

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

**A BILL ACT 1069 OF 1991**  
**SENATE BILL 455**

**For An Act To Be Entitled**

8 "AN ACT TO AMEND ARKANSAS CODE 20-24-101 TO ESTABLISH  
9 STANDARDS AND PERMITS FOR INCLINED STAIRWAY CHAIRLIFTS AND  
10 INCLINED AND VERTICAL WHEELCHAIR LIFTS; AND FOR OTHER  
11 PURPOSES."

12  
13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

14  
15 SECTION 1. Arkansas code 20-24-101 is hereby amended to read as  
16 follows:

17 "20-24-101. Definitions.

18 As used in this chapter, unless the context otherwise requires:

19 (1) Alteration means any change made to an existing elevator,  
20 dumbwaiter, or escalator or to its hoistway, enclosure, or doors other than  
21 the repair or replacement of damaged, worn, or broken parts necessary for  
22 normal operation. The changing of the speed governor shall be considered an  
23 alteration;

24 (2) Authorized representative means the building department of  
25 cities, towns, or other governmental subdivisions designated by the Department  
26 of Labor to enforce certain provisions of this chapter;

27 (3) Board means the Arkansas Elevator Safety Board described in  
28 20-24-105;

29 (4) Director means the Director of the Department of Labor;

30 (5) Department means the Department of Labor;

31 (6) Dormant elevator, dumbwaiter, or escalator means an elevator or  
32 dumbwaiter whose cables have been removed, whose car and counterweight rest at  
33 the bottom of the shaftway, and whose shaftway doors are permanently boarded  
34 up or barricaded on the inside or an escalator whose main power feed lines  
35 have been disconnected;

36 (7) Dumbwaiter means a hoisting and lowering mechanism, driven by

1 mechanical power, equipped with a car which moves in guides in a substantially  
2 vertical direction, the floor area of which does not exceed nine (9) square  
3 feet, whose total compartment height does not exceed four feet (4'), the  
4 capacity of which does not exceed five hundred pounds (500 lbs.), and which is  
5 used exclusively for carrying freight;

6 (8) Elevator means a hoisting and lowering mechanism equipped with a  
7 car or platform which moves in guides in a substantially vertical direction.

8 (A) The term elevator shall not include a dumbwaiter, conveyor,  
9 chain or bucket hoist, construction hoist, or similar devices used for the  
10 primary purpose of elevating or lowering materials, nor shall it include  
11 tiering, piling, feeding, or similar machines or devices giving service within  
12 only one (1) story.

13 (B) The term power elevator shall mean those driven by the  
14 application of energy other than hand or gravity.

15 (C) Hand elevators shall mean those driven by manual power.

16 (D) The term elevator shall include vertical wheelchair lifts,  
17 inclined wheelchair lifts, and inclined stairway chairlifts installed in  
18 locations other than in or at a private, single-family dwelling for use by the  
19 physically handicapped.

20 (9) Escalator means a power-driven, inclined, continuous stairway or  
21 runway used for raising or lowering passengers;

22 (10) Freight elevator means an elevator used for carrying freight and  
23 on which only the operator and the persons necessary for loading and unloading  
24 and such other designated persons as may be authorized by the rules of the  
25 board are permitted to ride;

26 (11) New installation, new elevator, dumbwaiter, or escalator  
27 means a complete elevator, dumbwaiter, or escalator installation, the  
28 application for the permit for the installation or relocation of which is  
29 filed on or after the effective date of application of the rules and  
30 regulations adopted by the board as provided in 20-24-106 (a)-(c). All other  
31 elevators, dumbwaiters, or escalators shall be deemed to be existing  
32 installations.

33 (12) Passenger elevator means an elevator that is used to carry  
34 persons other than the operator and persons necessary for loading and  
35 unloading and such other designated persons as may be authorized by the rules

1 of the board.

2

3 SECTION 2. All provisions of this act of a general and permanent nature  
4 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
5 Revision Commission shall incorporate the same in the Code.

6

7 SECTION 3. If any provision of this act or the application thereof to  
8 any person or circumstance is held invalid, such invalidity shall not affect  
9 other provisions or applications of the act which can be given effect without  
10 the invalid provision or application, and to this end the provisions of this  
11 act are declared to be severable.

12

13 SECTION 4. All laws and parts of laws in conflict with this act are  
14 hereby repealed.

15

16 APPROVED: 4-9-91

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33