

SENATE BILL REPORT

SB 5942

As Reported By Senate Committee On:
Commerce & Trade, March 5, 2003

Title: An act relating to licensing requirements for elevator mechanics and contractors.

Brief Description: Concerning licensing requirements for elevator mechanics and contractors.

Sponsors: Senators Reardon, Hewitt, Prentice and Honeyford.

Brief History:

Committee Activity: Commerce & Trade: 2/26/03, 3/5/03 [DPS].

SENATE COMMITTEE ON COMMERCE & TRADE

Majority Report: That Substitute Senate Bill No. 5942 be substituted therefor, and the substitute bill do pass.

Signed by Senators Honeyford, Chair; Hewitt, Vice Chair; Franklin and Mulliken.

Staff: John Dzedzic (786-7784)

Background: A "conveyance" is a device used to lift or move passengers or freight, such as an elevator, escalator, dumbwaiter, or moving walk. Persons constructing, installing, relocating or altering a conveyance must be licensed by the Department of Labor and Industries (L&I) under Chapter 70.87 RCW. Constructing, installing, relocating, altering, maintaining or operating a conveyance without a permit or without a license is a misdemeanor.

In 2002, Chapter 70.87 RCW was amended to add licensing requirements for elevator mechanics and elevator contractors. The Director of L&I was also authorized to appoint a five-member elevator safety advisory committee, and to adopt rules that apply to conveyances.

Summary of Substitute Bill: A regularly employed worker at a manufacturing, industrial or agricultural facility is not required to obtain an elevator mechanic's license in order to repair or maintain most conveyances at the facility, if the worker has been provided training by the employer that ensures (a) the safety of workers, and (b) adherence to published operating specifications of the conveyance manufacturer. If there is an established journeyman training program at the facility, the worker must also have attained journeyman status. This exception to the licensing requirement does not apply to the maintenance or repair of passenger elevators at the facility that are normally accessible to the general public.

It is a violation of the Industrial Safety and Health Act for an employer to (a) allow maintenance to be performed on a conveyance by anyone other than a licensed elevator mechanic or an employee authorized by the statute, or (b) not keep proper training and maintenance records.

The membership of the elevator safety advisory committee is specified. The department must adopt rules, effective on or after July 1, 2004, to implement the licensing requirement and other provisions of the act.

Substitute Bill Compared to Original Bill: An exemption of certain types of conveyances from regulation by the Department of Labor and Industries is eliminated. An exemption from the licensing requirement for employees who maintain an employer's conveyances at the owner's residence, farm or place of business is also eliminated.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: A bill passed last year established a licensing requirement for people who install and maintain elevators. The bill inadvertently affected many skilled workers in industrial facilities who have years of experience in safely maintaining material lifts, conveyors, and other devices used in industrial operations. These conveyances are typically not accessible by the public. Requiring these workers to obtain licenses does not improve safety, is impractical and will result in increased costs, loss of jobs, and production delays.

Testimony Against: It is unwise and unsafe to allow unlicensed, untrained, and untested workers to maintain or perform repairs on elevators, which are potentially lethal devices. Licensing is the only way to assure continued competency concerning these very complex machines.

Testified: PRO: Senator Aaron Reardon, prime sponsor; Dan Coyne, WA State Council of Farmer Cooperatives; Llewellyn Matthews, NW Pulp and Paper Assn.; Joe Shaw, Port Townsend Paper Corp.; Robert Hemsley, Assn. of Western Pulp and Paper Workers; John DeWitt, Paper, Allied Industrial Chemical and Energy Workers; Craig Voegele, Boise Co.; Cody Benson, Assn. of WA Business; Bob Oury, Pace Material Handling, Inc.; Robert McLaughlin, Tramway Users Group; Bill Gill, Longview Fibre; CON: Charles Val, James Bender, IUEC Local 19; Steve Powell, KONE, Inc.; Rod Kaufman, Building Owners and Managers Assn.; CONCERNS: Ernie LaPalm, Dotty Stanlaske, Dept. of Labor & Industries.