

HOUSE BILL 1013

E4

3lr2780

By: **Delegates Wivell, Baker, Hinebaugh, and Valentine**

Introduced and read first time: February 10, 2023

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Elevator Inspections – Elevator Units Owned by Nonprofit**
3 **Entities**

4 FOR the purpose of requiring the Commissioner of Labor and Industry to establish and
5 implement polices related to the inspection and decommissioning of elevator units
6 owned by certain nonprofit entities; and generally relating to elevator unit inspection
7 and decommissioning.

8 BY repealing and reenacting, with amendments,

9 Article – Public Safety

10 Section 12–809

11 Annotated Code of Maryland

12 (2022 Replacement Volume)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

14 That the Laws of Maryland read as follows:

15 **Article – Public Safety**

16 12–809.

17 (a) A State inspector shall make the following inspections:

18 (1) final acceptance inspection of all new elevator units prior to issuance of
19 first certificate;

20 (2) investigation of accidents and complaints;

21 (3) follow–up inspections to confirm corrective action;

22 (4) final acceptance inspection of the modernization or alteration of an

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 elevator unit;

2 (5) for privately owned buildings and until October 1, 2019, for publicly
3 owned buildings, when the inspection shall be performed by a third-party qualified elevator
4 inspector, a comprehensive 5-year inspection as defined by regulation;

5 (6) except as provided by § 12-807(b) of this subtitle, inspections of elevator
6 units owned by the State or a political subdivision; and

7 (7) quality control monitoring of inspections conducted by third-party
8 qualified elevator inspectors.

9 (b) (1) A contractor, owner, or lessee shall provide the Commissioner with at
10 least 60 days' notice of a requested inspection.

11 (2) If a contractor, owner, or lessee provides the Commissioner with less
12 than 60 days' notice of a requested inspection that will be conducted by a State inspector,
13 the Commissioner shall schedule the inspection at the convenience of the State subject to
14 the availability of State resources.

15 (c) (1) For all inspections conducted by a State inspector, the contractor,
16 owner, or lessee of an elevator unit shall pay a fee for an inspection under § 12-810 of this
17 subtitle at the following rate:

18 (i) half day (up to 4 hours), not to exceed \$250; or

19 (ii) full day (up to 8 hours), not to exceed \$500.

20 (2) Each fee collected under this subsection shall be paid into the Elevator
21 Safety Review Board Fund established under this subtitle.

22 (3) A contractor, owner, or lessee who notifies the Commissioner at least
23 24 hours in advance of a scheduled inspection that the elevator unit does not comply with
24 the requirements of Part II of this subtitle may not be charged a fee under paragraph (1) of
25 this subsection.

26 (d) (1) An owner shall hire a third-party qualified elevator inspector to
27 conduct all periodic inspections that are required by the Safety Code.

28 (2) An inspection by a third-party qualified elevator inspector shall ensure
29 that the elevator unit complies with the Safety Code and other regulations adopted by the
30 Commissioner under Part II of this subtitle.

31 (3) The Commissioner shall establish qualifications, insurance
32 requirements, and procedures based on nationally accepted standards that the
33 Commissioner considers necessary to register third-party qualified elevator inspectors
34 under Part II of this subtitle.

1 (4) Any fees collected by the Commissioner to register third-party qualified
2 elevator inspectors shall be paid into the Elevator Safety Review Board Fund established
3 under this subtitle.

4 **(E) (1) THE COMMISSIONER SHALL DEVELOP AND IMPLEMENT POLICIES**
5 **TO ASSIST SMALL NONPROFIT ENTITIES WITH LIMITED FINANCIAL RESOURCES IN**
6 **COMPLYING WITH THE REQUIREMENTS OF THIS SECTION.**

7 **(2) IN DEVELOPING POLICIES UNDER PARAGRAPH (1) OF THIS**
8 **SUBSECTION, THE COMMISSIONER SHALL CONSIDER:**

9 **(I) ESTABLISHING ELIGIBILITY REQUIREMENTS;**

10 **(II) THE POTENTIAL FOR ALTERNATIVE METHODS FOR**
11 **ELIGIBLE ENTITIES TO DECOMMISSION AN ELEVATOR UNIT OWNED BY THE**
12 **ELIGIBLE ENTITY; AND**

13 **(III) ESTABLISHING PRICING LIMITATIONS FOR A THIRD-PARTY**
14 **QUALIFIED ELEVATOR INSPECTOR PERFORMING AN INSPECTION OF AN ELEVATOR**
15 **UNIT OWNED BY AN ELIGIBLE ENTITY.**

16 **(3) A POLICY DEVELOPED BY THE COMMISSIONER UNDER THIS**
17 **SUBSECTION MAY INCLUDE PROVISIONS FOR GRANTING AN ELIGIBLE ENTITY AN**
18 **EXTENSION OF TIME FOR OR AN EXEMPTION FROM SCHEDULED INSPECTIONS.**

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2023.