

Chapter 531

(Senate Bill 265)

AN ACT concerning

Assisted Living Programs – Elevator Installation – Exemption Noncommercial Elevator Units – Installation and Inspection

FOR the purpose of ~~exempting certain licensed assisted living programs from the registration and inspection requirements for installing an elevator; authorizing the adoption of certain regulations to enhance the safety of certain elevator units~~ authorizing the Commission of Labor and Industry to adopt regulations to authorize and regulate the installation and inspection of noncommercial elevator units in certain assisted living programs; defining a certain term; and generally relating to assisted living programs and the registration installation and inspection of elevators.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section ~~12-804~~ 12-805
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Public Safety

~~12-804.~~

~~(a) IN THIS SECTION, “ASSISTED LIVING PROGRAM” HAS THE MEANING STATED IN § 19-1801 OF THE HEALTH GENERAL ARTICLE.~~

~~(b) Part II of this subtitle does not apply to an elevator unit that is:~~

~~(1) installed in a privately owned single family residential dwelling;~~
[or]

~~(2) installed in a building or structure under federal control or regulation; OR~~

~~(3) INSTALLED IN AN ASSISTED LIVING PROGRAM WITH FIVE OR FEWER BEDS THAT IS LICENSED BY THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE UNDER § 19-1804.1 OF THE HEALTH GENERAL ARTICLE.~~

~~[(b)] (C) Sections 5-205(j), 5-207, 5-214, 5-215, and 5-216 and Title 5, Subtitle 8 of the Labor and Employment Article apply to Part II of this subtitle.~~

~~(D) THE COMMISSIONER MAY ADOPT REGULATIONS TO ENHANCE THE SAFETY OF ELEVATOR UNITS INSTALLED IN ACCORDANCE WITH SUBSECTION (B)(3) OF THIS SECTION.~~

12-805.

(a) IN THIS SECTION, “ASSISTED LIVING PROGRAM” HAS THE MEANING STATED IN § 19-1801 OF THE HEALTH – GENERAL ARTICLE.

(B) The Commissioner shall administer and enforce Part II of this subtitle.

[(b)] (C) (1) The Commissioner shall adopt regulations that conform generally to the American National Standard/American Society of Mechanical Engineers Safety Code for Elevators, Dumbwaiters, Escalators, and Moving Walks, ANSI Code A17.1-1971, and all subsequent amendments and revisions to it.

(2) If necessary to fulfill the Commissioner’s responsibilities under Part II of this subtitle, the Commissioner shall:

(i) adopt regulations that amend standards set forth in the American National Standard/American Society of Mechanical Engineers Safety Code for Elevators, Dumbwaiters, Escalators, and Moving Walks, ANSI Code A17.1-1971, and all subsequent amendments and revisions to it; and

(ii) adopt other regulations.

(3) THE COMMISSIONER MAY ADOPT REGULATIONS TO AUTHORIZE AND REGULATE THE INSTALLATION AND INSPECTION OF NONCOMMERCIAL ELEVATOR UNITS IN ASSISTED LIVING PROGRAMS WITH FIVE OR FEWER BEDS THAT ARE LICENSED BY THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE UNDER § 19-1804.1 OF THE HEALTH – GENERAL ARTICLE.

[(3)] (4) The regulations shall be consistent with the requirements of § 12-1006 of this title.

[(c)] (D) The Commissioner may assign duties and functions imposed by Part II of this subtitle to the chief elevator inspector.

[(d)] (E) The cost of administering Part II of this subtitle is provided for under § 5-204 of the Labor and Employment Article.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2010.

Approved by the Governor, May 20, 2010.