

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5471

Chapter 151, Laws of 2019

66th Legislature
2019 Regular Session

ELEVATORS AND CONVEYANCES--TEMPORARY LICENSES--SAFETY ADVISORY
COMMITTEE--REMOVAL BY HOMEOWNERS

EFFECTIVE DATE: July 28, 2019

Passed by the Senate February 13, 2019
Yeas 47 Nays 0

KAREN KEISER

President of the Senate

Passed by the House April 12, 2019
Yeas 94 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Approved April 26, 2019 11:25 AM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Brad Hendrickson, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5471** as passed by Senate and the House of Representatives on the dates hereon set forth.

BRAD HENDRICKSON

Secretary

FILED

April 29, 2019

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5471

Passed Legislature - 2019 Regular Session

State of Washington

66th Legislature

2019 Regular Session

By Senate Labor & Commerce (originally sponsored by Senators King and Keiser; by request of Department of Labor & Industries)

READ FIRST TIME 01/30/19.

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

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

7 **Sec. 1.** RCW 70.87.220 and 2003 c 143 s 7 are each amended to
8 read as follows:

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

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

20 (a) A minimum of one and a maximum of two representatives of
21 licensed elevator contractors;

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

3 (c) A minimum of one and a maximum of two representatives of
4 owner-employed mechanics exempt from licensing requirements under RCW
5 70.87.270;

6 (d) One registered architect or professional engineer
7 representative;

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

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

12 (g) One ad hoc member representing ((a)) each municipality
13 maintaining jurisdiction of conveyances in accordance with RCW
14 ((70.87.210 [70.87.200])) 70.87.200(2).

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

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

20 (5) The chief elevator inspector shall be the secretary for the
21 advisory committee.

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

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

28 (2) The department may issue temporary elevator mechanic
29 licenses. These temporary elevator mechanic licenses will be issued
30 to those certified as qualified and competent by licensed elevator
31 contractors. The company shall furnish proof of competency as the
32 department may require. Each license may include a photograph of the
33 licensee. Each license must recite that it is valid for a period of
34 ((~~thirty days~~)) one year from the date of issuance and for such
35 particular conveyance or geographical areas as the department may
36 designate, and otherwise entitles the licensee to the rights and
37 privileges of an elevator mechanic license issued in this chapter. A
38 temporary elevator mechanic license may be renewed by the department

1 and a fee as established in rule must be charged for any temporary
2 elevator mechanic license or renewal.

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

9 (4) The courses must be taught by instructors through continuing
10 education providers that may include, but are not limited to,
11 association seminars and labor training programs. The department must
12 approve the continuing education providers. All instructors must be
13 approved by the department and are exempt from the requirements of
14 subsection (3) of this section with regard to his or her application
15 for license renewal, provided that such applicant was qualified as an
16 instructor at any time during the one year immediately preceding the
17 scheduled date for such renewal.

18 (5) A licensee who is unable to complete the continuing education
19 course required under this section before the expiration of his or
20 her license due to a temporary disability may apply for a waiver from
21 the department. This will be on a form provided by the department and
22 signed under the pains and penalties of perjury and accompanied by a
23 certified statement from a competent physician attesting to the
24 temporary disability. Upon the termination of the temporary
25 disability, the licensee must submit to the department a certified
26 statement from the same physician, if practicable, attesting to the
27 termination of the temporary disability. At which time a waiver
28 sticker, valid for ninety days, must be issued to the licensee and
29 affixed to his or her license.

30 (6) Approved training providers must keep uniform records, for a
31 period of ten years, of attendance of licensees and these records
32 must be available for inspection by the department at its request.
33 Approved training providers are responsible for the security of all
34 attendance records and certificates of completion. However,
35 falsifying or knowingly allowing another to falsify attendance
36 records or certificates of completion constitutes grounds for
37 suspension or revocation of the approval required under this section.

38 **Sec. 3.** RCW 70.87.270 and 2003 c 143 s 4 are each amended to
39 read as follows:

1 (1) The licensing requirements of this chapter do not apply to
2 the maintenance of conveyances specified in (a) of this subsection if
3 a person specified in (b) of this subsection performs the maintenance
4 and the owner complies with the requirements specified in (c) and (d)
5 of this subsection.

6 (a) The conveyance: (i) Must be a conveyance other than a
7 passenger elevator to which the general public has access; and (ii)
8 must be located in a facility in which agricultural products are
9 stored, food products are processed, goods are manufactured, energy
10 is generated, or similar industrial or agricultural processes are
11 performed.

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

19 (c) The owner must provide the persons specified in (b) of this
20 subsection adequate training to ensure worker safety and adherence to
21 the published operating specifications of the conveyance
22 manufacturer, the applicable provisions of this chapter, and any
23 rules adopted under this chapter.

24 (d) The owner also must maintain both a maintenance log and a
25 training log. The maintenance log must describe maintenance work
26 performed on the conveyance and identify the person who performed the
27 work. The training log must describe the course of study provided to
28 the persons specified in (b) of this subsection, including whether it
29 is general or conveyance specific, and when the persons completed the
30 course of study.

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

37 (3) The licensing requirements of this chapter do not apply to
38 homeowners, or persons employed by homeowners, for permanent removal
39 of a stairway chair lift or a platform lift located in a private
40 residence as described in the American Society of Mechanical

1 Engineers A18.1 Safety Standard for Platform Lifts and Stairway
2 Chairlifts, Sections 5, 6, and 7.

Passed by the Senate February 13, 2019.

Passed by the House April 12, 2019.

Approved by the Governor April 26, 2019.

Filed in Office of Secretary of State April 29, 2019.

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