



**Filed: 10/25/2005**

09400SB0331ham001

LRB094 10152 RAS 49894 a

1 AMENDMENT TO SENATE BILL 331

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 331 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Elevator Safety and Regulation Act is  
5 amended by changing Sections 5, 10, 15, 20, 25, 35, 40, 45, 50,  
6 55, 60, 80, 90, 95, 105, 110, 120, 135, and 140 as follows:

7 (225 ILCS 312/5)

8 (Section scheduled to be repealed on January 1, 2013)

9 Sec. 5. Purpose. The purpose of this Act is to provide for  
10 the public safety of life and limb and to promote public safety  
11 awareness. The use of unsafe and defective lifting devices  
12 imposes a substantial probability of serious and preventable  
13 injury to employees and the public exposed to unsafe  
14 conditions. The prevention of these injuries and protection of  
15 employees and the public from unsafe conditions is in the best  
16 interest of the people of this State. Elevator personnel  
17 performing work covered by this Act shall, by documented  
18 training or experience or both, be familiar with the operation  
19 and safety functions of the components and equipment. Training  
20 and experience shall include, but not be limited to,  
21 recognizing the safety hazards and performing the procedures to  
22 which they are assigned in conformance with the requirements of  
23 the Act. This Act shall establish the minimum standards for  
24 elevator personnel.

1       ~~This Act is not intended to interfere with the powers of~~  
2 ~~municipalities or the home rule powers of a municipality with a~~  
3 ~~population over 500,000, including the power to license and~~  
4 ~~regulate any profession or occupation.~~

5       The provisions of this Act are not intended to prevent the  
6 use of systems, methods, or devices of equivalent or superior  
7 quality, strength, fire resistance, code effectiveness,  
8 durability, and safety to those required by the Act, provided  
9 that there is technical documentation to demonstrate the  
10 equivalency of the system, method, or device, as prescribed in  
11 ASME A17.1, ASME A18.1, or ASCE 21.

12       (Source: P.A. 92-873, eff. 6-1-03.)

13       (225 ILCS 312/10)

14       (Section scheduled to be repealed on January 1, 2013)

15       Sec. 10. Applicability.

16       (a) This Act covers the design, construction, operation,  
17 inspection, testing, maintenance, alteration, and repair of  
18 the following equipment, its associated parts, and its  
19 hoistways (except as modified by subsection (c) of this  
20 Section):

21           (1) Hoisting and lowering mechanisms equipped with a  
22 car or platform, which move between 2 or more landings.  
23 This equipment includes, but is not limited to, the  
24 following (also see ASME A17.1, ASME A17.3, ASME A18.1, and  
25 ANSI A10.4):

26                   (A) Elevators.

27                   (B) Platform lifts and stairway chair lifts.

28           (2) Power driven stairways and walkways for carrying  
29 persons between landings. This equipment includes, but is  
30 not limited to, the following (also see ASME A17.1 and ASME  
31 A17.3):

32                   (A) Escalators.

33                   (B) Moving walks.

1           (3) Hoisting and lowering mechanisms equipped with a  
2           car, which serves 2 or more landings and is restricted to  
3           the carrying of material by its limited size or limited  
4           access to the car. This equipment includes, but is not  
5           limited to, the following (also see ASME A17.1 and ASME  
6           A17.3):

7                   (A) Dumbwaiters.

8                   (B) Material lifts and dumbwaiters with automatic  
9           transfer devices.

10          (b) This Act covers the design, construction, operation,  
11          inspection, maintenance, alteration, and repair of automatic  
12          guided transit vehicles on guideways with an exclusive  
13          right-of-way. This equipment includes, but is not limited to,  
14          automated people movers (also see ASCE 21).

15          (c) This Act does not apply to the following equipment:

16                   (1) Material hoists.

17                   (2) Belt manlifts.

18                   (3) Mobile scaffolds, towers, and platforms, except  
19          those covered by ANSI A10.4.

20                   (4) Powered platforms and equipment for exterior and  
21          interior maintenance.

22                   (5) Conveyors and related equipment.

23                   (6) Cranes, derricks, hoists, hooks, jacks, and  
24          slings.

25                   (7) Industrial trucks.

26                   (8) Portable equipment, except for portable  
27          escalators.

28                   (9) Tiering or piling machines used to move materials  
29          to and from storage located and operating entirely within  
30          one story.

31                   (10) Equipment for feeding or positioning materials at  
32          machine tools, printing presses, etc.

33                   (11) Skip or furnace hoists.

34                   (12) Wharf ramps.

1 (13) Railroad car lifts or dumpers.

2 (14) Line jacks, false cars, shafters, moving  
3 platforms, and similar equipment used for installing an  
4 elevator by a contractor licensed in this State.

5 (15) Railway and Transit Systems.

6 (16) Conveyances located in a private residence not  
7 accessible to the public.

8 (17) Special purpose personnel elevators.

9 (d) This Act does not apply to a municipality with a  
10 population over 500,000.

11 (Source: P.A. 92-873, eff. 6-1-03.)

12 (225 ILCS 312/15)

13 (Section scheduled to be repealed on January 1, 2013)

14 Sec. 15. Definitions. For the purpose of this Act:

15 "Administrator" means the Office of the State Fire Marshal.

16 "ANSI A10.4" means the safety requirements for personnel  
17 hoists, an American National Standard.

18 "ASCE 21" means the American Society of Civil Engineers  
19 Automated People Mover Standards.

20 "ASME A17.1" means the Safety Code for Elevators and  
21 Escalators, an American National Standard.

22 "ASME A17.3" means the Safety Code for Existing Elevators  
23 and Escalators, an American National Standard.

24 "ASME A18.1" means the Safety Standard for Platform Lifts  
25 and Stairway Chairlifts, an American National Standard.

26 "Automated people mover" means an installation as defined  
27 as an "automated people mover" in ASCE 21.

28 "Board" means the Elevator Safety Review Board.

29 "Certificate of operation" means a certificate issued by  
30 the Administrator that indicates that the conveyance has passed  
31 the required safety inspection and tests and fees have been  
32 paid as set forth in this Act. The Administrator may issue a  
33 temporary certificate of operation that permits the temporary

1 use of a non-compliant conveyance by the general public for a  
2 limited time of 30 days while minor repairs are being  
3 completed.

4 "Conveyance" means any elevator, dumbwaiter, escalator,  
5 moving sidewalk, platform lifts, stairway chairlifts and  
6 automated people movers.

7 "Elevator" means an installation defined as an "elevator"  
8 in ASME A17.1.

9 "Elevator contractor" means any person, firm, or  
10 corporation who possesses an elevator contractor's license in  
11 accordance with the provisions of Sections 40 and 55 of this  
12 Act and who is engaged in the business of erecting,  
13 constructing, installing, altering, servicing, repairing, or  
14 maintaining elevators or related conveyance covered by this  
15 Act.

16 "Elevator contractor's license" means a license issued to  
17 an elevator contractor who has proven his or her qualifications  
18 and ability and has been authorized by the Elevator Safety  
19 Review Board to possess this type of license. It shall entitle  
20 the holder thereof to engage in the business of erecting,  
21 constructing, installing, altering, servicing, testing,  
22 repairing, or maintaining elevators or related conveyance  
23 covered by this Act. The Administrator may issue a limited  
24 elevator contractor's license authorizing a firm or company  
25 that employs individuals to carry on a business of erecting,  
26 constructing, installing, altering, servicing, repairing, or  
27 maintaining platform lifts and stairway chairlifts within any  
28 building or structure, excluding ~~including but not limited to~~  
29 private residences.

30 "Elevator helper" means an individual registered with the  
31 Administrator as an elevator helper. Elevator helpers must work  
32 under the direct supervision of a licensed elevator mechanic.

33 "Elevator industry apprentice" means an individual who is  
34 enrolled in an apprenticeship program approved by the Bureau of

1 Apprenticeship and Training of the U.S. Department of Labor and  
2 who is registered by the Administrator to perform work within  
3 the elevator industry under the direct supervision of a  
4 licensed elevator mechanic.

5 "Elevator inspector" means any person who possesses an  
6 elevator inspector's license in accordance with the provisions  
7 of this Act ~~or any person who performs the duties and functions~~  
8 ~~of an elevator inspector for any unit of local government with~~  
9 ~~a population greater than 500,000 prior to or on the effective~~  
10 ~~date of this Act.~~

11 "Elevator mechanic" means any person who possesses an  
12 elevator mechanic's license in accordance with the provisions  
13 of Sections 40 and 45 of this Act and who is engaged in  
14 erecting, constructing, installing, altering, servicing,  
15 repairing, or maintaining elevators or related conveyance  
16 covered by this Act.

17 "Elevator mechanic's license" means a license issued to a  
18 person who has proven his or her qualifications and ability and  
19 has been authorized by the Elevator Safety Review Board to work  
20 on conveyance equipment. It shall entitle the holder thereof to  
21 install, construct, alter, service, repair, test, maintain,  
22 and perform electrical work on elevators or related conveyance  
23 covered by this Act. The Administrator may issue a limited  
24 elevator mechanic's license authorizing an individual to carry  
25 on a business or erecting, constructing, installing, altering,  
26 servicing, repairing, or maintaining platform lifts and  
27 stairway chairlifts within any building or structure.

28 "Escalator" means an installation defined as an  
29 "escalator" in ASME A17.1.

30 "Existing installation" means an installation defined as  
31 an "installation, existing" in ASME A17.1.

32 "Inspector's license" means a license issued to a person  
33 who has proven his or her qualifications and ability and has  
34 been authorized by the Elevator Safety Review Board to possess

1 this type of license. It shall entitle the holder thereof to  
2 engage in the business of inspecting elevators or related  
3 conveyance covered by this Act.

4 "License" means a written license, duly issued by the  
5 Administrator, authorizing a person, firm, or company to carry  
6 on the business of erecting, constructing, installing,  
7 altering, servicing, repairing, maintaining, or performing  
8 inspections of elevators or related conveyance covered by this  
9 Act.

10 "Material alteration" means an "alteration" as defined by  
11 the Board.

12 "Moving walk" means an installation ~~as~~ defined as a "moving  
13 walk" in ASME A17.1.

14 "Private residence" means a separate dwelling or a separate  
15 apartment or condominium unit in a multiple-family ~~multiple~~  
16 dwelling that is occupied by members of a single-family unit.

17 "Repair" has the meaning defined by the Board, which does  
18 not require a permit.

19 "Special purpose personnel elevator" means an elevator  
20 that is limited in size, capacity, and speed and that is  
21 permanently installed in certain structures, including, but  
22 not limited to, grain elevators, radio antenna, bridge towers,  
23 underground facilities, dams, and power plants, to provide  
24 vertical transportation of authorized personnel and their  
25 tools and equipment only.

26 "Temporarily dormant" means an elevator, dumbwaiter, or  
27 escalator:

28 (1) with a power supply that has been disconnected by  
29 removing fuses and placing a padlock on the mainline  
30 disconnect switch in the "off" position;

31 (2) with a car that is parked and hoistway doors that  
32 are in the closed and latched position;

33 (3) with a wire seal on the mainline disconnect switch  
34 installed by a licensed elevator inspector;

1 (4) that shall not be used again until it has been put  
2 in safe running order and is in condition for use;

3 (5) requiring annual inspections for the duration of  
4 the temporarily dormant status by a licensed elevator  
5 inspector;

6 (6) that has a "temporarily dormant" status that is  
7 renewable on an annual basis, not to exceed a one-year  
8 period;

9 (7) requiring the inspector to file a report with the  
10 Administrator ~~chief elevator inspector~~ describing the  
11 current conditions; and

12 (8) with a wire seal and padlock that shall not be  
13 removed for any purpose without permission from the  
14 elevator inspector.

15 (Source: P.A. 92-873, eff. 6-1-03; revised 1-20-03.)

16 (225 ILCS 312/20)

17 (Section scheduled to be repealed on January 1, 2013)

18 Sec. 20. License or registration required.

19 (a) After July 1, 2003 through the effective date of this  
20 amendatory Act of the 94th General Assembly and after July 1,  
21 2006, no person shall erect, construct, wire, alter, replace,  
22 maintain, remove, or dismantle any conveyance contained within  
23 buildings or structures in the jurisdiction of this State  
24 unless he or she possesses an elevator mechanic's license under  
25 this Act and unless he or she works under the direct  
26 supervision of a person, firm, or company having an elevator  
27 contractor's license in accordance with Section 40 of this Act  
28 or exempted by that Section. However, a licensed elevator  
29 contractor is not required for removal or dismantling of  
30 conveyances that are destroyed as a result of a complete  
31 demolition of a secured building or structure or where the  
32 hoistway or wellway is demolished back to the basic support  
33 structure and where no access is permitted that would endanger



1 the safety and welfare of a person.

2 (b) After July 1, 2003 through the effective date of this  
3 amendatory Act of the 94th General Assembly and after July 1,  
4 2006, no person shall inspect any conveyance within buildings  
5 or structures, including, but not limited, to private  
6 residences, unless he or she has an inspector's license.

7 (c) After January 1, 2006, a person who is not licensed  
8 under subsection (a) may not work in the jurisdiction of this  
9 State as an elevator industry apprentice or helper unless he or  
10 she is registered as an elevator industry apprentice or helper  
11 by the Administrator and works under the direct supervision of  
12 an individual licensed under this Act as an elevator mechanic.  
13 The Administrator shall set elevator industry apprenticeship  
14 and helper qualifications and registration procedure by rule.

15 (Source: P.A. 92-873, eff. 6-1-03.)

16 (225 ILCS 312/25)

17 (Section scheduled to be repealed on January 1, 2013)

18 Sec. 25. Elevator Safety Review Board.

19 (a) There is hereby created within the Office of the State  
20 Fire Marshal the Elevator Safety Review Board, consisting of 13  
21 members. The Administrator shall appoint 3 members who shall be  
22 representatives of ~~a~~ fire service communities. The Governor  
23 shall appoint the remaining 10 members of the Board as follows:  
24 one representative from a major elevator manufacturing company  
25 or its authorized representative; one representative from an  
26 elevator servicing company; one representative of the  
27 architectural design profession; one representative of the  
28 general public; one representative of an advocacy group for  
29 people with physical disabilities ~~a municipality in this State~~  
30 ~~with a population over 500,000~~; one representative of a  
31 municipality in this State with a population under 25,000; one  
32 representative of a municipality in this State with a  
33 population of 25,000 or over but under 50,000; one

1 representative of a municipality in this State with a  
2 population of 50,000 or over but under 500,000; one  
3 representative of a building owner or manager; and one  
4 representative of labor involved in the installation,  
5 maintenance, and repair of elevators.

6 (b) The members constituting the Board shall be appointed  
7 for initial terms as follows:

8 (1) Of the members appointed by the Administrator, 2  
9 shall serve for a term of 2 years, and one for a term of 4  
10 years.

11 (2) Of the members appointed by the Governor, 2 shall  
12 serve for a term of one year, 2 for terms of 2 years, 2 for  
13 terms of 3 years, and 4 for terms of 4 years.

14 At the expiration of their initial terms of office, the  
15 members or their successors shall be appointed for terms of 4  
16 years each. Upon the expiration of a member's term of office,  
17 the officer who appointed that member shall reappoint that  
18 member or appoint a successor who is a representative of the  
19 same interests with which his or her predecessor was  
20 identified. The Administrator and the Governor may at any time  
21 remove any of their respective appointees for inefficiency or  
22 neglect of duty in office. Upon the death or incapacity of a  
23 member, the officer who appointed that member shall fill the  
24 vacancy for the remainder of the vacated term by appointing a  
25 member who is a representative of the same interests with which  
26 his or her predecessor was identified. The members shall serve  
27 without salary, but shall receive from the State expenses  
28 necessarily incurred by them in performance of their duties.  
29 The Governor shall appoint one of the members to serve as  
30 chairperson. The chairperson shall be the deciding vote in the  
31 event of a tie vote.

32 (Source: P.A. 92-873, eff. 6-1-03; revised 1-20-03.)

1 (Section scheduled to be repealed on January 1, 2013)

2 Sec. 35. Powers and duties of the Board.

3 (a) The Board shall consult with engineering authorities  
4 and organizations and adopt rules consistent with the  
5 provisions of this Act for the administration and enforcement  
6 of this Act. The Board may prescribe forms to be issued in  
7 connection with the administration and enforcement of this Act.  
8 The rules shall establish standards and criteria consistent  
9 with this Act for licensing of elevator mechanics, inspectors,  
10 and installers of elevators, including the provisions of the  
11 Safety Code for Elevators and Escalators (ASME A17.1), the  
12 Safety Code for Existing Elevators (ASME A17.3 ~~A18.1~~), the  
13 Standard for the Qualification of Elevator Inspectors (ASME  
14 QEI-1), the Automated People Mover Standards (ASCE 21), the  
15 Safety Requirements for Personnel Hoists and Employee  
16 Elevators ~~and the safety requirements for personnel hoists~~  
17 ~~(ANSI A10.4)~~, and the Safety Standard for Platform Lifts and  
18 Stairway Chairlifts (ASME A18.1).

19 (b) The Board shall have the authority to grant exceptions  
20 and variances from the literal requirements of applicable State  
21 codes, standards, and regulations in cases where such variances  
22 would not jeopardize the public safety and welfare. The Board  
23 shall have the authority to hear appeals, hold hearings, and  
24 decide upon such within 30 days of the appeal.

25 (c) The Board shall establish fee schedules for licenses,  
26 permits, certificates, and inspections. The fees shall be set  
27 at an amount necessary to cover the actual costs and expenses  
28 to operate the Board and to conduct the duties as described in  
29 this Act.

30 (d) The Board shall be authorized to recommend the  
31 amendments of applicable legislation, when appropriate, to  
32 legislators.

33 (e) The Administrator may solicit the advice and expert  
34 knowledge of the Board on any matter relating to the

1 administration and enforcement of this Act.

2 (f) The Administrator may employ professional, technical,  
3 investigative, or clerical help, on either a full-time or  
4 part-time basis, as may be necessary for the enforcement of  
5 this Act.

6 (g) (Blank). ~~The Board shall not have authority within~~  
7 ~~municipalities with a population over 500,000 that have a~~  
8 ~~municipal code that covers the design, construction,~~  
9 ~~operation, inspection, testing, maintenance, alteration, and~~  
10 ~~repair of elevators, dumbwaiters, escalators, and moving~~  
11 ~~walks.~~

12 (Source: P.A. 92-873, eff. 6-1-03.)

13 (225 ILCS 312/40)

14 (Section scheduled to be repealed on January 1, 2013)

15 Sec. 40. Application for contractor's license.

16 (a) Any person, firm, or company wishing to engage in the  
17 business of installing, altering, repairing, servicing,  
18 replacing, or maintaining elevators, dumbwaiters, escalators,  
19 or moving walks within this State shall make application for a  
20 license with the Administrator.

21 (b) All applications shall contain the following  
22 information:

23 (1) if the applicant is a person, the name, residence,  
24 and business address of the applicant;

25 (2) if the applicant is a partnership, the name,  
26 residence, and business address of each partner;

27 (3) if the applicant is a domestic corporation, the  
28 name and business address of the corporation and the name  
29 and residence address of the principal officer of the  
30 corporation;

31 (4) if the applicant is a corporation other than a  
32 domestic corporation, the name and address of an agent  
33 locally located who shall be authorized to accept service

1 of process and official notices;

2 (5) the number of years the applicant has engaged in  
3 the business of installing, inspecting, maintaining, or  
4 servicing elevators or platform lifts or both;

5 (6) if applying for an elevator contractor's license,  
6 the approximate number of persons, if any, to be employed  
7 by the elevator contractor applicant and, if applicable,  
8 satisfactory evidence that the employees are or will be  
9 covered by workers' compensation insurance;

10 (7) satisfactory evidence that the applicant is or will  
11 be covered by general liability, personal injury, and  
12 property damage insurance;

13 (8) any criminal record of convictions; and

14 (9) any other information as the Administrator may  
15 require.

16 (c) (Blank). ~~This Section does not apply to a person, firm,~~  
17 ~~or company located in a municipality with a population over~~  
18 ~~500,000 that provides for the licensure of contractors for work~~  
19 ~~performed within the corporate boundaries of a municipality~~  
20 ~~with a population over 500,000.~~

21 (Source: P.A. 92-873, eff. 6-1-03.)

22 (225 ILCS 312/45)

23 (Section scheduled to be repealed on January 1, 2013)

24 Sec. 45. Qualifications for elevator mechanic's license; i  
25 emergency and temporary licensure.

26 (a) No license shall be granted to any person who has not  
27 paid the required application fee.

28 (b) No license shall be granted to any person who has not  
29 proven his or her qualifications and abilities.

30 (c) Applicants for an elevator mechanic's license must  
31 demonstrate one of the following qualifications:

32 (1) an acceptable combination of documented experience  
33 and education credits consisting of: (A) not less than 3

1 years work experience in the elevator industry, in  
2 construction, maintenance, and service or repair, as  
3 verified by current and previous employers licensed to do  
4 business in this State; and (B) satisfactory completion of  
5 a written examination administered by the Elevator Safety  
6 Review Board or its designated provider on the adopted  
7 rules, referenced codes, and standards for the equipment  
8 the licensee is authorized to install;

9 (2) acceptable proof that he or she has worked as an  
10 elevator constructor, maintenance, or repair person for  
11 the equipment the licensee is authorized to install;  
12 acceptable proof shall consist of documentation that he or  
13 she worked without direct and immediate supervision for an  
14 elevator contractor who has worked on elevators in this  
15 State for a period of not less than 3 years immediately  
16 preceding ~~prior to~~ the effective date of the initial rules  
17 adopted by the Board under Section 35 of this Act that  
18 implement this Act; the person must make application by May  
19 1, 2006 ~~within one year of the effective date of this Act;~~

20 (3) a certificate of successful completion of the  
21 mechanic examination of a nationally recognized training  
22 program for the elevator industry such as the National  
23 Elevator Industry Educational Program or its equivalent  
24 based on the codes applicable to the type of license  
25 (elevator mechanic's license or limited elevator  
26 mechanic's license) for which the individual is applying;

27 (4) a certificate of completion of an elevator mechanic  
28 apprenticeship program with standards substantially equal  
29 to those of this Act and registered with the Bureau of  
30 Apprenticeship and Training, U.S. Department of Labor, or a  
31 State apprenticeship council; or

32 (5) a valid license from a state having standards  
33 substantially equal to those of this State.

34 (d) Whenever an emergency exists in the State due to

1 disaster or work stoppage and the number of persons in the  
2 State holding licenses granted by the Board is insufficient to  
3 cope with the emergency, the licensed elevator contractor shall  
4 respond as necessary to ensure the safety of the public. Any  
5 person certified by a licensed elevator contractor to have an  
6 acceptable combination of documented experience and education  
7 to perform elevator work without direct and immediate  
8 supervision shall seek an emergency elevator mechanic's  
9 license from the Administrator within 5 business days after  
10 commencing work requiring a license. The Administrator shall  
11 issue emergency elevator mechanic's licenses. The applicant  
12 shall furnish proof of competency as the Administrator may  
13 require. Each license shall recite that it is valid for a  
14 period of 30 days from the date thereof and for such particular  
15 elevators or geographical areas as the Administrator may  
16 designate and otherwise shall entitle the licensee to the  
17 rights and privileges of an elevator mechanic's license issued  
18 under this Act. The Administrator shall renew an emergency  
19 elevator mechanic's license during the existence of an  
20 emergency. No fee may be charged for any emergency elevator  
21 mechanic's license or renewal thereof.

22 (e) A licensed elevator contractor shall notify the  
23 Administrator when there are no licensed personnel available to  
24 perform elevator work. The licensed elevator contractor may  
25 request that the Administrator issue temporary elevator  
26 mechanic's licenses to persons certified by the licensed  
27 elevator contractor to have an acceptable combination of  
28 documented experience and education to perform elevator work  
29 without direct and immediate supervision. Any person certified  
30 by a licensed elevator contractor to have an acceptable  
31 combination of documented experience and education to perform  
32 elevator work without direct and immediate supervision shall  
33 immediately seek a temporary elevator mechanic's license from  
34 the Administrator and shall pay such fee as the Board shall

1 determine. The applicant for temporary licensure shall furnish  
2 proof of competency as the Administrator may require and for  
3 such particular elevators or geographical areas as the  
4 Administrator may designate. Each license shall recite that it  
5 is valid for a period of 30 days from the date of issuance and  
6 while employed by the licensed elevator contractor that  
7 certified the individual as qualified. It shall be renewable as  
8 long as the shortage of license holders continues.

9 (Source: P.A. 92-873, eff. 6-1-03.)

10 (225 ILCS 312/50)

11 (Section scheduled to be repealed on January 1, 2013)

12 Sec. 50. Qualifications for elevator inspector's license.

13 (a) No inspector's license shall be granted to any person  
14 who has not paid the required application fee.

15 (b) No inspector's license shall be granted to any person,  
16 unless he or she proves to the satisfaction of the  
17 Administrator that he or she meets the current ASME QEI-1,  
18 Standards for the Qualifications of Elevator Inspectors.

19 (c) (Blank). Notwithstanding the provisions of subsections  
20 (a) and (b) of this Section, the Administrator shall grant an  
21 elevator inspector's license to a person engaged in the  
22 practice of inspecting elevators in a municipality with a  
23 population over 500,000 who is engaged in business as an  
24 elevator inspector on the effective date of this Act.

25 (Source: P.A. 92-873, eff. 6-1-03.)

26 (225 ILCS 312/55)

27 (Section scheduled to be repealed on January 1, 2013)

28 Sec. 55. Qualifications for elevator contractor's license.

29 (a) No license shall be granted to any person or firm  
30 unless the appropriate application fee is paid.

31 (b) No license shall be granted to any person or firm who  
32 has not proven the required qualifications and abilities. An



1 applicant must demonstrate one of the following  
2 qualifications:

3 (1) five years work experience in the elevator industry  
4 in construction, maintenance, and service or repair, as  
5 verified by such documentation as the Board may require by  
6 rule; ~~current and previous elevator contractor's licenses~~  
7 ~~to do business, or~~

8 (1.5) satisfactory completion of a written examination  
9 administered by the Elevator Safety Review Board or its  
10 designated provider on the most recent referenced codes and  
11 standards; or

12 (2) proof that the individual or firm holds a valid  
13 license from a state having standards substantially equal  
14 to those of this State.

15 (c) (Blank). ~~This Section does not apply to a person or~~  
16 ~~firm engaged in business as an elevator contractor in a~~  
17 ~~municipality with a population over 500,000 that provides for~~  
18 ~~the licensure of elevator contractors for work performed within~~  
19 ~~the corporate boundaries of a municipality with a population~~  
20 ~~over 500,000.~~

21 (Source: P.A. 92-873, eff. 6-1-03.)

22 (225 ILCS 312/60)

23 (Section scheduled to be repealed on January 1, 2013)

24 Sec. 60. Issuance and renewal of licenses; fees.

25 (a) Upon approval of an application, the Administrator may  
26 issue a license that must be renewed every 2 years ~~biannually~~.  
27 The renewal fee for the license shall be set by the Board.

28 (b) (Blank). ~~Whenever an emergency exists in the State due~~  
29 ~~to disaster or work stoppage and the number of persons in the~~  
30 ~~State holding licenses granted by the Board is insufficient to~~  
31 ~~cope with the emergency, the licensed elevator contractor shall~~  
32 ~~respond as necessary to assure the safety of the public. Any~~  
33 ~~person certified by a licensed elevator contractor to have an~~

1 ~~acceptable combination of documented experience and education~~  
2 ~~to perform elevator work without direct and immediate~~  
3 ~~supervision shall seek an emergency elevator mechanic's~~  
4 ~~license from the Administrator within 5 business days after~~  
5 ~~commencing work requiring a license. The Administrator shall~~  
6 ~~issue emergency elevator mechanic's licenses. The applicant~~  
7 ~~shall furnish proof of competency as the Administrator may~~  
8 ~~require. Each license shall recite that it is valid for a~~  
9 ~~period of 30 days from the date thereof and for such particular~~  
10 ~~elevators or geographical areas as the Administrator may~~  
11 ~~designate and otherwise shall entitle the licensee to the~~  
12 ~~rights and privileges of a elevator mechanic's license issued~~  
13 ~~under this Act. The Administrator shall renew an emergency~~  
14 ~~elevator mechanic's license during the existence of an~~  
15 ~~emergency. No fee shall be charged for any emergency elevator~~  
16 ~~mechanic's license or renewal thereof.~~

17 (c) (Blank). ~~A licensed elevator contractor shall notify~~  
18 ~~the Administrator when there are no licensed personnel~~  
19 ~~available to perform elevator work. The licensed elevator~~  
20 ~~contractor may request that the Administrator issue temporary~~  
21 ~~elevator mechanic's licenses to persons certified by the~~  
22 ~~licensed elevator contractor to have an acceptable combination~~  
23 ~~of documented experience and education to perform elevator work~~  
24 ~~without direct and immediate supervision. Any person certified~~  
25 ~~by a licensed elevator contractor to have an acceptable~~  
26 ~~combination of documented experience and education to perform~~  
27 ~~elevator work without direct and immediate supervision shall~~  
28 ~~immediately seek a temporary elevator mechanic's license from~~  
29 ~~the Administrator and shall pay such fee as the Board shall~~  
30 ~~determine. Each license shall recite that it is valid for a~~  
31 ~~period of 30 days from the date of issuance and while employed~~  
32 ~~by the licensed elevator contractor that certified the~~  
33 ~~individual as qualified. It shall be renewable as long as the~~  
34 ~~shortage of license holders shall continue.~~

1           (d) The renewal of all licenses granted under the  
2 provisions of this Section shall be conditioned upon the  
3 submission of a certificate of completion of a course designed  
4 to ensure the continuing education of licensees on new and  
5 existing provisions of the rules of the Elevator Safety Review  
6 Board. Such course shall consist of not less than 8 hours of  
7 instruction that shall be attended and completed within one  
8 year immediately preceding any such license renewal.

9           (e) The courses referred to in subsection (d) of this  
10 Section shall be taught by instructors through continuing  
11 education providers that may include, but shall not be limited  
12 to, association seminars and labor training programs. The  
13 Elevator Safety Review Board shall approve the continuing  
14 education providers. All instructors shall be approved by the  
15 Board and shall be exempt from the requirements of subsection  
16 (d) of this Section with regard to their applications for  
17 license renewal, provided that such applicant was qualified as  
18 an instructor at any time during the one year immediately  
19 preceding the scheduled date for such renewal.

20           (f) A licensee who is unable to complete the continuing  
21 education course required under this Section prior to the  
22 expiration of his or her license due to a temporary disability  
23 may apply for a waiver from the Board. This shall be on a form  
24 provided by the Board, which shall be signed under the penalty  
25 of perjury and accompanied by a certified statement from a  
26 competent physician attesting to such temporary disability.  
27 Upon the termination of such temporary disability, the licensee  
28 shall submit to the Board a certified statement from the same  
29 physician, if practicable, attesting to the termination of the  
30 temporary disability, at which time a waiver sticker, valid for  
31 90 days, shall be issued to the licensee and affixed to his or  
32 her license.

33           (g) Approved training providers shall keep for a period of  
34 10 years uniform records of attendance of licensees following a

1 format approved by the Board. These records shall be available  
2 for inspection by the Board at its request. Approved training  
3 providers shall be responsible for the security of all  
4 attendance records and certificates of completion, provided  
5 that falsifying or knowingly allowing another to falsify  
6 attendance records or certificates of completion shall  
7 constitute grounds for suspension or revocation of the approval  
8 required under this Section.

9 (Source: P.A. 92-873, eff. 6-1-03.)

10 (225 ILCS 312/80)

11 (Section scheduled to be repealed on January 1, 2013)

12 Sec. 80. Registration of existing elevators, platform  
13 lifts, dumbwaiters, escalators, moving walks, and any other  
14 conveyance. Within 6 months after the date of the adoption of  
15 the initial rules that implement this Act ~~appointment of the~~  
16 ~~Board~~, the owner or lessee of every existing conveyance shall  
17 register with the Administrator each elevator, dumbwaiter,  
18 platform lift, escalator, or other device described in Section  
19 10 of this Act and provide the type, rated load and speed, name  
20 of manufacturer, its location, the purpose for which it is  
21 used, and such additional information as the Administrator may  
22 require. Elevators, dumbwaiters, platform lifts, escalators,  
23 moving walks, or other conveyances of which construction has  
24 begun subsequent to the date of the creation of the Board shall  
25 be registered at the time they are completed and placed in  
26 service.

27 (Source: P.A. 92-873, eff. 6-1-03.)

28 (225 ILCS 312/90)

29 (Section scheduled to be repealed on January 1, 2013)

30 Sec. 90. Permits.

31 (a) No conveyance covered by this Act shall be erected,  
32 constructed, installed, or altered within buildings or

1 structures within this State unless a permit has been obtained  
2 from the Administrator or a municipality or other unit of local  
3 government. If the permit is obtained from a municipality or  
4 other unit of local government, the municipality or other unit  
5 of local government that issued the permit shall keep the  
6 permit on file for a period of not less than one year from the  
7 date of issuance and send a copy to the Administrator for  
8 inspection. Where any material alteration is made, the device  
9 shall conform to applicable requirements in ASME A17.1, ASME  
10 A18.1, ASCE 21, or ANSI A10.4. No permit required under this  
11 Section shall be issued except to a person, firm, or  
12 corporation holding a current elevator contractor's license,  
13 duly issued pursuant to this Act. A copy of the permit shall be  
14 kept at the construction site at all times while the work is in  
15 progress.

16 (b) The permit fee shall be as set by the Board. Permit  
17 fees collected are non-refundable.

18 (c) Each application for a permit shall be accompanied by  
19 applicable fees and by copies of specifications and accurately  
20 scaled and fully dimensioned plans showing the location of the  
21 installation in relation to the plans and elevation of the  
22 building, the location of the machinery room and the equipment  
23 to be installed, relocated, or altered, and all structural  
24 supporting members, including foundations. The applicant shall  
25 also specify all materials to be employed and all loads to be  
26 supported or conveyed. These plans and specifications shall be  
27 sufficiently complete to illustrate all details of  
28 construction and design.

29 (d) Permits may be revoked for the following reasons:

30 (1) Any false statements or misrepresentation as to the  
31 material facts in the application, plans, or  
32 specifications on which the permit was based.

33 (2) The permit was issued in error and should not have  
34 been issued in accordance with the code.

1           (3) The work detailed under the permit is not being  
2 performed in accordance with the provisions of the  
3 application, plans, or specifications or with the code or  
4 conditions of the permit.

5           (4) The elevator contractor to whom the permit was  
6 issued fails or refuses to comply with a "stop work" order.

7           (5) If the work authorized by a permit is not commenced  
8 within 6 months after the date of issuance, or within a  
9 shorter period of time as the Administrator or his or her  
10 duly authorized representative in his or her discretion may  
11 specify at the time the permit is issued.

12           (6) If the work is suspended or abandoned for a period  
13 of 60 days, or shorter period of time as the Administrator  
14 or his or her duly authorized representative in his or her  
15 discretion may specify at the time the permit is issued,  
16 after the work has been started. For good cause, the  
17 Administrator or his or her representative may allow an  
18 extension of this period at his or her discretion.

19           (e) (Blank). ~~This Section does not apply to conveyances~~  
20 ~~located in a municipality with a population over 500,000 that~~  
21 ~~provides for permits of such conveyances.~~

22           (Source: P.A. 92-873, eff. 6-1-03.)

23           (225 ILCS 312/95)

24           (Section scheduled to be repealed on January 1, 2013)

25           Sec. 95. New installations; annual inspections and  
26 registrations.

27           (a) All new conveyance installations regulated by this Act  
28 shall be performed by a person, firm, or company to which a  
29 license to install or service conveyances has been issued.  
30 Subsequent to installation, the licensed person, firm, or  
31 company must certify compliance with the applicable Sections of  
32 this Act. Prior to any conveyance being used, the property  
33 owner or lessee must obtain a certificate of operation from the

1 Administrator, ~~unless the property is located within a~~  
2 ~~municipality with a population greater than 500,000.~~ A fee as  
3 authorized by Section 35 of set forth in this Act shall be paid  
4 for the certificate of operation. It shall be the  
5 responsibility of the licensed elevator contractor to complete  
6 and submit first time registration for new installations. ~~The~~  
7 ~~certificate of operation fee for newly installed platform lifts~~  
8 ~~and stairway chair lifts for private residences shall be~~  
9 ~~subsequent to an inspection by a licensed third party~~  
10 ~~inspection firm.~~

11 (b) (Blank). ~~The certificate of operation fee for all new~~  
12 ~~and existing platform and stairway chair lifts for private~~  
13 ~~residences and any renewal certificate fees shall be waived.~~  
14 ~~The Administrator or his or her designee shall inspect, in~~  
15 ~~accordance with the requirements set forth in this Act, all~~  
16 ~~newly installed and existing platform lifts and stairway chair~~  
17 ~~lifts for private residences subsequent to an inspection by a~~  
18 ~~person, firm, or company to which a license to inspect~~  
19 ~~conveyances has been issued, unless the private residence is~~  
20 ~~located within a municipality with a population greater than~~  
21 ~~500,000.~~

22 (c) A certificate of operation ~~referenced in subsections~~  
23 ~~(a) and (b) of this Section~~ is renewable annually, ~~except for~~  
24 ~~certificates issued for platform and stairway chairlifts for~~  
25 ~~private residences, which shall be valid for a period of 3~~  
26 ~~years.~~ Certificates of operation must be clearly displayed on  
27 or in each conveyance or in the machine room for use for the  
28 benefit of code enforcement staff.

29 (Source: P.A. 92-873, eff. 6-1-03.)

30 (225 ILCS 312/105)

31 (Section scheduled to be repealed on January 1, 2013)

32 Sec. 105. Enforcement.

33 (a) It shall be the duty of the Elevator Safety Review

1 Board to develop an enforcement program to ensure compliance  
2 with rules and requirements referenced in this Act. This shall  
3 include, but shall not be limited to, rules for identification  
4 of property locations that are subject to the rules and  
5 requirements; issuing notifications to violating property  
6 owners or operators, random on-site inspections, policies for  
7 administrative penalties, and tests on existing installations;  
8 witnessing periodic inspections and testing in order to ensure  
9 satisfactory performance by licensed persons, firms, or  
10 companies; and assisting in development of public awareness  
11 programs.

12 (b) Any person may make a request for an investigation into  
13 an alleged violation of this Act by giving notice to the  
14 Administrator of such violation or danger. The notice shall be  
15 in writing, shall set forth with reasonable particularity the  
16 grounds for the notice, and shall be signed by the person  
17 making the request. Upon the request of any person signing the  
18 notice, the person's name shall not appear on any copy of the  
19 notice or any record published, released, or made available.

20 (c) If, upon receipt of such notification, the  
21 Administrator determines that there are reasonable grounds to  
22 believe that such violation or danger exists, the Administrator  
23 shall cause to be made an investigation in accordance with the  
24 provisions of this Act as soon as practicable to determine if  
25 such violation or danger exists. If the Administrator  
26 determines that there are no reasonable grounds to believe that  
27 a violation or danger exists, he or she shall notify the party  
28 in writing of such determination.

29 (d) (Blank). ~~This Section does not apply within a~~  
30 ~~municipality with a population over 500,000.~~

31 (Source: P.A. 92-873, eff. 6-1-03.)

32 (225 ILCS 312/110)

33 (Section scheduled to be repealed on January 1, 2013)



1           Sec. 110. Liability.

2           (a) This Act shall not be construed to relieve or lessen  
3 the responsibility or liability of any person, firm, or  
4 corporation owning, operating, controlling, maintaining,  
5 erecting, constructing, installing, altering, inspecting,  
6 testing, or repairing any elevator or other related mechanisms  
7 covered by this Act for damages to person or property caused by  
8 any defect therein, nor does the State or any unit of local  
9 government assume any such liability or responsibility  
10 therefore or any liability to any person for whatever reason  
11 whatsoever by the adoption of this Act or any acts or omissions  
12 arising under this Act.

13           (b) Any owner or lessee who violates any of the provisions  
14 of this Act shall be fined in an amount not to exceed \$1,500  
15 per violation, per day.

16           (c) Compliance with this Act is not a defense to a legal  
17 proceeding.

18           (Source: P.A. 92-873, eff. 6-1-03.)

19           (225 ILCS 312/120)

20           (Section scheduled to be repealed on January 1, 2013)

21           Sec. 120. Inspection and testing.

22           (a) It shall be the responsibility of the owner of all new  
23 and existing conveyances located in any building or structure  
24 to have the conveyance inspected, at intervals determined by  
25 the Board, ~~annually~~ by a person, firm, or company to which a  
26 license to inspect conveyances has been issued. Subsequent to  
27 inspection, the licensed person, firm, or company must supply  
28 the property owner or lessee and the Administrator with a  
29 written inspection report describing any and all violations.  
30 Property owners shall have 30 days from the date of the  
31 published inspection report to be in full compliance by  
32 correcting the violations. The Administrator shall determine  
33 whether such violations have been corrected.

1 (b) (Blank). ~~It shall be the responsibility of the owner of~~  
2 ~~all conveyances to have a firm or company licensed as described~~  
3 ~~in this Act to ensure that the required inspection and test are~~  
4 ~~performed at intervals in compliance with ASME A17.1, ASME~~  
5 ~~A18.1, and ASCE 21.~~

6 (c) All tests shall be performed by a licensed elevator  
7 mechanic or licensed limited elevator mechanic who is licensed  
8 to perform work on that particular type of conveyance.

9 (Source: P.A. 92-873, eff. 6-1-03.)

10 (225 ILCS 312/135)

11 (Section scheduled to be repealed on January 1, 2013)

12 Sec. 135. Elevators in private residences. ~~The owner of a~~  
13 ~~conveyance located in his or her private residence may~~  
14 ~~register, pay the required fee, and have his or her existing~~  
15 ~~conveyance inspected.~~ The Administrator may ~~shall~~ provide  
16 ~~notice~~ to the owner of a ~~the~~ private residence information  
17 regarding ~~where the conveyance is located with relevant~~  
18 ~~information about conveyance safety requirements, including~~  
19 ~~the need to have the elevator periodically and timely inspected~~  
20 ~~and made safe. Any inspection performed shall be done solely at~~  
21 ~~the request and with the consent of the private residence~~  
22 ~~owner. No penalty provision of this Act shall apply to private~~  
23 ~~residence owners.~~

24 (Source: P.A. 92-873, eff. 6-1-03.)

25 (225 ILCS 312/140)

26 (Section scheduled to be repealed on January 1, 2013)

27 Sec. 140. Local regulation; home rule.

28 (a) The Administrator may enter into contracts with  
29 municipalities or counties under which the municipalities or  
30 counties shall (i) issue construction permits and certificates  
31 of operation, (ii) provide for inspection of elevators,  
32 including temporary operation inspections, and (iii) enforce

1 the applicable provisions of the Act. The municipality or  
2 county may choose to require inspections be performed by its  
3 own inspectors or by private certified elevator inspectors. The  
4 municipality or county may assess a reasonable fee for  
5 inspections performed by its inspectors. Each contract shall  
6 include a provision that the municipality or county shall  
7 maintain for inspection by the Administrator copies of all  
8 applications for permits issued, copies of each inspection  
9 report issued, and proper records showing the number of  
10 certificates of operation issued. Each contract shall also  
11 include a provision that each required inspection be conducted  
12 by a certified elevator inspector and any other provisions  
13 deemed necessary by the Administrator. A municipality within  
14 its corporate limits and a county within unincorporated areas  
15 within its boundaries may inspect, license, or otherwise  
16 regulate elevators and devices described in Section 10 of this  
17 Act, but any Any safety standards or regulations adopted by a  
18 municipality or county under this subsection must be at least  
19 as stringent as those provided for in this Act and the rules  
20 adopted under this Act. ~~A municipality or county that inspects,~~  
21 ~~licenses, or otherwise regulates elevators and devices~~  
22 ~~described in Section 10 of this Act may impose reasonable fees~~  
23 ~~to cover the cost of the inspection, licensure, or other~~  
24 ~~regulation.~~

25 (b) ~~A~~ ~~Except as otherwise provided in subsection (c), a~~  
26 home rule unit may not regulate the inspection or licensure of,  
27 or otherwise regulate, elevators and devices described in  
28 Section 10 of this Act in a manner less restrictive than the  
29 regulation by the State of those matters under this Act. This  
30 subsection is a limitation under subsection (i) of Section 6 of  
31 Article VII of the Illinois Constitution on the concurrent  
32 exercise by home rule units of powers and functions exercised  
33 by the State.

34 (c) (Blank). ~~This Act does not limit the home rule powers~~

1 ~~of a municipality with a population over 500,000, and this Act~~  
2 ~~shall not apply within such a municipality if that application~~  
3 ~~would be inconsistent with an ordinance adopted under those~~  
4 ~~home rule powers.~~

5 (Source: P.A. 92-873, eff. 6-1-03.)

6 Section 99. Effective date. This Act takes effect upon  
7 becoming law."