

HOUSE BILL 695

E4

5lr2310

By: **Delegates C. Wilson, Hill, Kramer, McConkey, Otto, Proctor, Smith,
Sophocleus, and Walker**

Introduced and read first time: February 12, 2015

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Vertical Reciprocating Conveyors – Safety Standards**

3 FOR the purpose of providing that vertical reciprocating conveyors are not considered
4 elevators for certain purposes and are regulated by certain safety standards;
5 requiring the Commissioner of Labor and Industry to adopt certain regulations; and
6 generally relating to safety standards for vertical reciprocating conveyors.

7 BY repealing and reenacting, without amendments,

8 Article – Public Safety

9 Section 12–801(a), (g), and (i)

10 Annotated Code of Maryland

11 (2011 Replacement Volume and 2014 Supplement)

12 BY adding to

13 Article – Public Safety

14 Section 12–801(v)

15 Annotated Code of Maryland

16 (2011 Replacement Volume and 2014 Supplement)

17 BY repealing and reenacting, with amendments,

18 Article – Public Safety

19 Section 12–805

20 Annotated Code of Maryland

21 (2011 Replacement Volume and 2014 Supplement)

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

23 That the Laws of Maryland read as follows:

24 **Article – Public Safety**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 12-801.

2 (a) In this subtitle the following words have the meanings indicated.

3 (g) "Commissioner" means the Commissioner of Labor and Industry or an
4 authorized representative of the Commissioner of Labor and Industry.

5 (i) "Elevator" means a hoisting and lowering machine equipped with a car or
6 platform that moves in guides in a substantially vertical direction and serves two or more
7 floors of a building or structure.

8 (v) **"VERTICAL RECIPROCATING CONVEYOR" MEANS A RECIPROCATING**
9 **POWER OR GRAVITY-ACTUATED UNIT THAT:**

10 (1) **IS NOT DESIGNED TO CARRY PASSENGERS OR AN OPERATOR; AND**

11 (2) **VERTICALLY CONVEYS MATERIAL OBJECTS BETWEEN TWO OR**
12 **MORE LEVELS.**

13 12-805.

14 (a) In this section, "assisted living program" has the meaning stated in § 19-1801
15 of the Health – General Article.

16 (b) The Commissioner shall administer and enforce Part II of this subtitle.

17 (c) (1) The Commissioner shall adopt regulations that conform generally to
18 the American National Standard/American Society of Mechanical Engineers Safety Code
19 for Elevators, Dumbwaiters, Escalators, and Moving Walks, ANSI Code A17.1-1971, and
20 all subsequent amendments and revisions to it.

21 (2) If necessary to fulfill the Commissioner's responsibilities under Part II
22 of this subtitle, the Commissioner shall:

23 (i) adopt regulations that amend standards set forth in the
24 American National Standard/American Society of Mechanical Engineers Safety Code for
25 Elevators, Dumbwaiters, Escalators, and Moving Walks, ANSI Code A17.1-1971, and all
26 subsequent amendments and revisions to it; and

27 (ii) adopt other regulations.

28 (3) The Commissioner may adopt regulations to authorize and regulate the
29 installation and inspection of noncommercial elevator units in assisted living programs
30 with five or fewer beds that are licensed by the Department of Health and Mental Hygiene
31 under § 19-1804.1 of the Health – General Article.

1 (4) The regulations shall be consistent with the requirements of § 12–1006
2 of this title.

3 **(D) (1) FOR PURPOSES OF THIS SUBTITLE, VERTICAL RECIPROCATING**
4 **CONVEYORS:**

5 **(I) ARE NOT CONSIDERED ELEVATORS; AND**

6 **(II) ARE REGULATED BY THE AMERICAN SOCIETY OF**
7 **MECHANICAL ENGINEERS SAFETY STANDARD FOR CONVEYORS AND RELATED**
8 **EQUIPMENT, ASME B20.1 – 2012, AND ALL SUBSEQUENT AMENDMENTS.**

9 **(2) THE COMMISSIONER SHALL ADOPT REGULATIONS THAT**
10 **CONFORM GENERALLY TO THE AMERICAN SOCIETY OF MECHANICAL ENGINEERS**
11 **SAFETY STANDARD FOR CONVEYORS AND RELATED EQUIPMENT, ASME**
12 **B20.1 – 2012, AND ALL SUBSEQUENT AMENDMENTS AND REVISIONS TO IT.**

13 **[(d)] (E)** The Commissioner may assign duties and functions imposed by Part II
14 of this subtitle to the chief elevator inspector.

15 **[(e)] (F)** The cost of administering Part II of this subtitle is provided for under
16 § 5–204 of the Labor and Employment Article.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2015.