

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, 45, 60, 80,  
6 85, 90, 95, 105, 110, 115, 125, and 140 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8 (Section scheduled to be repealed on January 1, 2013)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 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  
19 A18.1):

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 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) Manlifts within the scope of ASME A90.1.

22 (3) Mobile scaffolds, towers, and platforms within the  
23 scope of ANSI A92.

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

26 (5) Conveyors and related equipment within the scope of

1 ASME B20.1.

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

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

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

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

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

12 (11) Skip or furnace hoists.

13 (12) Wharf ramps.

14 (13) Railroad car lifts or dumpers.

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

18 (15) (Blank).

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

21 (17) (Blank).

22 (18) Personnel hoists within the scope of ANSI A10.4.

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; 95-573, eff. 8-31-07.)

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 "Alteration" means any change to equipment, including its  
6 parts, components, or subsystems, other than maintenance,  
7 repair, or replacement of the equipment, including its parts,  
8 components, or subsystems.

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

11 "ASCE 21" means the American Society of Civil Engineers  
12 Automated People Mover Standards.

13 "ASME A17.1" means the Safety Code for Elevators and  
14 Escalators, an American National Standard, and CSA B44, the  
15 National Standard of Canada.

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

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

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

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

25 "Board" means the Elevator Safety Review Board.

26 "Certificate of operation" means a certificate issued by

1 the Administrator or the Local Administrator that indicates  
2 that the conveyance has passed the required safety inspection  
3 and tests and fees have been paid as set forth in this Act.

4 "Conveyance" means any elevator, dumbwaiter, escalator,  
5 moving sidewalk, platform lifts, stairway chairlifts and  
6 automated people movers.

7 "Elevator" means an installation defined as an "elevator"  
8 in ASME A17.1.

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

16 "Elevator contractor's license" means a license issued to  
17 an elevator contractor who has proven his or her qualifications  
18 and ability and has been authorized by the Elevator Safety  
19 Review Board to work on conveyance equipment. It shall entitle  
20 the holder thereof to engage in the business of constructing,  
21 installing, altering, servicing, testing, repairing, or  
22 maintaining and performing electrical work on elevators or  
23 related conveyances covered by this Act within any building or  
24 structure, including, but not limited to, private residences.  
25 The Administrator may issue a limited elevator contractor's  
26 license authorizing a firm or company that employs individuals

1 to carry on a business of erecting, constructing, installing,  
2 altering, servicing, repairing, or maintaining a specific type  
3 of conveyance ~~platform lifts and stairway chairlifts~~ within any  
4 building or structure, excluding private residences.

5 "Elevator helper" means an individual registered with the  
6 Administrator who works under the general direction of a  
7 licensed elevator mechanic. Licensure is not required for an  
8 elevator helper.

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

15 "Elevator inspector" means any inspector, as that term is  
16 defined in ASME QEI, who possesses an elevator inspector's  
17 license in accordance with the provisions of this 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 a specific type of  
8 conveyance ~~platform lifts and stairway chairlifts~~ within any  
9 building or structure.

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

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

14 "Inspector's license" or "inspection company license"  
15 means a license issued to an ASME QEI certified elevator  
16 inspector or inspection company that has proven the inspector's  
17 or the company's qualifications and ability and has been  
18 authorized by the Elevator Safety Review Board to possess this  
19 type of license. It shall entitle the holder thereof to engage  
20 in the business of inspecting elevators or related conveyance  
21 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

1 Act. New and renewed licenses issued after January 1, 2010 will  
2 include a photo of the licensee.

3 "Local Administrator" means the municipality or  
4 municipalities or county or counties that entered into a local  
5 elevator agreement with the Administrator to operate its own  
6 elevator safety program in accordance with this Act and the  
7 adopted administrative rules.

8 "Material alteration" means an "alteration", as defined in  
9 the referenced standards.

10 "Moving walk" means an installation defined as a "moving  
11 walk" in ASME A17.1.

12 "Owner" means the owner of the conveyance, which could be  
13 an individual, a group of individuals, an association, trust,  
14 partnership, corporation, or person doing business under an  
15 assumed name. The owner may delegate his, her, or its authority  
16 to manage the day-to-day operations of the conveyance to  
17 another party, but may not delegate his, her, or its  
18 responsibilities and duties under this Act and the  
19 administrative rules.

20 "Private residence" means a separate dwelling or a separate  
21 apartment or condominium unit in a multiple-family dwelling  
22 that is occupied by members of a single-family unit.

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

25 "Temporarily dormant" means an elevator, dumbwaiter, or  
26 escalator:



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

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

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

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

10 (5) requiring annual inspections for the duration of  
11 the temporarily dormant status by a licensed elevator  
12 inspector;

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

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

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

21 "Temporary certificate of operation" means a temporary  
22 certificate of operation issued by the Administrator or the  
23 Local Administrator that permits the temporary use of a  
24 non-compliant conveyance by the general public for a limited  
25 time of 30 days while minor repairs are being completed.

26 All other building transportation terms are as defined in

1 the latest edition of ASME A17.1 and ASME A18.1.

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

6 (Source: P.A. 94-698, eff. 11-22-05; 95-573, eff. 8-31-07.)

7 (225 ILCS 312/25)

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

9 Sec. 25. Elevator Safety Review Board.

10 (a) There is hereby created within the Office of the State  
11 Fire Marshal the Elevator Safety Review Board, consisting of 17  
12 ~~14~~ members. The Administrator shall appoint 3 members who shall  
13 be representatives of fire service communities. The Governor  
14 shall appoint the remaining 14 ~~11~~ members of the Board as  
15 follows: one representative from a major elevator  
16 manufacturing company or its authorized representative; one  
17 representative from an elevator servicing company; one  
18 representative of the architectural design profession; one  
19 representative of the general public; one representative of an  
20 advocacy group for people with physical disabilities; one  
21 representative of an advocacy group for senior citizens ~~the~~  
22 ~~senior citizen population~~; one representative nominated by ~~of~~ a  
23 municipality in this State with a population under 25,000; one  
24 representative nominated by ~~of~~ a municipality in this State  
25 with a population of 25,000 or over but under 50,000; one

1 representative nominated by ~~of~~ a municipality in this State  
2 with a population of 50,000 or over but under 500,000; one  
3 representative of an advocacy group for condominium owners; one  
4 representative of an institution of higher education that  
5 operates an in-house elevator maintenance program; one  
6 representative of a building owner or manager; and 2  
7 representatives ~~one representative~~ of labor, one from Cook  
8 County and one from a county in the State other than Cook  
9 County, involved in the installation, maintenance, and repair  
10 of elevators.

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

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

16 (2) Of the members appointed by the Governor, 2 shall  
17 serve for a term of one year, 2 for terms of 2 years, 2 for  
18 terms of 3 years, and 4 for terms of 4 years. The  
19 representative of the advocacy group for senior citizens  
20 ~~senior citizen population~~ shall serve an initial term of 4  
21 years. The representative of an advocacy group for  
22 condominium owners, the representative of the institution  
23 of higher education that operates an in-house elevator  
24 maintenance program, and both representatives of labor  
25 involved in the installation, maintenance, and repair of  
26 elevators shall serve an initial term of 4 years.

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

19           A majority of the appointed Board members shall constitute  
20 a quorum. Vacant positions shall not count towards the  
21 requirement for a quorum.

22           (Source: P.A. 94-698, eff. 11-22-05; 95-573, eff. 8-31-07.)

23           (225 ILCS 312/35)

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

25           Sec. 35. Powers and duties of the Board and Administrator.

1 (a) The Board shall consult with engineering authorities  
2 and organizations and adopt rules consistent with the  
3 provisions of this Act for the administration and enforcement  
4 of this Act. The Board may prescribe forms to be issued in  
5 connection with the administration and enforcement of this Act.  
6 The rules shall establish standards and criteria consistent  
7 with this Act for licensing of elevator mechanics, inspectors,  
8 and installers of elevators, including the provisions of the  
9 Safety Code for Elevators and Escalators (ASME A17.1), ~~the~~  
10 ~~Safety Code for Existing Elevators (ASME A17.3),~~ the Standard  
11 for the Qualification of Elevator Inspectors (ASME QEI-1), the  
12 Automated People Mover Standards (ASCE 21), the Safety  
13 Requirements for Personnel Hoists and Employee Elevators (ANSI  
14 A10.4), and the Safety Standard for Platform Lifts and Stairway  
15 Chairlifts (ASME A18.1). The Board shall adopt or amend and  
16 adopt the latest editions of the standards referenced in this  
17 subsection within 12 months after the effective date of the  
18 standards ~~(a) within 6 months after the effective date of the~~  
19 ~~standards.~~

20 The Board shall make determinations authorized by this Act  
21 regarding variances, interpretations, and the installation of  
22 new technology. Such determinations shall have a binding  
23 precedential effect throughout the State regarding equipment,  
24 structure, or the enforcement of codes unless limited by the  
25 Board to the fact-specific issues.

26 (b) The Administrator or Local Administrator ~~Board~~ shall

1 have the authority to grant exceptions and variances from the  
2 literal requirements of applicable State codes, standards, and  
3 regulations in cases where such variances would not jeopardize  
4 the public safety and welfare. The Administrator has the right  
5 to review and object to any exceptions or variances granted by  
6 the Local Administrator. The Board shall have the authority to  
7 hear appeals, for any denial by the Local Administrator or for  
8 any denial or objection by the Administrator. The Board shall  
9 hold hearings, and decide upon such within 30 days of the  
10 appeal.

11 (c) The Board shall establish fee schedules for licenses,  
12 and registrations issued by the Administrator. The Board shall  
13 also establish fee schedules for permits, certificates, and  
14 inspections for conveyances not under a Local Administrator.  
15 The fees shall be set at an amount necessary to cover the  
16 actual costs and expenses to operate the Board and to conduct  
17 the duties as described in 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 (h) Notwithstanding anything else in this Section, the  
4 following upgrade requirements of the 2007 edition of the  
5 Safety Code for Elevators and Escalators (ASME A17.1) and the  
6 2005 edition of the Safety Code for Existing Elevators (ASME  
7 A17.3) must be completed by January 1, 2015, but the  
8 Administrator or Local Administrator may not require their  
9 completion prior to January 1, 2013:

10 (i) restricted opening of hoistway doors or car doors  
11 on passenger elevators;

12 (ii) car illumination;

13 (iii) emergency operation and signaling devices;

14 (iv) phase reversal and failure protection;

15 (v) reopening device for power operated doors or gates;

16 (vi) stop switch pits; and

17 (vii) pit ladder installation or design in accordance  
18 with Section 2.2.4.2 of ASME A17.1-2007.

19 (i) In the event that a conveyance regulated by this Act is  
20 altered, the alteration shall comply with ASME A17.1.  
21 Notwithstanding anything else in this Section, the  
22 firefighter's emergency operation, and the hydraulic elevator  
23 cylinder, including the associated safety devices outlined in  
24 Section 4.3.3(b) of ASME A17.3-2005, are not required to be  
25 upgraded unless: (1) there is an alteration, (2) the equipment  
26 fails, or (3) failing to replace the equipment jeopardizes the

1 public safety and welfare as determined by the Local  
2 Administrator or the Board.

3 (j) The Administrator may choose to require the inspection  
4 of any conveyance to be performed by its own inspectors or by  
5 third-party licensed inspectors employed by the Administrator.

6 (Source: P.A. 94-698, eff. 11-22-05; 95-573, eff. 8-31-07.)

7 (225 ILCS 312/45)

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

9 Sec. 45. Qualifications for elevator mechanic's license;  
10 emergency and temporary licensure; limited elevator mechanic's  
11 license.

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

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

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

18 (1) an acceptable combination of documented experience  
19 and education credits consisting of: (A) not less than 3  
20 years work experience in the elevator industry, in  
21 construction, maintenance, or service and repair, as  
22 verified by current and previous employers licensed to do  
23 business in this State or in another state if the Board  
24 deems that out-of-State experience equivalent; and (B)  
25 satisfactory completion of a written examination



1 administered by the Elevator Safety Review Board or its  
2 designated provider on the adopted rules and referenced  
3 codes;

4 (2) acceptable proof that he or she has worked as an  
5 elevator constructor, maintenance, or repair person;  
6 acceptable proof shall consist of documentation that he or  
7 she worked without direct and immediate supervision for an  
8 elevator contractor who has worked on elevators in this  
9 State for a period of not less than 3 years immediately  
10 preceding the effective date of the final rules adopted by  
11 the Board under Section 35 of this Act that implement this  
12 Act; the person must make application by December 31, 2007;  
13 however, all licenses issued under the provisions of this  
14 item (2) between May 1, 2006 and the effective date of this  
15 amendatory Act of the 95th General Assembly are deemed  
16 valid;

17 (3) a certificate of successful completion of the  
18 mechanic examination of a nationally recognized training  
19 program for the elevator industry, such as the National  
20 Elevator Industry Educational Program or its equivalent;

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

26 (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 a  
3 disaster, act of God, or work stoppage and the number of  
4 persons in the State holding licenses granted by the Board is  
5 insufficient to cope with the emergency, the licensed elevator  
6 contractor shall respond as necessary to ensure the safety of  
7 the public. Any person certified by a licensed elevator  
8 contractor to have an acceptable combination of documented  
9 experience and education to perform elevator work without  
10 direct and immediate supervision shall seek an emergency  
11 elevator mechanic's license from the Administrator within 5  
12 business days after commencing work requiring a license. The  
13 Administrator shall issue emergency elevator mechanic's  
14 licenses. The applicant shall furnish proof of competency as  
15 the Administrator may require. Each license shall recite that  
16 it is valid for a period of 60 days from the date thereof and  
17 for such particular elevators or geographical areas as the  
18 Administrator may designate and otherwise shall entitle the  
19 licensee to the rights and privileges of an elevator mechanic's  
20 license issued under this Act. The Administrator shall renew an  
21 emergency elevator mechanic's license during the existence of  
22 an 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

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

18 (f) An applicant for a limited elevator mechanic's license  
19 must demonstrate that he or she meets the qualifications of  
20 subsection (c)(1).

21 (g) The Administrator may issue temporary limited  
22 authority to an individual that the Administrator deems  
23 qualified to work on a specific type of conveyance. The  
24 applicant shall furnish any proof of competency that the  
25 Administrator may require and must obtain a permanent license  
26 within one year.

1 (Source: P.A. 94-698, eff. 11-22-05; 95-573, eff. 8-31-07.)

2 (225 ILCS 312/60)

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

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

5 (a) Upon approval of an application, and receipt of the  
6 fee, the Administrator may issue a license that must be renewed  
7 every 2 years. ~~The renewal fee for the license shall be set by~~  
8 ~~the Board.~~

9 (b) (Blank).

10 (c) (Blank).

11 (d) The renewal of all licenses granted under the  
12 provisions of this Section shall be conditioned upon the  
13 submission of a certificate of completion of a course designed  
14 to ensure the continuing education of licensees on new and  
15 existing provisions of the rules of the Elevator Safety Review  
16 Board. Such course shall consist of not less than 8 hours of  
17 instruction, which shall include a minimum of 2 hours of code  
18 updates, that shall be attended and completed within one year  
19 immediately preceding any such license renewal.

20 (e) The courses referred to in subsection (d) of this  
21 Section shall be taught by instructors through continuing  
22 education providers that may include, but shall not be limited  
23 to, association seminars and labor training programs. The  
24 Elevator Safety Review Board shall approve the continuing  
25 education providers. All instructors shall be approved by the

1 Board and shall be exempt from the requirements of subsection  
2 (d) of this Section with regard to their applications for  
3 license renewal, provided that such applicant was qualified as  
4 an instructor at any time during the one year immediately  
5 preceding the scheduled date for such renewal.

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

19 (g) Approved training providers shall keep for a period of  
20 10 years uniform records of attendance of licensees following a  
21 format approved by the Board. These records shall be available  
22 for inspection by the Board at its request. Approved training  
23 providers shall be responsible for the security of all  
24 attendance records and certificates of completion, provided  
25 that falsifying or knowingly allowing another to falsify  
26 attendance records or certificates of completion shall

1 constitute grounds for suspension or revocation of the approval  
2 required under this Section.

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

4 (225 ILCS 312/80)

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

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

21 (Source: P.A. 94-698, eff. 11-22-05; 95-573, eff. 8-31-07.)

22 (225 ILCS 312/85)

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

24 Sec. 85. Compliance. It shall be the responsibility of

1 individuals, firms, or companies licensed as described in this  
2 Act to ensure that installation or service and maintenance of  
3 elevators and devices described in Section 10 of this Act is  
4 performed in compliance with the provisions contained in this  
5 Act ~~and applicable fire and building codes.~~

6 (Source: P.A. 95-573, eff. 8-31-07.)

7 (225 ILCS 312/90)

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

9 Sec. 90. Permits.

10 (a) No conveyance covered by this Act shall be erected,  
11 constructed, installed, or altered within buildings or  
12 structures within this State unless a permit has been obtained  
13 from the Administrator or the Local Administrator ~~a~~  
14 ~~municipality or other unit of local government~~ before the work  
15 is commenced. The Local Administrator ~~If the permit is obtained~~  
16 ~~from a municipality or other unit of local government, the~~  
17 ~~municipality or other unit of local government that issued the~~  
18 ~~permit~~ shall keep all permits it issues ~~the permit~~ on file for  
19 a period of not less than 2 ~~one~~ year from the date of issuance  
20 ~~and send a copy to the Administrator for inspection.~~ Where any  
21 material alteration is made, the device shall conform to  
22 applicable requirements in ASME A17.1, ASME A18.1, or ASCE 21.  
23 No permit required under this Section shall be issued except to  
24 a person, firm, or corporation holding a current elevator  
25 contractor's license, duly issued pursuant to this Act, except

1 that a permit to alter a conveyance may be issued to an entity  
2 exempted from licensure under subsection (a) of Section 40 of  
3 this Act. A copy of the permit shall be kept at the  
4 construction site at all times while the work is in progress.

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

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

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

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

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

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



1 conditions of the permit.

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

4 (5) If the work authorized by a permit is not commenced  
5 within 6 months after the date of issuance, or within a  
6 shorter period of time as the Administrator or Local  
7 Administrator ~~his or her duly authorized representative in~~  
8 ~~his or her discretion~~ may specify at the time the permit is  
9 issued.

10 (6) If the work is suspended or abandoned for a period  
11 of 180 ~~60~~ days, or shorter period of time as the  
12 Administrator or Local Administrator ~~his or her duly~~  
13 ~~authorized representative in his or her discretion~~ may  
14 specify at the time the permit is issued, after the work  
15 has been started. For good cause, the Administrator or  
16 Local Administrator ~~his or her representative~~ may allow an  
17 extension of this period at his or her discretion.

18 (e) (Blank).

19 (f) All conveyance construction or alteration documents  
20 shall be submitted to the Administrator or Local Administrator  
21 for a permit. The documents for a new or altered building must  
22 first have been reviewed and approved by the local governmental  
23 authority as meeting the local building and fire code. In those  
24 jurisdictions where the municipality or county has not signed a  
25 local elevator agreement with the Administrator and the  
26 municipality or county does not have a means by which it

1 approves building documents or issues building permits, the  
2 conveyance construction or alteration documents shall be  
3 submitted to the Administrator along with the owner-supplied  
4 certification from a licensed architect or engineer stating  
5 that the building complies with all applicable codes, including  
6 the Life Safety Code adopted by the Office of the State Fire  
7 Marshal. The Administrator has authority to charge a document  
8 review fee for this service.

9 (Source: P.A. 94-698, eff. 11-22-05; 95-573, eff. 8-31-07.)

10 (225 ILCS 312/95)

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

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

14 (a) All new conveyance installations regulated by this Act  
15 shall be performed by a person, firm, or company to which a  
16 license to install or service conveyances has been issued.  
17 Subsequent to installation, the licensed person, firm, or  
18 company must certify compliance with the applicable Sections of  
19 this Act. Prior to any conveyance being used, the property  
20 owner or lessee must obtain a certificate of operation from the  
21 Administrator or Local Administrator. A fee as authorized by  
22 Section 35 of this Act or as set by the Local Administrator  
23 shall be paid for the certificate of operation. It shall be the  
24 responsibility of the owner ~~licensed elevator contractor~~ to  
25 complete and submit first time registration for new

1 installations.

2 (b) (Blank).

3 (c) A certificate of operation is renewable annually. The  
4 certificates ~~Certificates~~ of operation or copy thereof, must be  
5 clearly displayed in the conveyance ~~on or in each conveyance or~~  
6 ~~in the machine room for use~~ for the benefit of code enforcement  
7 staff.

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

9 (225 ILCS 312/105)

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

11 Sec. 105. Enforcement; Investigation.

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

23 (b) Any person may make a request for an investigation into  
24 an alleged violation of this Act by giving notice to the  
25 Administrator or Local Administrator of such violation or

1 danger. The notice shall be in writing, shall set forth with  
2 reasonable particularity the grounds for the notice, and shall  
3 be signed by the person making the request. Upon the request of  
4 any person signing the notice, the person's name shall not  
5 appear on any copy of the notice or any record published,  
6 released, or made available. If the Local Administrator  
7 determines that there are reasonable grounds to believe that  
8 such violation or danger exists, the Local Administrator shall  
9 forward the request for an investigation to the Administrator.

10 (c) If, upon receipt of such notification, the  
11 Administrator determines that there are reasonable grounds to  
12 believe that such violation or danger exists, the Administrator  
13 shall cause to be made or permit the Local Administrator to  
14 conduct an investigation in accordance with the provisions of  
15 this Act as soon as practicable to determine if such violation  
16 or danger exists. If the Administrator determines that there  
17 are no reasonable grounds to believe that a violation or danger  
18 exists, he or she shall notify the party in writing of such  
19 determination.

20 (d) (Blank).

21 (Source: P.A. 94-698, eff. 11-22-05; 95-573, eff. 8-31-07.)

22 (225 ILCS 312/110)

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

24 Sec. 110. Liability.

25 (a) This Act shall not be construed to relieve or lessen

1 the responsibility or liability of any person, firm, or  
2 corporation owning, operating, controlling, maintaining,  
3 erecting, constructing, installing, altering, inspecting,  
4 testing, or repairing any elevator or other related mechanisms  
5 covered by this Act for damages to person or property caused by  
6 any defect therein, nor does the State or any unit of local  
7 government assume any such liability or responsibility  
8 therefore or any liability to any person for whatever reason  
9 whatsoever by the adoption of this Act or any acts or omissions  
10 arising under this Act.

11 (b) Any owner or lessee who violates any of the provisions  
12 of this Act may be subject to a fine not to exceed \$1,500 per  
13 day for each violation of this Act or rules adopted pursuant to  
14 this Act ~~is guilty of a Class C misdemeanor.~~

15 (c) (Blank).

16 (Source: P.A. 94-698, eff. 11-22-05; 95-573, eff. 8-31-07.)

17 (225 ILCS 312/115)

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

19 Sec. 115. Provisions not retroactive. The provisions of  
20 this Act are not retroactive unless otherwise stated, and  
21 equipment shall be required to comply with the applicable code  
22 at the date of its installation ~~or within the period determined~~  
23 ~~by the Board for compliance with ASME A17.3, whichever is more~~  
24 ~~stringent.~~ If, upon the inspection of any device covered by  
25 this Act, the equipment is found in dangerous condition or

1 there is an immediate hazard to those riding or using such  
2 equipment or if the design or the method of operation in  
3 combination with devices used is considered inherently  
4 dangerous in the opinion of the Administrator, he or she shall  
5 notify the owner of the condition and shall order such  
6 alterations or additions as may be deemed necessary to  
7 eliminate the dangerous condition.

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

9 (225 ILCS 312/125)

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

11 Sec. 125. State law, code, or regulation; rule compliance.  
12 Whenever a provision in this Act is found to be inconsistent  
13 with any provision of another applicable State law, code, or  
14 rule, this Act ~~the State law~~ shall prevail. ~~This Act, unless~~  
15 ~~specifically stated otherwise, is not intended to establish~~  
16 ~~more stringent or more restrictive standards than standards set~~  
17 ~~forth in other applicable State laws.~~

18 ~~Any rule adopted under this Act that requires compliance~~  
19 ~~specifically beginning in 2009 and any rule adopted under this~~  
20 ~~Act that requires compliance specifically beginning in 2011~~  
21 ~~shall be deemed to require compliance beginning in 2013 instead~~  
22 ~~of 2009 or 2011.~~

23 (Source: P.A. 95-767, eff. 7-29-08.)

24 (225 ILCS 312/140)

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

2 Sec. 140. Local Administrator ~~regulation~~; home rule.

3 (a) The Administrator may enter into a local elevator  
4 agreement ~~contracts~~ with municipalities or counties under  
5 which the Local Administrator ~~municipalities or counties~~ shall  
6 (i) issue construction permits and certificates of operation,  
7 (ii) provide for inspection of elevators, including temporary  
8 operation inspections, (iii) grant exceptions and variances  
9 from the literal requirements of applicable State codes,  
10 standards, and regulations in cases where such variances would  
11 not jeopardize the public safety and welfare, and (iv) (iii)  
12 enforce the applicable provisions of the Act, and levy fines in  
13 accordance with the Municipal Code or Counties Code. The Local  
14 Administrator ~~municipality or county~~ may choose to require that  
15 inspections be performed by its own inspectors or by private  
16 certified elevator inspectors. The Local Administrator  
17 ~~municipality or county~~ may assess a reasonable fee for permits,  
18 exceptions, variances, certification of operation, or  
19 inspections performed by its inspectors. Each agreement  
20 ~~contract~~ shall include a provision that the Local Administrator  
21 ~~municipality or county~~ shall maintain for inspection by the  
22 Administrator copies of all applications for permits issued,  
23 grants or denials of exceptions or variances, copies of each  
24 inspection report issued, and proper records showing the number  
25 of certificates of operation issued. Each agreement ~~contract~~  
26 shall also include a provision that each required inspection be

1 conducted by a certified elevator inspector and any other  
2 provisions deemed necessary by the Administrator. Any safety  
3 standards or regulations adopted by a municipality or county  
4 under this subsection must be at least as stringent as those  
5 provided for in this Act and the rules adopted under this Act.

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

14 (c) (Blank).

15 (d) The Administrator shall be notified of any exception or  
16 variance granted. The Administrator may object to such  
17 exception or variance within 7 business days of receipt of the  
18 notice. Should the Administrator and Local Administrator not  
19 reach agreement on the exception or variance, the matter shall  
20 be directed to the Board to hear and decide.

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

22 (430 ILCS 80/Act rep.)

23 Section 15. The Elevator Installation Act is repealed.

24 Section 99. Effective date. This Act takes effect upon  
25 becoming law.