

1 HB308
2 127530-2
3 By Representatives Thomas, Greeson and Oden
4 RFD: Ways and Means General Fund
5 First Read: 22-MAR-11

1
2 ENROLLED, An Act,

3 Relating to the Elevator Safety Review Board within
4 the Department of Labor; to amend Section 25-13-6 of the Code
5 of Alabama 1975, as amended by Act 2010-597, 2010 Regular
6 Session (Acts 2010, p. 1343), to further provide for the use
7 of funds in the operational fund of the board for the
8 operation of the department.

9 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

10 Section 1. Section 25-13-6, Code of Alabama 1975, as
11 amended by Act 2010-597, 2010 Regular Session (Acts 2010, p.
12 1343), is amended to read as follows:

13 "§25-13-6.

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

24 "(b) The board shall establish regulations for the
25 equipment regulated by this chapter. The regulations shall

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

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

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

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

9 In addition, the director of the department may
10 transfer unused funds in the Elevator Safety Review Board
11 Operational Fund to the State General Fund.

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

17 Section 2. This act shall become effective
18 immediately following its passage and approval by the
19 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 21-APR-11.

Greg Pappas
Clerk

Senate	<hr/> 01-JUN-11 <hr/>	Amended and Passed
House	<hr/> 02-JUN-11 <hr/>	Concurred in Sen- ate Amendment