



1 certain tests be performed by licensed elevator  
2 mechanic; amending 59 O.S. 2011, Sections 3023 and  
3 3024, as amended by Section 293, Chapter 304, O.S.L.  
4 2012 (59 O.S. Supp. 2015, Section 3024), which relate  
5 to the Elevator Inspection Bureau and powers of the  
6 Commissioner of Labor; requiring certain inspections  
7 be performed by Commissioner of Labor; deleting chief  
8 elevator inspector; directing certain inspections be  
9 performed by licensed third party or inspector of a  
10 liability insurance company; authorizing promulgation  
11 of rules for certain administrative fines and fees;  
12 creating the Department of Labor Administrative  
13 Penalty Revolving Fund; providing for deposits and  
14 transfer of funds to the General Revenue Fund at  
15 certain time; providing for codification; and  
16 providing an effective date.

17 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

18 SECTION 1. AMENDATORY 40 O.S. 2011, Section 141.13, is  
19 amended to read as follows:

20 Section 141.13. A. The Commissioner of Labor or the chief  
21 boiler inspector, or any deputy inspector, shall have free access,  
22 during reasonable hours, to any premises in the state where a boiler  
23 or pressure vessel is being constructed for use in, or is being  
24 installed in this state for the purpose of ascertaining whether such  
boiler or pressure vessel is being constructed and installed in  
accordance with the provisions of the Boiler and Pressure Vessel  
Safety Act.

1 B. Each boiler and pressure vessel covered by the Boiler and  
2 Pressure Vessel Safety Act shall be thoroughly inspected as to its  
3 construction, installation and condition as follows:

4 1. Power boilers and high pressure high temperature water  
5 boilers shall receive an inspection annually which shall be an  
6 internal inspection where construction permits; otherwise it shall  
7 be as complete an inspection as possible. Such boilers shall also  
8 be externally inspected annually preferably while under pressure;

9 2. Low pressure steam or vapor heating boilers shall receive an  
10 external inspection annually with an internal inspection at least  
11 every two (2) years where construction permits;

12 3. Hot water heating and hot water supply boilers shall receive  
13 an external inspection annually with an internal inspection at the  
14 discretion of the inspector;

15 4. Pressure vessels, excluding those within the scope of the  
16 American Petroleum Institute Pressure Vessel Inspection Code,  
17 subject to internal corrosion and waste heat steam generators shall  
18 receive an internal inspection triennially where construction  
19 permits. Pressure vessels not subject to internal corrosion shall  
20 receive an inspection at intervals set by the Commissioner.  
21 Frequency of external inspections of pressure vessels shall be set  
22 by the Commissioner;

23 5. A grace period of two (2) months beyond the periods  
24 specified in paragraphs 1, 2, 3 and 4 of this subsection is

1 permitted between inspections; however, the inspection due date  
2 shall not be affected; provided, however, for an entity with two or  
3 more boilers or pressure vessels, the Commissioner may allow all  
4 inspections of the boilers or pressure vessels to be conducted at  
5 that location at the same time;

6 6. The Commissioner of Labor may provide for longer periods  
7 between inspections in the rules for specific boilers and pressure  
8 vessels; and

9 7. Under the provisions of the Boiler and Pressure Vessel  
10 Safety Act, the Commissioner of Labor is responsible to provide  
11 rules for the safety of life, limb and property and therefore has  
12 jurisdiction over the interpretation and application of the  
13 inspection requirements as provided for in the rules. Inspection  
14 during construction and installation shall certify as to the minimum  
15 requirement for safety as defined in the American Society of  
16 Mechanical Engineers Code or other construction standards acceptable  
17 to the Commissioner of Labor. Inspection requirements of operating  
18 equipment shall be in accordance with generally accepted practice  
19 and compatible with the actual service condition, such as:

- 20 a. previous experience, based on records of inspection,  
21 performance and maintenance,
- 22 b. location, with respect to personnel hazard,
- 23 c. quality of inspection and operating personnel,
- 24 d. provision for related safe operating controls, and

1 e. interrelation with other operations outside the scope  
2 of the Boiler and Pressure Vessel Safety Act.

3 Based upon the documentation of such actual service conditions  
4 by the owner or user of the operating equipment, the Commissioner of  
5 Labor may, at his discretion, permit variations in the inspection  
6 requirements.

7 C. The inspections herein required shall be made by the  
8 Commissioner, chief boiler inspector, deputy inspector or a special  
9 inspector as provided for in the Boiler and Pressure Vessel Safety  
10 Act except that hot water heating and hot water supply boilers may  
11 be inspected by licensed boiler operators or plumbing contractors  
12 licensed by the State of Oklahoma.

13 D. Owner-user inspection of boilers and pressure vessels is  
14 permitted provided the owner-user inspection service is regularly  
15 established and is under the supervision of one or more individuals  
16 whose qualifications are satisfactory to the Commissioner of Labor  
17 and said owner-user causes the pressure vessels to be inspected in  
18 conformance with the National Board Inspection Code or American  
19 Petroleum Institute Pressure Vessel Inspection Code as applicable.

20 E. If, at the discretion of the inspector, a hydrostatic test  
21 shall be deemed necessary, it shall be made by the owner or user or  
22 his licensed representative and witnessed by an inspector as  
23 authorized by the Boiler and Pressure Vessel Safety Act, before a  
24 certificate of operation is issued.

1 F. All boilers, other than cast iron sectional boilers, and  
2 pressure vessels to be installed in this state after the twelve-  
3 month period from the date upon which the rules of the Commissioner  
4 become effective, shall be inspected during construction as required  
5 by the applicable rules by an inspector authorized to inspect  
6 boilers and pressure vessels in this state, or if constructed  
7 outside of the state, by an inspector holding a valid commission  
8 issued by the National Board of Boiler and Pressure Vessel  
9 Inspectors.

10 G. No person, firm or corporation shall in any manner interfere  
11 with the performance of the official duties of any inspector  
12 authorized by the Boiler and Pressure Vessel Safety Act.

13 SECTION 2. AMENDATORY 40 O.S. 2011, Section 141.16, as  
14 amended by Section 1, Chapter 336, O.S.L. 2014 (40 O.S. Supp. 2015,  
15 Section 141.16), is amended to read as follows:

16 Section 141.16. A. The Commissioner of Labor may promulgate  
17 rules establishing a schedule of administrative fees for the  
18 registration, inspection and operation of boilers, pressure vessels  
19 and steam lines. The following fees shall remain in effect until  
20 rules become effective, at which time the fees contained in this  
21 subsection shall be superseded by rule. Fees collected by the  
22 Department of Labor for the registration, inspection and operation  
23 of boilers, pressure vessels and steam lines shall be deposited as  
24 provided in subsection C of this section.

1 1. a. Annual certificate of operation fee shall be as  
2 follows:

- |    |   |         |
|----|---|---------|
| 3  | (1) with manway state inspector         | \$75.00 |
| 4  | (2) without manway state inspector      | \$50.00 |
| 5  | (3) any size special - or owner/user    |         |
| 6  | inspector                               | \$50.00 |
| 7  | (4) each public hot water supply heater |         |
| 8  | (biennially)                            | \$5.00  |
| 9  | (5) each public boiler                  |         |
| 10 | inspection/certification                | \$25.00 |

11 b. Only one certificate of operation fee per year may be  
12 charged; except an additional fee equal to the  
13 certificate of operation fee may be charged for  
14 witnessing a hydrostatic test required after repairs,  
15 provided a fee equal to the total fees identified in  
16 division (1) or (2) of subparagraph a of this  
17 paragraph, whichever is appropriate, and subparagraph  
18 f of paragraph 2 of this subsection may be charged  
19 when the pressure-retaining item is not prepared and  
20 ready pursuant to rules promulgated by the  
21 Commissioner of Labor at the time of the inspection.

22 2. Other Fees

- |    |   |          |
|----|---|----------|
| 23 | a. hydrostatic test of steam pipeline per |          |
| 24 | day                                       | \$150.00 |

1	(for each additional half-day or part	
2	thereof)	\$75.00
3	b. shop review fees	\$3,000.00
4	c. licensing fees	
5	(1) repair, service, install (annually)	\$50.00
6	(2) boiler operator (biennially)	\$50.00
7	d. certificate of competency fee	\$15.00
8	e. examination fee	\$50.00
9	f. boiler or pressure vessel inspection	
10	fee for certificate inspections by	
11	state inspectors	\$155.00
12	g. authorized inspector services for weld	
13	repairs or alterations, per eight-hour	
14	day or part thereof	\$300.00
15	h. a fee as established by rule may be	
16	assessed for the issuance of duplicate	
17	licenses and certificates, not to	
18	exceed	\$10.00

19 B. All institutions owned or operated by the State of Oklahoma  
20 or its agencies or by any county, municipality or school district,  
21 and such institutions or agencies, and all owners or users of  
22 boilers or pressure vessels of historical significance as specified  
23 in subsection D of Section 141.5 of this title are exempt from the  
24



1 payment of only those fees provided for in paragraph 2 of subsection  
2 A of this section.

3 C. ~~1. Except for the revenue listed in paragraph 2 of this~~  
4 ~~subsection, the Commissioner shall account for and transfer all fees~~  
5 ~~so received to the State Treasury to the credit of the General~~  
6 ~~Revenue Fund, together with a detailed report of same.~~

7 2. The Commissioner shall account for and deposit all fee  
8 revenue received and listed in this paragraph pursuant to this  
9 section to the credit of the Department of Labor Revolving Fund ,

10 a. ~~Twenty-five Dollars (\$25.00) of each certificate of~~  
11 ~~operation fee collected under divisions (1), (2) and~~  
12 ~~(3) of subparagraph a of paragraph 1 of subsection A~~  
13 ~~of this section,~~

14 b. ~~all fees listed in divisions (4) and (5) of~~  
15 ~~subparagraph a of paragraph 1 of subsection A of this~~  
16 ~~section, and~~

17 c. ~~all fees listed in subparagraphs b, g and h of~~  
18 ~~paragraph 2 of subsection A of this section~~

19 except Two Hundred Fifty-four Thousand Two Hundred Sixty-five  
20 Dollars (\$254,265.00) of the fee revenue received each fiscal year  
21 shall be transferred to the State Treasury to the credit of the  
22 General Revenue Fund.

23 D. All fees shall be paid directly to the Department of Labor.  
24

1 SECTION 3. NEW LAW A new section of law to be codified  
2 in the Oklahoma Statutes as Section 3023.1 of Title 59, unless there  
3 is created a duplication in numbering, reads as follows:

4 A. Any person, sole proprietor, partnership, firm, joint  
5 venture, association, corporation or any other business entity  
6 wishing to engage in the business of elevator, escalator, moving  
7 walk or platform or stairway chairlift inspections within the  
8 jurisdiction of this state shall make application for a license with  
9 the Department of Labor on a form to be provided by the Department.  
10 An inspector shall possess those qualifications established by rule  
11 of the Department of Labor.

12 B. No inspector's license shall be granted to any person unless  
13 he or she demonstrates to the satisfaction of the Commissioner of  
14 Labor that he or she meets the current ASME QEI-1, Standards for the  
15 Qualifications of Elevator Inspectors.

16 SECTION 4. NEW LAW A new section of law to be codified  
17 in the Oklahoma Statutes as Section 3023.2 of Title 59, unless there  
18 is created a duplication in numbering, reads as follows:

19 A. The certificate of operation fee for newly installed  
20 elevators, platform lifts, and stairway chairlifts for private  
21 residences shall be subsequent to an inspection by the Commissioner  
22 or his or her designee.

23 B. The Commissioner, or his or her designee, shall inspect, in  
24 accordance with the requirements set forth in this chapter, all

1 newly installed elevators, platform lifts, and stairway chairlifts  
2 for private residences. For newly installed residential elevators  
3 and other residential elevators, the inspector shall note on the  
4 inspection report compliance with the applicable codes governing  
5 protection of hoist way openings, commonly known as the 3x5 rule.

6 SECTION 5. NEW LAW A new section of law to be codified  
7 in the Oklahoma Statutes as Section 3023.3 of Title 59, unless there  
8 is created a duplication in numbering, reads as follows:

9 Elevator inspectors, not employed by the authority having  
10 jurisdiction, shall submit to the Department of Labor an insurance  
11 policy, or certified copy thereof, issued by an insurance company  
12 authorized to do business in the state to provide general liability  
13 coverage of at least One Million Dollars (\$1,000,000.00) for injury  
14 or death of any number of persons in any one occurrence and with  
15 coverage of at least Five Hundred Thousand Dollars (\$500,000.00) for  
16 property damage in any one occurrence and the statutory workers'  
17 compensation insurance coverage.

18 SECTION 6. NEW LAW A new section of law to be codified  
19 in the Oklahoma Statutes as Section 3023.4 of Title 59, unless there  
20 is created a duplication in numbering, reads as follows:

21 A. It shall be the duty of the Department of Labor to develop  
22 an enforcement program which will ensure compliance with regulations  
23 and requirements referenced in this chapter. An enforcement program  
24 may include, but is not limited to, regulations for identification

1 of property locations which are subject to the regulations and  
2 requirements; issuing notifications to violating property owners or  
3 operators; random on-site inspections and tests on existing  
4 installations; witnessing periodic inspections and testing in order  
5 to ensure satisfactory performance by licensed persons, sole  
6 proprietors, firms or corporations; and assisting in the development  
7 of public awareness programs.

8 B. Any person may request an investigation into an alleged  
9 violation of this chapter by giving notice to the Department of  
10 Labor of such violation or danger. The notice shall be in writing,  
11 shall set forth with reasonable particularity the grounds for the  
12 notice, and shall be signed by the person making the request.

13 C. Upon receipt of a notification, if the Commissioner  
14 determines that there are reasonable grounds to believe that a  
15 violation or danger exists, the Commissioner shall cause to be made  
16 an investigation in accordance with this chapter as soon as  
17 practicable to determine if such violation or danger exists. If the  
18 Commissioner determines that there are no reasonable grounds to  
19 believe that a violation or danger exists, the Department of Labor  
20 shall notify the party in writing of such determination.

21 SECTION 7. NEW LAW A new section of law to be codified  
22 in the Oklahoma Statutes as Section 3023.5 of Title 59, unless there  
23 is created a duplication in numbering, reads as follows:

24

1 This chapter shall not be construed to relieve or lessen the  
2 responsibility or liability of any person, firm or corporation  
3 owning, operating, controlling, maintaining, erecting, constructing,  
4 installing, altering, inspecting, testing or repairing any elevator  
5 or other related mechanism covered by this chapter for damages to  
6 person or property caused by any defect therein, nor does the state  
7 assume any such liability or responsibility therefor or any  
8 liability to any person for whatever reason whatsoever by the  
9 enactment of this chapter or any acts or omissions arising  
10 hereunder.

11 SECTION 8. NEW LAW A new section of law to be codified  
12 in the Oklahoma Statutes as Section 3023.6 of Title 59, unless there  
13 is created a duplication in numbering, reads as follows:

14 A. Initial inspections shall be conducted by the Commissioner  
15 or his or her designee. It shall be the responsibility of the  
16 owners of all new and existing conveyances located in any building  
17 or structure to have the conveyances inspected annually (ASME A17.1,  
18 category one) by a licensed elevator inspector. Subsequent to  
19 inspection, the licensed elevator inspector shall supply the  
20 property owner or lessee and the Commissioner with a written  
21 inspection report describing any and all violations. Property  
22 owners shall have thirty (30) days from the date of the published  
23 inspection report to be in full compliance with correcting the  
24 violations.

1 B. It shall be the responsibility of the owners of conveyances  
2 to have a licensed elevator inspector, as described in this chapter,  
3 ensure that the required tests are performed at intervals in  
4 compliance with ASME A17.1, ASME A18.1 and ASCE 21.

5 C. All tests shall be performed by a licensed elevator  
6 mechanic.

7 SECTION 9. AMENDATORY 59 O.S. 2011, Section 3023, is  
8 amended to read as follows:

9 Section 3023. A. There is hereby established an Elevator  
10 Inspection Bureau in the Department of Labor under the direction of  
11 the chief elevator inspector, who shall be responsible to the  
12 Commissioner of Labor or a duly authorized representative for the  
13 supervision, inspection, alteration, installation, testing, and  
14 maintenance of elevators and other such devices within the  
15 definitions of the Elevator Safety Act.

16 The Elevator Inspection Bureau shall be furnished with  
17 sufficient personnel, deputy inspectors, and clerical aids to  
18 perform the assigned duties within the limits prescribed by the  
19 Commissioner of Labor.

20 The chief elevator inspector and deputy inspectors, under the  
21 supervision of the Commissioner of Labor, shall:

22 1. Take action necessary for the enforcement of the Elevator  
23 Safety Act and these rules;

24

1           2. Make available upon request copies of the rules promulgated  
2 by the agency; and

3           3. Issue, suspend, or revoke for cause certificates, licenses,  
4 and registrations as may be issued by the provisions of the Elevator  
5 Safety Act, and administer other disciplinary actions as prescribed  
6 in rules as promulgated by the Commissioner of Labor.

7           B. The Commissioner of Labor is authorized to adopt and  
8 promulgate rules pursuant to the Administrative Procedures Act.  
9 Definitions, rules, and regulations so adopted shall be based upon  
10 and follow generally accepted national engineering standards,  
11 formula, and practices. The Commissioner of Labor may adopt an  
12 existing American national standard known as the Safety Code for  
13 Elevators and Escalators of the American Society of Mechanical  
14 Engineers ("ASME").

15           C. Under the provisions of the Elevator Safety Act, the  
16 Commissioner of Labor is responsible to provide rules for the safety  
17 of life, limb, and property and therefore has jurisdiction over the  
18 interpretation and application of the inspection requirements as  
19 provided for in the rules. Inspection during construction and  
20 installation shall certify as to the minimum requirements for safety  
21 as defined in the American Society of Mechanical Engineers Code or  
22 other construction standards acceptable to the Commissioner of  
23 Labor. Inspection requirements of operating equipment shall be in  
24

1 accordance with generally accepted practice and compatible with the  
2 actual service conditions such as:

- 3 1. History of previous experience, previous records of  
4 inspection, performance, and maintenance;
- 5 2. Location, with respect to personnel hazard;
- 6 3. Quality of inspection and operating personnel;
- 7 4. Provisions for related safe operating controls; and
- 8 5. Interrelation with other operations outside the scope of the  
9 Elevator Safety Act.

10 D. Inspections required by the Elevator Safety Act shall be  
11 conducted by inspectors licensed by the Department of Labor.

12 E. Inspections conducted for the issuance of a certificate of  
13 operation ~~may~~ shall be performed by: the Commissioner or his or her  
14 designee.

15 ~~1. The chief elevator inspector, deputy elevator inspector or~~  
16 ~~licensed third party inspector who at the time of inspection~~  
17 ~~possesses a valid elevator inspector's license issued by the~~  
18 ~~Department of Labor; or~~

19 ~~2. An elevator inspector employed by the liability insurance~~  
20 ~~company of record of the owner of the elevator or device who at the~~  
21 ~~time of inspection is in possession of a valid elevator inspector's~~  
22 ~~license issued by the Department of Labor.~~

23 F. Periodic inspections shall be performed by:  
24



1        1. A licensed third party inspector who at the time of  
2 inspection possesses a valid elevator inspector's license issued by  
3 the Department of Labor;

4        2. An elevator inspector employed by the liability insurance  
5 company of record of the owner of the elevator or device who at the  
6 time of inspection is in possession of a valid elevator inspector's  
7 license issued by the Department of Labor; or

8        3. An elevator inspector employed by the Department of Labor.

9        G. Elevator Inspectors, not employed by the Department of  
10 Labor, shall submit to the Commissioner of Labor, an insurance  
11 policy or certified copy thereof, issued by an insurance company  
12 authorized to do business in this state to provide general liability  
13 coverage of a least One Million Dollars (\$1,000,000.00) for injury  
14 or death of any number of persons in any one occurrence, with the  
15 coverage of at least Five Hundred Thousand Dollars (\$500,000.00) for  
16 property damage in any one occurrence and proof of workers'  
17 compensation coverage.

18        ~~G.~~ H. Elevators, escalators, and other such devices within the  
19 definitions of the Elevator Safety Act shall receive an inspection  
20 for the purpose of obtaining a certificate of operation:

21        1. Two-floor to four-floor elevator units, not to exceed two  
22 (2) years;

23        2. Any wire-rope elevator, regardless of floors, annually;

24        3. Escalators and moving walkways, annually;

1 4. Wheelchair lifts, triennially;

2 5. Temporary elevators shall be inspected at each erection and  
3 every ninety (90) days or as the code requires; and

4 6. Any elevator or other such device subject to the provisions  
5 of the Elevator Safety Act located in a structure whose occupants  
6 are mobility restricted, such as hospitals, nursing homes, and  
7 residential care facilities, shall be inspected annually.

8 SECTION 10. AMENDATORY 59 O.S. 2011, Section 3024, as  
9 amended by Section 293, Chapter 304, O.S.L. 2012 (59 O.S. Supp.  
10 2015, Section 3024), is amended to read as follows:

11 Section 3024. A. The Commissioner of Labor shall have the  
12 following powers and duties:

13 1. The Commissioner shall:

- 14 a. adopt or determine standards of elevator safety,
- 15 b. license elevator contractors, elevator mechanics, and  
16 elevator inspectors,
- 17 c. register elevator apprentices,
- 18 d. determine qualifications for examination, establish  
19 application processes, and examine applicants for  
20 licensure,
- 21 e. establish terms of licensure and renewal procedures,
- 22 f. attempt to achieve reciprocity agreements whereby  
23 licenses issued by other jurisdictions may be accepted  
24 in this state in lieu of examination,

- 1           g.    establish grounds for revocation, suspension, and
- 2                    nonrenewal of licenses and policies for reinstatement
- 3                    of licenses and for imposition of lesser disciplinary
- 4                    measures,
- 5           h.    establish continuing education requirements,
- 6           i.    provide for the inspection and certification of
- 7                    elevators,
- 8           j.    provide for the enforcement of the Elevator Safety
- 9                    Act,
- 10          k.    hear appeals pursuant to the Administrative Procedures
- 11                    Act,
- 12          l.    establish a procedure for the reporting and
- 13                    investigation of accidents, and
- 14          m.    establish a procedure to allow variances from the
- 15                    literal requirement of the code;

16           2.    The Commissioner shall publish informational brochures about  
17 license examinations that indicate the scope of the examinations,  
18 include suggestions about how to prepare for the examinations, and  
19 may include sample questions of the type to be expected, but shall  
20 never include test items that will be used in future examinations.  
21 In no case shall information about forthcoming examinations, that is  
22 not generally available, be given to any school, coaching service,  
23 or individual privately; and

1           3. The Commissioner shall have subpoena powers and shall have  
2 the right to seek injunctive relief to prevent the operation of  
3 elevators lacking a certificate of operation after November 1, 2006,  
4 or failing inspection. For any violation of the Elevator Safety  
5 Act, the Commissioner may assess an administrative fine ~~of not more~~  
6 ~~than Five Hundred Dollars (\$500.00)~~, which fine may be assessed in  
7 addition to any other penalties provided pursuant to the Elevator  
8 Safety Act. The Commissioner of Labor may promulgate rules  
9 establishing a schedule of administrative fines for violations of  
10 the Elevator Safety Act. Upon collection of an assessed fine, the  
11 funds shall be deposited in the Department of Labor Administrative  
12 Penalty Revolving Fund created in Section 11 of this act.

13           B. The Commissioner of Labor may promulgate rules establishing  
14 a schedule of administrative fees for the implementation of the  
15 Elevator Safety Act. The following fees shall remain in effect  
16 until such rules become effective, at which time the fees contained  
17 in this subsection shall be superseded by rule. Fees shall be as  
18 follows:

- |    |                                    |          |
|----|------------------------------------|----------|
| 19 | 1. Elevator contractor examination | \$100.00 |
| 20 | 2. Elevator inspector examination  | \$100.00 |
| 21 | 3. Elevator mechanic examination   | \$100.00 |
| 22 | 4. Initial and renewal elevator    |          |
| 23 | contractor license                 | \$100.00 |

24

1	5. Initial and renewal elevator	
2	inspector License	\$ 75.00
3	6. Initial and renewal elevator	
4	mechanic License	\$ 50.00
5	7. Annual elevator apprentice	
6	registration	\$ 25.00
7	8. Late renewal - in addition to	
8	license fee	\$ 10.00
9	9. Replacement of lost or mutilated	
10	license	\$ 10.00
11	10. Reinstatement - in addition to	
12	license fee	\$100.00
13	11. Existing elevator - certification	
14	of operation	\$ 25.00
15	12. New elevator - inspection and	
16	certification	\$150.00
17	13. Elevator temporary certification	\$ 25.00
18	14. Elevator temporary mechanic	
19	license for 30 days	\$ 10.00
20	15. Labor for chief elevator inspector	
21	or deputy elevator inspector to	
22	perform inspection for issuance of	
23	certificate of operation:	
24	a. any escalator or moving walkway	\$125.00

1	b. elevator, two-four floors	\$ 75.00
2	c. elevator, five-ten floors	\$100.00
3	d. elevator, eleven floors and over	\$125.00
4	e. wheelchair lift	\$ 25.00

5 C. All revenues received shall be deposited to the Department  
6 of Labor Revolving Fund. It is the intent of the Legislature that  
7 fees charged pursuant to the Elevator Safety Act be adjusted to  
8 provide sufficient income, but not substantially more than  
9 sufficient income, to ensure elevator safety as provided by the  
10 Elevator Safety Act. Accordingly, the Commissioner of Labor shall  
11 make an annual study of the revenues to and expenditures from the  
12 Department of Labor Revolving Fund related to elevator safety and  
13 shall prepare a report indicating what fee adjustments, if any,  
14 shall be recommended. The report shall be submitted by September 1  
15 each year to the Director of the Office of Management and Enterprise  
16 Services, the Chair of the Appropriations Committee of the Senate,  
17 and the Chair of the Appropriations and Budget Committee of the  
18 House of Representatives, and shall be filed with the Department of  
19 Labor.

20 D. Licenses and certifications issued in accordance with the  
21 provisions of the Elevator Safety Act shall be renewed according to  
22 the following schedule:

23 1. Elevator contractor, elevator inspector, elevator mechanic  
24 licenses and elevator apprentice registration shall be renewed

1 annually prior to the last day of the calendar month in which the  
2 license or registration was initially issued;

3 2. Any such license, registration or certificate required by  
4 the Elevator Safety Act not renewed by the last day of the calendar  
5 month in which renewal is required shall be subject to a late fee as  
6 provided by this act;

7 3. Any elevator contractor, elevator inspector, elevator  
8 mechanic license or apprentice registration having been expired for  
9 a period of not less than thirty (30) days nor more than three  
10 hundred sixty-five (365) days shall be subject to a reinstatement  
11 fee as provided for in the Elevator Safety Act; and

12 4. Any elevator contractor, elevator inspector, elevator  
13 mechanic license or apprentice registration being expired for a  
14 period of one (1) year or longer from the last day of the month in  
15 which renewal was required shall be considered void and the licensee  
16 shall be subject to all requirements for new issuance.

17 SECTION 11. NEW LAW A new section of law to be codified  
18 in the Oklahoma Statutes as Section 405.1 of Title 40, unless there  
19 is created a duplication in numbering, reads as follows:

20 There is hereby created in the State Treasury a revolving fund  
21 for the Department of Labor to be designated the "Department of  
22 Labor Administrative Penalty Revolving Fund". The fund shall be a  
23 continuing fund, not subject to fiscal year limitations, and shall  
24 consist of all administrative fines collected by the Department for

1 violations of the Elevator Safety Act, and any rules promulgated  
2 thereto. All monies accruing to the credit of the fund are hereby  
3 directed to be transferred by the Commissioner of Labor to the State  
4 Treasurer for deposit and credit to the General Revenue Fund at the  
5 end of each fiscal year.

6 SECTION 12. This act shall become effective November 1, 2016.

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8 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS, LABOR AND RETIREMENT  
9 LAWS, dated 03/22/2016 - DO PASS.

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