

(PRE-FILED)

By: **Delegate Baldwin**

Requested: November 15, 1997

Introduced and read first time: January 14, 1998

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Scaffolding**

3 FOR the purpose of repealing certain provisions of law governing the safety of
4 scaffolding used for certain purposes; repealing the duty of certain officials to
5 investigate complaints about the safety of certain scaffolding, the duty of local
6 officials to take certain actions after investigating the safety of certain
7 scaffolding, and the duty of certain persons to remove unsafe scaffolding or to
8 make it safe; repealing certain provisions of law governing the safety of the
9 slings, hangers, blocks, pulleys, stays, braces, irons, or ropes of certain
10 scaffolding; repealing the duty of certain officials to investigate complaints
11 about the safety of slings, hangers, blocks, pulleys, stays, braces, irons, or ropes
12 of certain scaffolding, the duty of certain officials to take certain actions after
13 investigating the safety of slings, hangers, blocks, pulleys, stays, braces, irons,
14 or ropes of certain scaffolding, and the duty of certain persons to remove unsafe
15 scaffolding or to make it safe; repealing certain standards for the safety of
16 scaffolding; repealing certain penalties; and generally relating to the safety of
17 scaffolding and the slings, hangers, blocks, pulleys, stays, braces, irons, and
18 ropes of scaffolding.

19 BY repealing
20 Article 48 - Inspections
21 Section 111 through 115
22 Annotated Code of Maryland
23 (1994 Replacement Volume and 1997 Supplement)

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

26 **Article 48 - Inspections**

27 [111.

28 Whenever complaint is made to the commissioner of police or to the inspector, or
29 other persons in charge of the police force of any city or town in this State, that the

1 scaffolding used in the construction, altering, repairing or painting of any building
2 within the limits of such city or town is unsafe and dangerous to the life and limb of
3 any person, it shall be the duty of such police commissioner, inspector of police, or
4 other persons in charge of the police force to immediately detail a competent police
5 officer to inspect such scaffolding forthwith, with instructions to prohibit the further
6 use of such scaffolding, and, if after proper examination he finds the complaint well
7 founded, to require that it be altered or reconstructed in such manner as to render it
8 no longer dangerous to life or limb. It shall be the duty of the officer making the
9 examination to attach a notice to such scaffolding, stating that he has made such
10 examination, and that he has found it safe or unsafe, as the case may be. If he
11 declares it to be unsafe he shall at once, in writing, notify the person or persons
12 responsible for its erection of the fact, and warn them against using it, or permitting
13 or suffering any person or persons to use it, and such notice may be served upon the
14 responsible person or persons, or by conspicuously affixing it to the scaffold declared
15 to be unsafe; after such notice is served or affixed, it shall be the duty of the persons
16 responsible therefor to immediately remove such scaffolding, or to alter or strengthen
17 it in such a manner as to render it safe, in the discretion of the officer who has
18 condemned it or of his superiors.]

19 [112.

20 It shall be the duty of the police commissioner, inspector of police, or other
21 persons in charge of the police force of any city or town of this State, when complaint
22 is made to them or any of them that the slings, hangers, blocks, pulleys, stays, braces,
23 irons or ropes of any swinging or stationary scaffolding used in the painting, cleaning
24 or pointing of any building within the limits of such city or town are unsafe or liable
25 to prove dangerous to the life or limb of any person, to detail a competent police officer
26 to examine, and, if necessary, test the same; immediately after making such
27 examination or test he shall attach thereto a certificate stating that he has made such
28 examination or test and that he has found such slings, hangers, irons or ropes, or any
29 of them, safe or unsafe, as the case may be; if he declares unsafe the whole or any
30 portion of such swinging or stationary scaffolding, he shall at once, in writing, notify
31 the person or persons responsible for the same of the fact, and warn them against
32 using or suffering or permitting any person or persons to use them, and such notice
33 may be served upon the person or persons responsible, or by conspicuously affixing it
34 to the condemned or defective article; after such notice is served or affixed, it shall be
35 the duty of the responsible person or persons to remove or cause to be removed the
36 scaffolding, or that part of it which has been condemned, or to alter and strengthen it
37 in such manner as to render it safe, in the discretion of the officer who has tested or
38 examined it or his superiors.]

39 [113.

40 All swinging and stationary scaffolding shall be so constructed as to bear three
41 times the maximum weight required to be dependent from or placed thereon when in
42 use, and not more than one person shall be allowed on a given scaffold to each tackle
43 and each person shall be provided with a lifeline sufficiently strong to bear twice his
44 weight, secured independently of the other scaffolding.]

1 [114.

2 Any officer detailed to examine or test any scaffolding or portion thereof as
3 required by §§ 111 and 112 shall have free and unobstructed access at all reasonable
4 hours to any building or premises containing them or where they may be in use.]

5 [115.

6 Any person who violates or omits to comply with any of §§ 111 to 114 or who
7 suffers or permits the use of any article or scaffolding declared by a proper officer to
8 be defective, or who destroys or defaces any notice posted in accordance with any of
9 the said provisions, or who hinders or obstructs any officers who may be detailed to
10 enforce said provisions shall be deemed guilty of a misdemeanor, and on conviction in
11 a court of competent jurisdiction be fined not less than twenty-five nor more than one
12 hundred dollars.]

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 1998.