

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

ENROLLED, An Act,

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

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 25-13-6 and 25-13-16, Code of Alabama 1975, are amended to read as follows:

"§25-13-6.

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

"(b) The board shall ~~establish regulations~~ adopt rules for the equipment regulated by this chapter. The ~~regulations~~ rules shall include the Safety Code for Elevators

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

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

24 "(d) The board shall establish fee schedules for
25 licenses, permits, certificates, and inspections. The fees

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

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

18 "§25-13-16.

19 "(a) No conveyance covered by this chapter shall be
20 erected, constructed, installed, or altered within buildings
21 or structures within this jurisdiction unless a permit has
22 been obtained from the administrator before the work is
23 commenced. Where any material alteration, as defined herein,
24 is made, the device shall conform to applicable requirements
25 in ASME A17.1, ASME A18.1, or ASCE 21 for the alteration. No

1 permit required hereunder shall be issued except to a sole
2 proprietor, firm, or corporation holding a current elevator
3 contractor's license, duly issued pursuant to this chapter. A
4 copy of ~~such~~ the permit shall be kept at the construction site
5 at all times while the work is in progress.

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

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

19 "(d) The applicable fees shall accompany each permit
20 application.

21 ~~"(e) Any new elevator installed on and after the
22 effective date of the act adding this amendatory language
23 shall be required to meet the elevator safety rules adopted
24 pursuant to this chapter that are in effect when the building
25 construction permit is issued. Elevator modifications or~~

1 ~~alterations shall be required to meet the elevator safety~~
2 ~~rules that are in effect at the time the permit for~~
3 ~~modification or alteration is issued."~~

4 "(e) New elevators installed on and after the
5 effective date of the act adding this amendatory language are
6 required to conform to the applicable elevator safety codes in
7 effect when the conveyance permit is issued. Modifications to
8 existing elevators shall conform to the applicable elevator
9 safety codes in effect at the time the permit for modification
10 or alteration is issued. Portions of an elevator that are
11 unaltered or unaffected by the alteration are only required to
12 comply with the code requirements that existed at the time of
13 installation."

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17

Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in
and was passed by the House 09-FEB-22.

Jeff Woodard
Clerk

Senate	17-MAR-22	Amended and Passed
House	29-MAR-22	Concurred in Senate Amendment