

SENATE BILL 82

E4

3lr0035

(PRE-FILED)

By: **Chair, Finance Committee (By Request – Departmental – Labor,
Licensing and Regulation)**

Requested: October 11, 2012

Introduced and read first time: January 9, 2013

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Elevator Safety Review Board – Third-Party Inspectors – Certification**

3 FOR the purpose of altering the definition of “third-party qualified elevator inspector”,
4 as it relates to the regulation of elevator safety, to require certification by a
5 certain nationally recognized safety organization that meets certain standards;
6 and generally relating to elevator safety and third-party qualified elevator
7 inspectors.

8 BY repealing and reenacting, with amendments,
9 Article – Public Safety
10 Section 12–801
11 Annotated Code of Maryland
12 (2011 Replacement Volume and 2012 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 12–801.

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

18 (b) “Accessibility lift mechanic” means a person who is engaged in erecting,
19 constructing, wiring, altering, replacing, maintaining, repairing, dismantling, or
20 servicing commercial stairway chairlifts, vertical platform lifts, or incline platform
21 lifts.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (c) "Accessibility lift mechanic specialist" means a person who is licensed as
2 an accessibility lift mechanic and has been certified by the Board to erect, construct,
3 wire, alter, replace, maintain, repair, dismantle, or service private residential
4 elevators.

5 (d) "Board" means the Elevator Safety Review Board.

6 (e) "Certificate" means a certificate of registration and inspection issued by
7 the Commissioner to operate an elevator unit.

8 (f) "Commissioner" means the Commissioner of Labor and Industry or an
9 authorized representative of the Commissioner of Labor and Industry.

10 (g) "Dumbwaiter" means a hoisting and lowering machine equipped with a
11 car of limited capacity and size that moves in guides in a substantially vertical
12 direction and is used exclusively for carrying material.

13 (h) "Elevator" means a hoisting and lowering machine equipped with a car or
14 platform that moves in guides in a substantially vertical direction and serves two or
15 more floors of a building or structure.

16 (i) "Elevator contractor" means a person who is engaged in the business of
17 erecting, constructing, wiring, altering, replacing, maintaining, repairing,
18 dismantling, or servicing elevator or accessibility lift units.

19 (j) "Elevator mechanic" means a person who is engaged in erecting,
20 constructing, wiring, altering, replacing, maintaining, repairing, dismantling, or
21 servicing elevator or accessibility lift units.

22 (k) "Elevator refinisher" means a person who is engaged in the refinishing of
23 existing metal and wood elements in elevator cabs, including the stripping of old
24 lacquer on wood and bronze items, staining wood to match existing finishes, cleaning,
25 polishing, oxidizing, painting, lacquering, and the removing of scratches to maintain
26 existing finishes.

27 (l) "Elevator renovator contractor" means a person who is engaged in the
28 business of performing work:

29 (1) on the interior of an elevator involving the removal or installation
30 of the nonstructural surface of the elevator's wall, ceiling, floor, rail, or handle; and

31 (2) that does not affect the elevator's moving operation.

32 (m) "Elevator renovator mechanic" means a person who performs work:

33 (1) on the interior of an elevator involving the removal or installation
34 of the nonstructural surface of the elevator's wall, ceiling, floor, rail, or handle; and

1 (2) that does not affect the elevator’s moving operation.

2 (n) “Elevator unit” includes an elevator, escalator, dumbwaiter, and moving
3 walk.

4 (o) “Escalator” means a power driven, inclined, continuous stairway used for
5 raising and lowering passengers.

6 (p) “License” includes:

7 (1) an accessibility lift mechanic license;

8 (2) an elevator contractor license;

9 (3) an elevator mechanic license;

10 (4) an elevator renovator contractor license; and

11 (5) an elevator renovator mechanic license.

12 (q) “Moving walk” means a type of passenger-carrying device on which
13 passengers stand or walk and in which the passenger-carrying surface remains
14 parallel to its direction of motion and is uninterrupted.

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

19 (s) “Secretary” means the Secretary of Labor, Licensing, and Regulation.

20 (t) “Third-party qualified elevator inspector” means an inspector who:

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

23 (2) is certified by [an organization accredited by the American Society
24 of Mechanical Engineers in accordance with the American National
25 Standard/American Society of Mechanical Engineers Safety Code for Elevators,
26 Dumbwaiters, Escalators, and Moving Walks, known as ANSI A17.1–1971, and all
27 subsequent amendments,] **A NATIONALLY RECOGNIZED SAFETY ORGANIZATION**
28 **THAT ENSURES THAT:**

1 **(I) THE CERTIFICATION REQUIRES TESTING AND GRADING**
2 **CONSISTENT WITH INDUSTRY RECOGNIZED CRITERIA** and any related consensus
3 standards; **AND**

4 **(II) ANY RENEWAL OF CERTIFICATION REQUIRES**
5 **CONTINUING EDUCATION.**

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2013.