

**§15202. Definitions**

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]

**1. Approved.**

[PL 2013, c. 70, Pt. D, §1 (RP).]

**2. Board.**

[PL 2013, c. 70, Pt. D, §2 (RP).]

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

[PL 2001, c. 573, Pt. B, §2 (NEW); PL 2001, c. 573, Pt. B, §36 (AFF).]

**3. Commissioner.** "Commissioner" means the Commissioner of Professional and Financial Regulation.

[PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]

**3-A. Construction hoist.** "Construction hoist" means a hoist that is not an integral part of a building or structure; is installed inside or outside the building or structure during the construction, alteration or demolition of the building or structure; and is used to raise and lower workers, other personnel and materials. "Construction hoist" does not include:

A. An elevator that is temporarily installed in a hoistway during the construction of a building or structure and that incorporates a part of a permanent elevator that will be installed later; [PL 2023, c. 326, §1 (NEW).]

B. A hoist for raising and lowering materials that is not designed to carry workers or other personnel; [PL 2023, c. 326, §1 (NEW).]

C. A manlift that operates through a counterbalance mechanism or through the use of a continuous belt; [PL 2023, c. 326, §1 (NEW).]

D. A mine hoist; [PL 2023, c. 326, §1 (NEW).]

E. A wire rope hoist, whether guided or unguided; or [PL 2023, c. 326, §1 (NEW).]

F. A transport platform. [PL 2023, c. 326, §1 (NEW).]

[PL 2023, c. 326, §1 (NEW).]

**3-B. Construction hoist operator.** "Construction hoist operator" means a person who operates or is responsible for the operation of a construction hoist.

[PL 2023, c. 326, §2 (NEW).]

**4. Department.** "Department" means the Department of Professional and Financial Regulation.

[PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]

**4-A. Deputy inspector.** "Deputy inspector" means an individual in the employ of the State whose duties include the examination and inspection of elevators and tramways under the direction of the chief inspector.

[PL 2001, c. 573, Pt. B, §2 (NEW); PL 2001, c. 573, Pt. B, §36 (AFF).]

**4-B. Direct supervision.** "Direct supervision" means that a helper is working in the presence of a licensed elevator or lift mechanic at all times.

[PL 2001, c. 573, Pt. B, §2 (NEW); PL 2001, c. 573, Pt. B, §36 (AFF).]

**4-C. Director.** "Director" means the Director of the Office of Professional and Occupational Regulation within the department.

[PL 2013, c. 70, Pt. D, §3 (AMD).]

**5. Elevator.** "Elevator" includes an escalator or a manlift and means a guided hoisting and lowering mechanism equipped with a car, platform or load-carrying unit, including doors, well, enclosures, means and appurtenances. "Elevator" does not include an inclined stairway chairlift, a conveyor, chain or bucket hoist or a tiering, piling or feeding device. For the purposes of this subsection, "inclined stairway chairlift" means a mechanized chair apparatus running on a track or rail along the side of a staircase.

[PL 2003, c. 292, §1 (AMD).]

**5-A. Elevator contractor.** "Elevator contractor" means any person, firm, partnership, association, corporation or company engaged in the installation, sale, service, maintenance or inspection of elevators in this State.

[PL 2001, c. 573, Pt. B, §2 (NEW); PL 2001, c. 573, Pt. B, §36 (AFF).]

**6. Escalator.** "Escalator" means a power-driven, inclined and continuous stairway used for raising or lowering passengers.

[PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]

**7. Freight elevator.**

[PL 2001, c. 573, Pt. B, §3 (RP); PL 2001, c. 573, Pt. B, §36 (AFF).]

**7-A. Helper.** "Helper" means a person who is not licensed under this chapter as an elevator mechanic or lift mechanic and who assists in the installation, service or maintenance of elevators located in this State while working under the direct supervision of a licensed elevator mechanic or licensed lift mechanic.

[PL 2001, c. 573, Pt. B, §4 (NEW); PL 2001, c. 573, Pt. B, §36 (AFF).]

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

[PL 2013, c. 70, Pt. D, §4 (AMD).]

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

[PL 2013, c. 70, Pt. D, §5 (AMD).]

**9. Manlift.** "Manlift" means a device, consisting of a power-driven, endless belt or chains, provided with steps or platforms and handholds attached to it for the transportation of personnel from floor to floor.

[PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]

**10. Operator.** "Operator" means the person or persons who physically operate an elevator or tramway.

[PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]

**11. Owner.** "Owner" means a firm, person, partnership, association, corporation or state or political subdivision that owns an elevator or tramway.

[PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]

**12. Passenger elevator.**

[PL 2001, c. 573, Pt. B, §6 (RP).]

**13. Physically disabled person.** "Physically disabled person" means a person who has a physiological disability, infirmity, malformation, disfigurement or condition that eliminates or severely limits the person's ability to have access to the person's environment by normal ambulatory function, necessitating the use of crutches, a wheelchair or other similar device for locomotion.

[PL 2021, c. 348, §50 (AMD).]

**14. Skier.** "Skier" means any person who engages in any of the activities described in section 15217, subsection 1, paragraph B.

[PL 2007, c. 287, §1 (AMD).]

**15. Ski area.** "Ski area" means the ski slopes and trails, adjoining skiable terrain, areas designated by the ski area operator to be used for skiing as defined by section 15217, subsection 1, paragraph B and passenger tramways administered or operated as a single enterprise within this State.

[PL 2007, c. 287, §2 (AMD).]

**16. Ski industry.** "Ski industry" means the activities of all ski area operators.

[PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]

**17. Ski area operator.** "Ski area operator" means a person or organization having operational responsibility for a ski area, including an agency or a political subdivision of this State.

[PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]

**18. State inspector.**

[PL 2001, c. 573, Pt. B, §8 (RP); PL 2001, c. 573, Pt. B, §36 (AFF).]

**19. Tramway.** "Tramway" means a device used to transport passengers uphill on skis or in cars on tracks or suspended in the air by the use of steel cables, chains or belts or by ropes usually supported by trestles or towers with one or more spans. "Tramway" includes the following:

A. Reversible aerial tramways, which are that class of aerial passenger tramways and lifts by which passengers are transported in carriers and are not in contact with the ground or snow surface, and in which the carriers reciprocate between terminals. This class includes:

(1) Single-reversible tramways, which are a type of reversible lift or aerial tramway having a single carrier, or single group of carriers, that moves back and forth between terminals on a single path of travel, sometimes called "to-and-fro" aerial tramways; and

(2) Double-reversible tramways, which are a type of reversible lift or aerial tramway having 2 carriers, or 2 groups of carriers, that oscillate back and forth between terminals on 2 separate paths of travel, sometimes called "jig-back" aerial tramways; [PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]

B. Aerial lifts and skimobiles, which are that class of aerial passenger tramways and lifts by which passengers are transported in carriers and are not in contact with the ground or snow surface, and in which the carriers circulate around a closed system and are activated by a wire rope or chain. The carriers usually make U-turns in the terminals and move along parallel and opposing paths of travel. The carriers may be open or enclosed cabins, chairs, cars or platforms. The carriers may be fixed or detachable. This class includes:

(1) Gondola lifts, which are a type of lift or aerial tramway by which passengers are transported in open or enclosed cabins. The passengers embark and disembark while the carriers are stationary or moving slowly under a controlled arrangement;

(2) Chair lifts, which are a type of lift or aerial tramway by which passengers are transported in chairs, either open or partially enclosed; and

(3) Skimobiles, which are a type of lift or aerial tramway by which passengers are transported in open or enclosed cars that ride on a rigid structural system and are propelled by a wire rope or chain; [PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]

C. Surface lifts, which are that class of conveyance by which passengers are propelled by means of a circulating overhead wire rope while remaining in contact with the ground or snow surface. Transportation is limited to one direction. Connection between the passengers and the wire rope is by means of a device attached to and circulating with the haul rope known as a "towing outfit." This class includes:

(1) T-bar lifts, which are a type of lift in which the device between the haul rope and passengers forms the shape of an inverted "T," propelling passengers located on both sides of the stem of the "T";

(2) J-bar lifts, which are a type of lift in which the device between the haul rope and passenger is in the general form of a "J," propelling a single passenger located on the one side of the stem of the "J"; and

(3) Platter lifts, which are a type of lift in which the device between the haul rope and passenger is a single stem with a platter or disk, attached to the lower end of the stem, propelling the passenger astride the stem of the platter or disk; [PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]

D. Tows, which are that class of conveyance in which passengers grasp a circulating haul rope, which may be natural or synthetic fiber or metallic, or a handle or gripping device attached to the circulating haul rope, and are propelled by the circulating haul rope. The passengers remain in contact with the ground or snow surface. The upward-traveling haul rope remains adjacent to the uphill track at an elevation that permits the passengers to maintain their grasp on the haul rope, handle or gripping device throughout the portion of the tow length that is designed to be traveled; and [PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]

E. Similar equipment not specified in this subsection, but conforming to at least one of the general descriptions in this subsection. [PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]

[PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]

**20. Tramway passenger.** "Tramway passenger" means a person being transported or conveyed by a tramway, waiting in the immediate vicinity for transportation or conveyance by a tramway, moving away from the disembarkation or unloading point of a tramway to clear the way for the following passengers or boarding, embarking upon or disembarking from a tramway.

[PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]

#### SECTION HISTORY

PL 1995, c. 560, §H14 (NEW). PL 1995, c. 560, §H17 (AFF). PL 1999, c. 386, §X2 (AMD). PL 2001, c. 573, §§B2-8 (AMD). PL 2001, c. 573, §B36 (AFF). PL 2003, c. 292, §1 (AMD). PL 2007, c. 287, §§1, 2 (AMD). PL 2011, c. 286, Pt. B, §5 (REV). PL 2013, c. 70, Pt. D, §§1-5 (AMD). PL 2021, c. 348, §50 (AMD). PL 2023, c. 326, §§1, 2 (AMD).

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