

1 HB108  
2 215511-1  
3 By Representative Baker  
4 RFD: Boards, Agencies and Commissions  
5 First Read: 11-JAN-22

SYNOPSIS: Under existing law, the Elevator Safety Review Board is required to adopt the latest editions of certain safety standards within six months of their effective date.

This bill would require the board to review the latest editions of the standards within 12 months of their effective date and determine whether to adopt these latest editions in whole or in part. Adoption of the latest editions would be required to be effective no more than six months after the board's review date.

This bill would also require new elevator installations, as well as elevator modifications and alterations, to meet the requirements of the Elevator Safety Rules of the Alabama Administrative Code that are in effect at the time the elevator permit is issued.

A BILL  
TO BE ENTITLED

1 AN ACT

2  
3 Relating to elevators; to require the Elevator  
4 Safety Review Board to review elevator safety standards within  
5 a certain amount of time after their effective date and to  
6 determine whether to adopt them in whole or in part; and to  
7 require certain elevator installations and modifications to  
8 meet the requirements of the elevator safety rules.

9 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

10 Section 1. Sections 25-13-6 and 25-13-16, Code of  
11 Alabama 1975, are 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, and 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~~ adopt  
24 rules for the equipment regulated by this chapter. The  
25 ~~regulations~~ rules shall include the Safety Code for Elevators  
26 and Escalators, American Society of Mechanical Engineers  
27 (ASME) A17.1; the Safety Code for Existing Elevators and

1 Escalators, ASME A17.3; the Safety Standards for Platform  
2 Lifts and Stairway Chairlifts, ASME A18.1; and Automated  
3 People Mover Standards, American Society of Civil Engineers  
4 (ASCE) 21. The board shall adopt the latest editions of the  
5 standards within six months of their effective date. After the  
6 date of publishing of the latest editions of the standards by  
7 the ASME, which is their effective date, the board shall  
8 review these editions within 12 months and determine whether  
9 to adopt the editions in part or in whole. Any modifications  
10 to the standards that the administrator deems necessary shall  
11 be justified in writing by the board. After adoption by the  
12 board, the latest editions of the standards by the ASME shall  
13 be effective on a date determined by the board but in no event  
14 more than six months after the board's review date.

15 "(c) The board may grant exceptions and variances  
16 from the literal requirements of applicable code and  
17 standards, ~~regulations,~~ rules, or local legislation, or any  
18 combination of these, in cases where ~~such~~ the variances would  
19 not jeopardize the public safety and welfare. The board may  
20 hear appeals, hold hearings, and decide upon appeals within 30  
21 days of the appeal.

22 "(d) The board shall establish fee schedules for  
23 licenses, permits, certificates, and inspections. The fees  
24 shall reflect the actual costs and expenses to conduct the  
25 duties as described in this chapter. All fees collected by the  
26 administrator pursuant to this chapter shall be remitted to  
27 the Elevator Safety Review Board Operational Fund in the State

1 Treasury to the credit of the board for its operation and for  
2 the operation of the Department of Labor. Any funds  
3 appropriated for the operation of the board that are not  
4 needed for current operations as determined by the  
5 administrator of the department and within the appropriation  
6 ceiling of the board may be used for operation of the  
7 department. All fees collected in the Elevator Safety Review  
8 Board Operational Fund above the appropriated amount shall be  
9 transferred to the State General Fund within one quarter after  
10 the end of each fiscal year.

11 "(e) In addition, the administrator of the  
12 department may transfer unused funds in the Elevator Safety  
13 Review Board Operational Fund to the State General Fund.

14 "§25-13-16.

15 "(a) No conveyance covered by this chapter shall be  
16 erected, constructed, installed, or altered within buildings  
17 or structures within this jurisdiction unless a permit has  
18 been obtained from the administrator before the work is  
19 commenced. Where any material alteration, as defined herein,  
20 is made, the device shall conform to applicable requirements  
21 in ASME A17.1, ASME A18.1, or ASCE 21 for the alteration. No  
22 permit required hereunder shall be issued except to a sole  
23 proprietor, firm, or corporation holding a current elevator  
24 contractor's license, duly issued pursuant to this chapter. A  
25 copy of ~~such~~ the permit shall be kept at the construction site  
26 at all times while the work is in progress.

1           "(b) The permit fee shall be as set by the board.  
2 Permit fees collected are non-refundable.

3           "(c) Each application for a permit shall be  
4 accompanied by copies of specifications and accurately scaled  
5 and fully dimensioned plans showing the location of the  
6 installation in relation to the plans and elevation of the  
7 building; the location of the machinery room and the equipment  
8 to be installed, relocated, or altered; and all structural  
9 supporting members thereof, including foundations, and shall  
10 specify all materials to be employed and all loads to be  
11 supported or conveyed. ~~Such plans~~ Plans and specifications  
12 shall be sufficiently complete to illustrate all details of  
13 construction and design.

14           "(d) The applicable fees shall accompany each permit  
15 application.

16           "(e) Any new elevator installed on and after the  
17 effective date of the act adding this amendatory language  
18 shall be required to meet the elevator safety rules adopted  
19 pursuant to this chapter that are in effect when the building  
20 construction permit is issued. Elevator modifications or  
21 alterations shall be required to meet the elevator safety  
22 rules that are in effect at the time the permit for  
23 modification or alteration is issued."

24           Section 2. This act shall become effective on the  
25 first day of the third month following its passage and  
26 approval by the Governor, or its otherwise becoming law.