

SENATE BILL NO. 684 (Substitute of Senate Bill No. 602 by Senator Nevers)

BY SENATOR NEVERS

AN ACT

To enact Subpart A-2, Part III of Chapter 7 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1597.1 and 1597.2, relative to elevators and conveyance devices; to provide for the office of state fire marshal to conduct a study and report on the cost of implementation and structure of fees necessary to require registration of elevator and conveyance devices, requiring compliance with certain codes, the issuance of inspector licenses, and the necessity for promulgation of administrative rules; to provide for certain reporting deadlines; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Subpart A-2, Part III of Chapter 7 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1597.1 and 1597.2, is hereby enacted to read as follows:

SUBPART A-2. CONVEYANCE DEVICES

§1597.1. Short title

This Subpart shall be known and may be cited as the "Conveyance Devices Safety Act".

§1597.2. Purpose; administration and enforcement; initial study

A.(1) The purpose of this Subpart is to provide for the safety of the persons utilizing and working with conveyance devices, as well as to promote public safety awareness by requiring conveyance device inspections by licensed elevator inspectors.

(2) The use of unsafe and defective conveyance devices increases the probability of injury to the persons exposed to these unsafe devices. The prevention of these injuries is in the best interest of the people of this state.

(3) Adequate protection for safety should be afforded in every

1 conveyance device to which this Subpart applies. The study shall include a
2 determination of whether such protection standards shall comply with the latest
3 editions of the American Society of Mechanical Engineers (ASME) Safety Code
4 for Elevators and Escalators, ASME A17.1; ASME Performance-Based Safety
5 Code for Elevators and Escalators, A17.7; the ASME Safety Code for Existing
6 Elevators and Escalators, A17.3; the ASME Safety Standards for Platform Lifts
7 and Stairway Chairlifts, A18.1; ASME Standard for the Qualification of
8 Elevator Inspectors, QEI-1; and Automated People Mover Standards, ASCE 21.

9 B.(1) The Department of Public Safety and Corrections, office of state
10 fire marshal, shall study the cost of implementation of and promulgation of
11 rules and regulations under the Administrative Procedure Act necessary to
12 adopt the standards set forth in this Subpart, and shall include in its study the
13 following:

14 (a) An inventory of the estimated number of elevators and conveyance
15 devices in Louisiana which would fall under the requirements of this Subpart.

16 (b) Whether and which standards of the American Society of
17 Mechanical Engineers and American National Standards Institute, Safety Code
18 for Elevators and Escalators and American Society of Mechanical Engineers
19 Safety Standards for Platform Lifts and Stairway Chairlifts, American Society
20 of Civil Engineers, Automated People Mover Standards, should be applicable
21 to conveyance devices or elevators, and that each conveyance device inspected
22 shall meet.

23 (c) Identification of fees necessary for the office of state fire marshal to
24 develop a registration and enforcement program to ensure compliance with
25 these national codes and requirements.

26 (d) The cost of such an enforcement program and identifying the means
27 of financing such costs. The study should include but not be limited to: the
28 identification of property locations which would be subject to regulation; the
29 mechanism for issuing notifications to violating property owners; the procedure
30 and cost of random onsite inspections and tests on existing installations, periodic

1 inspections and testing to ensure satisfactory installation; and the cost of
2 developing a public awareness program.

3 (e) A comparison of fee structures used in other states to enforce
4 compliance with the safety requirements of this Subpart.

5 (f) Recommendations on whether to "grandfather in" parishes,
6 municipalities or other entities which have adopted and enforce a nationally
7 recognized standard or code for conveyance devices, when those codes or
8 standards contain requirements that are substantially equal to the fire
9 marshal's code with respect to conveyance devices.

10 (g) Requirements for licensure of elevator inspectors.

11 (2) The office of state fire marshal shall include in its study input from
12 various groups and industry personnel, including but not limited to
13 representatives of major elevator manufacturing companies, representatives of
14 elevator servicing companies, representatives of the architectural design
15 profession, members of the general public who are physically disabled,
16 representatives of parishes and municipalities, representatives of building
17 owners or managers, and representatives of labor involved in the installation,
18 maintenance, and repair of elevators.

19 (3) On or before February 1, 2015, the office of state fire marshal shall
20 report the findings and recommendations of this study to the Senate Finance
21 Committee, the House Appropriations Committee, the Senate Commerce,
22 Consumer Protection and International Affairs Committee, and the House
23 Commerce Committee.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____