

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

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.