



Rep. Robert Rita

Filed: 3/5/2012

09700HB4674ham001

LRB097 19917 CEL 67117 a

1 AMENDMENT TO HOUSE BILL 4674

2 AMENDMENT NO. _____. Amend House Bill 4674 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Regulatory Sunset Act is amended by
5 changing Section 4.23 and by adding Section 4.33 as follows:

6 (5 ILCS 80/4.23)

7 Sec. 4.23. Acts and Sections repealed on January 1, 2013.
8 The following Acts and Sections of Acts are repealed on January
9 1, 2013:

10 The Dietetic and Nutrition Services Practice Act.

11 ~~The Elevator Safety and Regulation Act.~~

12 The Fire Equipment Distributor and Employee Regulation Act
13 of 2011.

14 The Funeral Directors and Embalmers Licensing Code.

15 The Naprapathic Practice Act.

16 The Professional Counselor and Clinical Professional

1 Counselor Licensing Act.

2 The Wholesale Drug Distribution Licensing Act.

3 Section 2.5 of the Illinois Plumbing License Law.

4 (Source: P.A. 95-331, eff. 8-21-07; 96-1499, eff. 1-18-11.)

5 (5 ILCS 80/4.33 new)

6 Sec. 4.33. Act repealed on January 1, 2023. The following
7 Act is repealed on January 1, 2023:

8 The Elevator Safety and Regulation Act.

9 Section 10. The Elevator Safety and Regulation Act is
10 amended by changing Section 35 as follows:

11 (225 ILCS 312/35)

12 (Section scheduled to be repealed on January 1, 2013)

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

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

1 and Escalators (ASME A17.7), the Standard for the Qualification
2 of Elevator Inspectors (ASME QEI-1), the Automated People Mover
3 Standards (ASCE 21), the Safety Requirements for Personnel
4 Hoists and Employee Elevators (ANSI A10.4), and the Safety
5 Standard for Platform Lifts and Stairway Chairlifts (ASME
6 A18.1). The Board shall adopt or amend and adopt the latest
7 editions of the standards referenced in this subsection within
8 12 months after the effective date of the standards.

9 The Board shall make determinations authorized by this Act
10 regarding variances, interpretations, and the installation of
11 new technology. Such determinations shall have a binding
12 precedential effect throughout the State regarding equipment,
13 structure, or the enforcement of codes unless limited by the
14 Board to the fact-specific issues.

15 (b) The Administrator or Local Administrator shall have the
16 authority to grant exceptions and variances from the literal
17 requirements of applicable State codes, standards, and
18 regulations in cases where such variances would not jeopardize
19 the public safety and welfare. The Administrator has the right
20 to review and object to any exceptions or variances granted by
21 the Local Administrator. The Board shall have the authority to
22 hear appeals, for any denial by the Local Administrator or for
23 any denial or objection by the Administrator. The Board shall
24 hold hearings, and decide upon such within 30 days of the
25 appeal.

26 (c) The Board shall establish fee schedules for licenses,

1 and registrations issued by the Administrator. The Board shall
2 also establish fee schedules for permits, certificates, and
3 inspections for conveyances not under a Local Administrator.
4 The fees shall be set at an amount necessary to cover the
5 actual costs and expenses to operate the Board and to conduct
6 the duties as described in this Act.

7 (d) The Board shall be authorized to recommend the
8 amendments of applicable legislation, when appropriate, to
9 legislators.

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

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

17 (g) (Blank).

18 (h) Notwithstanding anything else in this Section, the
19 following upgrade requirements of the 2007 edition of the
20 Safety Code for Elevators and Escalators (ASME A17.1) and the
21 2005 edition of the Safety Code for Existing Elevators (ASME
22 A17.3) must be completed by January 1, 2015, but the
23 Administrator or Local Administrator may not require their
24 completion prior to January 1, 2013:

25 (i) (blank) ~~restricted opening of hoistway doors or car~~
26 ~~doors on passenger elevators;~~

- 1 (ii) car illumination;
- 2 (iii) emergency operation and signaling devices;
- 3 (iv) phase reversal and failure protection;
- 4 (v) reopening device for power operated doors or gates;
- 5 (vi) stop switch pits; and
- 6 (vii) pit ladder installation in accordance with
- 7 Section 2.2.4.2 of ASME A17.1-2007.

8 (h-5) Notwithstanding anything else in this Section, the

9 upgrade requirements for the restricted opening of hoistway

10 doors or car doors on passenger elevators as provided for in

11 the 2007 edition of the Safety Code for Elevators and

12 Escalators (ASME A17.1) and the 2005 edition of the Safety Code

13 for Existing Elevators (ASME A17.3) must be completed by July

14 1, 2014.

15 (i) In the event that a conveyance regulated by this Act is

16 altered, the alteration shall comply with ASME A17.1.

17 Notwithstanding anything else in this Section, the

18 firefighter's emergency operation, and the hydraulic elevator

19 cylinder, including the associated safety devices outlined in

20 Section 4.3.3(b) of ASME A17.3-2005, are not required to be

21 upgraded unless: (1) there is an alteration, (2) the equipment

22 fails, or (3) failing to replace the equipment jeopardizes the

23 public safety and welfare as determined by the Local

24 Administrator or the Board.

25 (j) The Administrator may choose to require the inspection

26 of any conveyance to be performed by its own inspectors or by

1 third-party licensed inspectors employed by the Administrator.
2 (Source: P.A. 96-54, eff. 7-23-09; 97-310, eff. 8-11-11.)

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.".