

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

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Legislative Document

No. 114

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H. P. 73

House of Representatives, January 7, 1971

Referred to Committee on Legal Affairs. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Evans of Freedom.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-ONE

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**AN ACT Including Escalators and Manlifts in the Elevator Law.**

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Be it enacted by the People of the State of Maine, as follows:

**Sec. 1. R. S., T. 26, § 401, sub-§ 5, amended.** Subsection 5 of section 401 of Title 26 of the Revised Statutes, as amended, is further amended to read as follows:

5. Elevator. "Elevator" shall include escalators and manlifts and shall mean a hoisting and lowering mechanism equipped with a car or platform or load-carrying unit which is guided ~~in a substantially vertical direction, and shall include, including the doors, well, enclosures, means and appurtenances required by these regulations.~~ The term "elevator" shall not include a dumb-waiter, ~~endless belt~~ conveyor, chain or bucket hoist or temporary devices used for the primary purpose of elevating or lowering building materials or authorized personnel on a construction site, nor shall it include tiering, piling, feeding or other machines or devices giving service within only one story.

**Sec. 2. R. S., T. 26, § 40,1 sub-§§ 9 & 10, additional.** Section 401 of Title 26 of the Revised Statutes, as amended, is further amended by adding 2 new subsections, to read as follows:

9. Escalator. "Escalator" shall mean a power-driven, inclined, continuous stairway used for raising or lowering passengers.

10. Manlift. "Manlift" shall mean a device consisting of a power-driven endless belt or chains provided with steps or platforms and handholds attached to it for the transportation of personnel from floor to floor.

**Sec. 3. R. S., T. 26, § 461, amended.** The first sentence of the 2nd paragraph of section 461 of Title 26 of the Revised Statutes is amended to read as follows:

To maintain a certificate in force, either a state elevator inspector or an authorized elevator inspector shall inspect every passenger elevator periodically every ~~6th~~ 3rd calendar month and every freight elevator, **escalator and manlift** every ~~12th~~ 6th calendar month following the month in which the initial inspection has been made.

### STATEMENT OF FACT

Over the past several years, several escalators have been installed in Maine and more are in the planning stages at this time. We are not certain of the accident frequency rate involving escalators in Maine because they are exempt from our law at this time, but in reviewing the national figures as published by insurance companies and manufacturers, we find that many accidents are occurring. For the most part, these accidents involve only cuts, bruises and sprains but occasionally fatalities do occur and are usually multiple fatalities.

The same conditions apply to manlifts except that the accidents usually occur singularly and tend to be more severe. Improper design coupled with careless use and the fact that these devices are not enclosed throughout their height adds the possibility of falling considerable distances to those cuts, bruises and sprains mentioned above.

In either case, we feel that there are now enough of these devices in Maine to warrant inspection and certification. This will provide the passengers on manlifts and escalators the same protection as those using elevators.