail, or handle; and

35 (2) that does not affect the elevator's moving operation.

1 (m) “Elevator renovator mechanic” means a person who performs work:

2 (1) on the interior of an elevator involving the removal or installation
3 of the nonstructural surface of the elevator’s wall, ceiling, floor, rail, or handle; and

4 (2) that does not affect the elevator’s moving operation.

5 (n) “Elevator unit” includes an elevator, escalator, dumbwaiter, and moving
6 walk.

7 (o) “Escalator” means a power driven, inclined, continuous stairway used for
8 raising and lowering passengers.

9 (p) “License” includes:

10 (1) an accessibility lift mechanic license;

11 (2) an elevator contractor license;

12 (3) an elevator mechanic license;

13 (4) an elevator renovator contractor license; and

14 (5) an elevator renovator mechanic license.

15 (q) “Moving walk” means a type of passenger-carrying device on which
16 passengers stand or walk and in which the passenger-carrying surface remains
17 parallel to its direction of motion and is uninterrupted.

18 (r) “Safety Code” means the American National Standard/American Society
19 of Mechanical Engineers Safety Code for Elevators, Dumbwaiters, Escalators, and
20 Moving Walks, known as ANSI A17.1–1971, and all subsequent amendments and
21 revisions to it, as adopted by the Commissioner.

22 (s) “Secretary” means the Secretary of Labor, Licensing, and Regulation.

23 (t) “Third-party qualified elevator inspector” means an inspector who:

24 (1) meets the qualifications, insurance requirements, and procedures
25 established by the Commissioner; and

26 (2) is certified by [an organization accredited by the American Society
27 of Mechanical Engineers in accordance with the American National
28 Standard/American Society of Mechanical Engineers Safety Code for Elevators,
29 Dumbwaiters, Escalators, and Moving Walks, known as ANSI A17.1–1971, and all
30 subsequent amendments,] **A NATIONALLY RECOGNIZED SAFETY ORGANIZATION**

1 ACCREDITED BY THE NATIONAL COMMISSION FOR CERTIFYING AGENCIES
2 THAT ENSURES THAT:

3 (I) THE CERTIFICATION REQUIRES TESTING AND GRADING
4 CONSISTENT WITH INDUSTRY RECOGNIZED CRITERIA and any related consensus
5 standards; AND

6 (II) ANY RENEWAL OF CERTIFICATION REQUIRES
7 CONTINUING EDUCATION.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2013.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.