

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Senator Bradford**

A Bill

SENATE BILL

For An Act To Be Entitled

8 "AN ACT TO AMEND CHAPTER 24 OF TITLE 20 OF THE ARKANSAS
9 CODE OF 1987 TO PROVIDE FOR LICENSING OF ELEVATOR
10 INSPECTORS; TO INCREASE THE FEES FOR EXAMINATION AND
11 LICENSING OF ELEVATOR INSPECTORS; TO REQUIRE FINANCIAL
12 DISCLOSURE OF ELEVATOR INSPECTORS; TO PROVIDE CIVIL
13 PENALTIES FOR VIOLATIONS; AND FOR OTHER PURPOSES."

14
15 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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17 SECTION 1. Arkansas Code 20-24-103 is hereby amended to read as
18 follows:

19 "20-24-103. Penalties - Prosecution of violations.

20 (a) Any person, owner, lessee, partnership, association, corporation,
21 or inspector who violates any provision of this chapter shall be penalized by
22 a civil fine of not less than five hundred dollars (\$500) and not more than
23 one thousand dollars (\$1,000) for each offense. Each day during which a
24 violation continues shall be a separate offense.

25 (b) Actions for recovery of the penalties provided by this section shall
26 be instituted by the department or its authorized representative and shall be
27 in the form of a civil action before a court of competent jurisdiction.

28 (c) In addition to the penalties in subsection (a) of this section, the
29 director is authorized to petition any court of competent jurisdiction to
30 enjoin or restrain violations of the provisions of this chapter."

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32 SECTION 2. Subsection (a) of Arkansas Code 20-24-106 is hereby amended
33 to read as follows:

34 "20-24-106. Elevator Safety Board - Powers and duties.

35 (a) It shall be the duty of the board to license elevator inspectors as

1 provided in this chapter and to revoke or suspend any such license for cause."
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3 SECTION 3. Arkansas Code 20-24-108 is hereby amended to read as
4 follows:

5 "20-24-108. Inspector - License required - Qualifications.

6 (a) The inspections of elevators, escalators, and dumbwaiters required
7 by the provisions of this chapter shall be made by an elevator inspector
8 licensed by the board.

9 (b) To be eligible for a license to inspect elevators, the applicant or
10 licensee shall:

11 (1) have experience in designing, installing, maintaining, or
12 inspecting elevators, escalators and dumbwaiters to the extent established by
13 regulation of the board;

14 (2) successfully pass a written examination approved by the board;
15 and

16 (3) have no financial interest in any business or operation which
17 manufactures, installs, repairs, modifies or services elevators, escalators or
18 dumbwaiters. This qualification does not prohibit employees of insurance
19 companies insuring elevators, escalators and dumbwaiters from obtaining a
20 license as an elevator inspector.

21 (c) The board may license a person as an elevator inspector without
22 examination if he holds a license as an inspector of elevators for a state or
23 city that has a standard of examination substantially equal to that provided
24 for in this section."
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26 SECTION 4. Arkansas Code 20-24-109 is hereby amended to read as
27 follows:

28 "20-24-109. Inspector - Application and examination for license -
29 Issuance.

30 (a) A written application for the examination and license shall be made
31 upon a form to be supplied by the board upon request and shall be accompanied
32 by a statement of the applicant's experience together with an examination fee
33 not to exceed the sum of one hundred fifty dollars (\$150) .

34 (b) The examination shall be given not more than six (6) months from
35 the date when the applicant makes the application.

1 (c) If the applicant is qualified and successfully passes the
2 examination specified in this section, upon payment of a license fee, he shall
3 be entitled to a license as an elevator inspector . The license fee shall be
4 established by the board, but in no event shall it exceed the sum of fifty
5 dollars (\$50.00). The license shall be renewed annually upon the payment to
6 the board of a fee not to exceed the sum of fifty dollars (\$50.00).

7 (d) (1) There shall be no limit to the number of times an applicant
8 may seek a license as provided in this section, except that a rejected
9 applicant may not make application within six (6) months from the date on
10 which he is notified that he has failed to qualify.

11 (2) A license fee shall be paid for the initial examination and
12 each subsequent examination."

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14 SECTION 5. Arkansas Code 20-24-110 is hereby amended to read as
15 follows:

16 "20-24-110. Inspectors - Prohibited Activities and Requirements.

17 (a) No elevator inspector shall inspect an elevator, escalator or
18 dumbwaiter if the inspector, or any member of his immediate family, has a
19 financial interest in the building in which the elevator, escalator or
20 dumbwaiter is located or in any business which occupies the building in which
21 the elevator, escalator, or dumbwaiter is located.

22 (b) No elevator inspector or any member of his immediate family shall
23 have or maintain a financial interest in any business which manufactures,
24 installs, repairs, alters, or services elevators, escalators, or dumbwaiters.

25 (c) No elevator inspector shall recommend or refer one of his clients
26 or customers to a specific business, firm or corporation which manufactures,
27 installs, repairs, alters, or services elevators, escalators, or dumbwaiters.

28 (d) On or before the last day of January of each year, all licensed
29 elevator inspectors shall file with the department a financial disclosure
30 statement on forms provided by the department and approved by the board. Such
31 forms shall include, but not be limited to the following:

32 (1) The name and address of any corporation, firm, or enterprise
33 in which the person has a direct financial interest of a value in excess of
34 one thousand dollars (\$1,000). Policies of insurance issued to himself or his
35 spouse are not to be considered a financial interest;

1 (2) A list of every office or directorship held by himself or his
2 spouse, in any corporation, firm, or enterprise subject to jurisdiction of the
3 board;

4 (3) A list showing the name and address of any person,
5 corporation, firm, or enterprise from which the person received compensation
6 in excess of one thousand five hundred dollars (\$1,500) during the preceding
7 year; and

8 (4) A list showing the name and address of any person,
9 corporation, firm, or enterprise from which the persons received compensation
10 in excess of twelve thousand five hundred dollars (\$12,500) during the
11 preceding year."

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13 SECTION 6. All provisions of this act of a general and permanent nature
14 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
15 Revision Commission shall incorporate the same in the Code.

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17 SECTION 7. If any provision of this act or the application thereof to
18 any person or circumstance is held invalid, such invalidity shall not affect
19 other provisions or applications of the act which can be given effect without
20 the invalid provision or application, and to this end the provisions of this
21 act are declared to be severable.

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23 SECTION 8. All laws and parts of laws in conflict with this act are
24 hereby repealed.

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