

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 Sections 5, 10, 15, 20, 25, 35, 40, 45, 50,  
6 55, 60, 80, 90, 95, 105, 110, 120, 135, and 140 as follows:

7 (225 ILCS 312/5)

8 (Section scheduled to be repealed on January 1, 2013)

9 Sec. 5. Purpose. The purpose of this Act is to provide for  
10 the public safety of life and limb and to promote public safety  
11 awareness. The use of unsafe and defective lifting devices  
12 imposes a substantial probability of serious and preventable  
13 injury to employees and the public exposed to unsafe  
14 conditions. The prevention of these injuries and protection of  
15 employees and the public from unsafe conditions is in the best  
16 interest of the people of this State. Elevator personnel  
17 performing work covered by this Act shall, by documented  
18 training or experience or both, be familiar with the operation  
19 and safety functions of the components and equipment. Training  
20 and experience shall include, but not be limited to,  
21 recognizing the safety hazards and performing the procedures to  
22 which they are assigned in conformance with the requirements of  
23 the Act. This Act shall establish the minimum standards for  
24 elevator personnel.

25 ~~This Act is not intended to interfere with the powers of~~  
26 ~~municipalities or the home rule powers of a municipality with a~~  
27 ~~population over 500,000, including the power to license and~~  
28 ~~regulate any profession or occupation.~~

29 The provisions of this Act are not intended to prevent the  
30 use of systems, methods, or devices of equivalent or superior  
31 quality, strength, fire resistance, code effectiveness,  
32 durability, and safety to those required by the Act, provided

1 that there is technical documentation to demonstrate the  
2 equivalency of the system, method, or device, as prescribed in  
3 ASME A17.1, ASME A18.1, or ASCE 21.

4 (Source: P.A. 92-873, eff. 6-1-03.)

5 (225 ILCS 312/10)

6 (Section scheduled to be repealed on January 1, 2013)

7 Sec. 10. Applicability.

8 (a) This Act covers the design, construction, operation,  
9 inspection, testing, maintenance, alteration, and repair of  
10 the following equipment, its associated parts, and its  
11 hoistways (except as modified by subsection (c) of this  
12 Section):

13 (1) Hoisting and lowering mechanisms equipped with a  
14 car or platform, which move between 2 or more landings.  
15 This equipment includes, but is not limited to, the  
16 following (also see ASME A17.1, ASME A17.3, ASME A18.1, and  
17 ANSI A10.4):

18 (A) Elevators.

19 (B) Platform lifts and stairway chair lifts.

20 (2) Power driven stairways and walkways for carrying  
21 persons between landings. This equipment includes, but is  
22 not limited to, the following (also see ASME A17.1 and ASME  
23 A17.3):

24 (A) Escalators.

25 (B) Moving walks.

26 (3) Hoisting and lowering mechanisms equipped with a  
27 car, which serves 2 or more landings and is restricted to  
28 the carrying of material by its limited size or limited  
29 access to the car. This equipment includes, but is not  
30 limited to, the following (also see ASME A17.1 and ASME  
31 A17.3):

32 (A) Dumbwaiters.

33 (B) Material lifts and dumbwaiters with automatic  
34 transfer devices.

35 (b) This Act covers the design, construction, operation,

1 inspection, maintenance, alteration, and repair of automatic  
2 guided transit vehicles on guideways with an exclusive  
3 right-of-way. This equipment includes, but is not limited to,  
4 automated people movers (also see ASCE 21).

5 (c) This Act does not apply to the following equipment:

6 (1) Material hoists.

7 (2) Belt manlifts.

8 (3) Mobile scaffolds, towers, and platforms, except  
9 those covered by ANSI A10.4.

10 (4) Powered platforms and equipment for exterior and  
11 interior maintenance.

12 (5) Conveyors and related equipment.

13 (6) Cranes, derricks, hoists, hooks, jacks, and  
14 slings.

15 (7) Industrial trucks.

16 (8) Portable equipment, except for portable  
17 escalators.

18 (9) Tiering or piling machines used to move materials  
19 to and from storage located and operating entirely within  
20 one story.

21 (10) Equipment for feeding or positioning materials at  
22 machine tools, printing presses, etc.

23 (11) Skip or furnace hoists.

24 (12) Wharf ramps.

25 (13) Railroad car lifts or dumpers.

26 (14) Line jacks, false cars, shafters, moving  
27 platforms, and similar equipment used for installing an  
28 elevator by a contractor licensed in this State.

29 (15) Railway and Transit Systems.

30 (16) Conveyances located in a private residence not  
31 accessible to the public.

32 (17) Special purpose personnel elevators.

33 (d) This Act does not apply to a municipality with a  
34 population over 500,000.

35 (Source: P.A. 92-873, eff. 6-1-03.)

1 (225 ILCS 312/15)

2 (Section scheduled to be repealed on January 1, 2013)

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

4 "Administrator" means the Office of the State Fire Marshal.

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

7 "ASCE 21" means the American Society of Civil Engineers  
8 Automated People Mover Standards.

9 "ASME A17.1" means the Safety Code for Elevators and  
10 Escalators, an American National Standard.

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

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

15 "Automated people mover" means an installation as defined  
16 as an "automated people mover" in ASCE 21.

17 "Board" means the Elevator Safety Review Board.

18 "Certificate of operation" means a certificate issued by  
19 the Administrator that indicates that the conveyance has passed  
20 the required safety inspection and tests and fees have been  
21 paid as set forth in this Act. The Administrator may issue a  
22 temporary certificate of operation that permits the temporary  
23 use of a non-compliant conveyance by the general public for a  
24 limited time of 30 days while minor repairs are being  
25 completed.

26 "Conveyance" means any elevator, dumbwaiter, escalator,  
27 moving sidewalk, platform lifts, stairway chairlifts and  
28 automated people movers.

29 "Elevator" means an installation defined as an "elevator"  
30 in ASME A17.1.

31 "Elevator contractor" means any person, firm, or  
32 corporation who possesses an elevator contractor's license in  
33 accordance with the provisions of Sections 40 and 55 of this  
34 Act and who is engaged in the business of erecting,  
35 constructing, installing, altering, servicing, repairing, or  
36 maintaining elevators or related conveyance covered by this

1 Act.

2 "Elevator contractor's license" means a license issued to  
3 an elevator contractor who has proven his or her qualifications  
4 and ability and has been authorized by the Elevator Safety  
5 Review Board to possess this type of license. It shall entitle  
6 the holder thereof to engage in the business of erecting,  
7 constructing, installing, altering, servicing, testing,  
8 repairing, or maintaining elevators or related conveyance  
9 covered by this Act. 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 platform lifts and stairway chairlifts within any  
14 building or structure, excluding ~~including but not limited to~~  
15 private residences.

16 "Elevator helper" means an individual registered with the  
17 Administrator as an elevator helper. Elevator helpers must work  
18 under the direct supervision of a licensed elevator mechanic.

19 "Elevator industry apprentice" means an individual who is  
20 enrolled in an apprenticeship program approved by the Bureau of  
21 Apprenticeship and Training of the U.S. Department of Labor and  
22 who is registered by the Administrator to perform work within  
23 the elevator industry under the direct supervision of a  
24 licensed elevator mechanic.

25 "Elevator inspector" means any person who possesses an  
26 elevator inspector's license in accordance with the provisions  
27 of this Act ~~or any person who performs the duties and functions~~  
28 ~~of an elevator inspector for any unit of local government with~~  
29 ~~a population greater than 500,000 prior to or on the effective~~  
30 ~~date of this Act.~~

31 "Elevator mechanic" means any person who possesses an  
32 elevator mechanic's license in accordance with the provisions  
33 of Sections 40 and 45 of this Act and who is engaged in  
34 erecting, constructing, installing, altering, servicing,  
35 repairing, or maintaining elevators or related conveyance  
36 covered by this Act.

1 "Elevator mechanic's license" means a license issued to a  
2 person who has proven his or her qualifications and ability and  
3 has been authorized by the Elevator Safety Review Board to work  
4 on conveyance equipment. It shall entitle the holder thereof to  
5 install, construct, alter, service, repair, test, maintain,  
6 and perform electrical work on elevators or related conveyance  
7 covered by this Act. The Administrator may issue a limited  
8 elevator mechanic's license authorizing an individual to carry  
9 on a business of erecting, constructing, installing, altering,  
10 servicing, repairing, or maintaining platform lifts and  
11 stairway chairlifts within any building or structure.

12 "Escalator" means an installation defined as an  
13 "escalator" in ASME A17.1.

14 "Existing installation" means an installation defined as  
15 an "installation, existing" in ASME A17.1.

16 "Inspector's license" means a license issued to a person  
17 who has proven his or her qualifications and ability and has  
18 been authorized by the Elevator Safety Review Board to possess  
19 this type of license. It shall entitle the holder thereof to  
20 engage in the business of inspecting elevators or related  
21 conveyance covered by this Act.

22 "License" means a written license, duly issued by the  
23 Administrator, authorizing a person, firm, or company to carry  
24 on the business of erecting, constructing, installing,  
25 altering, servicing, repairing, maintaining, or performing  
26 inspections of elevators or related conveyance covered by this  
27 Act.

28 "Material alteration" means an "alteration" as defined by  
29 the Board.

30 "Moving walk" means an installation ~~as~~ defined as a "moving  
31 walk" in ASME A17.1.

32 "Private residence" means a separate dwelling or a separate  
33 apartment or condominium unit in a multiple-family ~~multiple~~  
34 dwelling that is occupied by members of a single-family unit.

35 "Repair" has the meaning defined by the Board, which does  
36 not require a permit.

1       "Special purpose personnel elevator" means an elevator  
2       that is limited in size, capacity, and speed and that is  
3       permanently installed in certain structures, including, but  
4       not limited to, grain elevators, radio antenna, bridge towers,  
5       underground facilities, dams, and power plants, to provide  
6       vertical transportation of authorized personnel and their  
7       tools and equipment only.

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 one-year  
24           period;

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

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

31       (Source: P.A. 92-873, eff. 6-1-03; revised 1-20-03.)

32           (225 ILCS 312/20)

33           (Section scheduled to be repealed on January 1, 2013)

34       Sec. 20. License or registration required.

35           (a) After July 1, 2003 through the effective date of this

1 amendatory Act of the 94th General Assembly and after July 1,  
2 2006, no person shall erect, construct, wire, alter, replace,  
3 maintain, remove, or dismantle any conveyance contained within  
4 buildings or structures in the jurisdiction of this State  
5 unless he or she possesses an elevator mechanic's license under  
6 this Act and unless he or she works under the direct  
7 supervision of a person, firm, or company having an elevator  
8 contractor's license in accordance with Section 40 of this Act  
9 or exempted by that Section. However, a licensed elevator  
10 contractor is not required for removal or dismantling of  
11 conveyances that are destroyed as a result of a complete  
12 demolition of a secured building or structure or where the  
13 hoistway or wellway is demolished back to the basic support  
14 structure and where no access is permitted that would endanger  
15 the safety and welfare of a person.

16 (b) After July 1, 2003 through the effective date of this  
17 amendatory Act of the 94th General Assembly and after July 1,  
18 2006, no person shall inspect any conveyance within buildings  
19 or structures, including, but not limited, to private  
20 residences, unless he or she has an inspector's license.

21 (c) After January 1, 2006, a person who is not licensed  
22 under subsection (a) may not work in the jurisdiction of this  
23 State as an elevator industry apprentice or helper unless he or  
24 she is registered as an elevator industry apprentice or helper  
25 by the Administrator and works under the direct supervision of  
26 an individual licensed under this Act as an elevator mechanic.  
27 The Administrator shall set elevator industry apprenticeship  
28 and helper qualifications and registration procedure by rule.

29 (Source: P.A. 92-873, eff. 6-1-03.)

30 (225 ILCS 312/25)

31 (Section scheduled to be repealed on January 1, 2013)

32 Sec. 25. Elevator Safety Review Board.

33 (a) There is hereby created within the Office of the State  
34 Fire Marshal the Elevator Safety Review Board, consisting of 13  
35 members. The Administrator shall appoint 3 members who shall be



1 representatives of a fire service communities. The Governor  
2 shall appoint the remaining 10 members of the Board as follows:  
3 one representative from a major elevator manufacturing company  
4 or its authorized representative; one representative from an  
5 elevator servicing company; one representative of the  
6 architectural design profession; one representative of the  
7 general public; one representative of an advocacy group for  
8 people with physical disabilities ~~a municipality in this State~~  
9 ~~with a population over 500,000~~; one representative of a  
10 municipality in this State with a population under 25,000; one  
11 representative of a municipality in this State with a  
12 population of 25,000 or over but under 50,000; one  
13 representative of a municipality in this State with a  
14 population of 50,000 or over but under 500,000; one  
15 representative of a building owner or manager; and one  
16 representative of labor involved in the installation,  
17 maintenance, and repair of elevators.

18 (b) The members constituting the Board shall be appointed  
19 for initial terms as follows:

20 (1) Of the members appointed by the Administrator, 2  
21 shall serve for a term of 2 years, and one for a term of 4  
22 years.

23 (2) Of the members appointed by the Governor, 2 shall  
24 serve for a term of one year, 2 for terms of 2 years, 2 for  
25 terms of 3 years, and 4 for terms of 4 years.

26 At the expiration of their initial terms of office, the  
27 members or their successors shall be appointed for terms of 4  
28 years each. Upon the expiration of a member's term of office,  
29 the officer who appointed that member shall reappoint that  
30 member or appoint a successor who is a representative of the  
31 same interests with which his or her predecessor was  
32 identified. The Administrator and the Governor may at any time  
33 remove any of their respective appointees for inefficiency or  
34 neglect of duty in office. Upon the death or incapacity of a  
35 member, the officer who appointed that member shall fill the  
36 vacancy for the remainder of the vacated term by appointing a

1 member who is a representative of the same interests with which  
2 his or her predecessor was identified. The members shall serve  
3 without salary, but shall receive from the State expenses  
4 necessarily incurred by them in performance of their duties.  
5 The Governor shall appoint one of the members to serve as  
6 chairperson. The chairperson shall be the deciding vote in the  
7 event of a tie vote.

8 (Source: P.A. 92-873, eff. 6-1-03; revised 1-20-03.)

9 (225 ILCS 312/35)

10 (Section scheduled to be repealed on January 1, 2013)

11 Sec. 35. Powers and duties of the Board.

12 (a) The Board shall consult with engineering authorities  
13 and organizations and adopt rules consistent with the  
14 provisions of this Act for the administration and enforcement  
15 of this Act. The Board may prescribe forms to be issued in  
16 connection with the administration and enforcement of this Act.  
17 The rules shall establish standards and criteria consistent  
18 with this Act for licensing of elevator mechanics, inspectors,  
19 and installers of elevators, including the provisions of the  
20 Safety Code for Elevators and Escalators (ASME A17.1), the  
21 Safety Code for Existing Elevators (ASME A17.3 ~~A18.1~~), the  
22 Standard for the Qualification of Elevator Inspectors (ASME  
23 QEI-1), the Automated People Mover Standards (ASCE 21), the  
24 Safety Requirements for Personnel Hoists and Employee  
25 Elevators ~~and the safety requirements for personnel hoists~~  
26 (ANSI A10.4), and the Safety Standard for Platform Lifts and  
27 Stairway Chairlifts (ASME A18.1).

28 (b) The Board shall have the authority to grant exceptions  
29 and variances from the literal requirements of applicable State  
30 codes, standards, and regulations in cases where such variances  
31 would not jeopardize the public safety and welfare. The Board  
32 shall have the authority to hear appeals, hold hearings, and  
33 decide upon such within 30 days of the appeal.

34 (c) The Board shall establish fee schedules for licenses,  
35 permits, certificates, and inspections. The fees shall be set

1 at an amount necessary to cover the actual costs and expenses  
2 to operate the Board and to conduct the duties as described in  
3 this Act.

4 (d) The Board shall be authorized to recommend the  
5 amendments of applicable legislation, when appropriate, to  
6 legislators.

7 (e) The Administrator may solicit the advice and expert  
8 knowledge of the Board on any matter relating to the  
9 administration and enforcement of this Act.

10 (f) The Administrator may employ professional, technical,  
11 investigative, or clerical help, on either a full-time or  
12 part-time basis, as may be necessary for the enforcement of  
13 this Act.

14 (g) (Blank). ~~The Board shall not have authority within~~  
15 ~~municipalities with a population over 500,000 that have a~~  
16 ~~municipal code that covers the design, construction,~~  
17 ~~operation, inspection, testing, maintenance, alteration, and~~  
18 ~~repair of elevators, dumbwaiters, escalators, and moving~~  
19 ~~walks.~~

20 (Source: P.A. 92-873, eff. 6-1-03.)

21 (225 ILCS 312/40)

22 (Section scheduled to be repealed on January 1, 2013)

23 Sec. 40. Application for contractor's license.

24 (a) Any person, firm, or company wishing to engage in the  
25 business of installing, altering, repairing, servicing,  
26 replacing, or maintaining elevators, dumbwaiters, escalators,  
27 or moving walks within this State shall make application for a  
28 license with the Administrator.

29 (b) All applications shall contain the following  
30 information:

31 (1) if the applicant is a person, the name, residence,  
32 and business address of the applicant;

33 (2) if the applicant is a partnership, the name,  
34 residence, and business address of each partner;

35 (3) if the applicant is a domestic corporation, the

1 name and business address of the corporation and the name  
2 and residence address of the principal officer of the  
3 corporation;

4 (4) if the applicant is a corporation other than a  
5 domestic corporation, the name and address of an agent  
6 locally located who shall be authorized to accept service  
7 of process and official notices;

8 (5) the number of years the applicant has engaged in  
9 the business of installing, inspecting, maintaining, or  
10 servicing elevators or platform lifts or both;

11 (6) if applying for an elevator contractor's license,  
12 the approximate number of persons, if any, to be employed  
13 by the elevator contractor applicant and, if applicable,  
14 satisfactory evidence that the employees are or will be  
15 covered by workers' compensation insurance;

16 (7) satisfactory evidence that the applicant is or will  
17 be covered by general liability, personal injury, and  
18 property damage insurance;

19 (8) any criminal record of convictions; and

20 (9) any other information as the Administrator may  
21 require.

22 (c) (Blank). ~~This Section does not apply to a person, firm,~~  
23 ~~or company located in a municipality with a population over~~  
24 ~~500,000 that provides for the licensure of contractors for work~~  
25 ~~performed within the corporate boundaries of a municipality~~  
26 ~~with a population over 500,000.~~

27 (Source: P.A. 92-873, eff. 6-1-03.)

28 (225 ILCS 312/45)

29 (Section scheduled to be repealed on January 1, 2013)

30 Sec. 45. Qualifications for elevator mechanic's license;  
31 emergency and temporary licensure.

32 (a) No license shall be granted to any person who has not  
33 paid the required application fee.

34 (b) No license shall be granted to any person who has not  
35 proven his or her qualifications and abilities.

1        (c) Applicants for an elevator mechanic's license must  
2 demonstrate one of the following qualifications:

3            (1) an acceptable combination of documented experience  
4 and education credits consisting of: (A) not less than 3  
5 years work experience in the elevator industry, in  
6 construction, maintenance, and service or repair, as  
7 verified by current and previous employers licensed to do  
8 business in this State; and (B) satisfactory completion of  
9 a written examination administered by the Elevator Safety  
10 Review Board or its designated provider on the adopted  
11 rules, referenced codes, and standards for the equipment  
12 the licensee is authorized to install;

13            (2) acceptable proof that he or she has worked as an  
14 elevator constructor, maintenance, or repair person for  
15 the equipment the licensee is authorized to install;  
16 acceptable proof shall consist of documentation that he or  
17 she worked without direct and immediate supervision for an  
18 elevator contractor who has worked on elevators in this  
19 State for a period of not less than 3 years immediately  
20 preceding ~~prior to~~ the effective date of the initial rules  
21 adopted by the Board under Section 35 of this Act that  
22 implement this Act; the person must make application by May  
23 1, 2006 ~~within one year of the effective date of this Act;~~

24            (3) a certificate of successful completion of the  
25 mechanic examination of a nationally recognized training  
26 program for the elevator industry such as the National  
27 Elevator Industry Educational Program or its equivalent  
28 based on the codes applicable to the type of license  
29 (elevator mechanic's license or limited elevator  
30 mechanic's license) for which the individual is applying;

31            (4) a certificate of completion of an elevator mechanic  
32 apprenticeship program with standards substantially equal  
33 to those of this Act and registered with the Bureau of  
34 Apprenticeship and Training, U.S. Department of Labor, or a  
35 State apprenticeship council; or

36            (5) a valid license from a state having standards

1 substantially equal to those of this State.

2 (d) Whenever an emergency exists in the State due to  
3 disaster or work stoppage and the number of persons in the  
4 State holding licenses granted by the Board is insufficient to  
5 cope with the emergency, the licensed elevator contractor shall  
6 respond as necessary to ensure the safety of the public. Any  
7 person certified by a licensed elevator contractor to have an  
8 acceptable combination of documented experience and education  
9 to perform elevator work without direct and immediate  
10 supervision shall seek an emergency elevator mechanic's  
11 license from the Administrator within 5 business days after  
12 commencing work requiring a license. The Administrator shall  
13 issue emergency elevator mechanic's licenses. The applicant  
14 shall furnish proof of competency as the Administrator may  
15 require. Each license shall recite that it is valid for a  
16 period of 30 days from the date thereof and for such particular  
17 elevators or geographical areas as the Administrator may  
18 designate and otherwise shall entitle the licensee to the  
19 rights and privileges of an elevator mechanic's license issued  
20 under this Act. The Administrator shall renew an emergency  
21 elevator mechanic's license during the existence of an  
22 emergency. No fee may be charged for any emergency elevator  
23 mechanic's license or renewal thereof.

24 (e) A licensed elevator contractor shall notify the  
25 Administrator when there are no licensed personnel available to  
26 perform elevator work. The licensed elevator contractor may  
27 request that the Administrator issue temporary elevator  
28 mechanic's licenses to persons certified by the licensed  
29 elevator contractor to have an acceptable combination of  
30 documented experience and education to perform elevator work  
31 without direct and immediate supervision. Any person certified  
32 by a licensed elevator contractor to have an acceptable  
33 combination of documented experience and education to perform  
34 elevator work without direct and immediate supervision shall  
35 immediately seek a temporary elevator mechanic's license from  
36 the Administrator and shall pay such fee as the Board shall

1 determine. The applicant for temporary licensure shall furnish  
2 proof of competency as the Administrator may require and for  
3 such particular elevators or geographical areas as the  
4 Administrator may designate. Each license shall recite that it  
5 is valid for a period of 30 days from the date of issuance and  
6 while employed by the licensed elevator contractor that  
7 certified the individual as qualified. It shall be renewable as  
8 long as the shortage of license holders continues.

9 (Source: P.A. 92-873, eff. 6-1-03.)

10 (225 ILCS 312/50)

11 (Section scheduled to be repealed on January 1, 2013)

12 Sec. 50. Qualifications for elevator inspector's license.

13 (a) No inspector's license shall be granted to any person  
14 who has not paid the required application fee.

15 (b) No inspector's license shall be granted to any person,  
16 unless he or she proves to the satisfaction of the  
17 Administrator that he or she meets the current ASME QEI-1,  
18 Standards for the Qualifications of Elevator Inspectors.

19 (c) ~~(Blank). Notwithstanding the provisions of subsections~~  
20 ~~(a) and (b) of this Section, the Administrator shall grant an~~  
21 ~~elevator inspector's license to a person engaged in the~~  
22 ~~practice of inspecting elevators in a municipality with a~~  
23 ~~population over 500,000 who is engaged in business as an~~  
24 ~~elevator inspector on the effective date of this Act.~~

25 (Source: P.A. 92-873, eff. 6-1-03.)

26 (225 ILCS 312/55)

27 (Section scheduled to be repealed on January 1, 2013)

28 Sec. 55. Qualifications for elevator contractor's license.

29 (a) No license shall be granted to any person or firm  
30 unless the appropriate application fee is paid.

31 (b) No license shall be granted to any person or firm who  
32 has not proven the required qualifications and abilities. An  
33 applicant must demonstrate one of the following  
34 qualifications:

1 (1) five years work experience in the elevator industry  
2 in construction, maintenance, and service or repair, as  
3 verified by such documentation as the Board may require by  
4 rule; ~~current and previous elevator contractor's licenses~~  
5 ~~to do business, or~~

6 (1.5) satisfactory completion of a written examination  
7 administered by the Elevator Safety Review Board or its  
8 designated provider on the most recent referenced codes and  
9 standards; or

10 (2) proof that the individual or firm holds a valid  
11 license from a state having standards substantially equal  
12 to those of this State.

13 (c) (Blank). ~~This Section does not apply to a person or~~  
14 ~~firm engaged in business as an elevator contractor in a~~  
15 ~~municipality with a population over 500,000 that provides for~~  
16 ~~the licensure of elevator contractors for work performed within~~  
17 ~~the corporate boundaries of a municipality with a population~~  
18 ~~over 500,000.~~

19 (Source: P.A. 92-873, eff. 6-1-03.)

20 (225 ILCS 312/60)

21 (Section scheduled to be repealed on January 1, 2013)

22 Sec. 60. Issuance and renewal of licenses; fees.

23 (a) Upon approval of an application, the Administrator may  
24 issue a license that must be renewed every 2 years ~~biannually~~.  
25 The renewal fee for the license shall be set by the Board.

26 (b) (Blank). ~~Whenever an emergency exists in the State due~~  
27 ~~to disaster or work stoppage and the number of persons in the~~  
28 ~~State holding licenses granted by the Board is insufficient to~~  
29 ~~cope with the emergency, the licensed elevator contractor shall~~  
30 ~~respond as necessary to assure the safety of the public. Any~~  
31 ~~person certified by a licensed elevator contractor to have an~~  
32 ~~acceptable combination of documented experience and education~~  
33 ~~to perform elevator work without direct and immediate~~  
34 ~~supervision shall seek an emergency elevator mechanic's~~  
35 ~~license from the Administrator within 5 business days after~~



1 ~~commencing work requiring a license. The Administrator shall~~  
2 ~~issue emergency elevator mechanic's licenses. The applicant~~  
3 ~~shall furnish proof of competency as the Administrator may~~  
4 ~~require. Each license shall recite that it is valid for a~~  
5 ~~period of 30 days from the date thereof and for such particular~~  
6 ~~elevators or geographical areas as the Administrator may~~  
7 ~~designate and otherwise shall entitle the licensee to the~~  
8 ~~rights and privileges of a elevator mechanic's license issued~~  
9 ~~under this Act. The Administrator shall renew an emergency~~  
10 ~~elevator mechanic's license during the existence of an~~  
11 ~~emergency. No fee shall be charged for any emergency elevator~~  
12 ~~mechanic's license or renewal thereof.~~

13 (c) (Blank). ~~A licensed elevator contractor shall notify~~  
14 ~~the Administrator when there are no licensed personnel~~  
15 ~~available to perform elevator work. The licensed elevator~~  
16 ~~contractor may request that the Administrator issue temporary~~  
17 ~~elevator mechanic's licenses to persons certified by the~~  
18 ~~licensed elevator contractor to have an acceptable combination~~  
19 ~~of documented experience and education to perform elevator work~~  
20 ~~without direct and immediate supervision. Any person certified~~  
21 ~~by a licensed elevator contractor to have an acceptable~~  
22 ~~combination of documented experience and education to perform~~  
23 ~~elevator work without direct and immediate supervision shall~~  
24 ~~immediately seek a temporary elevator mechanic's license from~~  
25 ~~the Administrator and shall pay such fee as the Board shall~~  
26 ~~determine. Each license shall recite that it is valid for a~~  
27 ~~period of 30 days from the date of issuance and while employed~~  
28 ~~by the licensed elevator contractor that certified the~~  
29 ~~individual as qualified. It shall be renewable as long as the~~  
30 ~~shortage of license holders shall continue.~~

31 (d) The renewal of all licenses granted under the  
32 provisions of this Section shall be conditioned upon the  
33 submission of a certificate of completion of a course designed  
34 to ensure the continuing education of licensees on new and  
35 existing provisions of the rules of the Elevator Safety Review  
36 Board. Such course shall consist of not less than 8 hours of

1 instruction that shall be attended and completed within one  
2 year immediately preceding any such license renewal.

3 (e) The courses referred to in subsection (d) of this  
4 Section shall be taught by instructors through continuing  
5 education providers that may include, but shall not be limited  
6 to, association seminars and labor training programs. The  
7 Elevator Safety Review Board shall approve the continuing  
8 education providers. All instructors shall be approved by the  
9 Board and shall be exempt from the requirements of subsection  
10 (d) of this Section with regard to their applications for  
11 license renewal, provided that such applicant was qualified as  
12 an instructor at any time during the one year immediately  
13 preceding the scheduled date for such renewal.

14 (f) A licensee who is unable to complete the continuing  
15 education course required under this Section prior to the  
16 expiration of his or her license due to a temporary disability  
17 may apply for a waiver from the Board. This shall be on a form  
18 provided by the Board, which shall be signed under the penalty  
19 of perjury and accompanied by a certified statement from a  
20 competent physician attesting to such temporary disability.  
21 Upon the termination of such temporary disability, the licensee  
22 shall submit to the Board a certified statement from the same  
23 physician, if practicable, attesting to the termination of the  
24 temporary disability, at which time a waiver sticker, valid for  
25 90 days, shall be issued to the licensee and affixed to his or  
26 her license.

27 (g) Approved training providers shall keep for a period of  
28 10 years uniform records of attendance of licensees following a  
29 format approved by the Board. These records shall be available  
30 for inspection by the Board at its request. Approved training  
31 providers shall be responsible for the security of all  
32 attendance records and certificates of completion, provided  
33 that falsifying or knowingly allowing another to falsify  
34 attendance records or certificates of completion shall  
35 constitute grounds for suspension or revocation of the approval  
36 required under this Section.

1 (Source: P.A. 92-873, eff. 6-1-03.)

2 (225 ILCS 312/80)

3 (Section scheduled to be repealed on January 1, 2013)

4 Sec. 80. Registration of existing elevators, platform  
5 lifts, dumbwaiters, escalators, moving walks, and any other  
6 conveyance. Within 6 months after the date of the adoption of  
7 the initial rules that implement this Act ~~appointment of the~~  
8 ~~Board~~, the owner or lessee of every existing conveyance shall  
9 register with the Administrator each elevator, dumbwaiter,  
10 platform lift, escalator, or other device described in Section  
11 10 of this Act and provide the type, rated load and speed, name  
12 of manufacturer, its location, the purpose for which it is  
13 used, and such additional information as the Administrator may  
14 require. Elevators, dumbwaiters, platform lifts, escalators,  
15 moving walks, or other conveyances of which construction has  
16 begun subsequent to the date of the creation of the Board shall  
17 be registered at the time they are completed and placed in  
18 service.

19 (Source: P.A. 92-873, eff. 6-1-03.)

20 (225 ILCS 312/90)

21 (Section scheduled to be repealed on January 1, 2013)

22 Sec. 90. Permits.

23 (a) No conveyance covered by this Act shall be erected,  
24 constructed, installed, or altered within buildings or  
25 structures within this State unless a permit has been obtained  
26 from the Administrator or a municipality or other unit of local  
27 government. If the permit is obtained from a municipality or  
28 other unit of local government, the municipality or other unit  
29 of local government that issued the permit shall keep the  
30 permit on file for a period of not less than one year from the  
31 date of issuance and send a copy to the Administrator for  
32 inspection. Where any material alteration is made, the device  
33 shall conform to applicable requirements in ASME A17.1, ASME  
34 A18.1, ASCE 21, or ANSI A10.4. No permit required under this

1 Section shall be issued except to a person, firm, or  
2 corporation holding a current elevator contractor's license,  
3 duly issued pursuant to this Act. A copy of the permit shall be  
4 kept at the construction site at all times while the work is in  
5 progress.

6 (b) The permit fee shall be as set by the Board. Permit  
7 fees collected are non-refundable.

8 (c) Each application for a permit shall be accompanied by  
9 applicable fees and by copies of specifications and accurately  
10 scaled and fully dimensioned plans showing the location of the  
11 installation in relation to the plans and elevation of the  
12 building, the location of the machinery room and the equipment  
13 to be installed, relocated, or altered, and all structural  
14 supporting members, including foundations. The applicant shall  
15 also specify all materials to be employed and all loads to be  
16 supported or conveyed. These plans and specifications shall be  
17 sufficiently complete to illustrate all details of  
18 construction and design.

19 (d) Permits may be revoked for the following reasons:

20 (1) Any false statements or misrepresentation as to the  
21 material facts in the application, plans, or  
22 specifications on which the permit was based.

23 (2) The permit was issued in error and should not have  
24 been issued in accordance with the code.

25 (3) The work detailed under the permit is not being  
26 performed in accordance with the provisions of the  
27 application, plans, or specifications or with the code or  
28 conditions of the permit.

29 (4) The elevator contractor to whom the permit was  
30 issued fails or refuses to comply with a "stop work" order.

31 (5) If the work authorized by a permit is not commenced  
32 within 6 months after the date of issuance, or within a  
33 shorter period of time as the Administrator or his or her  
34 duly authorized representative in his or her discretion may  
35 specify at the time the permit is issued.

36 (6) If the work is suspended or abandoned for a period

1 of 60 days, or shorter period of time as the Administrator  
2 or his or her duly authorized representative in his or her  
3 discretion may specify at the time the permit is issued,  
4 after the work has been started. For good cause, the  
5 Administrator or his or her representative may allow an  
6 extension of this period at his or her discretion.

7 (e) (Blank). ~~This Section does not apply to conveyances~~  
8 ~~located in a municipality with a population over 500,000 that~~  
9 ~~provides for permits of such conveyances.~~

10 (Source: P.A. 92-873, eff. 6-1-03.)

11 (225 ILCS 312/95)

12 (Section scheduled to be repealed on January 1, 2013)

13 Sec. 95. New installations; annual inspections and  
14 registrations.

15 (a) All new conveyance installations regulated by this Act  
16 shall be performed by a person, firm, or company to which a  
17 license to install or service conveyances has been issued.  
18 Subsequent to installation, the licensed person, firm, or  
19 company must certify compliance with the applicable Sections of  
20 this Act. Prior to any conveyance being used, the property  
21 owner or lessee must obtain a certificate of operation from the  
22 Administrator, ~~unless the property is located within a~~  
23 ~~municipality with a population greater than 500,000.~~ A fee as  
24 authorized by Section 35 of ~~set forth in~~ this Act shall be paid  
25 for the certificate of operation. It shall be the  
26 responsibility of the licensed elevator contractor to complete  
27 and submit first time registration for new installations. ~~The~~  
28 ~~certificate of operation fee for newly installed platform lifts~~  
29 ~~and stairway chair lifts for private residences shall be~~  
30 ~~subsequent to an inspection by a licensed third party~~  
31 ~~inspection firm.~~

32 (b) (Blank). ~~The certificate of operation fee for all new~~  
33 ~~and existing platform and stairway chair lifts for private~~  
34 ~~residences and any renewal certificate fees shall be waived.~~  
35 ~~The Administrator or his or her designee shall inspect, in~~

1 ~~accordance with the requirements set forth in this Act, all~~  
2 ~~newly installed and existing platform lifts and stairway chair~~  
3 ~~lifts for private residences subsequent to an inspection by a~~  
4 ~~person, firm, or company to which a license to inspect~~  
5 ~~conveyances has been issued, unless the private residence is~~  
6 ~~located within a municipality with a population greater than~~  
7 ~~500,000.~~

8 (c) A certificate of operation ~~referenced in subsections~~  
9 ~~(a) and (b) of this Section~~ is renewable annually, ~~except for~~  
10 ~~certificates issued for platform and stairway chairlifts for~~  
11 ~~private residences, which shall be valid for a period of 3~~  
12 ~~years.~~ Certificates of operation must be clearly displayed on  
13 or in each conveyance or in the machine room for use for the  
14 benefit of code enforcement staff.

15 (Source: P.A. 92-873, eff. 6-1-03.)

16 (225 ILCS 312/105)

17 (Section scheduled to be repealed on January 1, 2013)

18 Sec. 105. Enforcement.

19 (a) It shall be the duty of the Elevator Safety Review  
20 Board to develop an enforcement program to ensure compliance  
21 with rules and requirements referenced in this Act. This shall  
22 include, but shall not be limited to, rules for identification  
23 of property locations that are subject to the rules and  
24 requirements; issuing notifications to violating property  
25 owners or operators, random on-site inspections, policies for  
26 administrative penalties, and tests on existing installations;  
27 witnessing periodic inspections and testing in order to ensure  
28 satisfactory performance by licensed persons, firms, or  
29 companies; and assisting in development of public awareness  
30 programs.

31 (b) Any person may make a request for an investigation into  
32 an alleged violation of this Act by giving notice to the  
33 Administrator of such violation or danger. The notice shall be  
34 in writing, shall set forth with reasonable particularity the  
35 grounds for the notice, and shall be signed by the person

1 making the request. Upon the request of any person signing the  
2 notice, the person's name shall not appear on any copy of the  
3 notice or any record published, released, or made available.

4 (c) If, upon receipt of such notification, the  
5 Administrator determines that there are reasonable grounds to  
6 believe that such violation or danger exists, the Administrator  
7 shall cause to be made an investigation in accordance with the  
8 provisions of this Act as soon as practicable to determine if  
9 such violation or danger exists. If the Administrator  
10 determines that there are no reasonable grounds to believe that  
11 a violation or danger exists, he or she shall notify the party  
12 in writing of such determination.

13 (d) (Blank). ~~This Section does not apply within a~~  
14 ~~municipality with a population over 500,000.~~

15 (Source: P.A. 92-873, eff. 6-1-03.)

16 (225 ILCS 312/110)

17 (Section scheduled to be repealed on January 1, 2013)

18 Sec. 110. Liability.

19 (a) This Act shall not be construed to relieve or lessen  
20 the responsibility or liability of any person, firm, or  
21 corporation owning, operating, controlling, maintaining,  
22 erecting, constructing, installing, altering, inspecting,  
23 testing, or repairing any elevator or other related mechanisms  
24 covered by this Act for damages to person or property caused by  
25 any defect therein, nor does the State or any unit of local  
26 government assume any such liability or responsibility  
27 therefore or any liability to any person for whatever reason  
28 whatsoever by the adoption of this Act or any acts or omissions  
29 arising under this Act.

30 (b) Any owner or lessee who violates any of the provisions  
31 of this Act shall be fined in an amount not to exceed \$1,500  
32 per violation, per day.

33 (c) Compliance with this Act is not a defense to a legal  
34 proceeding.

35 (Source: P.A. 92-873, eff. 6-1-03.)

1 (225 ILCS 312/120)

2 (Section scheduled to be repealed on January 1, 2013)

3 Sec. 120. Inspection and testing.

4 (a) It shall be the responsibility of the owner of all new  
5 and existing conveyances located in any building or structure  
6 to have the conveyance inspected, at intervals determined by  
7 the Board, annually by a person, firm, or company to which a  
8 license to inspect conveyances has been issued. Subsequent to  
9 inspection, the licensed person, firm, or company must supply  
10 the property owner or lessee and the Administrator with a  
11 written inspection report describing any and all violations.  
12 Property owners shall have 30 days from the date of the  
13 published inspection report to be in full compliance by  
14 correcting the violations. The Administrator shall determine  
15 whether such violations have been corrected.

16 (b) (Blank). ~~It shall be the responsibility of the owner of~~  
17 ~~all conveyances to have a firm or company licensed as described~~  
18 ~~in this Act to ensure that the required inspection and test are~~  
19 ~~performed at intervals in compliance with ASME A17.1, ASME~~  
20 ~~A18.1, and ASCE 21.~~

21 (c) All tests shall be performed by a licensed elevator  
22 mechanic or licensed limited elevator mechanic who is licensed  
23 to perform work on that particular type of conveyance.

24 (Source: P.A. 92-873, eff. 6-1-03.)

25 (225 ILCS 312/135)

26 (Section scheduled to be repealed on January 1, 2013)

27 Sec. 135. Elevators in private residences. ~~The owner of a~~  
28 ~~conveyance located in his or her private residence may~~  
29 ~~register, pay the required fee, and have his or her existing~~  
30 ~~conveyance inspected. The Administrator may shall provide~~  
31 ~~notice to the owner of a~~ the private residence information  
32 regarding ~~where the conveyance is located with relevant~~  
33 ~~information about conveyance safety requirements, including~~  
34 ~~the need to have the elevator periodically and timely inspected~~



1 ~~and made safe. Any inspection performed shall be done solely at~~  
2 ~~the request and with the consent of the private residence~~  
3 ~~owner. No penalty provision of this Act shall apply to private~~  
4 ~~residence owners.~~

5 (Source: P.A. 92-873, eff. 6-1-03.)

6 (225 ILCS 312/140)

7 (Section scheduled to be repealed on January 1, 2013)

8 Sec. 140. Local regulation; home rule.

9 (a) The Administrator may enter into contracts with  
10 municipalities or counties under which the municipalities or  
11 counties shall (i) issue construction permits and certificates  
12 of operation, (ii) provide for inspection of elevators,  
13 including temporary operation inspections, and (iii) enforce  
14 the applicable provisions of the Act. The municipality or  
15 county may choose to require inspections be performed by its  
16 own inspectors or by private certified elevator inspectors. The  
17 municipality or county may assess a reasonable fee for  
18 inspections performed by its inspectors. Each contract shall  
19 include a provision that the municipality or county shall  
20 maintain for inspection by the Administrator copies of all  
21 applications for permits issued, copies of each inspection  
22 report issued, and proper records showing the number of  
23 certificates of operation issued. Each contract shall also  
24 include a provision that each required inspection be conducted  
25 by a certified elevator inspector and any other provisions  
26 deemed necessary by the Administrator. A municipality within  
27 its corporate limits and a county within unincorporated areas  
28 within its boundaries may inspect, license, or otherwise  
29 regulate elevators and devices described in Section 10 of this  
30 Act, but any Any safety standards or regulations adopted by a  
31 municipality or county under this subsection must be at least  
32 as stringent as those provided for in this Act and the rules  
33 adopted under this Act. ~~A municipality or county that inspects,~~  
34 ~~licenses, or otherwise regulates elevators and devices~~  
35 ~~described in Section 10 of this Act may impose reasonable fees~~

1 ~~to cover the cost of the inspection, licensure, or other~~  
2 ~~regulation.~~

3 (b) ~~A~~ ~~Except as otherwise provided in subsection (c), a~~  
4 home rule unit may not regulate the inspection or licensure of,  
5 or otherwise regulate, elevators and devices described in  
6 Section 10 of this Act in a manner less restrictive than the  
7 regulation by the State of those matters under this Act. This  
8 subsection is a limitation under subsection (i) of Section 6 of  
9 Article VII of the Illinois Constitution on the concurrent  
10 exercise by home rule units of powers and functions exercised  
11 by the State.

12 (c) ~~(Blank).~~ ~~This Act does not limit the home rule powers~~  
13 ~~of a municipality with a population over 500,000, and this Act~~  
14 ~~shall not apply within such a municipality if that application~~  
15 ~~would be inconsistent with an ordinance adopted under those~~  
16 ~~home rule powers.~~

17 (Source: P.A. 92-873, eff. 6-1-03.)

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