

House Bill 2242

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Joint Interim Committee on Judiciary for Office of the Legislative Counsel)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Expands group of persons authorized to perform electrical work on elevators.

Allows issuance of new limited specialty licenses authorizing mechanical work on elevators.
Expands group of persons authorized to perform mechanical work on elevators located in industrial plants.

A BILL FOR AN ACT

1
2 Relating to elevators; creating new provisions; and amending ORS 460.035, 460.045, 460.047, 460.057
3 and 460.059.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. Section 2 of this 2005 Act is added to and made a part of ORS 479.510 to**
6 **479.860.**

7 **SECTION 2. Except as provided in ORS 460.035, only the following persons may install,**
8 **alter, repair or maintain the electrical systems of an elevator:**

9 (1) A person licensed under ORS 479.630 (6).

10 (2) A person licensed under ORS 479.630 (2) or (4) who is employed by:

11 (a) A licensed elevator contractor; or

12 (b) An electrical contractor subcontracting from a licensed elevator contractor.

13 (3) A person licensed under ORS 479.630 (3) or (5) for a branch of the electrical trade
14 recognized by the Electrical and Elevator Board as pertaining to elevators.

15 (4) A person licensed under ORS 479.630 (2), (3), (4) or (5), if conducting repairs on an
16 elevator located in an industrial plant.

17 (5) A person licensed under ORS 479.630 (7) as an apprentice to a person described in this
18 section.

19 **SECTION 3. ORS 460.035 is amended to read:**

20 460.035. (1) [No] Fees [shall be] **are not** required under ORS 460.005 to 460.175 to install, alter,
21 repair, operate or maintain an elevator:

22 (a) Under the supervision of the United States Government.

23 (b) That is a nonpower-driven lifting device.

24 (c) Located in a private residence, except for initial installation.

25 (2) [However, the Department of Consumer and Business Services may, at the request of the owner
26 or user thereof, make an inspection of the above exempt elevators and] **The owner or user of an el-**
27 **evator described in subsection (1) of this section may request that the Department of Con-**
28 **sumer and Business Services inspect the elevator. If the department performs the**
29 **inspection, the department, notwithstanding subsection (1) of this section, may collect the**
30 appropriate fee listed in ORS 460.165.

NOTE: Matter in **boldfaced** type in an amended section is new; matter [italic and bracketed] is existing law to be omitted.
New sections are in **boldfaced** type.

1 [(2)] (3) Pipes installed in an elevator hoistway prior to July 1, 1961, [which] **that** do not convey
 2 gases or liquids that would endanger life if discharged into the hoistway[, are not required to] **need**
 3 **not** be removed.

4 [(3)] (4) ORS 460.005 to 460.175 **and section 2 of this 2005 Act** do not apply to:

5 (a) Belt, bucket, scoop, roller or similar type material conveyors.

6 (b) Hoists for raising or lowering materials and which are provided with unguided hooks, slings
 7 and similar means for attachment to the materials.

8 (c) Material hoists used only to raise and lower building material in buildings under con-
 9 struction.

10 (d) Stackers that serve one floor only.

11 (e) Window-washing scaffolds.

12 (f) Nonpower-driven lifting devices.

13 (g) Amusement rides.

14 (h) Mine elevators.

15 (i) Elevators under the supervision of the United States Government.

16 (j) Elevators located in private residences, except for initial installation.

17 **SECTION 4.** ORS 460.045 is amended to read:

18 460.045. [Subject to] **Except as provided in** ORS 460.035, a person [shall] **may** not:

19 (1) Engage in the business of installation, alteration, repair or maintenance of an elevator
 20 without an elevator contractor's license.

21 (2) Install, alter, repair or maintain **the mechanical system of** an elevator unless the person
 22 possesses a valid license issued under ORS **460.057**, 460.059 or 479.630 (6) **or qualifies under ORS**
 23 **460.047**.

24 (3) Install, alter, or commence to install or alter, an elevator covered by ORS 460.005 to 460.175
 25 the plans and pertinent data for which have not been approved by the Department of Consumer and
 26 Business Services.

27 (4) Permit or suffer an elevator to be operated, without a current operating permit, on property
 28 [which] **that** the person owns, controls, manages or supervises.

29 (5) Act or offer to act as a certified elevator inspector unless the person has a current certif-
 30 icate of competency as an elevator inspector issued by the department.

31 (6) Place in service a new or altered elevator without a current operating permit issued after
 32 a satisfactory acceptance inspection made by the department and satisfactory acceptance tests per-
 33 formed in the presence of a member of the department's staff of elevator inspectors.

34 (7) Place in service an elevator [which] **that** has caused an injury to a person or persons until
 35 permission has been obtained from the department.

36 **SECTION 5.** ORS 460.047 is amended to read:

37 460.047. [Notwithstanding ORS 460.045 (2),] The following persons may conduct [electrical and]
 38 mechanical repairs on an elevator located in an industrial plant:

39 (1) **A general supervising electrician licensed under ORS 479.630 (2).**

40 [(1)] (2) A limited supervising electrician licensed under ORS 479.630 (3).

41 (3) **A general journeyman electrician licensed under ORS 479.630 (4).**

42 [(2)] (4) A limited journeyman electrician licensed under ORS 479.630 (5).

43 (5) **An industrial plant employee who is an owner or managing operator of the industrial**
 44 **plant.**

45 **SECTION 6.** ORS 460.057 is amended to read:

1 460.057. (1) The Department of Consumer and Business Services by rule shall establish criteria
2 for issuing a special limited license to a person who can document to the satisfaction of the de-
3 partment that the person possesses sufficient work experience in the mechanical aspects of elevator
4 installation, alteration, maintenance and repair acquired:

5 (a) Prior to [*October 23, 1999*] **April 1, 2001; or**

6 (b) **In work regulated under the Elevator Safety Law pursuant to an apprenticeship pro-**
7 **gram approved by the Electrical and Elevator Board under ORS 460.059.**

8 (2) [*The license shall limit the person to performing*] **A license issued under this section au-**
9 **thorizes the licensee to perform** mechanical installation, alteration, maintenance and repair on
10 elevators. **However,** the department may [*further*] establish conditions and limit the scope of work
11 that may be performed by a person licensed under this section.

12 **SECTION 7.** ORS 460.059 is amended to read:

13 460.059. The Electrical and Elevator Board shall establish by rule criteria for issuing a special
14 limited license to a person engaged in an approved apprenticeship program that [*allows the person*
15 *to engage in the installation, alteration, maintenance and repair of elevators*] **trains the person for**
16 **the trade licensed under ORS 460.057.** The board shall establish conditions and the specific scope
17 of work that may be performed by a person licensed under this section.

18 **SECTION 8.** **The amendments to ORS 460.057 by section 6 of this 2005 Act that create**
19 **ORS 460.057 (1)(b) apply to work performed before, on or after the effective date of this 2005**
20 **Act pursuant to an apprenticeship program approved by the Electrical and Elevator Board.**