

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL NO. 1420

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Elevator Safety - Licenses - Exemptions” and substitute “Miscellaneous Business, Work, and Safety Provisions - Elevator Refinishers and Renovators”; strike beginning with “exempting” in line 3 down through “elevator” in line 4 and substitute “establishing a certain elevator refinisher and renovator license; requiring the Elevator Safety Review Board to adopt certain regulations governing elevator refinishers and renovators; exempting certain elevator refinishers and renovators from certain requirements for licensure until a certain date”; in line 6, strike “certain terms” and substitute “a certain term”; in line 7, strike “elevator safety and licenses” and substitute “elevator refinishers and renovators”; in line 10, strike “and (h)” and substitute “, (g)(3), (h), (i), (j), and (n)”; and after line 12, insert:

“BY repealing and reenacting, without amendments,

Article 89 - Miscellaneous Business, Work, and Safety Provisions

Section 49C(m)

Annotated Code of Maryland

(1998 Replacement Volume and 2001 Supplement)”.

AMENDMENT NO. 2

On page 2, in line 4, strike “(I)”; strike in their entirety lines 7 through 15, inclusive; after line 15, insert:

“(5) “ELEVATOR REFINISHER AND RENOVATOR” MEANS A PERSON WHO PERFORMS WORK:

(I) ON THE INTERIOR OF AN ELEVATOR INVOLVING THE REMOVAL, INSTALLATION, OR REFINISHING OF THE NONSTRUCTURAL SURFACE OF THE ELEVATOR’S WALL, FLOOR, CEILING, RAIL, OR HANDLE; AND

(Over)

(II) THAT DOES NOT AFFECT THE ELEVATOR'S MOVING OPERATION.”;

in line 16, strike “(5) (I)” and substitute “(6)”; strike in their entirety lines 19 through 27, inclusive; in line 28 strike “(6)” and substitute “(7)”; in line 29, strike “and”; in line 30, after “license” insert “;
AND”

(III) AN ELEVATOR REFINISHER AND RENOVATOR LICENSE.

(g) (3) (i) The Board shall establish fees for the application, issuance, and renewal of licenses issued under this section.

(ii) The total amount of fees in subparagraph (i) of this paragraph may not exceed \$100 per year for an elevator mechanic OR ELEVATOR REFINISHER AND RENOVATOR and \$150 per year for an elevator contractor, which may be collected for the 2-year period of the license”.

On page 3, in line 7, after “(3)” insert “EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, A PERSON SHALL BE LICENSED BY THE BOARD AS AN ELEVATOR REFINISHER AND RENOVATOR BEFORE THE PERSON ENGAGES IN THE BUSINESS OF ELEVATOR REFINISHING AND RENOVATING.”

(4)”;

strike in their entirety lines 8 through 21, inclusive; after line 26, insert:

“(i) (1) An applicant for an elevator mechanic license shall:

(i) Have an acceptable combination of documented experience and education credits, with at least 3 years of recent and active work experience in the elevator industry, in construction, maintenance, and service/repair, as verified by current and previous employers and satisfactorily complete a written examination administered by the Board on the most recent referenced codes and standards;

(ii) Upon completion of 3 years of work experience as provided in item (i) of this paragraph, have a certificate of completion of 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

(iii) Have a certificate of completion of an apprenticeship program for elevator mechanics, with standards substantially equal to those of this section and registered with the Bureau of Apprenticeship and Training, U.S. Department of Labor, or a State apprenticeship council.

(2) An applicant who provides the Board with acceptable proof that the applicant has worked as an elevator contractor or maintenance or repair person is entitled to a license without examination if the applicant:

(i) Possesses sufficient ability and skill and a minimum of 3 years of experience that is acceptable to the Board; and

(ii) Applies for the license on or before September 30, 2002.

(3) An applicant for an elevator contractor license shall have at least 5 years of work experience in the elevator industry in construction, maintenance, service, or repair.

(4) THE BOARD SHALL ADOPT REGULATIONS GOVERNING THE QUALIFICATIONS AND SCOPE OF PRACTICE OF AN APPLICANT FOR AN ELEVATOR REFINISHER AND RENOVATOR LICENSE.

(j) (1) An applicant for a license shall:

(i) Submit to the Board an application on the form that the Board provides;

(ii) Submit to the Board any proof of eligibility the Board requires; and

(iii) Pay to the Board or a designee of the Board, a nonrefundable application fee set by the Board.

(2) Each application shall contain the following information:

(i) If an individual, the name, residence, and business address of the applicant;

(ii) If a partnership, the name, residence, and business address of each partner;

(iii) If a domestic corporation, the name and business address of the corporation and the name and residence address of the principal officer of the corporation and 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;

(iv) The number of years the applicant has engaged in the business of installing, altering, repairing, REFINISHING AND RENOVATING, or servicing elevators;

(v) The approximate number of individuals, if any, to be employed by the elevator contractor OR ELEVATOR REFINISHER AND RENOVATOR applicant, and if applicable, satisfactory evidence that the employees are or will be covered by workers' compensation insurance;

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

(vii) Any other information that the Board requires.

(m) (1) If an applicant qualifies for a license under this section, the Board shall send the applicant a notice that states:

(i) The applicant has qualified for a license; and

(ii) On receipt of a license fee set by the Board, the Board shall issue a license to the applicant.

(2) On payment of the license fee, the Board shall issue a license to each applicant who meets the requirements of this section.

(n) (1) While an elevator mechanic license is in effect, it authorizes the licensee to erect, construct, wire, alter, replace, maintain, repair, dismantle, or service elevators, dumbwaiters, escalators, and moving walks under the direct supervision of a licensed elevator contractor.

(2) While an elevator contractor license is in effect, it authorizes the licensee to engage in the business of erecting, constructing, wiring, altering, replacing, maintaining, repairing, dismantling, or servicing elevators, dumbwaiters, escalators, and moving walks.

(3) WHILE AN ELEVATOR REFINISHER AND RENOVATOR LICENSE IS IN EFFECT, IT AUTHORIZES THE LICENSEE TO ENGAGE IN THE BUSINESS OF PERFORMING WORK:

(I) ON THE INTERIOR OF AN ELEVATOR INVOLVING THE REMOVAL, INSTALLATION, OR REFINISHING OF THE NONSTRUCTURAL SURFACE OF THE ELEVATOR'S WALL, FLOOR, CEILING, RAIL, OR HANDLE; AND

(II) THAT DOES NOT AFFECT THE ELEVATOR'S MOVING OPERATION.”;

and strike in their entirety lines 27 and 28 and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That, for any elevator refinisher and renovator business that was incorporated before January 1, 2001, Article 89, § 49C of the Code, as enacted by Section 1 of this Act, does not apply until June 1, 2003.

SECTION 3. AND BE IT FURTHER ENACTED, That, subject to Section 2 of this Act, this Act shall take effect June 1, 2002.”.