

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

A BILL ACT 1063 OF 1991
SENATE BILL 400

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7 **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
36 provided in this chapter and to revoke or suspend any such license for cause."

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2 SECTION 3. Arkansas Code 20-24-108 is hereby amended to read as
3 follows:

4 "20-24-108. Inspector - License required - Qualifications.

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

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

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

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

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

20 (c) The board may license a person as an elevator inspector without
21 examination if he holds a license as an inspector of elevators for a state or
22 city that has a standard of examination substantially equal to that provided
23 for in this section."

24

25 SECTION 4. Arkansas Code 20-24-109 is hereby amended to read as
26 follows:

27 "20-24-109. Inspector - Application and examination for license -
28 Issuance.

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

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

35 (c) If the applicant is qualified and successfully passes the

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

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

10 (2) A license fee shall be paid for the initial examination and
11 each subsequent examination."
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13 SECTION 5. Arkansas Code 20-24-110 is hereby amended to read as
14 follows:

15 "20-24-110. Inspectors - Prohibited Activities and Requirements.

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

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

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

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

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

35 (2) A list of every office or directorship held by himself or his

