

HOUSE BILL 89

E4

2lr0993

By: **Delegates Stifler, Burns, Haddaway–Ricchio, Jameson, Love, W. Miller, Minnick, and Schuh**

Introduced and read first time: January 18, 2012

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Elevators – Lift Mechanic License**

3 FOR the purpose of authorizing the Elevator Safety Review Board to establish certain
4 fees for the application, issuance, and renewal of licenses issued to certain lift
5 mechanics; requiring a person to be licensed by the Board as a lift mechanic
6 before providing certain services; establishing requirements for an applicant for
7 a lift mechanic license; authorizing a licensed lift mechanic to provide certain
8 services; defining a certain term; and generally relating to lift mechanics.

9 BY repealing and reenacting, without amendments,
10 Article – Public Safety
11 Section 12–801(a)
12 Annotated Code of Maryland
13 (2003 Volume and 2011 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Public Safety
16 Section 12–801(o) through (r), 12–824, and 12–826(e)
17 Annotated Code of Maryland
18 (2003 Volume and 2011 Supplement)

19 BY adding to
20 Article – Public Safety
21 Section 12–801(o), 12–826(e), 12–827(d), and 12–832(e)
22 Annotated Code of Maryland
23 (2003 Volume and 2011 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1

Article – Public Safety

2 12–801.

3 (a) In this subtitle the following words have the meanings indicated.

4 (O) “LIFT MECHANIC” MEANS A PERSON WHO IS ENGAGED IN
5 ERECTING, CONSTRUCTING, WIRING, ALTERING, REPLACING, MAINTAINING,
6 REPAIRING, DISMANTLING, OR SERVICING COMMERCIAL STAIRWAY CHAIRLIFTS,
7 VERTICAL PLATFORM LIFTS, LIMITED USE/LIMITED APPLICATION (LULA)
8 ELEVATORS, INCLINE PLATFORM LIFTS, PRIVATE RESIDENCE ELEVATORS, OR
9 DUMBWAITERS.

10 [(o)] (P) “Moving walk” means a type of passenger–carrying device on
11 which passengers stand or walk and in which the passenger–carrying surface remains
12 parallel to its direction of motion and is uninterrupted.

13 [(p)] (Q) “Safety Code” means the American National Standard/American
14 Society of Mechanical Engineers Safety Code for Elevators, Dumbwaiters, Escalators,
15 and Moving Walks, known as ANSI A17.1–1971, and all subsequent amendments and
16 revisions to it, as adopted by the Commissioner.

17 [(q)] (R) “Secretary” means the Secretary of Labor, Licensing, and
18 Regulation.

19 [(r)] (S) “Third–party qualified elevator inspector” means an inspector who:

20 (1) meets the qualifications, insurance requirements, and procedures
21 established by the Commissioner; and

22 (2) is certified by an organization accredited by the American Society
23 of Mechanical Engineers in accordance with the American National
24 Standard/American Society of Mechanical Engineers Safety Code for Elevators,
25 Dumbwaiters, Escalators, and Moving Walks, known as ANSI A17.1–1971, and all
26 subsequent amendments, and any related consensus standards.

27 12–824.

28 (a) The Board shall establish fees for the application, issuance, and renewal
29 of licenses issued under Part III of this subtitle.

30 (b) The total amount of fees established under subsection (a) of this section
31 may not exceed, for the 2–year term of the license:

32 (1) \$100 per year for an elevator mechanic [or], elevator renovator
33 mechanic, OR LIFT MECHANIC; and

1 (2) \$150 per year for an elevator contractor or elevator renovator
2 contractor.

3 (c) Each fee for the application, issuance, and renewal of licenses collected by
4 the Board shall be paid into the Elevator Safety Review Board Fund established under
5 this subtitle.

6 12-826.

7 **(E) EXCEPT AS OTHERWISE PROVIDED IN PART III OF THIS SUBTITLE, A**
8 **PERSON SHALL BE LICENSED BY THE BOARD AS A LIFT MECHANIC BEFORE THE**
9 **PERSON ERECTS, CONSTRUCTS, WIRES, ALTERS, REPLACES, MAINTAINS,**
10 **REPAIRS, DISMANTLES, OR SERVICES COMMERCIAL STAIRWAY CHAIRLIFTS,**
11 **VERTICAL PLATFORM LIFTS, LIMITED USE/LIMITED APPLICATION (LULA)**
12 **ELEVATORS, INCLINE PLATFORM LIFTS, PRIVATE RESIDENCE ELEVATORS, OR**
13 **DUMBWAITERS IN THE STATE.**

14 **[(e)] (F)** (1) A licensed elevator contractor is not required for removing or
15 dismantling an elevator unit if:

16 (i) the elevator unit is destroyed as a result of a complete
17 demolition of a building; or

18 (ii) a hoistway or wellway is demolished back to the basic
19 support structure.

20 (2) (i) An individual who works as an elevator apprentice under
21 the direct supervision of a licensed elevator mechanic or licensed elevator renovator
22 mechanic need not obtain a license.

23 (ii) An individual commonly known as an elevator helper who
24 works under the direct supervision of a licensed elevator mechanic or a licensed
25 elevator renovator mechanic need not obtain a license.

26 (3) An elevator refinisher need not obtain a license.

27 12-827.

28 **(D) AN APPLICANT FOR A LIFT MECHANIC LICENSE SHALL:**

29 **(1) (I) HAVE AN ACCEPTABLE COMBINATION OF DOCUMENTED**
30 **EXPERIENCE AND EDUCATION CREDITS, WITH AT LEAST 3 YEARS OF RECENT**
31 **AND ACTIVE EXPERIENCE IN THE ACCESSIBILITY LIFT INDUSTRY, IN**
32 **CONSTRUCTION, MAINTENANCE, AND SERVICE OR REPAIR, AS VERIFIED BY**
33 **CURRENT AND PREVIOUS EMPLOYERS; AND**

1 **(II) PASS A WRITTEN EXAMINATION ADMINISTERED BY THE**
2 **BOARD ON THE SAFETY CODE;**

3 **(2) (I) HAVE AN ACCEPTABLE COMBINATION OF DOCUMENTED**
4 **EXPERIENCE AND EDUCATION CREDITS, WITH AT LEAST 3 YEARS OF RECENT**
5 **AND ACTIVE EXPERIENCE IN THE ACCESSIBILITY LIFT INDUSTRY, IN**
6 **CONSTRUCTION, MAINTENANCE, AND SERVICE OR REPAIR, AS VERIFIED BY**
7 **CURRENT AND PREVIOUS EMPLOYERS; AND**

8 **(II) HAVE A CERTIFICATE FROM AN ORGANIZATION**
9 **PROVIDING AN EDUCATION PROGRAM FOR THE ACCESSIBILITY INDUSTRY, SUCH**
10 **AS THE CERTIFIED ACCESSIBILITY TECHNICIAN PROGRAM OR AN EQUIVALENT**
11 **PROGRAM; OR**

12 **(3) HAVE A CERTIFICATE OF COMPLETION OF AN**
13 **APPRENTICESHIP PROGRAM FOR ACCESSIBILITY MECHANICS THAT HAS**
14 **STANDARDS SUBSTANTIALLY EQUIVALENT TO THOSE OF PART III OF THIS**
15 **SUBTITLE AND IS REGISTERED WITH THE BUREAU OF APPRENTICESHIP AND**
16 **TRAINING OF THE U.S. DEPARTMENT OF LABOR OR A STATE APPRENTICESHIP**
17 **COUNCIL.**

18 12-832.

19 **(E) WHILE A LIFT MECHANIC LICENSE IS IN EFFECT, THE LICENSE**
20 **AUTHORIZES THE LICENSEE TO ERECT, CONSTRUCT, WIRE, ALTER, REPLACE,**
21 **MAINTAIN, REPAIR, DISMANTLE, AND SERVICE COMMERCIAL STAIRWAY**
22 **CHAIRLIFTS, VERTICAL PLATFORM LIFTS, LIMITED USE/LIMITED APPLICATION**
23 **(LULA) ELEVATORS, INCLINE PLATFORM LIFTS, PRIVATE RESIDENCE**
24 **ELEVATORS, AND DUMBWAITERS UNDER THE DIRECT SUPERVISION OF A**
25 **LICENSED ELEVATOR CONTRACTOR.**

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 2012.