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**Commerce & Labor Committee**

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**ESSB 5942**

**Brief Description:** Concerning licensing requirements for elevator mechanics and contractors.

**Sponsors:** Senate Committee on Commerce & Trade (originally sponsored by Senators Reardon, Hewitt, Prentice and Honeyford).

**Brief Summary of Engrossed Substitute Bill**

- Exempts owners of conveyances who meet certain criteria from elevator permitting and licensing requirements.
- Permits persons who meet certain criteria to become licensed elevator mechanics without examination.
- Specifies the members of the elevator advisory committee.

**Hearing Date:** 3/24/03

**Staff:** Jill Reinmuth (786-7134).

**Background:**

The Department of Labor and Industries (L&I) administers and enforces state laws providing for the safe operation, installation, inspection, and repair of publicly and privately owned elevators, escalators, and other similar conveyances. In general these laws require owners to obtain installation permits from the L&I before conveyances are built, installed, moved, or altered. These laws also require owners to obtain operating permits for conveyances. The L&I must annually inspect and test conveyances. Consistent with its responsibility to administer and enforce these laws, the L&I has adopted rules and established fees for permits and inspections.

In 2002 the Legislature enacted legislation establishing licensing requirements for elevator contractors and mechanics, creating the elevator safety advisory committee, and prescribing penalties. Since then the L&I has begun preparing to implement this legislation.

## Summary of Bill:

State laws establishing licensing requirements for elevator contractors and mechanics, and creating the elevator safety advisory committee are modified as follows.

### Exemptions

Owners of conveyances who meet certain criteria are exempt from elevator permitting and elevator contractor and mechanic licensing requirements.

For maintenance of conveyances in agricultural, food, processing, energy, and manufacturing facilities, the criteria are as follows. The conveyances must not be public passenger elevators. The owner must provide training for maintenance employees to ensure safety and adherence to the manufacturer's operating specifications. The maintenance work must be performed only by: (1) licensed elevator mechanics; (2) employees who have attained journey level status and have completed training; or (3) employees who work on certain material lifts and conveyors and have completed training. The owner must also maintain maintenance logs and training logs. Allowing an unqualified person to perform maintenance work is a violation of the Washington Industrial Safety and Health Act (WISHA). Likewise, failing to maintain the logs is a violation of WISHA.

For the installation or maintenance of certain material lifts and similar conveyors, the criteria are as follows. The conveyances must be subject to American Society of Mechanical Engineers Standard B20.1 (Vertical Conveyors) and not be designed to convey workers. The installation or maintenance work must be performed only by employees of licensed elevator contractors who have completed training to ensure safety and adherence to the manufacturer's installation and operating specifications. The owner must also maintain installation and maintenance logs, and training logs. Failing to maintain the logs is a violation of WISHA.

For the maintenance of private residential conveyances, the criteria are as follows. The maintenance work must be performed at the direction of a person who owns the conveyance, owns the residence, and resides in the residence.

Persons who meet certain criteria may become licensed elevator mechanics without examination. These persons must have performed elevator construction or maintenance work for owners of conveyances or public agencies for at least three years.

### Advisory Committee

Advisory committee members are increased from five to seven. Advisory committee members must include:

- An elevator contractor;
- An elevator mechanic;
- An employer whose agricultural or industrial facilities use conveyances;
- An employee with five or more years experience repairing or maintaining conveyances for an agricultural or industrial employer;
- A manufacturer;

- An architect or engineer; and
- A representative of a municipality.

The advisory committee must review state elevator laws pertaining to private residential conveyances, and report its findings and recommendations to the Legislature by January 1, 2004.

#### Other Provisions

The L&I must suspend an elevator contractor and/or mechanic license after receiving notice from the Department of Social and Health Services (DSHS) that the licensee is not in compliance with a support order. The L&I must automatically reissue the license upon receipt of a release from the DSHS stating that the licensee is in compliance.

Additional terms, such as "repair," "replacement," and "maintenance," are defined, and other technical changes are made.

**Rules Authority:** The bill requires that rules implementing state laws on elevator contractor and mechanic licensing become effective on or after July 1, 2004.

**Appropriation:** None.

**Fiscal Note:** Requested on March 19, 2003.

**Effective Date:** The bill contains an emergency clause and takes effect immediately.