

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Elevator Safety and Regulation Act is
5 amended by changing Sections 35, 95, and 120 as follows:

6 (225 ILCS 312/35)

7 (Section scheduled to be repealed on January 1, 2013)

8 Sec. 35. Powers and duties of the Board and Administrator.

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

1 A18.1). The Board shall adopt or amend and adopt the latest
2 editions of the standards referenced in this subsection within
3 12 months after the effective date of the standards.

4 The Board shall make determinations authorized by this Act
5 regarding variances, interpretations, and the installation of
6 new technology. Such determinations shall have a binding
7 precedential effect throughout the State regarding equipment,
8 structure, or the enforcement of codes unless limited by the
9 Board to the fact-specific issues.

10 (b) The Administrator or Local Administrator shall have the
11 authority to grant exceptions and variances from the literal
12 requirements of applicable State codes, standards, and
13 regulations in cases where such variances would not jeopardize
14 the public safety and welfare. The Administrator has the right
15 to review and object to any exceptions or variances granted by
16 the Local Administrator. The Board shall have the authority to
17 hear appeals, for any denial by the Local Administrator or for
18 any denial or objection by the Administrator. The Board shall
19 hold hearings, and decide upon such within 30 days of the
20 appeal.

21 (c) The Board shall establish fee schedules for licenses,
22 and registrations issued by the Administrator. The Board shall
23 also establish fee schedules for permits, certificates, and
24 inspections for conveyances not under a Local Administrator.
25 The fees shall be set at an amount necessary to cover the
26 actual costs and expenses to operate the Board and to conduct

1 the duties as described in this Act.

2 (d) The Board shall be authorized to recommend the
3 amendments of applicable legislation, when appropriate, to
4 legislators.

5 (e) The Administrator may solicit the advice and expert
6 knowledge of the Board on any matter relating to the
7 administration and enforcement of this Act.

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

12 (g) (Blank).

13 (h) Notwithstanding anything else in this Section, the
14 following upgrade requirements of the 2007 edition of the
15 Safety Code for Elevators and Escalators (ASME A17.1) and the
16 2005 edition of the Safety Code for Existing Elevators (ASME
17 A17.3) must be completed by January 1, 2015, but the
18 Administrator or Local Administrator may not require their
19 completion prior to January 1, 2013:

20 (i) restricted opening of hoistway doors or car doors
21 on passenger elevators;

22 (ii) car illumination;

23 (iii) emergency operation and signaling devices;

24 (iv) phase reversal and failure protection;

25 (v) reopening device for power operated doors or gates;

26 (vi) stop switch pits; and

1 (vii) pit ladder installation in accordance with
2 Section 2.2.4.2 of ASME A17.1-2007.

3 (i) In the event that a conveyance regulated by this Act is
4 altered, the alteration shall comply with ASME A17.1.
5 Notwithstanding anything else in this Section, the
6 firefighter's emergency operation, and the hydraulic elevator
7 cylinder, including the associated safety devices outlined in
8 Section 4.3.3(b) of ASME A17.3-2005, are not required to be
9 upgraded unless: (1) there is an alteration, (2) the equipment
10 fails, or (3) failing to replace the equipment jeopardizes the
11 public safety and welfare as determined by the Local
12 Administrator or the Board.

13 (j) The Administrator may choose to require the inspection
14 of any conveyance to be performed by its own inspectors or by
15 third-party licensed inspectors employed by the Administrator.
16 (Source: P.A. 95-573, eff. 8-31-07; 96-54, eff. 7-23-09.)

17 (225 ILCS 312/95)

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

19 Sec. 95. New installations; annual inspections and
20 registrations.

21 (a) All new conveyance installations regulated by this Act
22 shall be performed by a person, firm, or company to which a
23 license to install or service conveyances has been issued.
24 Subsequent to installation, the licensed person, firm, or
25 company must certify compliance with the applicable Sections of

1 this Act. Prior to any conveyance being used, the property
2 owner or lessee must obtain a certificate of operation from the
3 Administrator or Local Administrator. A fee as authorized by
4 Section 35 of this Act or as set by the Local Administrator
5 shall be paid for the certificate of operation. It shall be the
6 responsibility of the owner to complete and submit first time
7 registration for new installations.

8 (b) (Blank).

9 (c) A certificate of operation is renewable annually,
10 except that a certificate of operation is renewable every 3
11 years for a conveyance (i) that is located in a building owned
12 and occupied by any church, synagogue, or other building,
13 structure, or place used primarily for religious worship and is
14 the only conveyance in the building, (ii) that is under the
15 jurisdiction of the Administrator, (iii) that is limited in use
16 to 2 levels, and (iv) for which the church, synagogue, or other
17 building, structure, or place used primarily for religious
18 worship has an annual maintenance examination that includes the
19 applicable category tests. For these occupancies, on-site
20 witnessing of the category test shall be witnessed every 3
21 years. Records of the applicable maintenance checks and
22 elevator category test results shall be maintained on-site by
23 the building owner. The certificates of operation or copy
24 thereof, must be clearly displayed in the conveyance for the
25 benefit of code enforcement staff.

26 (Source: P.A. 96-54, eff. 7-23-09.)

1 (225 ILCS 312/120)

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

3 Sec. 120. Inspection and testing.

4 (a) Except as provided in subsection (c) of Section 95 of
5 this Act, it ~~it~~ shall be the responsibility of the owner of all
6 new and existing conveyances located in any building or
7 structure to have the conveyance inspected annually by a
8 person, firm, or company to which a license to inspect
9 conveyances has been issued. Subsequent to inspection, the
10 licensed person, firm, or company must supply the property
11 owner or lessee and the Administrator with a written inspection
12 report describing any and all code violations. Property owners
13 shall have 30 days from the date of the published inspection
14 report to be in full compliance by correcting the violations.
15 The Administrator shall determine whether such violations have
16 been corrected and may extend the compliance dates for good
17 cause, provided that such violations are minor and pose no
18 threat to public safety.

19 (b) It shall be the responsibility of the owner of all
20 conveyances to have a licensed elevator contractor, as defined
21 in this Act, ensure that the required tests are performed at
22 intervals in compliance with the ASME A 17.1, ASME A 18.1 and
23 ASCE 21.

24 (c) All tests shall be performed by a licensed elevator
25 mechanic.

1 (Source: P.A. 94-698, eff. 11-22-05; 95-573, eff. 8-31-07.)

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.