
By: **Delegates Conway, Bozman, Cane, and McClenahan**
Introduced and read first time: February 7, 2002
Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Elevator Safety - Composition and Duties of Review Board - Licensing of**
3 **Elevator Mechanics**

4 FOR the purpose of altering the composition of the Elevator Safety Review Board;
5 prohibiting the chairman of the Board from representing organized labor or
6 having a certain affiliation; repealing the authority of the Board to adopt certain
7 bylaws and certain regulations; requiring elevator apprentices to be enrolled in
8 a certain apprenticeship program; altering the requirements for applicants for
9 elevator mechanic licenses; altering the requirements for applicants for elevator
10 mechanic licenses without examination; altering a certain deadline for applying
11 for an elevator mechanic license without examination subject to a certain
12 condition; requiring the Board to provide a certain study guide; and generally
13 relating to elevator safety and the licensing of elevator mechanics.

14 BY repealing and reenacting, with amendments,
15 Article 89 - Miscellaneous Business, Work, and Safety Provisions
16 Section 49C(a)(3), (c)(1) and (2), (d), (h)(3), (i)(1) and (2), and (k)
17 Annotated Code of Maryland
18 (1998 Replacement Volume and 2001 Supplement)

19 BY repealing
20 Article 89 - Miscellaneous Business, Work, and Safety Provisions
21 Section 49C(g)(4)
22 Annotated Code of Maryland
23 (1998 Replacement Volume and 2001 Supplement)

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

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

2 49C.

3 (a) (3) [(i)] "Elevator apprentice" means a person who [works under the
4 direct supervision of a licensed elevator mechanic] IS REGISTERED WITH A
5 MARYLAND APPROVED APPRENTICESHIP PROGRAM AND WHO WORKS UNDER THE
6 DIRECT SUPERVISION OF A LICENSED ELEVATOR MECHANIC.

7 [(ii)] "Elevator apprentice" includes a person commonly known as an
8 elevator helper while working under the direct supervision of a licensed elevator
9 mechanic.]

10 (c) (1) The Board shall consist of [nine] ELEVEN members.

11 (2) Of the [nine] ELEVEN members of the Board:

12 (i) One shall be the Commissioner of Labor and Industry or
13 designee of the Commissioner, as an ex officio member;

14 (ii) One shall represent a major elevator manufacturing company
15 or its authorized representative;

16 (iii) One shall represent an elevator servicing company;

17 (iv) One shall represent the architectural design profession;

18 (v) One shall represent a municipal corporation in the State;

19 (vi) One shall represent a building owner or manager;

20 (vii) One shall represent labor involved in the installation,
21 maintenance, and repair of elevators; [and]

22 (VIII) ONE SHALL REPRESENT INDEPENDENT MERIT BASED LABOR;

23 (IX) ONE SHALL REPRESENT MERIT BASED LABOR INVOLVED IN
24 THE INSTALLATION, MAINTENANCE, AND REPAIR OF ELEVATORS; AND

25 [(viii)] (X) Two shall be members of the general public.

26 (d) (1) From among the Board members, the Governor shall appoint a
27 chairman.

28 (2) The chairman shall be the deciding vote in the event of a tie vote.

29 (3) THE CHAIRMAN MAY NOT BE A REPRESENTATIVE OF ORGANIZED
30 LABOR OR HAVE AFFILIATION WITH A TRADE UNION, INCLUDING ANY SIGNATORY
31 AGREEMENT THAT MAY CREATE BIAS.

1 (g) [(4) The Board may adopt any bylaw for the conduct of the proceedings of
2 the Board, and any regulation to carry out this subtitle.]

3 (h) (3) (I) A license is not required for an elevator apprentice.

4 (II) NOTWITHSTANDING SUBPARAGRAPH (I) OF THIS PARAGRAPH,
5 ALL ELEVATOR APPRENTICES SHALL BE ENROLLED IN AN APPRENTICESHIP
6 PROGRAM APPROVED BY THE STATE.

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

8 (i) Have an acceptable combination of documented experience and
9 education credits, with at least 3 years of recent and active work experience in the
10 elevator industry, in construction, maintenance, and service/repair, as verified by
11 current and previous employers and satisfactorily complete a written examination
12 administered by the Board on the most recent referenced codes and standards
13 SUBJECT TO SUBSECTION (K)(4) OF THIS SECTION;

14 (ii) Upon completion of 3 years of work experience as provided in
15 item (i) of this paragraph, have a certificate of completion of the mechanic
16 examination of a nationally recognized training program for the elevator industry
17 such as the National [Elevator Industry Educational] ASSOCIATION OF ELEVATOR
18 CONTRACTORS Program or its equivalent; or

19 (iii) Have a certificate of completion of an apprenticeship program
20 for elevator mechanics[, with standards substantially equal to those of this section
21 and registered with the Bureau of Apprenticeship and Training, U.S. Department of
22 Labor, or a State apprenticeship council] APPROVED BY THE STATE.

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

26 [(i)] 1. Possesses sufficient ability and skill and a minimum of 3
27 years of experience that is acceptable to the Board; [and]

28 2. HAS BEEN RECOGNIZED AND APPROVED AS A CERTIFIED
29 ELEVATOR TECHNICIAN THROUGH AN EDUCATIONAL PROGRAM APPROVED BY THE
30 APPRENTICESHIP AND TRAINING COUNCIL; AND

31 [(ii)] 3. Applies for the license on or before September 30, 2002,
32 SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH.

33 (II) IF THE BOARD DOES NOT HAVE THE APPROPRIATE PAPERWORK
34 AND APPLICATIONS AVAILABLE BY JULY 1, 2002, THE SEPTEMBER 30 APPLICATION
35 DEADLINE SHALL BE EXTENDED.

36 (k) (1) An applicant who otherwise qualifies for an elevator mechanic
37 license is entitled to be examined as provided in this subsection upon payment of an
38 examination fee to the Board or Board's designee.

1 (2) The Board periodically shall give examinations to applicants at the
2 times and places that the Board determines.

3 (3) The Board shall give each qualified applicant notice of the time and
4 place of examination.

5 (4) THE BOARD SHALL PROVIDE A STUDY GUIDE FOR THE EXAMINATION
6 AT LEAST 180 DAYS BEFORE THE EXAMINATION TO ALLOW FOR REVIEW.

7 [(4)] (5) The Board shall determine the fee, content, scope, and passing
8 score for examinations given under this subsection.

9 [(5)] (6) (i) The Board may use a testing service to administer the
10 examinations required under this subsection.

11 (ii) If the Board uses a testing service under this subsection, the
12 testing service, subject to requirements set by the Board, may:

13 1. Set the times and places of the examinations;

14 2. Provide notice of the times and places of examinations to
15 the applicants; and

16 3. Provide any other information that the Board may require
17 the testing service to provide.

18 [(6)] (7) The Board or a designee of the Board shall provide to the
19 applicant notice of the applicant's examination result.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 June 1, 2002.