



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

HB1423

Introduced 2/21/2007, by Rep. Thomas Holbrook

#### SYNOPSIS AS INTRODUCED:

225 ILCS 312/10  
225 ILCS 312/25  
225 ILCS 312/45

Amends the Elevator Safety and Regulation Act. Removes certain references to the design of elevators and related apparatuses. Provides that an applicant for an elevator mechanic's license who makes application by demonstrating to the Office of the State Fire Marshal acceptable proof that he or she has worked as an elevator constructor, maintenance, or repair person for the equipment that a licensee of the Act is authorized to install must make application to the Office by December 31, 2007 (rather than May 1, 2006), but that all licenses issued under those terms between May 1, 2006 and the effective date of the amendatory Act are deemed valid. Adds one representative of the senior citizen population who is appointed by the Governor to the Elevator Safety Review Board. Effective immediately.

LRB095 10695 RAS 30927 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

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 10, 25, and 45 as follows:

6 (225 ILCS 312/10)

7 (Section scheduled to be repealed on January 1, 2013)

8 Sec. 10. Applicability.

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

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

19 (A) Elevators.

20 (B) Platform lifts and stairway chair lifts.

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

1 A17.3):

2 (A) Escalators.

3 (B) Moving walks.

4 (3) Hoisting and lowering mechanisms equipped with a  
5 car, which serves 2 or more landings and is restricted to  
6 the carrying of material by its limited size or limited  
7 access to the car. This equipment includes, but is not  
8 limited to, the following (also see ASME A17.1 and ASME  
9 A17.3):

10 (A) Dumbwaiters.

11 (B) Material lifts and dumbwaiters with automatic  
12 transfer devices.

13 (b) This Act covers the ~~design,~~ construction, operation,  
14 inspection, maintenance, alteration, and repair of automatic  
15 guided transit vehicles on guideways with an exclusive  
16 right-of-way. This equipment includes, but is not limited to,  
17 automated people movers (also see ASCE 21).

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

19 (1) Material hoists.

20 (2) Belt manlifts.

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

23 (4) Powered platforms and equipment for exterior and  
24 interior maintenance.

25 (5) Conveyors and related equipment.

26 (6) Cranes, derricks, hoists, hooks, jacks, and

1 slings.

2 (7) Industrial trucks.

3 (8) Portable equipment, except for portable  
4 escalators.

5 (9) Tiering or piling machines used to move materials  
6 to and from storage located and operating entirely within  
7 one story.

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

10 (11) Skip or furnace hoists.

11 (12) Wharf ramps.

12 (13) Railroad car lifts or dumpers.

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

16 (15) Railway and Transit Systems.

17 (16) Conveyances located in a private residence not  
18 accessible to the public.

19 (17) Special purpose personnel elevators.

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

22 (Source: P.A. 94-698, eff. 11-22-05.)

23 (225 ILCS 312/25)

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

25 Sec. 25. Elevator Safety Review Board.

1 (a) There is hereby created within the Office of the State  
2 Fire Marshal the Elevator Safety Review Board, consisting of 14  
3 ~~13~~ members. The Administrator shall appoint 3 members who shall  
4 be representatives of fire service communities. The Governor  
5 shall appoint the remaining 11 ~~10~~ members of the Board as  
6 follows: one representative from a major elevator  
7 manufacturing company or its authorized representative; one  
8 representative from an elevator servicing company; one  
9 representative of the architectural design profession; one  
10 representative of the general public; one representative of an  
11 advocacy group for people with physical disabilities; one  
12 representative of the senior citizen population; one  
13 representative of a municipality in this State with a  
14 population under 25,000; one representative of a municipality  
15 in this State with a population of 25,000 or over but under  
16 50,000; one representative of a municipality in this State with  
17 a population of 50,000 or over but under 500,000; one  
18 representative of a building owner or manager; and one  
19 representative of labor involved in the installation,  
20 maintenance, and repair of elevators.

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

23 (1) Of the members appointed by the Administrator, 2  
24 shall serve for a term of 2 years, and one for a term of 4  
25 years.

26 (2) Of the members appointed by the Governor, 2 shall

1           serve for a term of one year, 2 for terms of 2 years, 2 for  
2           terms of 3 years, and 4 for terms of 4 years. The  
3           representative of the senior citizen population shall  
4           serve an initial term of 4 years.

5           At the expiration of their initial terms of office, the  
6           members or their successors shall be appointed for terms of 4  
7           years each. Upon the expiration of a member's term of office,  
8           the officer who appointed that member shall reappoint that  
9           member or appoint a successor who is a representative of the  
10          same interests with which his or her predecessor was  
11          identified. The Administrator and the Governor may at any time  
12          remove any of their respective appointees for inefficiency or  
13          neglect of duty in office. Upon the death or incapacity of a  
14          member, the officer who appointed that member shall fill the  
15          vacancy for the remainder of the vacated term by appointing a  
16          member who is a representative of the same interests with which  
17          his or her predecessor was identified. The members shall serve  
18          without salary, but shall receive from the State expenses  
19          necessarily incurred by them in performance of their duties.  
20          The Governor shall appoint one of the members to serve as  
21          chairperson. The chairperson shall be the deciding vote in the  
22          event of a tie vote.

23          (Source: P.A. 94-698, eff. 11-22-05.)

24                   (225 ILCS 312/45)

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

1           Sec. 45. Qualifications for elevator mechanic's license;  
2 emergency and temporary licensure.

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

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

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

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

19           (2) acceptable proof that he or she has worked as an  
20 elevator constructor, maintenance, or repair person for  
21 the equipment the licensee is authorized to install;  
22 acceptable proof shall consist of documentation that he or  
23 she worked without direct and immediate supervision for an  
24 elevator contractor who has worked on elevators in this  
25 State for a period of not less than 3 years immediately  
26 preceding the effective date of the initial rules adopted

1 by the Board under Section 35 of this Act that implement  
2 this Act; the person must make application by December 31,  
3 2007; however, all licenses issued under the provisions of  
4 this item (2) between May 1, 2006 and the effective date of  
5 this amendatory Act of the 95th General Assembly are deemed  
6 valid;

7 (3) a certificate of successful completion of the  
8 mechanic examination of a nationally recognized training  
9 program for the elevator industry such as the National  
10 Elevator Industry Educational Program or its equivalent  
11 based on the codes applicable to the type of license  
12 (elevator mechanic's license or limited elevator  
13 mechanic's license) for which the individual is applying;

14 (4) a certificate of completion of an elevator mechanic  
15 apprenticeship program with standards substantially equal  
16 to those of this Act and registered with the Bureau of  
17 Apprenticeship and Training, U.S. Department of Labor, or a  
18 State apprenticeship council; or

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

21 (d) Whenever an emergency exists in the State due to  
22 disaster or work stoppage and the number of persons in the  
23 State holding licenses granted by the Board is insufficient to  
24 cope with the emergency, the licensed elevator contractor shall  
25 respond as necessary to ensure the safety of the public. Any  
26 person certified by a licensed elevator contractor to have an



1 acceptable combination of documented experience and education  
2 to perform elevator work without direct and immediate  
3 supervision shall seek an emergency elevator mechanic's  
4 license from the Administrator within 5 business days after  
5 commencing work requiring a license. The Administrator shall  
6 issue emergency elevator mechanic's licenses. The applicant  
7 shall furnish proof of competency as the Administrator may  
8 require. Each license shall recite that it is valid for a  
9 period of 30 days from the date thereof and for such particular  
10 elevators or geographical areas as the Administrator may  
11 designate and otherwise shall entitle the licensee to the  
12 rights and privileges of an elevator mechanic's license issued  
13 under this Act. The Administrator shall renew an emergency  
14 elevator mechanic's license during the existence of an  
15 emergency. No fee may be charged for any emergency elevator  
16 mechanic's license or renewal thereof.

17 (e) A licensed elevator contractor shall notify the  
18 Administrator when there are no licensed personnel available to  
19 perform elevator work. The licensed elevator contractor may  
20 request that the Administrator issue temporary elevator  
21 mechanic's licenses to persons certified by the licensed  
22 elevator contractor to have an acceptable combination of  
23 documented experience and education to perform elevator work  
24 without direct and immediate supervision. Any person certified  
25 by a licensed elevator contractor to have an acceptable  
26 combination of documented experience and education to perform

1 elevator work without direct and immediate supervision shall  
2 immediately seek a temporary elevator mechanic's license from  
3 the Administrator and shall pay such fee as the Board shall  
4 determine. The applicant for temporary licensure shall furnish  
5 proof of competency as the Administrator may require and for  
6 such particular elevators or geographical areas as the  
7 Administrator may designate. Each license shall recite that it  
8 is valid for a period of 30 days from the date of issuance and  
9 while employed by the licensed elevator contractor that  
10 certified the individual as qualified. It shall be renewable as  
11 long as the shortage of license holders continues.  
12 (Source: P.A. 94-698, eff. 11-22-05.)

13 Section 99. Effective date. This Act takes effect upon  
14 becoming law.