

1 HB292  
2 115381-1  
3 By Representatives Knight, Love, Canfield, Newton (D) and Boyd  
4 RFD: Government Appropriations  
5 First Read: 14-JAN-10

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8 SYNOPSIS: Currently all fees deposited into the  
9 Elevator Safety Review Board Operational Fund  
10 remain in that fund to the credit of the Elevator  
11 Safety Review Board. This bill would allow any  
12 surplus fees collected over the amount appropriated  
13 each year to be transferred to the State General  
14 Fund.

15  
16 A BILL  
17 TO BE ENTITLED  
18 AN ACT  
19

20 To amend Section 25-13-6, Code of Alabama 1975, to  
21 allow any surplus fees collected in the Elevator Safety Review  
22 Board Operational Fund over the amount appropriated each year  
23 to be transferred to the State General Fund.

24 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

25 Section 1. Section 25-13-6, Code of Alabama, is  
26 hereby amended to read as follows:

27 "§25-13-6.

1 (a) The board may consult with engineering  
2 authorities and organizations concerned with standard safety  
3 codes, rules, and regulations governing the operation,  
4 maintenance, servicing, construction, alteration,  
5 installation, and inspection of elevators, dumbwaiters,  
6 escalators, and the qualifications which are adequate,  
7 reasonable, and necessary for an elevator mechanic,  
8 contractor, and inspector. Therefore, the board may recommend  
9 the amendments of applicable legislation, when appropriate, to  
10 legislators.

11 (b) The board shall establish regulations for the  
12 equipment regulated by this chapter. The regulations shall  
13 include the Safety Code for Elevators and Escalators, ASME  
14 A17.1; the Safety Code for Existing Elevators and Escalators,  
15 ASME A17.3; the Safety Standards for Platform Lifts and  
16 Stairway Chairlifts, ASME A18.1; Standard for the  
17 Qualification of Elevator Inspectors, ASME QEI-1; and  
18 Automated People Mover Standards, ASCE 21. The board shall  
19 adopt the latest editions of the standards within six months  
20 of their effective date. Any modifications to the standards  
21 that the administrator deems necessary shall be justified in  
22 writing by the board.

23 (c) The board may grant exceptions and variances  
24 from the literal requirements of applicable code and  
25 standards, regulations, or local legislation, or any  
26 combination of these, in cases where such variances would not  
27 jeopardize the public safety and welfare. The board may hear

1 appeals, hold hearings, and decide upon appeals within 30 days  
2 of the appeal.

3 (d) The board shall establish fee schedules for  
4 licenses, permits, certificates, and inspections. The fees  
5 shall reflect the actual costs and expenses to conduct the  
6 duties as described in this chapter. All fees collected by the  
7 administrator pursuant to this chapter shall be remitted to  
8 the Elevator Safety Review Board Operational Fund in the State  
9 Treasury to the credit of the board for its operation.All fees  
10 collected in the Elevator Safety Review Board Operational Fund  
11 above the appropriated amount shall be transferred to the  
12 State General Fund within one quarter after the end of each  
13 fiscal year.

14 (e) The board shall be subject to the Alabama Sunset  
15 Law, Chapter 20, Title 41, as an enumerated agency as provided  
16 in Section 41-20-3, and shall have a termination date of  
17 October 1, 2005, and every four years thereafter, unless  
18 continued pursuant to the Alabama Sunset Law.

19 Section 2. This act shall become effective  
20 immediately following its passage and approval by the  
21 Governor, or upon its otherwise becoming law.