

Chapter 441

(Senate Bill 82)

AN ACT concerning

Elevator Safety ~~Review Board~~ – Third-Party Inspectors – Certification

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

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 12-801
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

Article – Public Safety

12-801.

- (a) In this subtitle the following words have the meanings indicated.
- (b) “Accessibility lift mechanic” means a person who is engaged in erecting, constructing, wiring, altering, replacing, maintaining, repairing, dismantling, or servicing commercial stairway chairlifts, vertical platform lifts, or incline platform lifts.
- (c) “Accessibility lift mechanic specialist” means a person who is licensed as an accessibility lift mechanic and has been certified by the Board to erect, construct, wire, alter, replace, maintain, repair, dismantle, or service private residential elevators.
- (d) “Board” means the Elevator Safety Review Board.
- (e) “Certificate” means a certificate of registration and inspection issued by the Commissioner to operate an elevator unit.

(f) “Commissioner” means the Commissioner of Labor and Industry or an authorized representative of the Commissioner of Labor and Industry.

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

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

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

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

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

(l) “Elevator renovator contractor” means a person who is engaged in the business of performing work:

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

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

(m) “Elevator renovator mechanic” means a person who performs work:

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

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

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

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

(p) "License" includes:

- (1) an accessibility lift mechanic license;
- (2) an elevator contractor license;
- (3) an elevator mechanic license;
- (4) an elevator renovator contractor license; and
- (5) an elevator renovator mechanic license.

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

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

(s) "Secretary" means the Secretary of Labor, Licensing, and Regulation.

(t) "Third-party qualified elevator inspector" means an inspector who:

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

(2) is certified by [an organization accredited by the American Society of Mechanical Engineers in accordance with the American National Standard/American Society of Mechanical Engineers Safety Code for Elevators, Dumbwaiters, Escalators, and Moving Walks, known as ANSI A17.1-1971, and all subsequent amendments,] **A NATIONALLY RECOGNIZED SAFETY ORGANIZATION ACCREDITED BY THE NATIONAL COMMISSION FOR CERTIFYING AGENCIES OR THE AMERICAN NATIONAL STANDARDS INSTITUTE** THAT ENSURES THAT:

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

(II) ANY RENEWAL OF CERTIFICATION REQUIRES CONTINUING EDUCATION.

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

Approved by the Governor, May 16, 2013.