



# 130th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2021

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Legislative Document

No. 1168

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H.P. 846

House of Representatives, March 22, 2021

### An Act To License Operators of Personnel Hoists

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Received by the Clerk of the House on March 18, 2021. Referred to the Committee on Innovation, Development, Economic Advancement and Business pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative ROBERTS of South Berwick.  
Cosponsored by Representatives: BAILEY of Gorham, CUDDY of Winterport.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 5 MRSA §12004-A, sub-§50** is enacted to read:

3 **50.**

4 Elevator Advisory Board \$35/Day 32 MRSA §15203-A

5 **Sec. 2. 10 MRSA §9725, sub-§7**, as amended by PL 2013, c. 70, Pt. B, §3, is further  
6 amended to read:

7 **7. Elevator standards.** Elevator standards adopted pursuant to Title 32, section  
8 ~~15205-A~~ 15203-A, subsection 11.

9 **Sec. 3. 32 MRSA §15202, sub-§2-A**, as enacted by PL 2001, c. 573, Pt. B, §2 and  
10 affected by §36, is amended to read:

11 **2-A. Chief inspector.** "Chief inspector" means an individual in the employ of the  
12 State whose duties include the examination and inspection of elevators and tramways and  
13 who has been designated as chief inspector by the ~~Commissioner of Professional and~~  
14 ~~Financial Regulation~~ Elevator Advisory Board.

15 **Sec. 4. 32 MRSA §15202, sub-§5-B** is enacted to read:

16 **5-B. Elevator Advisory Board or board.** "Elevator Advisory Board" or "board"  
17 means the Elevator Advisory Board under section 15203-A.

18 **Sec. 5. 32 MRSA §15202, sub-§7-B**, as amended by PL 2013, c. 70, Pt. D, §4, is  
19 further amended to read:

20 **7-B. Licensed private elevator inspector or licensed private elevator and lift**  
21 **inspector.** "Licensed private elevator inspector" or "licensed private elevator and lift  
22 inspector" means an individual who has been licensed by the ~~director~~ board to inspect  
23 elevators pursuant to this chapter and who is not a state employee whose duty is to inspect  
24 elevators.

25 **Sec. 6. 32 MRSA §15202, sub-§8**, as amended by PL 2013, c. 70, Pt. D, §5, is  
26 further amended to read:

27 **8. Licensed private tramway inspector.** "Licensed private tramway inspector"  
28 means an individual who has been licensed by the ~~director~~ board to inspect tramways  
29 pursuant to this chapter and who is not a state employee whose duty is to inspect tramways.

30 **Sec. 7. 32 MRSA §15202, sub-§12-A** is enacted to read:

31 **12-A. Personnel hoist.** "Personnel hoist" means a hoist that moves individuals and  
32 material to and from an elevated level, that is not an integral part of a building and that is  
33 installed during construction, alteration or demolition operations.

34 **Sec. 8. 32 MRSA §15202, sub-§12-B** is enacted to read:

35 **12-B. Personal hoist operator.** "Personnel hoist operator" means an individual who  
36 has a license to operate a personnel hoist.

37 **Sec. 9. 32 MRSA §15203, first ¶**, as amended by PL 2013, c. 70, Pt. D, §6, is  
38 further amended to read:

1 This chapter may not be construed to prevent the use or sale of elevators in this State  
2 that were being used or installed prior to January 1, 1950 and that have been made to  
3 conform to the rules of the ~~director~~ board covering existing installations and must be  
4 inspected as provided for in this chapter.

5 **Sec. 10. 32 MRSA §15203-A** is enacted to read:

6 **§15203-A. Elevator Advisory Board**

7 **1. Board administrators.** The Elevator Advisory Board, as established in Title 5, section  
8 12004-A, subsection 50, shall administer this chapter.

9 **2. Board membership.** The board consists of 10 members as follows:

10 A. The chief inspector;

11 B. One member who is an elevator contractor;

12 C. One member who is a municipal code enforcement officer employed by a  
13 municipality;

14 D. One member who represents a liability insurance company licensed to write  
15 elevator insurance in the State;

16 E. One member who represents elevator manufacturers;

17 F. One member who represents a trade union of employees involved in the installation,  
18 modernization, maintenance and repair of elevators;

19 G. One member who is a licensed private elevator inspector;

20 H. One member who is a licensed private elevator mechanic under this chapter;

21 I. One member who represents building owners; and

22 J. One member who represents the Office of the State Fire Marshal.

23 **3. Appointments; terms.** The Governor shall make all board appointments for terms  
24 of 4 years. Appointments of members must comply with Title 10, section 8009.

25 **4. Duties.** Board duties include the following:

26 A. Review of regulations;

27 B. Hearing appeals;

28 C. Granting of variances;

29 D. Provision of technical assistance;

30 E. Advising the commissioner and department; and

31 F. Other duties as necessary for oversight of elevator safety.

32 **5. Officers.** The Governor shall designate one member as the chair of the board. The  
33 board shall elect a secretary at its first meeting of each term and the secretary shall serve  
34 for the term.

35 **6. Quorum.** A majority of the board must be present to conduct business.

36 **7. Conflicts and duties.** Board members shall act specifically in the interest of the  
37 public at large. Board members who have a potential conflict of interest shall recuse

1 themselves from the discussion and voting of any business in which the members have a  
2 private interest.

3 **8. Dismissal.** Any board member who is absent from 3 consecutive meetings must be  
4 dismissed and a new member must be appointed within 60 days.

5 **9. Compensation and expenses.** Members of the board must be compensated  
6 according to the provisions of Title 5, chapter 379.

7 **10. Staff support.** The commissioner shall provide necessary staffing services to the  
8 board as determined appropriate by the commissioner.

9 **11. Rule-making authority.** The board shall establish guidelines and adopt rules  
10 necessary for the proper administration and enforcement of this chapter. Rules adopted  
11 pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375,  
12 subchapter 2-A. The rules must address, but are not limited to:

13 A. Requirements for the safe and proper construction, installation, alteration, repair,  
14 use, operation and inspection of elevators and tramways in this State. The rules must  
15 include standards for the review and audit of inspections performed by licensed private  
16 elevator inspectors not employed by the State. The rules must conform as nearly as  
17 practicable to the established standards as approved by the American National  
18 Standards Institute or its successor or other organization approved by the board;

19 B. Requirements for licensure and license renewal of private elevator and lift  
20 inspectors, including requirements for examination and continuing education; and

21 C. Requirements for licensure and license renewal of elevator and lift mechanics,  
22 including requirements for examination and continuing education.

23 **Sec. 11. 32 MRSA §15204, first ¶**, as amended by PL 2013, c. 70, Pt. D, §7, is  
24 further amended to read:

25 A person aggrieved by an order or act of the chief inspector or a deputy inspector under  
26 this chapter may, within 15 days after notice of the order or act, appeal from the order or  
27 act to the ~~director~~ board, who shall hold a hearing pursuant to Title 5, chapter 375,  
28 subchapter 4. After the hearing, the ~~director~~ board shall issue an appropriate order either  
29 approving or disapproving the order or act.

30 **Sec. 12. 32 MRSA §15205-A**, as enacted by PL 2013, c. 70, Pt. D, §9, is repealed.

31 **Sec. 13. 32 MRSA §15206-A**, as amended by PL 2013, c. 70, Pt. D, §11, is further  
32 amended to read:

33 **§15206-A. Denial or refusal to renew license; disciplinary action**

34 The ~~director~~ board may deny a license, refuse to renew a license or impose the  
35 disciplinary sanctions authorized by Title 10, section 8003, subsection ~~5-A~~ 5 for any of the  
36 reasons enumerated in Title 10, section 8003, subsection ~~5-A~~, paragraph A ~~therein or in~~  
37 accordance with the rules established by the board.

38 **Sec. 14. 32 MRSA §15208, first ¶**, as amended by PL 2013, c. 70, Pt. D, §12, is  
39 further amended to read:

40 The ~~director~~ board shall set standards necessary for the licensure and renewal of private  
41 elevator and lift inspectors. The fee for applications, examinations, licenses and renewals

1 must be established by the director pursuant to section 15225-A and Title 10, section 8003,  
2 subsection 2-A, paragraph D.

3 **Sec. 15. 32 MRSA §15208-A**, as amended by PL 2013, c. 70, Pt. D, §13, is further  
4 amended to read:

5 **§15208-A. Registration of elevator contractors**

6 Any person, firm, partnership, association, corporation or company engaged in the  
7 installation, sale, service, maintenance or inspection of elevators in this State shall register  
8 with the ~~director~~ board. The registration must be submitted on a form provided by the  
9 ~~director~~ board and must include the names and addresses of all licensed private inspectors,  
10 licensed mechanics and all helpers employed by the elevator contractor. An elevator  
11 contractor shall notify the ~~director~~ board of any change in the information required under  
12 this section within 30 days of the change. The required fee for registration must be set by  
13 the director under section 15225-A.

14 **Sec. 16. 32 MRSA §15209, first ¶**, as amended by PL 2013, c. 70, Pt. D, §14, is  
15 further amended to read:

16 The ~~director~~ board shall license an applicant as a private tramway inspector, who may  
17 perform the inspections required on tramways, if that applicant:

18 **Sec. 17. 32 MRSA §15209, sub-§1**, as amended by PL 2013, c. 70, Pt. D, §15, is  
19 further amended to read:

20 **1. Registration.** Is a professional engineer with a current valid registration in some  
21 state. If an applicant for a private tramway inspector's license demonstrates to the ~~director~~  
22 board that the applicant possesses more than 6 years' experience in the construction, design,  
23 inspection and operation of tramways, this registration requirement may be waived by the  
24 ~~director~~ board;

25 **Sec. 18. 32 MRSA §15209-A**, as amended by PL 2013, c. 70, Pt. D, §17, is further  
26 amended to read:

27 **§15209-A. Private wire rope inspectors; licenses**

28 The ~~director~~ board may issue a license to an applicant as a private wire rope inspector,  
29 who may perform the inspections required for each tramway equipped with wire rope, if  
30 that applicant has a total of 5 years' experience in wire rope manufacture, installation,  
31 maintenance or inspection and meets the requirements of this chapter and rules adopted by  
32 the ~~director~~ board. A private wire rope inspector's license is issued for a period of one year.  
33 The license fee must be set by the director under section 15225-A.

34 **Sec. 19. 32 MRSA §15210**, as amended by PL 2013, c. 70, Pt. D, §18, is further  
35 amended to read:

36 **§15210. Revocation of private tramway or elevator inspector's license**

37 The ~~director~~ board may revoke a private tramway, elevator or lift inspector's license  
38 for the following causes:

39 **1. Failure to submit true reports.** For failure to submit true reports concerning the  
40 conditions of a tramway or elevator or for conduct determined by the ~~director~~ board to be  
41 contrary to the best interests of tramway or elevator safety or the ~~director~~ board; and

1           **2. Physical infirmities.** For physical infirmities that develop to a point at which it  
2 appears that an inspector is no longer able to perform the required duties in a thorough and  
3 safe manner.

4           **Sec. 20. 32 MRSA §15211, sub-§1**, as amended by PL 2013, c. 70, Pt. D, §19, is  
5 further amended to read:

6           **1. Reporting accidents.** Each elevator or tramway accident that is caused by  
7 equipment failure or results in significant injury to a person or results in substantial damage  
8 to equipment must be reported by the owner or lessee to the chief inspector in accordance  
9 with the ~~director's~~ board's rules.

10           **Sec. 21. 32 MRSA §15213, first ¶**, as amended by PL 2013, c. 70, Pt. D, §20, is  
11 further amended to read:

12           A person may not service, repair, alter or install any elevator unless that person is  
13 licensed as an elevator or lift mechanic under this chapter. Elevator work in industrial  
14 plants and manufacturing plants may be performed by plant personnel who are not licensed  
15 under this chapter if the work is supervised by the plant engineer and performed in  
16 compliance with rules adopted by the ~~director~~ board.

17           **Sec. 22. 32 MRSA §15214**, as amended by PL 2013, c. 70, Pt. D, §21, is further  
18 amended to read:

19           **§15214. Issuance Mechanic's license issuance; qualifications**

20           The ~~director board~~ shall issue an elevator or lift mechanic's license to any applicant  
21 who has at least 2 years' experience in the service, repair, alteration or installation of  
22 elevators and lifts while employed by an elevator company, or has equivalent experience  
23 as defined by rules of the ~~director board~~, and meets the requirements established pursuant  
24 to section 15216.

25           A licensed elevator or lift mechanic may not have more than 2 helpers under direct  
26 supervision. These helpers need not be licensed.

27           A licensed elevator or lift mechanic shall comply with the provisions of this chapter  
28 and the rules adopted by the ~~director board~~.

29           **Sec. 23. 32 MRSA §15215-A** is enacted to read:

30           **§15215-A. Personnel hoist operator license issuance; qualifications**

31           **1. License required.** Except as provided under subsection 2, a person may not operate  
32 a personnel hoist in this State unless that person holds a valid license issued by the board,  
33 if the personnel hoist:

34           A. Is used for the purpose of construction, alteration or demolition; and

35           B. Is used at a site involving work on structures over a specified height, as established  
36 in rule, where an outside hoist is used.

37           **2. Exceptions.** A license to operate a personnel hoist is not required:

38           A. In cases of emergency, during which operation of a personnel hoist without a license  
39 may be permitted for a period not exceeding 2 consecutive days, as long as the  
40 commissioner is immediately notified. Such periods may be extended by the

1 commissioner when necessary to avoid undue hardship, but no single extension may  
2 exceed a period of 7 consecutive days;

3 B. To operate automatic operation or continuous pressure operation passenger or  
4 freight elevators or existing shipper rope elevators when equipped with proper  
5 safeguards, as established by the department in rule, except when an operator remains  
6 in permanent charge of such elevators or when a car switch is employed; and

7 C. For elevator inspectors or elevator contractors or mechanics engaged in the  
8 construction, maintenance or repair of elevators or elevator hoist ways.

9 **3. License issuance.** The board shall issue a license to any person under this chapter  
10 who:

11 A. Is at least 18 years of age;

12 B. Holds an active, unrestricted driver's license issued by the State;

13 C. Presents to the board a current certification of medical fitness, as described in rule;

14 D. Presents to the board proof of successful completion of a written examination  
15 demonstrating competency in the operation of personnel hoists. The examination must  
16 incorporate nationally recognized certifications and national guidelines pertaining to  
17 the operation of heavy equipment, including guidelines established by the United States  
18 Department of Labor and Occupational Health and Safety Administration, as well as  
19 standards established by the American National Standards Institute, or its successor  
20 organization, or guidelines established by the American Society of Mechanical  
21 Engineers, or its successor organization: and

22 E. Presents to the board proof of successful completion of a practical examination on  
23 the operation of a personnel hoist. The examination must include a demonstration of  
24 knowledge regarding passenger safety.

25 **Sec. 24. 32 MRSA §15216**, as amended by PL 2013, c. 70, Pt. D, §22, is further  
26 amended to read:

27 **§15216. Examination of elevator or lift mechanics; applications; licenses; renewals**

28 The ~~director~~ board shall set standards necessary for the licensure and renewal of  
29 elevator or lift mechanics. The fee for applications, examinations, licenses and renewals  
30 must be established by the director pursuant to section 15225-A and Title 10, section 8003,  
31 subsection 2-A, paragraph D. Licenses are issued for a period of one year.

32 **Sec. 25. 32 MRSA §15216-C**, as amended by PL 2013, c. 70, Pt. D, §23, is further  
33 amended to read:

34 **§15216-C. License renewal**

35 Any license issued under this chapter is renewable upon satisfaction of the applicable  
36 requirements for renewal and payment of the renewal fee as set by the director under  
37 section 15225-A. The expiration dates for licenses issued under this chapter may be  
38 established at such other times as the ~~commissioner~~ board may designate.

39 A license may be renewed up to 90 days after the date of its expiration upon payment  
40 of a late fee in addition to the renewal fee as set under section 15225-A. Any person who  
41 submits an application for renewal more than 90 days after the license expiration date must

1 pay an additional late fee as set under section 15225-A and is subject to all requirements  
2 governing new applicants under this chapter, except that the ~~director~~ board, after giving  
3 due consideration to the protection of the public, may waive the examination and other  
4 requirements. Notwithstanding any other provision of this chapter, the ~~director~~ board shall  
5 waive the examination if a renewal application is made within 90 days after separation from  
6 the United States Armed Forces, under conditions other than dishonorable, by a person who  
7 failed to renew that person's license because that person was on active duty in the Armed  
8 Forces; except that the waiver of examination may not be granted if the person served a  
9 period of more than 4 years in the Armed Forces, unless that person is required by some  
10 mandatory provision to serve a longer period and that person submits satisfactory evidence  
11 of this mandatory provision to the ~~director~~ board.

12 **Sec. 26. 32 MRSA §15221**, as amended by PL 2013, c. 70, Pt. D, §§24 to 27, is  
13 further amended to read:

14 **§15221. Inspection of elevators and tramways**

15 **1. Fees; inspection certificate.** Each elevator or tramway proposed to be used within  
16 this State must be thoroughly inspected by either the chief inspector, a deputy inspector or  
17 a licensed private elevator or tramway inspector and, if found to conform to the rules of the  
18 ~~director~~ board, the ~~director~~ board shall issue to the owner an inspection certificate. Fees  
19 for inspection and certification of elevators and tramways must be set by the director under  
20 section 15225-A and must be paid by the owner of the elevator or tramway. The certificate  
21 must specify the maximum load to which the elevator or tramway may be subjected, the  
22 date of its issuance and the date of its expiration. The elevator certificate must be posted  
23 in the elevator and the tramway certificate at a conspicuous place in the machine area.

24 **2. Scheduled inspections.** The owner of an elevator shall have the elevator inspected  
25 annually by a licensed private elevator inspector, the chief inspector or a deputy inspector.  
26 The owner of a tramway shall have the tramway inspected by a licensed private tramway  
27 inspector, the chief inspector or a deputy inspector twice each year. One tramway  
28 inspection must be made when weather conditions permit a complete inspection of all  
29 stationary and moving parts. The 2nd tramway inspection must be made while the tramway  
30 is in operation.

31 **3. Temporary suspension of inspection certificate; condemnation card.** When, in  
32 the inspector's opinion, the elevator or tramway ~~can not~~ cannot continue to be operated  
33 without menace to the public safety, the chief inspector or deputy inspector may  
34 temporarily suspend an inspection certificate in accordance with Title 5, section 10004 and  
35 post or direct the posting of a red card of condemnation at every entrance to the elevator or  
36 tramway. The condemnation card is a warning to the public and must be of such type and  
37 dimensions as the ~~director~~ board determines. The suspension continues, pending decision  
38 on any application with the District Court for a further suspension. The condemnation card  
39 may be removed only by the inspector posting it or by the chief inspector.

40 **4. Special certificate; special conditions.** When, upon inspection, an elevator or  
41 tramway is found by the inspector to be in reasonably safe condition but not in full  
42 compliance with the rules of the ~~director~~ board, the inspector shall certify to the chief  
43 inspector the inspector's findings and the chief inspector may issue a special certificate, to  
44 be posted as required in this section. This certificate must set forth any special conditions  
45 under which the elevator or tramway may be operated.



1           **5. Inspection reports.** Licensed private tramway and elevator inspectors shall submit  
2 inspection reports to the owner on a form provided by the ~~director~~ board within 15 working  
3 days from the date of the inspection.

4           **6. Follow-up inspections.** All follow-up inspections necessary to enforce compliance  
5 must be performed by either the chief inspector or a deputy inspector. A fee set by the  
6 director under section 15225-A must be charged for those follow-up inspections.

7           **7. Certificate not transferable.** An inspection certificate may not be transferred to  
8 any other person, firm, corporation or association. If ownership of an elevator or tramway  
9 is transferred, the new owner must apply for a new inspection certificate as required by  
10 section 15229, subsection 7.

11           **Sec. 27. 32 MRSA §15226**, as amended by PL 2013, c. 70, Pt. D, §29, is further  
12 amended to read:

13 **§15226. Reports by inspectors**

14           A deputy inspector or licensed private inspector shall make a full report to the chief  
15 inspector, giving all data required by the rules adopted by the ~~director~~ board and shall report  
16 to the chief inspector and to the owner all defects found and all noncompliances with the  
17 rules. When any serious infraction of the rules is found by a deputy inspector or licensed  
18 private inspector and that infraction is, in the opinion of the inspector, dangerous to life,  
19 limb or property, the inspector shall report that infraction immediately to the chief  
20 inspector.

21           **Sec. 28. 32 MRSA §15227, first ¶**, as amended by PL 2013, c. 70, Pt. D, §30, is  
22 further amended to read:

23           The ~~director~~ board is authorized to investigate all elevator and tramway accidents that  
24 result in injury to a person or in damage to the installation.

25           **Sec. 29. 32 MRSA §15227, sub-§1**, as amended by PL 2013, c. 70, Pt. D, §31, is  
26 further amended to read:

27           **1. Enforce laws and rules.** To enforce the laws of the State governing the use of  
28 elevators and tramways and to enforce adopted rules of the ~~director~~ board;

29           **Sec. 30. 32 MRSA §15227, sub-§6**, as amended by PL 2013, c. 70, Pt. D, §34, is  
30 further amended to read:

31           **6. Take uninspected or unrepaired elevators and tramways out of service.** To  
32 take an elevator or tramway out of service in accordance with Title 5, section 10004 if an  
33 inspection report has not been submitted to the ~~director~~ board within 60 days of the  
34 expiration of the most recent certificate or if the owner has failed to make repairs as  
35 required by the ~~director~~ board. This power is in addition to the chief inspector's powers  
36 under section 15221, subsection 3.

37           **Sec. 31. 32 MRSA §15228, sub-§1**, as amended by PL 2013, c. 70, Pt. D, §35, is  
38 further amended to read:

39           **1. Requirements.** Notwithstanding section ~~15205-A~~ 15203-A, subsection 11,  
40 whenever a passenger elevator is installed in a building being newly constructed or in a  
41 new addition that extends beyond the exterior walls of an existing building, the passenger  
42 elevator must reach all levels within the building and be of sufficient size to allow the

1 transport of a person on an ambulance stretcher in the fully supine position, without having  
2 to raise, lower or bend the stretcher in any way. This requirement applies to all plans  
3 approved after January 1, 2002. The ~~director~~ board shall adopt rules necessary to carry out  
4 the provisions of this section. Rules adopted pursuant to this section are routine technical  
5 rules as defined in Title 5, chapter 375, subchapter 2-A.

6 **Sec. 32. 32 MRSA §15229**, as amended by PL 2013, c. 70, Pt. D, §36, is further  
7 amended to read:

8 **§15229. Duties of owners of elevators or tramways**

9 **1. Owner responsibility.** The responsibility for design, construction, maintenance  
10 and inspection of an elevator or tramway rests with the person, firm, partnership,  
11 association, corporation or company that owns the elevator or tramway.

12 **2. Obtain inspection certificate.** The owner of an elevator or tramway shall submit  
13 an annual application for an annual inspection certificate together with the inspection report  
14 within 30 business days of the inspection and prior to the expiration of the current  
15 certificate. The application must be on a form provided by the ~~director~~ board and must be  
16 accompanied by the required fee set by the director under section 15225-A. A late fee set  
17 by the director under section 15225-A may be assessed for failure to submit the application  
18 and inspection report in a timely manner.

19 **3. Failure to qualify for inspection certificate.** The owner of an elevator or tramway  
20 that does not qualify for an inspection certificate shall take the elevator or tramway out of  
21 operation until the required repairs have been made and a new inspection certificate has  
22 been issued.

23 **4. Notify ~~director~~ board when required repairs made.** The owner of an elevator or  
24 tramway shall notify the ~~director~~ board when required repairs have been made and provide  
25 the ~~director~~ board with satisfactory evidence of completion.

26 **5. Elevator or tramway declared idle or placed out of service.** The owner of an  
27 elevator or tramway that has been declared idle or placed out of service in accordance with  
28 rules adopted by the ~~director~~ board shall notify the ~~director~~ board within 30 days of  
29 declaring the elevator or tramway idle.

30 **6. Removal.** The owner of an elevator or tramway shall notify the ~~director~~ board  
31 within 30 days of the removal of the elevator or tramway.

32 **7. Change of ownership.** The owner of record of an elevator or tramway shall notify  
33 the ~~director~~ board of a transfer of ownership of an elevator within 30 days of such transfer.  
34 The new owner shall apply, on a form provided by the ~~director~~ board, for a new inspection  
35 certificate that will be issued without the need for an additional inspection for the remainder  
36 of the term of the current certificate. A fee for issuance of a new inspection certificate may  
37 be set by the director under section 15225-A.

38 **8. Failure to comply.** In addition to the remedies available under this chapter, an  
39 owner who fails to comply with the provisions of this chapter or rules adopted by the  
40 ~~director~~ board is subject to the provisions of Title 10, section 8003, subsection 5 whether  
41 or not the elevator or tramway has a current inspection certificate, except that,  
42 notwithstanding Title 10, section 8003, subsection 5, paragraph A-1, subparagraph 3 (3), a  
43 civil penalty of up to \$3,000 may be imposed for each violation.

**SUMMARY**

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This bill establishes the Elevator Advisory Board as well as requirements for the licensure of operators of personnel hoists. It creates exceptions to these licensure requirements for short-term emergency operation and operation by inspectors and operation of automatic operation or continuous pressure operation passenger or freight elevators or existing shipper rope elevators.