



## 94TH GENERAL ASSEMBLY

### State of Illinois

2005 and 2006

SB1663

Introduced 2/24/2005, by Sen. Dale E. Risinger

#### SYNOPSIS AS INTRODUCED:

225 ILCS 312/15  
225 ILCS 312/20  
225 ILCS 312/45  
225 ILCS 312/70  
225 ILCS 312/135

Amends the Elevator Safety and Regulation Act. Provides that the Administrator shall (now, may) issue a limited elevator contractor's license authorizing a firm or company that employs individuals to carry on a business of erecting, constructing, installing, altering, servicing, requiring, or maintaining certain items (now, just platform lifts and chairlifts). Makes a change concerning the qualifications for an elevator mechanic's license. Requires an applicant for a limited elevator mechanics's license to demonstrate certain qualifications equal to those that must be demonstrated by an applicant for a elevator mechanics's license. Provides that an applicant for an elevator mechanic's or a limited elevator mechanic's license who provides acceptable proof that he or she has worked as an elevator constructor, maintenance, or repair person, must make application within one year of the effective date of this amendatory Act. Requires the Administrator to issue a limited elevator mechanic's license to a person who has demonstrated the ability to construct, install, alter, service, repair, or maintain certain items; makes corresponding changes. Removes the exclusion of a provision of the Illinois Administrative Procedure Act concerning a licensee's right to show compliance at hearings from the adoption and incorporation of the Illinois Administrative Procedure Act into the Elevator Safety and Regulation Act. Provides that no permit fee, certificate of operation fee, or similar fee shall be applied to a conveyance installed in a private residence. Effective immediately.

LRB094 11292 RAS 42084 b

FISCAL NOTE ACT  
MAY APPLY

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 15, 20, 45, 70, and 135 as  
6 follows:

7 (225 ILCS 312/15)

8 (Section scheduled to be repealed on January 1, 2013)

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

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

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

13 "ASCE 21" means the American Society of Civil Engineers  
14 Automated People Mover Standards.

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

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

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

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

23 "Board" means the Elevator Safety Review Board.

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

32 "Conveyance" means any elevator, dumbwaiter, escalator,

1 moving sidewalk, platform lifts, stairway chairlifts and  
2 automated people movers.

3 "Elevator" means an installation defined as an "elevator"  
4 in ASME A17.1.

5 "Elevator contractor" means any person, firm, or  
6 corporation who possesses an elevator contractor's license in  
7 accordance with the provisions of Sections 40 and 55 of this  
8 Act and who is engaged in the business of erecting,  
9 constructing, installing, altering, servicing, repairing, or  
10 maintaining elevators or related conveyance covered by this  
11 Act.

12 "Elevator contractor's license" means a license issued to  
13 an elevator contractor who has proven his or her qualifications  
14 and ability and has been authorized by the Elevator Safety  
15 Review Board to possess this type of license. It shall entitle  
16 the holder thereof to engage in the business of erecting,  
17 constructing, installing, altering, servicing, testing,  
18 repairing, or maintaining elevators or related conveyance  
19 covered by this Act. The Administrator shall ~~may~~ issue a  
20 limited elevator contractor's license authorizing a firm or  
21 company that employs individuals to carry on a business of  
22 erecting, constructing, installing, altering, servicing,  
23 repairing, or maintaining any of the following:

24 (1) platform lifts and stairway chairlifts as defined  
25 by ASME A18.1;

26 (2) limited use, limited application elevators as  
27 defined by ASME A17.1, Part 5.2;

28 (3) private residence elevators as defined by ASME  
29 A17.1, Part 5.3; or

30 (4) dumbwaiters without automatic transfer devices as  
31 defined by ASME A17.1, Parts 7.1 and 7.2 ~~within any~~  
32 ~~building or structure, including but not limited to private~~  
33 ~~residences.~~

34 "Elevator inspector" means any person who possesses an  
35 elevator inspector's license in accordance with the provisions  
36 of this Act or any person who performs the duties and functions

1 of an elevator inspector for any unit of local government with  
2 a population greater than 500,000 prior to or on the effective  
3 date of this Act.

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

10 "Elevator mechanic's license" means a license issued to a  
11 person who has proven his or her qualifications and ability and  
12 has been authorized by the Elevator Safety Review Board to work  
13 on conveyance equipment. It shall entitle the holder thereof to  
14 install, construct, alter, service, repair, test, maintain,  
15 and perform electrical work on elevators or related conveyance  
16 covered by this Act.

17 "Escalator" means an installation defined as an  
18 "escalator" in ASME A17.1.

19 "Existing installation" means an installation defined as  
20 an "installation, existing" in ASME A17.1.

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

27 "License" means a written license, duly issued by the  
28 Administrator, authorizing a person, firm, or company to carry  
29 on the business of erecting, constructing, installing,  
30 altering, servicing, repairing, maintaining, or performing  
31 inspections of elevators or related conveyance covered by this  
32 Act.

33 "Material alteration" means an "alteration" as defined by  
34 the Board.

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

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

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

6 "Temporarily dormant" means an elevator, dumbwaiter, or  
7 escalator:

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

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

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

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

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

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

23 (7) requiring the inspector to file a report with the  
24 chief elevator inspector describing the current  
25 conditions; and

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

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

30 (225 ILCS 312/20)

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

32 Sec. 20. License required.

33 (a) After July 1, 2003, no person shall erect, construct,  
34 wire, alter, replace, maintain, remove, or dismantle any  
35 conveyance contained within buildings or structures in the

1 jurisdiction of this State unless he or she possesses an  
2 elevator mechanic's license or a limited elevator mechanic's  
3 license under this Act and unless he or she works under the  
4 direct supervision of a person, firm, or company having an  
5 elevator contractor's license in accordance with Section 40 of  
6 this Act or exempted by that Section or having a limited  
7 elevator contractor's license. However, a licensed elevator  
8 contractor is not required for removal or dismantling of  
9 conveyances that are destroyed as a result of a complete  
10 demolition of a secured building or structure or where the  
11 hoistway or wellway is demolished back to the basic support  
12 structure and where no access is permitted that would endanger  
13 the safety and welfare of a person.

14 (b) After July 1, 2003, no person shall inspect any  
15 conveyance within buildings or structures, including, but not  
16 limited, to private residences, unless he or she has an  
17 inspector's license.

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

19 (225 ILCS 312/45)

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

21 Sec. 45. Qualifications for elevator mechanic's license;  
22 qualifications for limited elevator mechanic's license.

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

25 (b) No license shall be granted to any person who has not  
26 proven his or her qualifications and abilities. Applicants for  
27 an elevator mechanic's license or a limited elevator mechanic's  
28 license must demonstrate one of the following qualifications:

29 (1) an acceptable combination of documented experience  
30 and education credits consisting of: (A) not less than 3  
31 years work experience in the elevator industry, in  
32 construction, maintenance, and service or repair, as  
33 verified by current and previous employers licensed to do  
34 business in this State; and (B) satisfactory completion of  
35 a written examination administered by the Elevator Safety

1 Review Board on the adopted rules, referenced codes, and  
2 standards;

3 (2) acceptable proof that he or she has worked as an  
4 elevator constructor, maintenance, or repair person;  
5 acceptable proof shall consist of documentation that he or  
6 she worked without direct and immediate supervision for an  
7 elevator contractor who has worked on elevators in this  
8 State for a period of not less than 3 years immediately  
9 prior to the effective date of rules that are adopted to  
10 implement this Act; the person must make application within  
11 one year of the effective date of this amendatory Act of  
12 the 94th General Assembly;

13 (3) a certificate of successful completion of the  
14 mechanic examination of a nationally recognized training  
15 program for the elevator industry such as the National  
16 Elevator Industry Educational Program, the National  
17 Association of Elevator Contractors Certified Elevator  
18 Technician or Certified Accessibility and Private Lift  
19 Programs, or an ~~its~~ equivalent program;

20 (4) a certificate of completion of an elevator mechanic  
21 apprenticeship program with standards substantially equal  
22 to those of this Act and registered with the Bureau of  
23 Apprenticeship and Training, U.S. Department of Labor, or a  
24 State apprenticeship council; or

25 (5) a valid license from a state having standards  
26 substantially equal to those of this State.

27 (c) The Administrator shall issue a limited elevator  
28 mechanic's license to a person who has demonstrated the ability  
29 to construct, install, alter, service, repair, or maintain any  
30 of the following:

31 (1) platform lifts and stairway chairlifts as defined  
32 by ASME A18.1;

33 (2) limited use application elevators as defined by  
34 ASME A17.1, Part 5.2;

35 (3) private residence elevators as defined by ASME  
36 A17.1, Part 5.3; or

1           (4) dumbwaiters without automatic transfer devices as  
2           defined by ASME A17.1, Parts 7.1 and 7.2.

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

4           (225 ILCS 312/70)

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

6           Sec. 70. Administrative Procedure Act. The Illinois  
7           Administrative Procedure Act is hereby expressly adopted and  
8           incorporated herein as if all of the provisions of that Act  
9           were included in this Act, ~~except that the provision of~~  
10          ~~subsection (d) of Section 10-65 of the Illinois Administrative~~  
11          ~~Procedure Act that provides that at hearings the licensee has~~  
12          ~~the right to show compliance with all lawful requirements for~~  
13          ~~retention, or continuation or renewal of the license, is~~  
14          ~~specifically excluded.~~ For the purposes of this Act, the notice  
15          required under Section 10-25 of the Illinois Administrative  
16          Procedure Act is deemed sufficient when mailed to the last  
17          known address of a party.

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

19          (225 ILCS 312/135)

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

21          Sec. 135. Elevators in private residences. The owner of a  
22          conveyance located in his or her private residence may  
23          register, pay the required fee, and have his or her existing  
24          conveyance inspected. The Administrator shall provide notice  
25          to the owner of the private residence where the conveyance is  
26          located with relevant information about conveyance safety  
27          requirements, including the need to have the elevator  
28          periodically and timely inspected and made safe. Any inspection  
29          performed shall be done solely at the request and with the  
30          consent of the private residence owner. No penalty provision of  
31          this Act shall apply to private residence owners. No permit  
32          fee, certificate of operation fee, or similar fee shall be  
33          applied to a conveyance installed in a private residence.

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



1           Section 99. Effective date. This Act takes effect upon  
2    becoming law.