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HOUSE BILL 1487

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State of Washington

66th Legislature

2019 Regular Session

**By** Representatives Chapman, Chandler, and Doglio; by request of Department of Labor & Industries

Read first time 01/23/19. Referred to Committee on Labor & Workplace Standards.

1 AN ACT Relating to extending the validity of temporary elevator  
2 licenses, expanding membership of the elevator safety advisory  
3 committee, allowing homeowners to remove certain conveyances from  
4 their residences, and eliminating duplicate paperwork; and amending  
5 RCW 70.87.080, 70.87.220, 70.87.250, and 70.87.270.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 **Sec. 1.** RCW 70.87.080 and 2003 c 143 s 14 are each amended to  
8 read as follows:

9 (1) A permit shall be obtained from the department before  
10 performing work, other than maintenance, on a conveyance under the  
11 jurisdiction of the department.

12 (2) The installer of the conveyance shall submit an application  
13 for the permit (~~in duplicate~~), along with a set of plans when  
14 required, in a form that the department may prescribe.

15 (3) The permit and associated plans issued by the department  
16 shall be kept posted conspicuously at the site of installation.

17 (4) A permit is not required for maintenance.

18 (5) After the effective date of rules adopted under this chapter  
19 establishing licensing requirements, the department may issue a  
20 permit for conveyance work only to an elevator contractor unless the  
21 permit is for conveyance work on private residence conveyances.

1 (~~(After July 1, 2004, the department may not issue a permit for~~  
2 ~~conveyance work on private residence conveyances to a person other~~  
3 ~~than an elevator contractor.)~~)

4 **Sec. 2.** RCW 70.87.220 and 2003 c 143 s 7 are each amended to  
5 read as follows:

6 (1) The department may adopt the rules necessary to establish and  
7 administer the elevator safety advisory committee. The purpose of the  
8 advisory committee is to advise the department on the adoption of  
9 rules that apply to conveyances; methods of enforcing and  
10 administering this chapter; and matters of concern to the conveyance  
11 industry and to the individual installers, owners, and users of  
12 conveyances.

13 (2) The advisory committee shall consist of not less than seven  
14 persons nor more than nine persons. The director of the department or  
15 his or her designee with the advice of the chief elevator inspector  
16 shall appoint the committee members as follows:

17 (a) A minimum of one and a maximum of two representatives of  
18 licensed elevator contractors;

19 (b) A minimum of one and a maximum of two representatives of  
20 elevator mechanics licensed to perform all types of conveyance work;

21 (c) A minimum of one and a maximum of two representatives of  
22 owner-employed mechanics exempt from licensing requirements under RCW  
23 70.87.270;

24 (d) One registered architect or professional engineer  
25 representative;

26 (e) A minimum of one and a maximum of two building owners or  
27 manager representatives;

28 (f) A minimum of one and a maximum of two registered general  
29 commercial contractor representatives; and

30 (g) One ad hoc member representing ((a)) each municipality  
31 maintaining jurisdiction of conveyances in accordance with RCW  
32 (~~(70.87.210 [70.87.200])~~) 70.87.200(2).

33 (3) The committee members shall serve terms of four years.

34 (4) The committee shall meet on the third Tuesday of February,  
35 May, August, and November of each year, and at other times at the  
36 discretion of the chief elevator inspector. The committee members  
37 shall serve without per diem or travel expenses.

38 (5) The chief elevator inspector shall be the secretary for the  
39 advisory committee.

1       **Sec. 3.** RCW 70.87.250 and 2009 c 36 s 11 are each amended to  
2 read as follows:

3       (1) Upon approval of an application, the department may issue a  
4 license that is biennially renewable. Each license may include a  
5 photograph of the licensee. The fee for the license and for any  
6 renewal shall be set by the department in rule.

7       (2) The department may issue temporary elevator mechanic  
8 licenses. These temporary elevator mechanic licenses will be issued  
9 to those certified as qualified and competent by licensed elevator  
10 contractors. The company shall furnish proof of competency as the  
11 department may require. Each license may include a photograph of the  
12 licensee. Each license must recite that it is valid for a period of  
13 (~~thirty days~~) one year from the date of issuance and for such  
14 particular conveyance or geographical areas as the department may  
15 designate, and otherwise entitles the licensee to the rights and  
16 privileges of an elevator mechanic license issued in this chapter. A  
17 temporary elevator mechanic license may be renewed by the department  
18 and a fee as established in rule must be charged for any temporary  
19 elevator mechanic license or renewal.

20       (3) The renewal of all licenses granted under this section is  
21 conditioned upon the submission of a certificate of completion of a  
22 course designed to ensure the continuing education of licensees on  
23 new and existing rules of the department. The course must consist of  
24 not less than eight hours of instruction that must be attended and  
25 completed within one year immediately preceding any license renewal.

26       (4) The courses must be taught by instructors through continuing  
27 education providers that may include, but are not limited to,  
28 association seminars and labor training programs. The department must  
29 approve the continuing education providers. All instructors must be  
30 approved by the department and are exempt from the requirements of  
31 subsection (3) of this section with regard to his or her application  
32 for license renewal, provided that such applicant was qualified as an  
33 instructor at any time during the one year immediately preceding the  
34 scheduled date for such renewal.

35       (5) A licensee who is unable to complete the continuing education  
36 course required under this section before the expiration of his or  
37 her license due to a temporary disability may apply for a waiver from  
38 the department. This will be on a form provided by the department and  
39 signed under the pains and penalties of perjury and accompanied by a  
40 certified statement from a competent physician attesting to the

1 temporary disability. Upon the termination of the temporary  
2 disability, the licensee must submit to the department a certified  
3 statement from the same physician, if practicable, attesting to the  
4 termination of the temporary disability. At which time a waiver  
5 sticker, valid for ninety days, must be issued to the licensee and  
6 affixed to his or her license.

7 (6) Approved training providers must keep uniform records, for a  
8 period of ten years, of attendance of licensees and these records  
9 must be available for inspection by the department at its request.  
10 Approved training providers are responsible for the security of all  
11 attendance records and certificates of completion. However,  
12 falsifying or knowingly allowing another to falsify attendance  
13 records or certificates of completion constitutes grounds for  
14 suspension or revocation of the approval required under this section.

15 **Sec. 4.** RCW 70.87.270 and 2003 c 143 s 4 are each amended to  
16 read as follows:

17 (1) The licensing requirements of this chapter do not apply to  
18 the maintenance of conveyances specified in (a) of this subsection if  
19 a person specified in (b) of this subsection performs the maintenance  
20 and the owner complies with the requirements specified in (c) and (d)  
21 of this subsection.

22 (a) The conveyance: (i) Must be a conveyance other than a  
23 passenger elevator to which the general public has access; and (ii)  
24 must be located in a facility in which agricultural products are  
25 stored, food products are processed, goods are manufactured, energy  
26 is generated, or similar industrial or agricultural processes are  
27 performed.

28 (b) The person performing the maintenance: (i) Must be regularly  
29 employed by the owner; (ii) must have completed the training  
30 described in (c) of this subsection; and (iii) must have attained  
31 journey level status in an electrical or mechanical trade, but only  
32 if the employer has or uses an established journey level program to  
33 train its electrical or mechanical trade employees and the employees  
34 perform maintenance in the course of their regular employment.

35 (c) The owner must provide the persons specified in (b) of this  
36 subsection adequate training to ensure worker safety and adherence to  
37 the published operating specifications of the conveyance  
38 manufacturer, the applicable provisions of this chapter, and any  
39 rules adopted under this chapter.

1 (d) The owner also must maintain both a maintenance log and a  
2 training log. The maintenance log must describe maintenance work  
3 performed on the conveyance and identify the person who performed the  
4 work. The training log must describe the course of study provided to  
5 the persons specified in (b) of this subsection, including whether it  
6 is general or conveyance specific, and when the persons completed the  
7 course of study.

8 (2) It is a violation of chapter 49.17 RCW for an owner or an  
9 employer: (a) To allow a conveyance exempt from the licensing  
10 requirements of this chapter under subsection (1) of this section to  
11 be maintained by a person other than a person specified in subsection  
12 (1)(b) of this section or a licensee; or (b) to fail to maintain the  
13 logs required under subsection (1)(d) of this section.

14 (3) The licensing requirements of this chapter do not apply to  
15 homeowners, or persons employed by homeowners, for permanent removal  
16 of a stairway chair lift or a platform lift located in a private  
17 residence as described in the American Society of Mechanical  
18 Engineers A18.1 Safety Standard for Platform Lifts and Stairway  
19 Chairlifts, Sections 5, 6, and 7.

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