



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB5362

Introduced 2/9/2024, by Rep. Mary Beth Canty

SYNOPSIS AS INTRODUCED:

225 ILCS 312/15

Amends the Elevator Safety and Regulation Act. Defines "temporary certificate of operation" as a temporary certificate of operation issued by the Administrator or the Local Administrator that permits the temporary use of a conveyance by the general public for a limited time of 30 days while minor repairs or upgrades are being completed if it is determined by the Administrator or the Local Administrator that the conveyance's use will not jeopardize the safety and health of those using or working on the conveyance. Effective immediately.

LRB103 35990 SPS 66077 b

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Elevator Safety and Regulation Act is
5 amended by changing Section 15 as follows:

6 (225 ILCS 312/15)

7 (Section scheduled to be repealed on January 1, 2028)

8 Sec. 15. Definitions. For the purpose of this Act:

9 "Administrator" means the Office of the State Fire
10 Marshal.

11 "Alteration" means any change to equipment, including its
12 parts, components, or subsystems, other than maintenance,
13 repair, or replacement of the equipment, including its parts,
14 components, or subsystems.

15 "ANSI A10.4" means the safety requirements for personnel
16 hoists, an American National Standard.

17 "ASCE 21" means the American Society of Civil Engineers
18 Automated People Mover Standards.

19 "ASME A17.1" means the Safety Code for Elevators and
20 Escalators, an American National Standard, and CSA B44, the
21 National Standard of Canada.

22 "ASME A17.3" means the Safety Code for Existing Elevators
23 and Escalators, an American National Standard.

1 "ASME A17.7" means the Performance-Based Safety Code for
2 Elevators and Escalators, an American National Standard, and
3 CSA B44.7, the National Standard of Canada.

4 "ASME A18.1" means the Safety Standard for Platform Lifts
5 and Stairway Chairlifts, an American National Standard.

6 "Automated people mover" means an installation as defined
7 as an "automated people mover" in ASCE 21.

8 "Board" means the Elevator Safety Review Board.

9 "Certificate of operation" means a certificate issued by
10 the Administrator or the Local Administrator that indicates
11 that the conveyance: has passed the required safety inspection
12 and tests; has been registered; and fees have been paid as set
13 forth in this Act.

14 "Conveyance" means any elevator, dumbwaiter, escalator,
15 moving sidewalk, platform lifts, stairway chairlifts and
16 automated people movers.

17 "Elevator" means an installation defined as an "elevator"
18 in ASME A17.1.

19 "Elevator contractor" means any person, firm, or
20 corporation who possesses an elevator contractor's license in
21 accordance with the provisions of Sections 40 and 55 of this
22 Act and who is engaged in the business of erecting,
23 constructing, installing, altering, servicing, repairing, or
24 maintaining elevators or related conveyance covered by this
25 Act.

26 "Elevator contractor's license" means a license issued to

1 an elevator contractor who has proven his or her
2 qualifications and ability and has been authorized by the
3 Administrator to work on conveyance equipment. It shall
4 entitle the holder thereof to engage in the business of
5 constructing, installing, altering, servicing, testing,
6 repairing, or maintaining and performing electrical work on
7 elevators or related conveyances covered by this Act within
8 any building or structure, including, but not limited to,
9 private residences. The Administrator may issue a limited
10 elevator contractor's license authorizing a firm or company
11 that employs individuals to carry on a business of erecting,
12 constructing, installing, altering, servicing, repairing, or
13 maintaining a specific type of conveyance within any building
14 or structure, excluding private residences.

15 "Elevator helper" means an individual registered with the
16 Administrator who works under the general direction of a
17 licensed elevator mechanic. Licensure is not required for an
18 elevator helper.

19 "Elevator industry apprentice" means an individual who is
20 enrolled in an apprenticeship program approved by the Bureau
21 of Apprenticeship and Training of the U.S. Department of Labor
22 and who is registered by the Administrator and works under the
23 general direction of a licensed elevator mechanic. Licensure
24 is not required for an elevator industry apprentice.

25 "Elevator inspector" means any inspector, as that term is
26 defined in ASME QEI, who possesses an elevator inspector's

1 license in accordance with the provisions of this Act.

2 "Elevator mechanic" means any person who possesses an
3 elevator mechanic's license in accordance with the provisions
4 of Sections 40 and 45 of this Act and who is engaged in
5 erecting, constructing, installing, altering, servicing,
6 repairing, or maintaining elevators or related conveyance
7 covered by this Act.

8 "Elevator mechanic's license" means a license issued to a
9 person who has proven his or her qualifications and ability
10 and has been authorized by the Administrator to work on
11 conveyance equipment. It shall entitle the holder thereof to
12 install, construct, alter, service, repair, test, maintain,
13 and perform electrical work on elevators or related conveyance
14 covered by this Act. The Administrator may issue a limited
15 elevator mechanic's license authorizing an individual to carry
16 on a business of erecting, constructing, installing, altering,
17 servicing, repairing, or maintaining a specific type of
18 conveyance within any building or structure.

19 "Escalator" means an installation defined as an
20 "escalator" in ASME A17.1.

21 "Existing installation" means an installation defined as
22 an "installation, existing" in ASME A17.1.

23 "Inspector's license" or "inspection company license"
24 means a license issued to an ASME QEI certified elevator
25 inspector or inspection company that has proven the
26 inspector's or the company's qualifications and ability and

1 has been authorized by the Administrator to possess this type
2 of license. It shall entitle the holder thereof to engage in
3 the business of inspecting elevators or related conveyance
4 covered by this Act.

5 "License" means a written license, duly issued by the
6 Administrator, authorizing a person, firm, or company to carry
7 on the business of erecting, constructing, installing,
8 altering, servicing, repairing, maintaining, or performing
9 inspections of elevators or related conveyance covered by this
10 Act. New and renewed licenses issued after January 1, 2010
11 will include a photo of the licensee.

12 "Local Administrator" means the municipality or
13 municipalities or county or counties that entered into a local
14 elevator agreement with the Administrator to operate its own
15 elevator safety program in accordance with this Act and the
16 adopted administrative rules.

17 "Material alteration" means an "alteration", as defined in
18 the referenced standards.

19 "Moving walk" means an installation defined as a "moving
20 walk" in ASME A17.1.

21 "Owner" means the owner of the conveyance, which could be
22 an individual, a group of individuals, an association, trust,
23 partnership, corporation, or person doing business under an
24 assumed name. The owner may delegate his, her, or its
25 authority to manage the day-to-day operations of the
26 conveyance to another party, but may not delegate his, her, or

1 its responsibilities and duties under this Act and the
2 administrative rules.

3 "Private residence" means a separate dwelling or a
4 separate apartment or condominium unit in a multiple-family
5 dwelling that is occupied by members of a single-family unit.

6 "Repair" has the meaning set forth in the referenced
7 standards. "Repair" does not require a permit.

8 "Temporarily dormant" means an elevator, dumbwaiter, or
9 escalator:

10 (1) with a power supply that has been disconnected by
11 removing fuses and placing a padlock on the mainline
12 disconnect switch in the "off" position;

13 (2) with a car that is parked and hoistway doors that
14 are in the closed and latched position;

15 (3) with a wire seal on the mainline disconnect switch
16 installed by a licensed elevator inspector;

17 (4) that shall not be used again until it has been put
18 in safe running order and is in condition for use;

19 (5) requiring annual inspections for the duration of
20 the temporarily dormant status by a licensed elevator
21 inspector;

22 (6) that has a "temporarily dormant" status that is
23 renewable on an annual basis, not to exceed a 5-year
24 period;

25 (7) requiring the inspector to file a report with the
26 Administrator describing the current conditions; and

1 (8) with a wire seal and padlock that shall not be
2 removed for any purpose without permission from the
3 elevator inspector.

4 All other building transportation terms are as defined in
5 the latest edition of ASME A17.1 and ASME A18.1.

6 "Temporary certificate of operation" means a temporary
7 certificate of operation issued by the Administrator or the
8 Local Administrator that permits the temporary use of a
9 conveyance by the general public for a limited time of 30 days
10 while minor repairs or upgrades are being completed if it is
11 determined by the Administrator or the Local Administrator
12 that the conveyance's use will not jeopardize the safety and
13 health of those using or working on the conveyance.

14 "Temporary limited authority" means an authorization
15 issued, for a period not to exceed one year, by the
16 Administrator to an individual that the Administrator deems
17 qualified to perform work on a specific type of conveyance.

18 (Source: P.A. 102-715, eff. 4-29-22.)

19 Section 99. Effective date. This Act takes effect upon
20 becoming law.