

1 SB305  
2 115381-2  
3 By Senator Bedford  
4 RFD: Finance and Taxation General Fund  
5 First Read: 02-FEB-10

1 SB305

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4 ENROLLED, An Act,

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

9 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

12 "§25-13-6.

13 (a) The board may consult with engineering  
14 authorities and organizations concerned with standard safety  
15 codes, rules, and regulations governing the operation,  
16 maintenance, servicing, construction, alteration,  
17 installation, and inspection of elevators, dumbwaiters,  
18 escalators, and the qualifications which are adequate,  
19 reasonable, and necessary for an elevator mechanic,  
20 contractor, and inspector. Therefore, the board may recommend  
21 the amendments of applicable legislation, when appropriate, to  
22 legislators.

23 (b) The board shall establish regulations for the  
24 equipment regulated by this chapter. The regulations shall  
25 include the Safety Code for Elevators and Escalators, ASME

1 A17.1; the Safety Code for Existing Elevators and Escalators,  
2 ASME A17.3; the Safety Standards for Platform Lifts and  
3 Stairway Chairlifts, ASME A18.1; Standard for the  
4 Qualification of Elevator Inspectors, ASME QEI-1; and  
5 Automated People Mover Standards, ASCE 21. The board shall  
6 adopt the latest editions of the standards within six months  
7 of their effective date. Any modifications to the standards  
8 that the administrator deems necessary shall be justified in  
9 writing by the board.

10 (c) The board may grant exceptions and variances  
11 from the literal requirements of applicable code and  
12 standards, regulations, or local legislation, or any  
13 combination of these, in cases where such variances would not  
14 jeopardize the public safety and welfare. The board may hear  
15 appeals, hold hearings, and decide upon appeals within 30 days  
16 of the appeal.

17 (d) The board shall establish fee schedules for  
18 licenses, permits, certificates, and inspections. The fees  
19 shall reflect the actual costs and expenses to conduct the  
20 duties as described in this chapter. All fees collected by the  
21 administrator pursuant to this chapter shall be remitted to  
22 the Elevator Safety Review Board Operational Fund in the State  
23 Treasury to the credit of the board for its operation. All  
24 fees collected in the Elevator Safety Review Board Operational  
25 Fund above the appropriated amount shall be transferred to the

1 State General Fund within one quarter after the end of each  
2 fiscal year.

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

8 Section 2. This act shall become effective  
9 immediately following its passage and approval by the  
10 Governor, or upon its otherwise becoming law.

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President and Presiding Officer of the Senate

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Speaker of the House of Representatives

SB305

Senate 18-FEB-10

I hereby certify that the within Act originated in and passed the Senate.

McDowell Lee  
Secretary

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House of Representatives  
Passed: 06-APR-10

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By: Senator Bedford