

# SENATE BILL 265

E4  
SB 290/09 – FIN

0lr1853

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By: **Senators Exum, Garagiola, Kelley, Klausmeier, and Pugh**  
Introduced and read first time: January 22, 2010  
Assigned to: Finance

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## A BILL ENTITLED

1 AN ACT concerning

2 **Assisted Living Programs – Elevator Installation – Exemption**

3 FOR the purpose of exempting certain licensed assisted living programs from the  
4 registration and inspection requirements for installing an elevator; authorizing  
5 the adoption of certain regulations to enhance the safety of certain elevator  
6 units; defining a certain term; and generally relating to assisted living  
7 programs and the registration and inspection of elevators.

8 BY repealing and reenacting, with amendments,  
9 Article – Public Safety  
10 Section 12–804  
11 Annotated Code of Maryland  
12 (2003 Volume and 2009 Supplement)

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

15 **Article – Public Safety**

16 12–804.

17 (a) **IN THIS SECTION, “ASSISTED LIVING PROGRAM” HAS THE MEANING**  
18 **STATED IN § 19–1801 OF THE HEALTH – GENERAL ARTICLE.**

19 (b) Part II of this subtitle does not apply to an elevator unit that is:

20 (1) installed in a privately owned single–family residential dwelling;  
21 [or]

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter deleted from existing law.



1                   (2)     installed in a building or structure under federal control or  
2 regulation; OR

3                   (3)     **INSTALLED IN AN ASSISTED LIVING PROGRAM WITH FIVE OR**  
4 **FEWER BEDS THAT IS LICENSED BY THE DEPARTMENT OF HEALTH AND**  
5 **MENTAL HYGIENE UNDER § 19-1804.1 OF THE HEALTH – GENERAL ARTICLE.**

6           **[(b)] (C)**     Sections 5-205(j), 5-207, 5-214, 5-215, and 5-216 and Title 5,  
7 Subtitle 8 of the Labor and Employment Article apply to Part II of this subtitle.

8           **(D)     THE COMMISSIONER MAY ADOPT REGULATIONS TO ENHANCE THE**  
9 **SAFETY OF ELEVATOR UNITS INSTALLED IN ACCORDANCE WITH SUBSECTION**  
10 **(B)(3) OF THIS SECTION.**

11           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
12 October 1, 2010.