

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Representative Stalnaker**

A Bill

HOUSE BILL

For An Act To Be Entitled

8 "AN ACT TO AMEND VARIOUS SECTIONS OF TITLE 20, CHAPTER 24
9 OF THE ARKANSAS CODE OF 1987, ANNOTATED, RELATING TO
10 ELEVATOR SAFETY, TO REQUIRE THE ELEVATOR SAFETY BOARD TO
11 MEET QUARTERLY; TO AUTHORIZE ATTENDANCE AT NATIONAL
12 MEETINGS; TO REQUIRE INSPECTION OF FREIGHT ELEVATORS EVERY
13 SIX (6) MONTHS; AND TO INCREASE THE VARIOUS INSPECTION
14 FEES; AND FOR OTHER PURPOSES."

Subtitle

17 "AN ACT TO AMEND LAWS RELATING TO THE ELEVATOR SAFETY
18 BOARD AND ELEVATOR INSPECTIONS AND TO INCREASE INSPECTION
19 FEES."

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

23 SECTION 1. Subsection (d) of Arkansas Code § 20-24-105 is hereby
24 amended to read as follows:

25 "(d) The board shall meet, at least semi-annually, at the call of the
26 director who shall designate in the call the time and place of meeting."

28 SECTION 2. Arkansas Code § 20-24-108 is hereby amended to read as
29 follows:

30 "20-24-108. Inspector - License required - Qualifications.

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

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

1 (1) Have experience in designing, installing, maintaining, or
2 inspecting elevators, escalators, and dumbwaiters to the extent established by
3 regulation of the board;

4 (2) Successfully pass a written examination approved by the
5 board; and

6 (3) Have no financial interest in any business or operation which
7 manufactures, installs, repairs, modifies or services elevators, escalators,
8 or dumbwaiters. This qualification does not prohibit employees of insurance
9 companies insuring elevators, escalators, and dumbwaiters from obtaining a
10 license as an elevator inspector.

11 (c) The board may license a person as an elevator inspector without
12 examination if he holds a license as an inspector of elevators for a state or
13 city that has a standard of examination substantially equal to that provided
14 for in this section.

15 (d) The director may direct one (1) licensed inspector employed by the
16 department to attend one (1) annual meeting of a national association of
17 elevator safety authorities. The department shall reimburse the employee for
18 his or her actual expenses."

19

20 SECTION 3. Arkansas Code § 20-24-112 is hereby amended to read as
21 follows:

22 "20-24-112. Testing and inspection required.

23 (a) All new and existing elevators, dumbwaiters, and escalators, except
24 dormant elevators, dumbwaiters, and escalators, shall be tested and inspected
25 in accordance with the following schedule:

26 (1) Initial Inspection and Test of New or Altered Installations.
27 Every new or altered elevator, dumbwaiter, and escalator shall be inspected
28 and tested in conformity with the applicable rules and regulations adopted by
29 the board before the operating permit required by § 20-24-116 is issued. The
30 inspections shall be made by a licensed elevator inspector in the employ of
31 the department;

32 (2) Initial Inspection of Existing Elevators, Dumbwaiters, and
33 Escalators. The owner or lessee of every existing passenger elevator or
34 escalator shall cause it to be inspected within three (3) months, and the
35 owner or lessee of every existing freight elevator and dumbwaiter shall cause

1 it to be inspected within six (6) months after the effective date of the rules
2 and regulations adopted by the board under § 20-24-107(a) and (b), except that
3 the department or its authorized representative may, at its discretion, extend
4 the time specified in this subdivision for making inspections;

5 (3) Periodic Inspections of All Elevators, Dumbwaiters, and
6 Escalators. The owner or lessee shall cause an inspection of every power
7 passenger elevator, escalator, and freight elevator to be made periodically
8 every sixth calendar month and of every dumbwaiter and elevator driven by
9 manual power every twelfth calendar month, following the month in which the
10 initial inspection required by subsections (a) or (b) of this section has been
11 made. However, any such inspection may be made during the month following the
12 calendar month during which such inspection is due.

13 (b) The inspections required by subdivisions (a)(2) and (3) of this
14 section shall be made only by elevator inspectors who have been licensed in
15 accordance with the provisions of §§ 20-24-108 and 20-24-109.

16 (1) The elevator inspectors shall not, however, be required to
17 make any tests.

18 (2) Tests required by the rules and regulations to be made by the
19 owner, lessee, or the authorized agent of either shall be made by a person
20 qualified to perform such service in the presence of a licensed elevator
21 inspector in the employ of the department or its authorized representative."
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23 SECTION 4. Subsection (a) of Arkansas Code § 20-24-113 is hereby
24 amended to read as follows:

25 "(a) A report of every required inspection shall be filed with the
26 department or its authorized representative by the inspector making the
27 inspection, on a form provided by the department within thirty (30) days after
28 the inspection or test has been completed.

29 (1) For the inspections required by § 20-24-112(a)(2), the report
30 shall include all information required by the department to determine whether
31 the owner or lessee of the elevator, escalator, or dumbwaiter has complied
32 with those rules and regulations adopted by the board under § 20-24-107(a) and
33 (b) which are applicable.

34 (2) For the inspection required by § 20-24-112(a)(1), the report
35 shall indicate whether the elevator, dumbwaiter, or escalator has been

1 installed in accordance with the detailed plans and specifications approved by
2 the department or its authorized representative under § 20-24-115(d) and (e)
3 and meets the requirements of the applicable rules and regulations adopted by
4 the board under § 20-24-107(a) and (b)."

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6 SECTION 5. Subsection (a) of Arkansas Code § 20-24-116 is hereby
7 amended to read as follows:

8 "(a) Operating permits shall be issued by the department within the
9 time limits specified in this section to the owner or lessee of every new or
10 altered elevator, dumbwaiter, and escalator and of every existing elevator,
11 dumbwaiter, and escalator where the inspection report indicates compliance
12 with the applicable sections of this chapter.

13 (1) No permits shall be issued if the fees required by §
14 20-24-117 have not been paid.

15 (2) The limits shall be thirty (30) days for existing elevators,
16 dumbwaiters, and escalators and seven (7) days for new and altered elevators,
17 dumbwaiters, and escalators after the required date for filing the inspection
18 report required by § 20-24-113(a) unless time is extended by the department.

19 (3) No elevator, dumbwaiter, or escalator shall be operated by
20 the owner or lessee thereof after the dates specified in this section unless
21 the operating permit has been issued.

22 (4)(A) The annual fee to be charged for the operating permit
23 issued under the provisions of this chapter shall be as follows:

24 300 - 500 lbs. Special Personnel Elevators plus

25 (i) Dumbwaiters \$30.00 annual

26 (ii) Elevators

27 2 - 4 landings-openings 36.00 annual

28 5 - 8 landings-openings 42.00 annual

29 9 - up landings-openings 50.00 annual

30 (iii) Escalators 75.00 annual

31 (B) A twenty percent (20%) penalty may be assessed when the
32 fee is past due by thirty (30) days."

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34 SECTION 6. Arkansas Code § 20-24-117 is hereby amended to read as
35 follows:

1 "20-24-117. Fees.

2 (a) The following fees shall be paid to the department for each
3 passenger, freight, one-man elevator, or dumbwaiter installation permit:

4	(1) Capacity in pounds	Hydraulic	Geared	Gearless
5	0 - 500	\$ 75.00	\$ 75.00	\$ 75.00
6	501 - 1,500	90.00	100.00	100.00
7	1,501 - 3,000	100.00	140.00	140.00
8	3,001 - 5,000	100.00	150.00	150.00
9	5,001 - 10,000	125.00	175.00	175.00
10	10,001 - 20,000	150.00	190.00	190.00
11	Over 20,000	175.00	200.00	200.00

12 (2) Plus five dollars (\$5.00) for each hoistway opening.

13 (b) A fee of not less than ten dollars (\$10.00) and not more than two
14 hundred dollars (\$200) shall be paid to the department for installation
15 permits for all other types of elevator, escalator, power lifts, or moving
16 walks. These fees will be applicable as follows:

17 (1) An installation permit for an escalator or workmen's hoist
18 shall be issued upon payment of the fee of two hundred dollars (\$200) or as
19 otherwise prescribed by the board;

20 (2) A final inspection fee is included in the installation permit
21 fee. If a scheduled final inspection is cancelled without due notice to the
22 department or if the elevator is not complete in the judgment of the general
23 inspection, an additional fee of one hundred dollars (\$100) plus expenses
24 shall be charged to the elevator contractor for an additional final
25 inspection.

26 (c) Major alterations may be made upon obtaining a permit which
27 requires a payment of a one hundred dollars (\$100) fee.

28 (d) A fee of fifty dollars (\$50.00) plus expenses, or as otherwise
29 prescribed by the board, shall be paid to the department for witnessing the
30 performance of all safety tests as outlined in §§ 20-24-112 - 20-24-114."

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32 SECTION 7. All provisions of this act of general and permanent nature
33 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
34 Revision Commission shall incorporate the same in the Code.

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1 SECTION 8. If any provisions of this act or the application thereof to
2 any person or circumstance is held invalid, the invalidity shall not affect
3 other provisions or applications of the act which can be given effect without
4 the invalid provisions or application, and to this end the provisions of this
5 act are declared to be severable.

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7 SECTION 9. All laws and parts of laws in conflict with this act are
8 hereby repealed.

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