

SENATE BILL 238

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2001 Regular Session
11r0038
CF 11r0161

By: **Chairman, Finance Committee (Departmental - Labor, Licensing and Regulation)**

Introduced and read first time: January 24, 2001

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Elevator Safety - Registration and Cancellation Fees**

3 FOR the purpose of altering the time frame for registering certain elevators,
4 dumbwaiters, escalators, and moving walks with the Commissioner of Labor
5 and Industry; authorizing the Commission to charge a certain fee under certain
6 circumstances; and generally relating to elevators, dumbwaiters, escalators, and
7 moving walks.

8 BY repealing and reenacting, with amendments,
9 Article 89 - Miscellaneous Business, Work and Safety Provisions
10 Section 49B(c) and (i)
11 Annotated Code of Maryland
12 (1998 Replacement Volume and 2000 Supplement)

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

15 **Article 89 - Miscellaneous Business, Work, and Safety Provisions**

16 49B.

17 (c) (1) Within 60 days after January 1, 1975, the owner or lessee of every
18 existing elevator shall register with the Commissioner each elevator, dumbwaiter,
19 escalator and moving walk that it owns or operates, giving type, rating load and
20 speed, name of manufacturer, its location and the purpose for which it is used and any
21 other information the Commissioner may require. Registration shall be made on a
22 form to be furnished by the Commissioner. [Elevators] EXCEPT AS PROVIDED IN
23 PARAGRAPH (2) OF THIS SUBSECTION, ELEVATORS, dumbwaiters, escalators and
24 moving walks whose erection is begun subsequent to January 1, 1975, shall be
25 registered [within ten days after they are completed] AT LEAST 60 DAYS PRIOR TO
26 PLANNED COMPLETION and before placed in service.

27 (2) DUE TO EMERGENCY CIRCUMSTANCES, AN OWNER OR LESSEE MAY
28 REGISTER THE ELEVATOR, DUMBWAITER, ESCALATOR, OR MOVING WALK WITH THE

1 COMMISSIONER WITH LESS THAN 60 DAYS' NOTICE IN ACCORDANCE WITH
2 REGULATIONS ADOPTED UNDER THIS SUBTITLE.

3 (i) (1) If an inspection discloses that an elevator, dumbwaiter, escalator, or
4 moving walk complies with the applicable safety code, as adopted by the
5 Commissioner, and the rules and regulations of the Commissioner, the Commissioner
6 shall issue to the owner or lessee thereof a certificate of registration and inspection.
7 The certificate shall be valid for not more than one year from date of issuance. The
8 certificate, when issued, shall be posted in or on the elevator, dumbwaiter, escalator,
9 or moving walk.

10 (2) (I) IF AN INSPECTOR ARRIVES TO INSPECT THE ELEVATOR,
11 DUMBWAITER, ESCALATOR, OR MOVING WALK AT THE DESIGNATED TIME AND THE
12 ELEVATOR, DUMBWAITER, ESCALATOR, OR MOVING WALK IS NOT READY FOR
13 INSPECTION, THE INSPECTOR MAY CANCEL THE INSPECTION AND ASSESS THE
14 OWNER OR LESSEE OF THE ELEVATOR, DUMBWAITER, ESCALATOR, OR MOVING WALK
15 A CANCELLATION FEE AS SET BY THE COMMISSIONER IN REGULATION.

16 (II) THE COMMISSIONER SHALL SET THE CANCELLATION FEE SO
17 AS TO APPROXIMATE THE COSTS INCURRED BY THE INSPECTOR, INCLUDING THE
18 INSPECTOR'S COSTS FOR RETURNING TO COMPLETE THE INSPECTION AT ANOTHER
19 TIME.

20 (III) ANY FEE COLLECTED UNDER THIS SUBSECTION SHALL BE PAID
21 INTO THE GENERAL FUND OF THE STATE.

22 (3) IF AN INSPECTOR CANCELS AN INSPECTION UNDER PARAGRAPH (2)
23 OF THIS SUBSECTION, THE OWNER OR LESSEE OF THE ELEVATOR, DUMBWAITER,
24 ESCALATOR, OR MOVING WALK SHALL:

25 (I) RESCHEDULE THE INSPECTION WITH THE INSPECTOR; AND

26 (II) HAVE THE ELEVATOR, DUMBWAITER, ESCALATOR, OR MOVING
27 WALK READY FOR INSPECTION, INCLUDING CORRECTING ANY NECESSARY CODE
28 VIOLATIONS OR SAFETY HAZARDS, ON THE DESIGNATED DATE.

29 (4) AN OWNER OR LESSEE WHO NOTIFIES THE COMMISSIONER AT
30 LEAST 24 HOURS IN ADVANCE OF THE SCHEDULED INSPECTION THAT THE
31 ELEVATOR, DUMBWAITER, ESCALATOR, OR MOVING WALK WILL NOT BE READY FOR
32 INSPECTION MAY NOT BE ASSESSED A CANCELLATION FEE.

33 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
34 effect June 1, 2001.