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

Introduced and read first time: January 24, 2001

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 6, 2001

CHAPTER _____

1 AN ACT concerning

2 **Elevator Safety - Registration and ~~Cancellation~~ Inspection 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; requiring certain persons to ensure that certain standards are
7 met prior to certain scheduled inspections; requiring certain persons to
8 maintain certain records; requiring an inspector to issue an inspection checklist
9 under certain circumstances; defining certain terms; and generally relating to
10 elevators, dumbwaiters, escalators, and moving walks.

11 BY repealing and reenacting, without amendments,
12 Article 89 - Miscellaneous Business, Work, and Safety Provisions
13 Section 49B(a)
14 Annotated Code of Maryland
15 (1998 Replacement Volume and 2000 Supplement)

16 BY adding to
17 Article 89 - Miscellaneous Business, Work, and Safety Provisions
18 Section 49B(b)(11), (12), and (13)
19 Annotated Code of Maryland
20 (1998 Replacement Volume and 2000 Supplement)

21 BY repealing and reenacting, with amendments,
22 Article 89 - Miscellaneous Business, Work, and Safety Provisions

1 Section 49B(c) and (i)
2 Annotated Code of Maryland
3 (1998 Replacement Volume and 2000 Supplement)

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

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

7 49B.

8 (a) An elevator, dumbwaiter, escalator or moving walk may not be operated in
9 any building, structure, or place of employment in the State unless a certificate of
10 registration and inspection for the operation thereof is issued by the Commissioner of
11 Labor and Industry, and unless the certificate remains in effect and is kept posted
12 conspicuously in or on the elevator, dumbwaiter, escalator or moving walk.

13 (b) For the purposes of this section:

14 (11) "FINAL ACCEPTANCE INSPECTION" MEANS AN INSPECTION
15 CONDUCTED BY THE COMMISSIONER ON COMPLETION OF AN ELEVATOR,
16 DUMBWAITER, ESCALATOR, OR MOVING WALK PRIOR TO THE PLACEMENT OF THE
17 UNIT IN SERVICE.

18 (12) "INSPECTION CHECKLIST" MEANS A FORM PROVIDED BY THE
19 COMMISSIONER SPECIFYING THE REQUIREMENTS FOR COMPLIANCE WITH
20 APPLICABLE SAFETY CODES AND RULES AND REGULATIONS ADOPTED BY THE
21 COMMISSIONER.

22 (13) "ANNUAL INSPECTION" MEANS AN INSPECTION CONDUCTED BY THE
23 COMMISSIONER FOR THE PURPOSE OF REISSUING A CERTIFICATE OF REGISTRATION
24 AND INSPECTION.

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

35 (2) DUE TO EMERGENCY CIRCUMSTANCES, AN OWNER OR LESSEE MAY
36 REGISTER THE ELEVATOR, DUMBWAITER, ESCALATOR, OR MOVING WALK WITH THE
37 COMMISSIONER WITH LESS THAN 60 DAYS' NOTICE IN ACCORDANCE WITH
38 REGULATIONS ADOPTED UNDER THIS SUBTITLE.

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

8 (2) (I) PRIOR TO SCHEDULING A FINAL ACCEPTANCE INSPECTION
9 WITH THE COMMISSIONER FOR AN ELEVATOR, DUMBWAITER, ESCALATOR, OR
10 MOVING WALK BEING INSTALLED IN THE STATE, THE CONTRACTOR SHALL ENSURE
11 THAT:

12 1. THE ELEVATOR, DUMBWAITER, ESCALATOR, OR MOVING
13 WALK MEETS THE APPLICABLE SAFETY CODE AND RULES AND REGULATIONS
14 ADOPTED BY THE COMMISSIONER; AND

15 2. THE ELEMENTS INDICATED ON THE INSPECTION
16 CHECKLIST ARE OPERATIONAL, HAVE BEEN TESTED, AND ARE FUNCTIONAL.

17 (II) ~~IF AN INSPECTOR ARRIVES TO INSPECT THE AN ELEVATOR,~~
18 ~~DUMBWAITER, ESCALATOR, OR MOVING WALK AT THE DESIGNATED TIME AND THE~~
19 ~~ELEVATOR, DUMBWAITER, ESCALATOR, OR MOVING WALK IS NOT READY FOR~~
20 ~~INSPECTION DOES NOT MEET THE CRITERIA ESTABLISHED IN SUBPARAGRAPH (I) OF~~
21 ~~THIS PARAGRAPH, THE INSPECTOR MAY CANCEL THE INSPECTION AND ASSESS THE~~
22 ~~OWNER OR LESSEE OF THE ELEVATOR, DUMBWAITER, ESCALATOR, OR MOVING WALK~~
23 ~~CONTRACTOR A CANCELLATION FEE AS SET BY THE COMMISSIONER IN~~
24 ~~REGULATION.~~

25 (H) ~~THE COMMISSIONER SHALL SET THE CANCELLATION FEE SO~~
26 ~~AS TO APPROXIMATE THE COSTS INCURRED BY THE INSPECTOR, INCLUDING THE~~
27 ~~INSPECTOR'S COSTS FOR RETURNING TO COMPLETE THE INSPECTION AT ANOTHER~~
28 ~~TIME PROVIDED UNDER PARAGRAPH (7) OF THIS SUBSECTION.~~

29 (HH) ~~ANY FEE COLLECTED UNDER THIS SUBSECTION SHALL BE PAID~~
30 ~~INTO THE GENERAL FUND OF THE STATE.~~

31 (3) AN OWNER OR LESSEE SHALL MAINTAIN A COPY OF ANY
32 INSPECTION, MAINTENANCE, AND REPAIR RECORDS AT A CENTRAL LOCATION IN A
33 MANNER CONSISTENT WITH REGULATIONS ADOPTED UNDER THIS SUBTITLE.

34 (4) (I) PRIOR TO SCHEDULING AN ANNUAL INSPECTION, THE
35 CONTRACTOR, OWNER, OR LESSEE OF AN ELEVATOR, DUMBWAITER, ESCALATOR, OR
36 MOVING WALK SHALL:

37 1. ENSURE THAT THE ELEVATOR, DUMBWAITER,
38 ESCALATOR, OR MOVING WALK IS OPERATED, INSPECTED, AND REPAIRED IN
39 ACCORDANCE WITH THIS SUBTITLE AND WITH THE REGULATIONS ADOPTED UNDER
40 THIS SUBTITLE; AND

