

HOUSE BILL REPORT

ESHB 2313

As Amended by the Senate

Title: An act relating to enforcement of the elevator and other conveyances law.

Brief Description: Revising the regulation of elevators, escalators, and other conveyances.

Sponsors: By House Committee on Commerce/Lab (originally sponsored by Representatives Wood, Boldt and Conway; by request of Department of Labor & Industries).

Brief History:

Committee Activity:

Commerce & Labor: 1/12/98, 1/29/98 [DPS].

Floor Activity:

Passed House: 2/12/98, 95-1.

Senate Amended.

HOUSE COMMITTEE ON COMMERCE & LABOR

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives McMorris, Chairman; Honeyford, Vice Chairman; Conway, Ranking Minority Member; Wood, Assistant Ranking Minority Member; Boldt; Clements; Cole; Hatfield and Lisk.

Staff: Selwyn Walters (786-7117).

Background: The Department of Labor and Industries administers and enforces a statutory program providing for the safe operation, erection, installation, alteration, inspection, and repair of public and privately owned elevators, escalators, dumbwaiters, belt man lifts, moving walks, and other similar conveyances. The Department of Labor administers this program through the Supervisor of Building and Construction Safety Inspection Services. However, the Supervisor of Industrial Safety and Health is responsible for hand powered elevators, belt man lifts and one man capacity man lifts on grain elevators.

An installation permit must be obtained from the department before a conveyance is built, installed, moved, or altered. An operating permit is required for each conveyance

operated in the state. A permit is not required for repairs and replacement normally necessary for maintenance when parts of equivalent materials, strength, and design are used. The statute exempts from regulation conveyances within, and owned by a city with an elevator code of equal requirements to those of the department. The statute also exempts from regulation conveyances permanently removed from service, and certain lifts built temporarily for construction work. The statute requires annual inspection and testing of conveyances by the department.

The department has adopted rules, and has established fees for the enforcement and administration of the statute.

Summary of Bill: Adds and defines various elevating devices included in the term "conveyance."

Changes inspection responsibility for elevators, hand-powered elevators, belt man lifts, special purpose elevators, one-person capacity man lifts, and other conveyances from the Supervisor of Industrial Safety and Health to the Supervisor of Building and Construction Safety Inspection Services. Makes clear that only construction personnel may ride an elevator with a "limited use" permit, and that private residence conveyance owners are exempt from the operating permit requirement, unless he or she requests an operating permit.

The department may assess a penalty for violations of the elevator program.

The Department of Labor and Industries is prohibited from imposing new fees or increasing existing fees without prior approval from the Legislature.

EFFECT OF SENATE AMENDMENT(S): The Senate amendment deletes the requirement that the Department must seek legislative approval for fee increases.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Brings the elevator statute up-to-date with current industry standards and definitions. Improves safety by transferring the inspection authority for grain elevators from the Washington Industrial Safety and Health Act program to the elevator inspection program.

Testimony Against: None.

Testified: Ernie LaPalm, Acting Assistant Director, Speciality Compliance Services, Department of Labor and Industries; Jan Gould, Chief Elevator Inspector, Department of Labor and Industries; Suzanne Mager, Assistant Director for Legislative and Governmental Affairs, Department of Labor and Industries; Jonathan Schlueter, Pacific Northwest Grain and Feed Association; and Rod Kaufman, Building Owners and Managers Association.