

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, 15, 20, 25, 35, 40, 45, 55,
6 70, 80, 85, 90, 100, 105, 110, and 120 as follows:

7 (225 ILCS 312/10)

8 (Section scheduled to be repealed on January 1, 2013)

9 Sec. 10. Applicability.

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

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

20 (A) Elevators.

21 (B) Platform lifts and stairway chair lifts.

22 (2) Power driven stairways and walkways for carrying
23 persons between landings. This equipment includes, but is

1 not limited to, the following (also see ASME A17.1 and ASME
2 A17.3):

3 (A) Escalators.

4 (B) Moving walks.

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

11 (A) Dumbwaiters.

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

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

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

20 (1) Material hoists within the scope of ANSI A10.5.

21 (2) ~~Belt manlifts~~ Manlifts within the scope of ASME
22 A90.1.

23 (3) Mobile scaffolds, towers, and platforms within the
24 scope of ANSI A92, ~~except those covered by ANSI A10.4.~~

25 (4) Powered platforms and equipment for exterior and
26 interior maintenance within the scope of ANSI 120.1.

1 (5) Conveyors and related equipment within the scope of
2 ASME B20.1.

3 (6) Cranes, derricks, hoists, hooks, jacks, and slings
4 within the scope of ASME B30.

5 (7) Industrial trucks within the scope of ASME B56.

6 (8) Portable equipment, except for portable escalators
7 that are covered by ANSI A17.1.

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

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

13 (11) Skip or furnace hoists.

14 (12) Wharf ramps.

15 (13) Railroad car lifts or dumpers.

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

19 (15) (Blank). ~~Railway and Transit Systems.~~

20 (16) Conveyances located in a private residence not
21 accessible to the public.

22 (17) (Blank). ~~Special purpose personnel elevators.~~

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

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

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,

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 work on conveyance equipment ~~possess this type~~
16 ~~of license~~. It shall entitle the holder thereof to engage in
17 the business of ~~erecting,~~ constructing, installing, altering,
18 servicing, testing, repairing, or maintaining and performing
19 electrical work on elevators or related conveyances ~~conveyance~~
20 covered by this Act within any building or structure,
21 including, but not limited to, private residences. The
22 Administrator may issue a limited elevator contractor's
23 license authorizing a firm or company that employs individuals
24 to carry on a business of erecting, constructing, installing,
25 altering, servicing, repairing, or maintaining platform lifts
26 and stairway chairlifts within any building or structure,

1 excluding private residences.

2 "Elevator helper" means an individual registered with the
3 Administrator who works ~~as an elevator helper~~. ~~Elevator helpers~~
4 ~~must work~~ under the general direction ~~direct supervision~~ of a
5 licensed elevator mechanic. Licensure is not required for an
6 elevator helper.

7 "Elevator industry apprentice" means an individual who is
8 enrolled in an apprenticeship program approved by the Bureau of
9 Apprenticeship and Training of the U.S. Department of Labor and
10 who is registered by the Administrator and works ~~to perform~~
11 ~~work within the elevator industry~~ under the general direction
12 ~~direct supervision~~ of a licensed elevator mechanic. Licensure
13 is not required for an elevator industry apprentice.

14 "Elevator inspector" means any ~~person~~ inspector, as that
15 term is defined in ASME QEI, who possesses an elevator
16 inspector's license in accordance with the provisions of this
17 Act.

18 "Elevator mechanic" means any person who possesses an
19 elevator mechanic's license in accordance with the provisions
20 of Sections 40 and 45 of this Act and who is engaged in
21 erecting, constructing, installing, altering, servicing,
22 repairing, or maintaining elevators or related conveyance
23 covered by this Act.

24 "Elevator mechanic's license" means a license issued to a
25 person who has proven his or her qualifications and ability and
26 has been authorized by the Elevator Safety Review Board to work

1 on conveyance equipment. It shall entitle the holder thereof to
2 install, construct, alter, service, repair, test, maintain,
3 and perform electrical work on elevators or related conveyance
4 covered by this Act. The Administrator may issue a limited
5 elevator mechanic's license authorizing an individual to carry
6 on a business of erecting, constructing, installing, altering,
7 servicing, repairing, or maintaining platform lifts and
8 stairway chairlifts within any building or structure.

9 "Escalator" means an installation defined as an
10 "escalator" in ASME A17.1.

11 "Existing installation" means an installation defined as
12 an "installation, existing" in ASME A17.1.

13 "Inspector's license" or "inspection company license"
14 means a license issued to an ASME QEI certified elevator
15 inspector or inspection company that ~~a person who~~ has proven
16 the inspector's or the company's ~~his or her~~ qualifications and
17 ability and has been authorized by the Elevator Safety Review
18 Board to possess this type of license. It shall entitle the
19 holder thereof to engage in the business of inspecting
20 elevators or related conveyance covered by this Act.

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

1 "Material alteration" means an "alteration", as defined in
2 the referenced standards ~~by the Board.~~

3 "Moving walk" means an installation defined as a "moving
4 walk" in ASME A17.1.

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

8 "Repair" has the meaning set forth in the referenced
9 standards. ~~"Repair" defined by the Board, which~~ does not
10 require a permit.

11 ~~"Special purpose personnel elevator" means an elevator~~
12 ~~that is limited in size, capacity, and speed and that is~~
13 ~~permanently installed in certain structures, including, but~~
14 ~~not limited to, grain elevators, radio antenna, bridge towers,~~
15 ~~underground facilities, dams, and power plants, to provide~~
16 ~~vertical transportation of authorized personnel and their~~
17 ~~tools and equipment only.~~

18 "Temporarily dormant" means an elevator, dumbwaiter, or
19 escalator:

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

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

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

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

3 (5) requiring annual inspections for the duration of
4 the temporarily dormant status by a licensed elevator
5 inspector;

6 (6) that has a "temporarily dormant" status that is
7 renewable on an annual basis, not to exceed a 5-year
8 ~~one-year~~ period;

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

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

14 "Temporary certificate of operation" means a temporary
15 certificate of operation issued by the Administrator that
16 permits the temporary use of a non-compliant conveyance by the
17 general public for a limited time of 30 days while minor
18 repairs are being completed.

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

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

22 (225 ILCS 312/20)

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

24 Sec. 20. License or registration required.

25 (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.~~ A licensed or limited licensed
10 elevator mechanic employed by an entity exempted from
11 contractor licensure under subsection (a) of Section 40 of this
12 Act is exempt, with respect to work performed for that
13 employer, from the requirement that he or she work under the
14 direct supervision of an elevator contractor licensee. A
15 ~~However,~~ a licensed elevator contractor is not required for
16 removal or dismantling of conveyances that are destroyed as a
17 result of a complete demolition of a secured building or
18 structure or where the hoistway or wellway is demolished back
19 to the basic support structure and where no access is permitted
20 that would endanger the safety and welfare of a person.

21 (b) After July 1, 2003 through the effective date of this
22 amendatory Act of the 94th General Assembly and after July 1,
23 2006, no person shall inspect any conveyance within buildings
24 or structures, including, but not limited~~7~~ to~~l~~ private
25 residences, unless he or she has an inspector's license or an
26 inspection company license.

1 (c) (Blank). ~~After January 1, 2006, a person who is not~~
2 ~~licensed under subsection (a) may not work in the jurisdiction~~
3 ~~of this State as an elevator industry apprentice or helper~~
4 ~~unless he or she is registered as an elevator industry~~
5 ~~apprentice or helper by the Administrator and works under the~~
6 ~~direct supervision of an individual licensed under this Act as~~
7 ~~an elevator mechanic. The Administrator shall set elevator~~
8 ~~industry apprenticeship and helper qualifications and~~
9 ~~registration procedure by rule.~~

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

11 (225 ILCS 312/25)

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

13 Sec. 25. Elevator Safety Review Board.

14 (a) There is hereby created within the Office of the State
15 Fire Marshal the Elevator Safety Review Board, consisting of 14
16 ~~13~~ members. The Administrator shall appoint 3 members who shall
17 be representatives of fire service communities. The Governor
18 shall appoint the remaining 11 ~~10~~ members of the Board as
19 follows: one representative from a major elevator
20 manufacturing company or its authorized representative; one
21 representative from an elevator servicing company; one
22 representative of the architectural design profession; one
23 representative of the general public; one representative of an
24 advocacy group for people with physical disabilities; one
25 representative of the senior citizen population; one

1 representative of a municipality in this State with a
2 population under 25,000; one representative of a municipality
3 in this State with a population of 25,000 or over but under
4 50,000; one representative of a municipality in this State with
5 a population of 50,000 or over but under 500,000; one
6 representative of a building owner or manager; and one
7 representative of labor involved in the installation,
8 maintenance, and repair of elevators.

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

11 (1) Of the members appointed by the Administrator, 2
12 shall serve for a term of 2 years, and one for a term of 4
13 years.

14 (2) Of the members appointed by the Governor, 2 shall
15 serve for a term of one year, 2 for terms of 2 years, 2 for
16 terms of 3 years, and 4 for terms of 4 years. The
17 representative of the senior citizen population shall
18 serve an initial term of 4 years.

19 At the expiration of their initial terms of office, the
20 members or their successors shall be appointed for terms of 4
21 years each. Upon the expiration of a member's term of office,
22 the officer who appointed that member shall reappoint that
23 member or appoint a successor who is a representative of the
24 same interests with which his or her predecessor was
25 identified. The Administrator and the Governor may at any time
26 remove any of their respective appointees for inefficiency or

1 neglect of duty in office. Upon the death or incapacity of a
2 member, the officer who appointed that member shall fill the
3 vacancy for the remainder of the vacated term by appointing a
4 member who is a representative of the same interests with which
5 his or her predecessor was identified. The members shall serve
6 without salary, but shall receive from the State expenses
7 necessarily incurred by them in performance of their duties.
8 The Governor shall appoint one of the members to serve as
9 chairperson. The chairperson shall be the deciding vote in the
10 event of a tie vote.

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

12 (225 ILCS 312/35)

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

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

15 (a) The Board shall consult with engineering authorities
16 and organizations and adopt rules consistent with the
17 provisions of this Act for the administration and enforcement
18 of this Act. The Board may prescribe forms to be issued in
19 connection with the administration and enforcement of this Act.
20 The rules shall establish standards and criteria consistent
21 with this Act for licensing of elevator mechanics, inspectors,
22 and installers of elevators, including the provisions of the
23 Safety Code for Elevators and Escalators (ASME A17.1), the
24 Safety Code for Existing Elevators (ASME A17.3), the Standard
25 for the Qualification of Elevator Inspectors (ASME QEI-1), the

1 Automated People Mover Standards (ASCE 21), the Safety
2 Requirements for Personnel Hoists and Employee Elevators (ANSI
3 A10.4), and the Safety Standard for Platform Lifts and Stairway
4 Chairlifts (ASME A18.1). The Board shall adopt the latest
5 editions of the standards referenced in this subsection (a)
6 within 6 months after the effective date of the standards.

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

13 (c) The Board shall establish fee schedules for licenses,
14 permits, certificates, and inspections. The fees shall be set
15 at an amount necessary to cover the actual costs and expenses
16 to operate the Board and to conduct the duties as described in
17 this Act.

18 (d) The Board shall be authorized to recommend the
19 amendments of applicable legislation, when appropriate, to
20 legislators.

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

24 (f) The Administrator may employ professional, technical,
25 investigative, or clerical help, on either a full-time or
26 part-time basis, as may be necessary for the enforcement of

1 this Act.

2 (g) (Blank).

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

4 (225 ILCS 312/40)

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

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

7 (a) Any person, firm, or company wishing to engage in the
8 business of installing, altering, repairing, servicing,
9 replacing, or maintaining elevators, dumbwaiters, escalators,
10 or moving walks within this State shall make application for a
11 license with the Administrator. However, if the State, a unit
12 of local government, or an institution of higher education
13 maintains in its employ licensed or limited licensed elevator
14 mechanics who maintain only conveyances owned or leased by that
15 entity, the employing entity is not required to be licensed as
16 a contractor under this Section and none of the provisions of
17 this Act concerning licensed contractors shall apply to these
18 entities.

19 (b) All applications shall contain the following
20 information:

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

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

25 (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).

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, or ~~and~~ service and ~~or~~ repair, as
13 verified by current and previous employers licensed to do
14 business in this State or in another state if the Board
15 deems that out-of-State experience equivalent; and (B)
16 satisfactory completion of a written examination
17 administered by the Elevator Safety Review Board or its
18 designated provider on the adopted rules and, ~~referenced~~
19 ~~codes, and standards for the equipment the licensee is~~
20 ~~authorized to install;~~

21 (2) acceptable proof that he or she has worked as an
22 elevator constructor, maintenance, or repair person ~~for~~
23 ~~the equipment the licensee is authorized to install;~~
24 acceptable proof shall consist of documentation that he or
25 she worked without direct and immediate supervision for an
26 elevator contractor who has worked on elevators in this

1 State for a period of not less than 3 years immediately
2 preceding the effective date of the final ~~initial~~ rules
3 adopted by the Board under Section 35 of this Act that
4 implement this Act; the person must make application by
5 December 31, 2007; however, all licenses issued under the
6 provisions of this item (2) between May 1, 2006 and the
7 effective date of this amendatory Act of the 95th General
8 Assembly are deemed valid;

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

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

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

23 (d) Whenever an emergency exists in the State due to a
24 disaster, act of God, or work stoppage and the number of
25 persons in the State holding licenses granted by the Board is
26 insufficient to cope with the emergency, the licensed elevator

1 contractor shall respond as necessary to ensure the safety of
2 the public. Any person certified by a licensed elevator
3 contractor to have an acceptable combination of documented
4 experience and education to perform elevator work without
5 direct and immediate supervision shall seek an emergency
6 elevator mechanic's license from the Administrator within 5
7 business days after commencing work requiring a license. The
8 Administrator shall issue emergency elevator mechanic's
9 licenses. The applicant shall furnish proof of competency as
10 the Administrator may require. Each license shall recite that
11 it is valid for a period of 60 ~~30~~ days from the date thereof and
12 for such particular elevators or geographical areas as the
13 Administrator may designate and otherwise shall entitle the
14 licensee to the rights and privileges of an elevator mechanic's
15 license issued under this Act. The Administrator shall renew an
16 emergency elevator mechanic's license during the existence of
17 an emergency. No fee may be charged for any emergency elevator
18 mechanic's license or renewal thereof.

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

1 by a licensed elevator contractor to have an acceptable
2 combination of documented experience and education to perform
3 elevator work without direct and immediate supervision shall
4 immediately seek a temporary elevator mechanic's license from
5 the Administrator and shall pay such fee as the Board shall
6 determine. The applicant for temporary licensure shall furnish
7 proof of competency as the Administrator may require ~~and for~~
8 ~~such particular elevators or geographical areas as the~~
9 ~~Administrator may designate~~. Each license shall recite that it
10 is valid for a period of 30 days from the date of issuance and
11 while employed by the licensed elevator contractor that
12 certified the individual as qualified. It shall be renewable as
13 long as the shortage of license holders continues.

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

15 (225 ILCS 312/55)

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

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

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

20 (b) No license shall be granted to any person or firm who
21 has not proven the required qualifications and abilities. An
22 applicant must be individually licensed as an elevator mechanic
23 under this Act, perform the work set forth in subsection (a) of
24 Section 20 of this Act, and have proof of compliance with the
25 insurance requirements set forth in Section 100 of this Act or,

1 in the case of a firm, employ a person who is individually
2 licensed as an elevator mechanic under this Act, perform the
3 work set forth in subsection (a) of Section 20 of this Act, and
4 have proof of compliance with the insurance requirements set
5 forth in Section 100 of this Act. ~~demonstrate one of the~~
6 ~~following qualifications:~~

7 ~~(1) five years work experience in the elevator industry~~
8 ~~in construction, maintenance, and service or repair, as~~
9 ~~verified by such documentation as the Board may require by~~
10 ~~rule;~~

11 ~~(1.5) satisfactory completion of a written examination~~
12 ~~administered by the Elevator Safety Review Board or its~~
13 ~~designated provider on the most recent referenced codes and~~
14 ~~standards; or~~

15 ~~(2) proof that the individual or firm holds a valid~~
16 ~~license from a state having standards substantially equal~~
17 ~~to those of this State.~~

18 (c) (Blank).

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

20 (225 ILCS 312/70)

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

22 Sec. 70. Administrative Procedure Act. The Illinois
23 Administrative Procedure Act is hereby expressly adopted and
24 incorporated herein as if all of the provisions of that Act
25 were included in this Act, ~~except that the provision of~~

1 ~~subsection (d) of Section 10-65 of the Illinois Administrative~~
2 ~~Procedure Act that provides that at hearings the licensee has~~
3 ~~the right to show compliance with all lawful requirements for~~
4 ~~retention, or continuation or renewal of the license, is~~
5 ~~specifically excluded.~~ For the purposes of this Act, the notice
6 required under Section 10-25 of the Illinois Administrative
7 Procedure Act is deemed sufficient when mailed to the last
8 known address of a party.

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

10 (225 ILCS 312/80)

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

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

1 service.

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

3 (225 ILCS 312/85)

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

5 Sec. 85. Compliance. It shall be the responsibility of
6 individuals, firms, or companies licensed as described in this
7 Act to ensure that installation or service and maintenance of
8 elevators and devices described in Section 10 of this Act is
9 performed in compliance with the provisions contained in this
10 Act and applicable fire and building codes ~~local regulations~~.

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

12 (225 ILCS 312/90)

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

14 Sec. 90. Permits.

15 (a) No conveyance covered by this Act shall be erected,
16 constructed, installed, or altered within buildings or
17 structures within this State unless a permit has been obtained
18 from the Administrator or a municipality or other unit of local
19 government before the work is commenced. If the permit is
20 obtained from a municipality or other unit of local government,
21 the municipality or other unit of local government that issued
22 the permit shall keep the permit on file for a period of not
23 less than one year from the date of issuance and send a copy to
24 the Administrator for inspection. Where any material

1 alteration is made, the device shall conform to applicable
2 requirements in ASME A17.1, ASME A18.1, or ASCE 21, ~~or ANSI~~
3 ~~A10.4~~. No permit required under this Section shall be issued
4 except to a person, firm, or corporation holding a current
5 elevator contractor's license, duly issued pursuant to this
6 Act, except that a permit to alter a conveyance may be issued
7 to an entity exempted from licensure under subsection (a) of
8 Section 40 of this Act. A copy of the permit shall be kept at
9 the construction site at all times while the work is in
10 progress.

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

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

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

25 (1) Any false statements or misrepresentation as to the
26 material facts in the application, plans, or

1 specifications on which the permit was based.

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

4 (3) The work detailed under the permit is not being
5 performed in accordance with the provisions of the
6 application, plans, or specifications or with the code or
7 conditions of the permit.

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

10 (5) If the work authorized by a permit is not commenced
11 within 6 months after the date of issuance, or within a
12 shorter period of time as the Administrator or his or her
13 duly authorized representative in his or her discretion may
14 specify at the time the permit is issued.

15 (6) If the work is suspended or abandoned for a period
16 of 60 days, or shorter period of time as the Administrator
17 or his or her duly authorized representative in his or her
18 discretion may specify at the time the permit is issued,
19 after the work has been started. For good cause, the
20 Administrator or his or her representative may allow an
21 extension of this period at his or her discretion.

22 (e) (Blank).

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

24 (225 ILCS 312/100)

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

1 Sec. 100. Insurance requirements.

2 (a) Elevator contractors shall submit to the Administrator
3 an insurance policy or certified copy thereof, issued by an
4 insurance company authorized to do business in the State, to
5 provide general liability coverage of at least \$1,000,000
6 ~~\$2,000,000~~ for injury or death of any ~~one person~~ and ~~\$2,000,000~~
7 ~~for injury or death of any~~ number of persons in any one
8 occurrence, with coverage of at least \$500,000 ~~\$1,000,000~~ for
9 property damage in any one occurrence and statutory workers
10 compensation insurance coverage.

11 (b) Private elevator inspectors shall submit to the
12 Administrator an insurance policy or certified copy thereof,
13 issued by an insurance company authorized to do business in the
14 State, to provide general liability coverage of at least
15 \$1,000,000 ~~\$2,000,000~~ for injury or death of any ~~one person~~ and
16 ~~\$2,000,000~~ ~~for injury or death of any~~ number of persons in any
17 one occurrence, with coverage of at least \$500,000 ~~\$1,000,000~~
18 for property damage in any one occurrence and statutory workers
19 compensation insurance coverage.

20 (c) These policies, or duly certified copies thereof, or an
21 appropriate certificate of insurance, approved as to form by
22 the Department of Insurance, shall be delivered to the
23 Administrator before or at the time of the issuance of a
24 license. In the event of a material alteration or cancellation
25 of a policy, at least 10 days notice thereof shall be given to
26 the Administrator.

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

2 (225 ILCS 312/105)

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

4 Sec. 105. Enforcement.

5 (a) It shall be the duty of the Elevator Safety Review
6 Board to develop an enforcement program to ensure compliance
7 with rules and requirements referenced in this Act. This shall
8 include, but shall not be limited to, rules for identification
9 of property locations that are subject to the rules and
10 requirements; issuing notifications to violating property
11 owners or operators, random on-site inspections, ~~policies for~~
12 ~~administrative penalties,~~ and tests on existing installations;
13 witnessing periodic inspections and testing in order to ensure
14 satisfactory performance by licensed persons, firms, or
15 companies; and assisting in development of public awareness
16 programs.

17 (b) Any person may make a request for an investigation into
18 an alleged violation of this Act by giving notice to the
19 Administrator of such violation or danger. The notice shall be
20 in writing, shall set forth with reasonable particularity the
21 grounds for the notice, and shall be signed by the person
22 making the request. Upon the request of any person signing the
23 notice, the person's name shall not appear on any copy of the
24 notice or any record published, released, or made available.

25 (c) If, upon receipt of such notification, the

1 Administrator determines that there are reasonable grounds to
2 believe that such violation or danger exists, the Administrator
3 shall cause to be made an investigation in accordance with the
4 provisions of this Act as soon as practicable to determine if
5 such violation or danger exists. If the Administrator
6 determines that there are no reasonable grounds to believe that
7 a violation or danger exists, he or she shall notify the party
8 in writing of such determination.

9 (d) (Blank).

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

11 (225 ILCS 312/110)

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

13 Sec. 110. Liability.

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

25 (b) Any owner or lessee who violates any of the provisions

1 of this Act is guilty of a Class C misdemeanor ~~shall be fined~~
2 ~~in an amount not to exceed \$1,500 per violation, per day.~~

3 (c) (Blank). ~~Compliance with this Act is not a defense to a~~
4 ~~legal proceeding.~~

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

6 (225 ILCS 312/120)

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

8 Sec. 120. Inspection and testing.

9 (a) It shall be the responsibility of the owner of all new
10 and existing conveyances located in any building or structure
11 to have the conveyance inspected annually, ~~at intervals~~
12 ~~determined by the Board~~, by a person, firm, or company to which
13 a license to inspect conveyances has been issued. Subsequent to
14 inspection, the licensed person, firm, or company must supply
15 the property owner or lessee and the Administrator with a
16 written inspection report describing any and all code
17 violations. Property owners shall have 30 days from the date of
18 the published inspection report to be in full compliance by
19 correcting the violations. The Administrator shall determine
20 whether such violations have been corrected and may extend the
21 compliance dates for good cause, provided that such violations
22 are minor and pose no threat to public safety.

23 (b) It shall be the responsibility of the owner of all
24 conveyances to have a licensed elevator contractor, as defined
25 in this Act, ensure that the required tests are performed at

1 intervals in compliance with the ASME A 17.1, ASME A 18.1 and
2 ASCE 21 ~~(Blank)~~.

3 (c) All tests shall be performed by a licensed elevator
4 mechanic ~~or licensed limited elevator mechanic who is licensed~~
5 ~~to perform work on that particular type of conveyance.~~

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

7 (225 ILCS 312/130 rep.)

8 Section 10. The Elevator Safety and Regulation Act is
9 amended by repealing Section 130.

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.