

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

DATE: 5/16/95

(Filing No. H- 504)

LABOR

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
117TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 862, L.D. 1193, Bill, "An Act to Expand Elevator and Tramway Inspection Services"

Amend the bill by inserting after the enacting clause and before section 1 the following:

'Sec. 1. 26 MRSA §476, first ¶, as amended by PL 1977, c. 694, §456, is further amended to read:

The board shall formulate reasonable rules for the safe and proper construction, installation, alteration, repair, use, operation and inspection of elevators and tramways in the State. The rules must include standards for the review and audit of inspections performed by elevator inspectors not employed by the State. The rules shall must be adopted pursuant to Title 5, section 8051 et seq., and shall must conform as near as practicable to the established standards as approved by the American National Standards Institute. Such rules shall may not become effective sooner than 90 days after the date they are adopted, except that rules applying to the construction of new elevators and tramways shall may not become effective sooner than 6 months after the date they are adopted.'

Further amend the bill in section 1 in that part designated "~~§478.~~" in the first paragraph in the 3rd line (page 1, line 10 in L.D.) by inserting after the following: "inspector." the following: 'The board shall set the standards necessary to sit for the examination.'

Further amend the bill in section 1 in that part designated

R 48

COMMITTEE AMENDMENT "A" to H.P. 862, L.D. 1193

2 "§478." in the last paragraph by inserting after the first
sentence the following: 'The license fee must be set by the board
and may not exceed \$300.'

4
6 Further amend the bill in section 3 in that part designated
"§480." in the first paragraph in the last line (page 2, line 5
in L.D.) by inserting after the following: "licenses" the
8 following: 'or remove inspection endorsements from mechanics'
licenses'

10
12 Further amend the bill by inserting after section 3 the
following:

14 'Sec. 4. 26 MRSA §485-A is enacted to read:

16 §485-A. Inspector endorsement to elevator mechanic's license

18 An elevator mechanic may inspect elevators as long as the
20 mechanic has obtained an inspection endorsement to the mechanic's
license. The board shall establish rules to qualify and examine
22 mechanics to conduct elevator inspections. The board shall set
an examination fee which may not exceed the inspector's
24 examination fee and shall set endorsement and endorsement renewal
fees which may not exceed 1/3 of the inspector's license and
renewal fees.'

26
28 Further amend the bill by striking out all of section 5 and
inserting in its place the following:

30 'Sec. 5. 26 MRSA §490-E, as amended by PL 1989, c. 590, §10,
is further amended to read:

32 §490-E. Inspection fees

34
36 The initial inspection of elevators shall must be made by
the supervising inspector or a state inspector and the fee for
38 the initial inspection of each new or altered elevator shall must
be set by the board, not to exceed \$100, plus expenses.

40 The initial inspection of tramways shall must be made by the
supervising inspector, a state inspector or a licensed inspector
42 and the fee for the initial inspection of each new or altered
tramway shall must be set by the board, not to exceed \$100, plus
44 expenses.

46 The fee for each required inspection of elevators shall must
be set by the board, not to exceed \$100, plus \$10 for each
48 landing.

COMMITTEE AMENDMENT "A" to H.P. 862, L.D. 1193

2 The annual fee for the required inspections of tramways shall must be set by the board.

4 The certificate fee shall must be set by the board, not to exceed \$100.

6 When a tramway or elevator inspection has been made by a licensed ~~tramway~~ inspector, the inspector shall submit the inspection fee to the board along with an inspection report.

10 All fees and sums received shall must be deposited with the Treasurer of State to be credited to the General Fund.'

14 Further amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

18 Further amend the bill by inserting at the end before the statement of fact the following:

20 **FISCAL NOTE**

22 Authorizing certain examination and license fees pertaining to elevator and tramway inspection services will result in insignificant increases of General Fund revenue from fees collected by the Department of Labor.

28 The Department of Labor will incur some minor additional costs to administer certain testing and licensing requirements and to adopt certain rules. These costs can be absorbed within the department's existing budgeted resources.'

32 **STATEMENT OF FACT**

34 This amendment requires the Board of Elevator and Tramway Safety to adopt by rule the requirements necessary to sit for the elevator inspector exam and the standards for the audit and review of inspections performed by elevator inspectors not employed by the State. The amendment adds a provision allowing an elevator mechanic to inspect elevators if the mechanic has an inspection endorsement to the mechanic's license. The amendment allows the board to file a complaint with the Administrative Court to remove an inspection endorsement from an elevator mechanic's license. The amendment also removes the provision in the bill that would have allowed the initial inspection of an elevator to be made by an elevator inspector not employed by the State. The amendment requires the fees for inspections to be paid to the State and adds a fiscal note to the bill.