

SENATE BILL 177

E4
SB 1165/16 – FIN

7lr1054

By: **Senators Manno, Benson, Feldman, and Middleton**
Introduced and read first time: January 18, 2017
Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Elevator Inspections – Testing**

3 FOR the purpose of requiring that a certain test on an elevator unit performed in connection
4 with a certain inspection be performed by a certain licensed elevator mechanic;
5 requiring a State inspector or third-party qualified inspector to be physically present
6 during a certain test in its entirety to witness that the test has been performed
7 correctly and to verify the proper recording of the result of a certain test on an
8 elevator unit; and generally relating to elevators.

9 BY repealing and reenacting, with amendments,
10 Article – Public Safety
11 Section 12–806
12 Annotated Code of Maryland
13 (2011 Replacement Volume and 2016 Supplement)

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

16 **Article – Public Safety**

17 12–806.

18 (a) Except as otherwise provided in this section, each elevator unit shall be
19 inspected, tested, and maintained in a safe operating condition in accordance with:

20 (1) the Safety Code; and

21 (2) any other regulations adopted by the Commissioner.

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



1 (b) (1) (i) Subject to subparagraph (ii) of this paragraph, an elevator unit
2 installed before July 1, 1955, may be used without being altered or rebuilt to comply with
3 the requirements of the Safety Code.

4 (ii) Each elevator shall be equipped with standard hoistway
5 entrance protection, and each passenger elevator of more than 100 feet per minute contract
6 speed shall be provided with car doors or gates that meet the requirements of the Safety
7 Code.

8 (2) Notwithstanding any other provision of this subsection, each elevator
9 unit installed before July 1, 1955:

10 (i) shall be maintained in a safe operating condition so as not to
11 create a substantial probability of serious physical harm or death; and

12 (ii) is subject to inspections and tests as required.

13 (c) (1) For purposes of this subsection, an alteration of an existing elevator
14 unit is any change made to it other than the repair or replacement of damaged, worn, or
15 broken parts necessary for normal operation.

16 (2) Each alteration or relocation of an elevator unit installed after January
17 1, 1975, shall meet the requirements of the Safety Code.

18 **(D) (1) A TEST ON AN ELEVATOR UNIT PERFORMED IN CONNECTION WITH**
19 **AN INSPECTION REQUIRED BY THIS SUBTITLE, THE SAFETY CODE, OR A**
20 **REGULATION ADOPTED BY THE COMMISSIONER SHALL BE PERFORMED BY A**
21 **LICENSED ELEVATOR MECHANIC.**

22 **(2) A STATE INSPECTOR OR THIRD-PARTY QUALIFIED ELEVATOR**
23 **INSPECTOR REQUIRED TO WITNESS A TEST PERFORMED ON AN ELEVATOR UNIT IN**
24 **ACCORDANCE WITH THIS SUBTITLE, THE SAFETY CODE, OR A REGULATION**
25 **ADOPTED BY THE COMMISSIONER SHALL BE PHYSICALLY PRESENT DURING THE**
26 **ENTIRE TEST TO WITNESS THAT THE TEST HAS BEEN PERFORMED CORRECTLY AND**
27 **TO VERIFY THE PROPER RECORDING OF THE TEST RESULT.**

28 **[(d)] (E)** On written request, the Commissioner may grant exceptions from the
29 literal requirements or allow the use of devices or methods other than those specified under
30 the Safety Code and other regulations adopted by the Commissioner if:

31 (1) it is evident that the exception is necessary to prevent undue hardship;
32 or

33 (2) existing conditions prevent practical compliance and in the opinion of
34 the Commissioner reasonable safety can be secured.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2017.