



## 94TH GENERAL ASSEMBLY

### State of Illinois

2005 and 2006

HB4120

Introduced 10/06/05, by Rep. David R. Leitch

#### SYNOPSIS AS INTRODUCED:

225 ILCS 312/15  
225 ILCS 312/20  
225 ILCS 312/25  
225 ILCS 312/35  
225 ILCS 312/40  
225 ILCS 312/43 new  
225 ILCS 312/47 new  
225 ILCS 312/57 new  
225 ILCS 312/70  
225 ILCS 312/80  
225 ILCS 312/90  
225 ILCS 312/95  
225 ILCS 312/100  
225 ILCS 312/107 new  
225 ILCS 312/120  
225 ILCS 312/135

Amends the Elevator Safety and Regulation Act. Provides for the licensure of accessibility contractors and accessibility technicians. Makes changes in Sections concerning definitions, licensure, the Elevator Safety Review Board, the Administrative Procedure Act, registration, permits, new installations and certificates of operation (rather than annual inspections), insurance requirements, inspections and testing, and residential accessibility conveyances (rather than elevators in private residences). Effective immediately.

LRB094 14111 RAS 49009 b

CORRECTIONAL  
BUDGET AND  
IMPACT NOTE ACT  
MAY APPLY

FISCAL NOTE ACT  
MAY APPLY

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Elevator Safety and Regulation Act is  
5 amended by changing Sections 15, 20, 25, 35, 40, 70, 80, 90,  
6 95, 100, 120, and 135 and by adding Sections 43, 47, 57, and  
7 107 as follows:

8 (225 ILCS 312/15)

9 (Section scheduled to be repealed on January 1, 2013)

10 Sec. 15. Definitions. For the purpose of this Act:

11 "Accessibility contractor" means any person, firm, or  
12 corporation that possesses an accessibility contractor's  
13 license in accordance with the provisions of Sections 43 and 57  
14 of this Act and who is engaged in the business of erecting,  
15 constructing, installing, altering, servicing, testing,  
16 repairing, or maintaining an accessibility conveyance covered  
17 by this Act.

18 "Accessibility contractor's license" means a license  
19 issued to an accessibility contractor who has proven his or her  
20 qualifications and ability and has been authorized by the  
21 Elevator Safety Review Board to engage in the business of  
22 erecting, constructing, installing, altering, servicing,  
23 testing, repairing, or maintaining accessibility conveyances.

24 "Accessibility conveyance" means any of the following:

25 (1) A platform lift or stairway chairlift, as defined  
26 under National Code Standard Reference ASME A18.1.

27 (2) A private residence elevator, as defined under  
28 National Code Standard Reference ASME A17.1, Part 5.3.

29 (3) A dumbwaiter without an automatic transfer device,  
30 as defined by ASME A17.1, Parts 7.1 and 7.2, that is  
31 erected, constructed, installed, altered, serviced,  
32 repaired, or maintained in a private residence.

1           (4) A limited use/limited application (LULA) elevator,  
2           as defined under ASME A17.1 Part 5.2.

3           "Accessibility technician" means any person who possesses  
4           an accessibility technician's license in accordance with the  
5           provisions of Sections 43 and 47 of this Act and who is engaged  
6           in erecting, constructing, installing, altering, servicing,  
7           testing, repairing, or maintaining accessibility conveyances  
8           covered by this Act.

9           "Accessibility technician's license" means a license  
10           issued to a person who has proven his or her qualifications and  
11           ability and has been authorized by the Elevator Safety Review  
12           Board to erect, install, construct, alter, service, repair,  
13           test, maintain, and perform electrical work on an accessibility  
14           conveyance.

15           "Administrator" means the Office of the State Fire Marshal.

16           "ANSI A10.4" means the safety requirements for personnel  
17 hoists, an American National Standard.

18           "ASCE 21" means the American Society of Civil Engineers  
19 Automated People Mover Standards.

20           "ASME A17.1" means the Safety Code for Elevators and  
21 Escalators, an American National Standard.

22           "ASME A17.3" means the Safety Code for Existing Elevators  
23 and Escalators, an American National Standard.

24           "ASME A18.1" means the Safety Standard for Platform Lifts  
25 and Stairway Chairlifts, an American National Standard.

26           "Automated people mover" means an installation as defined  
27 as an "automated people mover" in ASCE 21.

28           "Board" means the Elevator Safety Review Board.

29           "Certificate of operation" means a certificate issued by  
30 the Administrator that indicates that the conveyance has passed  
31 the required safety inspection and tests and fees have been  
32 paid as set forth in this Act. The Administrator may issue a  
33 temporary certificate of operation that permits the temporary  
34 use of a non-compliant conveyance by the general public for a  
35 limited time of 30 days while minor repairs are being  
36 completed.

1 "Conveyance" means any elevator, dumbwaiter, escalator,  
2 moving sidewalk, platform lifts, stairway chairlifts and  
3 automated people movers.

4 "Elevator" means an installation defined as an "elevator"  
5 in ASME A17.1.

6 "Elevator contractor" means any person, firm, or  
7 corporation who possesses an elevator contractor's license in  
8 accordance with the provisions of Sections 40 and 55 of this  
9 Act and who is engaged in the business of erecting,  
10 constructing, installing, altering, servicing, repairing, or  
11 maintaining elevators or related conveyance covered by this  
12 Act.

13 "Elevator contractor's license" means a license issued to  
14 an elevator contractor who has proven his or her qualifications  
15 and ability and has been authorized by the Elevator Safety  
16 Review Board to possess this type of license. It shall entitle  
17 the holder thereof to engage in the business of erecting,  
18 constructing, installing, altering, servicing, testing,  
19 repairing, or maintaining elevators or related conveyance  
20 covered by this Act. ~~The Administrator may issue a limited~~  
21 ~~elevator contractor's license authorizing a firm or company~~  
22 ~~that employs individuals to carry on a business of erecting,~~  
23 ~~constructing, installing, altering, servicing, repairing, or~~  
24 ~~maintaining platform lifts and stairway chairlifts within any~~  
25 ~~building or structure, including but not limited to private~~  
26 ~~residences.~~

27 "Elevator inspector" means any person who possesses an  
28 elevator inspector's license in accordance with the provisions  
29 of this Act or any person who performs the duties and functions  
30 of an elevator inspector for any unit of local government with  
31 a population greater than 500,000 prior to or on the effective  
32 date of this Act.

33 "Elevator mechanic" means any person who possesses an  
34 elevator mechanic's license in accordance with the provisions  
35 of Sections 40 and 45 of this Act and who is engaged in  
36 erecting, constructing, installing, altering, servicing,

1 repairing, or maintaining elevators or related conveyance  
2 covered by this Act.

3 "Elevator mechanic's license" means a license issued to a  
4 person who has proven his or her qualifications and ability and  
5 has been authorized by the Elevator Safety Review Board to work  
6 on conveyance equipment. It shall entitle the holder thereof to  
7 install, construct, alter, service, repair, test, maintain,  
8 and perform electrical work on elevators or related conveyance  
9 covered by this Act.

10 "Escalator" means an installation defined as an  
11 "escalator" in ASME A17.1.

12 "Existing installation" means an installation defined as  
13 an "installation, existing" in ASME A17.1.

14 "Inspector's license" means a license issued to a person  
15 who has proven his or her qualifications and ability and has  
16 been authorized by the Elevator Safety Review Board to possess  
17 this type of license. It shall entitle the holder thereof to  
18 engage in the business of inspecting elevators or related  
19 conveyance covered by this Act.

20 "License" means a written license, duly issued by the  
21 Administrator, authorizing a person, firm, or company to carry  
22 on the business of erecting, constructing, installing,  
23 altering, servicing, repairing, maintaining, or performing  
24 inspections of elevators or related conveyance covered by this  
25 Act.

26 "Material alteration" means an "alteration" as defined by  
27 the Board.

28 "Moving walk" means an installation ~~as~~ defined as a "moving  
29 walk" in ASME A17.1.

30 "Private residence" means a separate dwelling or a separate  
31 apartment in a multiple dwelling that is occupied by members of  
32 a single-family unit.

33 "Repair" has the meaning defined by the Board, which does  
34 not require a permit.

35 "Temporarily dormant" means an elevator, dumbwaiter, or  
36 escalator:

1 (1) with a power supply that has been disconnected by  
2 removing fuses and placing a padlock on the mainline  
3 disconnect switch in the "off" position;

4 (2) with a car that is parked and hoistway doors that  
5 are in the closed and latched position;

6 (3) with a wire seal on the mainline disconnect switch  
7 installed by a licensed elevator inspector;

8 (4) that shall not be used again until it has been put  
9 in safe running order and is in condition for use;

10 (5) requiring annual inspections for the duration of  
11 the temporarily dormant status by a licensed elevator  
12 inspector;

13 (6) that has a "temporarily dormant" status that is  
14 renewable on an annual basis, not to exceed a one-year  
15 period;

16 (7) requiring the inspector to file a report with the  
17 chief elevator inspector describing the current  
18 conditions; and

19 (8) with a wire seal and padlock that shall not be  
20 removed for any purpose without permission from the  
21 elevator inspector.

22 (Source: P.A. 92-873, eff. 6-1-03; revised 1-20-03.)

23 (225 ILCS 312/20)

24 (Section scheduled to be repealed on January 1, 2013)

25 Sec. 20. License required.

26 (a) After July 1, 2003, no person shall erect, construct,  
27 wire, alter, replace, maintain, remove, or dismantle any  
28 conveyance contained within buildings or structures in the  
29 jurisdiction of this State unless he or she possesses an  
30 elevator mechanic's license under this Act and unless he or she  
31 works under the direct supervision of a person, firm, or  
32 company having an elevator contractor's license in accordance  
33 with Section 40 of this Act or exempted by that Section.  
34 However, a licensed elevator contractor is not required for  
35 removal or dismantling of conveyances that are destroyed as a

1 result of a complete demolition of a secured building or  
2 structure or where the hoistway or wellway is demolished back  
3 to the basic support structure and where no access is permitted  
4 that would endanger the safety and welfare of a person.

5 (a-5) On or after the effective date of this amendatory Act  
6 of the 94th General Assembly, no person shall erect, construct,  
7 wire, alter, replace, maintain, remove, or dismantle any  
8 accessibility conveyance contained within buildings or  
9 structures in the jurisdiction of this State unless he or she  
10 possesses an accessibility conveyance technician's license  
11 under this Act and unless he or she works under the direct  
12 supervision of a person, firm, or company having an  
13 accessibility conveyance contractor's license in accordance  
14 with Section 43 of this Act or exempted by that Section.  
15 However, a licensed accessibility contractor is not required  
16 for removal or dismantling of conveyances that are destroyed as  
17 a result of a complete demolition of a secured building or  
18 structure or where the hoistway or wellway is demolished back  
19 to the basic support structure and where no access is permitted  
20 that would endanger the safety and welfare of a person.

21 (b) After July 1, 2003, no person shall inspect any  
22 conveyance within buildings or structures, including, but not  
23 limited, to private residences, unless he or she has an  
24 inspector's license.

25 (Source: P.A. 92-873, eff. 6-1-03.)

26 (225 ILCS 312/25)

27 (Section scheduled to be repealed on January 1, 2013)

28 Sec. 25. Elevator Safety Review Board.

29 (a) There is hereby created within the Office of the State  
30 Fire Marshal the Elevator Safety Review Board, consisting of 17  
31 ~~13~~ members. The Administrator shall appoint 3 members who shall  
32 be representatives of ~~of a~~ fire service communities. The  
33 Governor shall appoint the remaining 14 ~~10~~ members of the Board  
34 as follows: one representative from a major elevator  
35 manufacturing company or its authorized representative; one

1 representative from an elevator servicing company; one  
2 representative of the architectural design profession; one  
3 representative of the general public who is not affiliated with  
4 any other group specified in this Section; one representative  
5 of a municipality in this State with a population over 500,000  
6 who is not affiliated with any other group specified in this  
7 Section; one representative of a municipality in this State  
8 with a population under 25,000 who is not affiliated with any  
9 other group specified in this Section; one representative of a  
10 municipality in this State with a population of 25,000 or over  
11 but under 50,000 who is not affiliated with any other group  
12 specified in this Section; one representative of a municipality  
13 in this State with a population of 50,000 or over but under  
14 500,000 who is not affiliated with any other group specified in  
15 this Section; one representative of a building owner or  
16 manager; ~~and~~ one representative of labor involved in the  
17 installation, maintenance, and repair of elevators; 2  
18 representatives of the disabled community recommended by the  
19 Illinois Network of Centers for Independent Living; one  
20 representative of the aging community recommended by the  
21 Illinois Association of Area Agencies on Aging; and one  
22 licensed accessibility conveyance contractor who is a member of  
23 Associated Builders and Contractors.

24 (b) The members constituting the Board shall be appointed  
25 for initial terms as follows:

26 (1) Of the members appointed by the Administrator, 2  
27 shall serve for a term of 2 years, and one for a term of 4  
28 years.

29 (2) Of the members appointed by the Governor, 2 shall  
30 serve for a term of one year, 2 for terms of 2 years, 2 for  
31 terms of 3 years, and 4 for terms of 4 years.

32 (3) Of the members appointed by the Governor pursuant  
33 to this amendatory Act of the 94th General Assembly, 2  
34 shall serve for a term of 2 years and 2 shall serve for a  
35 term of 4 years.

36 At the expiration of their initial terms of office, the

1 members or their successors shall be appointed for terms of 4  
2 years each. Upon the expiration of a member's term of office,  
3 the officer who appointed that member shall reappoint that  
4 member or appoint a successor who is a representative of the  
5 same interests with which his or her predecessor was  
6 identified. The Administrator and the Governor may at any time  
7 remove any of their respective appointees for inefficiency or  
8 neglect of duty in office. Upon the death or incapacity of a  
9 member, the officer who appointed that member shall fill the  
10 vacancy for the remainder of the vacated term by appointing a  
11 member who is a representative of the same interests with which  
12 his or her predecessor was identified. The members shall serve  
13 without salary, but shall receive from the State expenses  
14 necessarily incurred by them in performance of their duties.  
15 The Governor shall appoint one of the members to serve as  
16 chairperson. The chairperson shall be the deciding vote in the  
17 event of a tie vote.

18 (Source: P.A. 92-873, eff. 6-1-03; revised 1-20-03.)

19 (225 ILCS 312/35)

20 (Section scheduled to be repealed on January 1, 2013)

21 Sec. 35. Powers and duties of the Board.

22 (a) The Board shall consult with engineering authorities  
23 and organizations and adopt rules consistent with the  
24 provisions of this Act for the administration and enforcement  
25 of this Act. The Board may prescribe forms to be issued in  
26 connection with the administration and enforcement of this Act.  
27 The rules shall establish standards and criteria consistent  
28 with this Act for licensing of elevator mechanics, inspectors,  
29 and installers of elevators, including the provisions of the  
30 Safety Code for Elevators and Escalators (ASME A17.1), the  
31 Safety Code for Existing Elevators (ASME A18.1), the Standard  
32 for the Qualification of Elevator Inspectors (ASME QEI-1), the  
33 Automated People Mover Standards (ASCE 21), and the safety  
34 requirements for personnel hoists (ANSI A10.4). The rules shall  
35 also establish standards and criteria consistent with this Act

1 for licensing of accessibility conveyance technicians and  
2 accessibility conveyance contractors, including the provisions  
3 of the Safety Code for Platform Lifts and Stairway Chairlifts  
4 (ASME A18.1), the Safety Code for Private Residence Elevators  
5 (ASME A17.1, Part 5.3), the Safety Code for Dumbwaiters without  
6 Automatic Transfer Devices (ASME A17.1, Parts 7.1 and 7.2), and  
7 the Safety Code for Limited Use/Limited Application elevators  
8 (ASME 17.1, Part 5.2).

9 (b) The Board shall have the authority to grant exceptions  
10 and variances from the literal requirements of applicable State  
11 codes, standards, and regulations in cases where such variances  
12 would not jeopardize the public safety and welfare. The Board  
13 shall have the authority to hear appeals, hold hearings, and  
14 decide upon such within 30 days of the appeal.

15 (c) The Board shall establish fee schedules for licenses,  
16 permits, certificates, and inspections. The fees shall be set  
17 at an amount necessary to cover the actual costs and expenses  
18 to operate the Board and to conduct the duties as described in  
19 this Act.

20 (d) The Board shall be authorized to recommend the  
21 amendments of applicable legislation, when appropriate, to  
22 legislators.

23 (e) The Administrator may solicit the advice and expert  
24 knowledge of the Board on any matter relating to the  
25 administration and enforcement of this Act.

26 (f) The Administrator may employ professional, technical,  
27 investigative, or clerical help, on either a full-time or  
28 part-time basis, as may be necessary for the enforcement of  
29 this Act.

30 (g) The Board shall not have authority within  
31 municipalities with a population over 500,000 that have a  
32 municipal code that covers the design, construction,  
33 operation, inspection, testing, maintenance, alteration, and  
34 repair of elevators, dumbwaiters, escalators, and moving  
35 walks.

36 (Source: P.A. 92-873, eff. 6-1-03.)

1 (225 ILCS 312/40)

2 (Section scheduled to be repealed on January 1, 2013)

3 Sec. 40. Application for elevator contractor's license.

4 (a) Any person, firm, or company wishing to engage in the  
5 business of installing, altering, repairing, servicing,  
6 replacing, or maintaining elevators, dumbwaiters, escalators,  
7 or moving walks within this State shall make application for a  
8 license with the Administrator.

9 (b) All applications shall contain the following  
10 information:

11 (1) if the applicant is a person, the name, residence,  
12 and business address of the applicant;

13 (2) if the applicant is a partnership, the name,  
14 residence, and business address of each partner;

15 (3) if the applicant is a domestic corporation, the  
16 name and business address of the corporation and the name  
17 and residence address of the principal officer of the  
18 corporation;

19 (4) if the applicant is a corporation other than a  
20 domestic corporation, the name and address of an agent  
21 locally located who shall be authorized to accept service  
22 of process and official notices;

23 (5) the number of years the applicant has engaged in  
24 the business of installing, inspecting, maintaining, or  
25 servicing elevators or platform lifts or both;

26 (6) if applying for an elevator contractor's license,  
27 the approximate number of persons, if any, to be employed  
28 by the elevator contractor applicant and, if applicable,  
29 satisfactory evidence that the employees are or will be  
30 covered by workers' compensation insurance;

31 (7) satisfactory evidence that the applicant is or will  
32 be covered by general liability, personal injury, and  
33 property damage insurance;

34 (8) any criminal record of convictions; and

35 (9) any other information as the Administrator may

1 require.

2 (c) This Section does not apply to a person, firm, or  
3 company located in a municipality with a population over  
4 500,000 that provides for the licensure of contractors for work  
5 performed within the corporate boundaries of a municipality  
6 with a population over 500,000.

7 (Source: P.A. 92-873, eff. 6-1-03.)

8 (225 ILCS 312/43 new)

9 (Section scheduled to be repealed on January 1, 2013)

10 Sec. 43. Application for accessibility conveyance  
11 contractor's license.

12 (a) Any person, firm, or company wishing to engage in the  
13 business of installing, altering, repairing, servicing,  
14 replacing, or maintaining accessibility conveyances within  
15 this State shall make application for a license with the  
16 Administrator.

17 (b) All applications shall contain the following  
18 information:

19 (1) if the applicant is a person, the name, residence,  
20 and business address of the applicant;

21 (2) if the applicant is a partnership, the name,  
22 residence, and business address of each partner;

23 (3) if the applicant is a domestic corporation, the  
24 name and business address of the corporation and the name  
25 and residence address of the principal officer of the  
26 corporation;

27 (4) if the applicant is a corporation other than a  
28 domestic corporation, the name and address of an agent  
29 locally located who shall be authorized to accept service  
30 of process and official notices;

31 (5) the number of years the applicant has engaged in  
32 the business of installing, inspecting, maintaining, or  
33 servicing accessibility conveyances;

34 (6) the approximate number of persons, if any, to be  
35 employed by the accessibility conveyance contractor

1 applicant and, if applicable, satisfactory evidence that  
2 the employees are or will be covered by workers'  
3 compensation insurance;

4 (7) satisfactory evidence that the applicant is or will  
5 be covered by general liability, personal injury, and  
6 property damage insurance;

7 (8) any criminal record of convictions; and

8 (9) any other information as the Administrator may  
9 require.

10 (c) This Section does not apply to a person, firm, or  
11 company located in a municipality with a population over  
12 500,000 that provides for the licensure of contractors for work  
13 performed within the corporate boundaries of a municipality  
14 with a population over 500,000.

15 (225 ILCS 312/47 new)

16 (Section scheduled to be repealed on January 1, 2013)

17 Sec. 47. Qualifications for accessibility technician's  
18 license.

19 (a) No license shall be granted to any person who has not  
20 paid the required application fee.

21 (b) No license shall be granted to any person who has not  
22 proven his or her qualifications and abilities. Applicants for  
23 an accessibility technician's license must demonstrate one of  
24 the following qualifications:

25 (1) An acceptable combination of documented experience  
26 and education credits consisting of:

27 (A) not less than 2 years work experience in the  
28 accessibility conveyance industry, in construction,  
29 maintenance, and service or repair, as verified by  
30 current and previous employers; and

31 (B) satisfactory completion of a written  
32 examination administered by the Elevator Safety Review  
33 Board on the adopted rules, referenced codes, and  
34 standards.

35 (2) Acceptable proof that he or she has worked as an

1 accessibility technician; acceptable proof shall consist  
2 of documentation that he or she worked substantially  
3 without direct and immediate supervision for an  
4 accessibility conveyance contractor who has worked on  
5 accessibility conveyances in this State for a period of not  
6 less than 3 years immediately prior to the effective date  
7 of this amendatory Act of the 94th General Assembly. In  
8 order for a person to be granted a license under this  
9 paragraph (2), the person must make application within one  
10 year after the effective date of adopted rules established  
11 to implement this Section.

12 (3) A certificate of successful completion of a  
13 nationally recognized training program for the  
14 accessibility conveyance industry such as the National  
15 Elevator Industry Educational Program, the National  
16 Association of Elevator Contractors Certified Elevator  
17 Technician or Certified Accessibility and Private Lift  
18 Programs, or an equivalent program.

19 (4) A certificate of completion of an apprenticeship  
20 program registered with the Bureau of Apprenticeship and  
21 Training, U.S. Department of Labor.

22 (5) A valid license from a state having standards  
23 substantially equal to those of this State.

24 (225 ILCS 312/57 new)

25 (Section scheduled to be repealed on January 1, 2013)

26 Sec. 57. Qualifications for accessibility contractor's  
27 license.

28 (a) No license shall be granted to any person, firm, or  
29 corporation unless the appropriate application fee is paid.

30 (b) No license shall be granted to any person, firm, or  
31 corporation who has not proven the required qualifications and  
32 abilities. An applicant must demonstrate one of the following  
33 qualifications:

34 (1) Proof of 5 years work experience in the  
35 accessibility conveyance industry in construction,

1 maintenance, and service or repair of accessibility  
2 conveyance equipment.

3 (2) Satisfactory completion of a written examination  
4 administered by the Elevator Safety Review Board on the  
5 most recent referenced codes and standards.

6 (3) Proof that the individual or firm holds a valid  
7 license from a state having standards substantially equal  
8 to those of this State.

9 (c) This Section does not apply to a person or firm engaged  
10 in business as an accessibility conveyance contractor in a  
11 municipality with a population over 500,000 that provides for  
12 the licensure of contractors for work performed on  
13 accessibility conveyances within the corporate boundaries of a  
14 municipality with a population over 500,000.

15 (225 ILCS 312/70)

16 (Section scheduled to be repealed on January 1, 2013)

17 Sec. 70. Administrative Procedure Act. The Illinois  
18 Administrative Procedure Act is hereby expressly adopted and  
19 incorporated herein as if all of the provisions of that Act  
20 were included in this Act, ~~except that the provision of~~  
21 ~~subsection (d) of Section 10-65 of the Illinois Administrative~~  
22 ~~Procedure Act that provides that at hearings the licensee has~~  
23 ~~the right to show compliance with all lawful requirements for~~  
24 ~~retention, or continuation or renewal of the license, is~~  
25 ~~specifically excluded.~~ For the purposes of this Act, the notice  
26 required under Section 10-25 of the Illinois Administrative  
27 Procedure Act is deemed sufficient when mailed to the last  
28 known address of a party.

29 (Source: P.A. 92-873, eff. 6-1-03.)

30 (225 ILCS 312/80)

31 (Section scheduled to be repealed on January 1, 2013)

32 Sec. 80. Registration of existing non-residential  
33 elevators, platform lifts, dumbwaiters, escalators, moving  
34 walks, and any other conveyance. Within 6 months after the date

1 of the appointment of the Board, the owner or lessee of every  
2 existing conveyance, except accessibility conveyances  
3 installed in a private residence after the effective date of  
4 this amendatory Act of the 94th General Assembly, shall  
5 register with the Administrator each elevator, dumbwaiter,  
6 platform lift, escalator, or other device described in Section  
7 10 of this Act and provide the type, rated load and speed, name  
8 of manufacturer, its location, the purpose for which it is  
9 used, and such additional information as the Administrator may  
10 require. Elevators, dumbwaiters, platform lifts, escalators,  
11 moving walks, or other conveyances of which construction has  
12 begun subsequent to the date of the creation of the Board shall  
13 be registered at the time they are completed and placed in  
14 service.

15 The owner of an existing accessibility conveyance  
16 installed in a private residence may register the conveyance  
17 with the Administrator. No State fee or State penalty shall be  
18 charged for registration of an accessibility conveyance  
19 installed in a private residence.

20 (Source: P.A. 92-873, eff. 6-1-03.)

21 (225 ILCS 312/90)

22 (Section scheduled to be repealed on January 1, 2013)

23 Sec. 90. Permits.

24 (a) No conveyance covered by this Act shall be erected,  
25 constructed, installed, or altered within buildings or  
26 structures within this State unless a permit has been obtained  
27 from the Administrator or a municipality or other unit of local  
28 government. If the permit is obtained from a municipality or  
29 other unit of local government, the municipality or other unit  
30 of local government that issued the permit shall keep the  
31 permit on file for a period of not less than one year from the  
32 date of issuance and send a copy to the Administrator for  
33 inspection. Where any material alteration is made, the device  
34 shall conform to applicable requirements in ASME A17.1, ASME  
35 A18.1, ASCE 21, or ANSI A10.4. No permit required under this

1 Section shall be issued except to a person, firm, or  
2 corporation holding a current elevator contractor's license or  
3 accessibility contractor's license, duly issued pursuant to  
4 this Act. A copy of the permit shall be kept at the  
5 construction site at all times while the work is in progress.

6 (b) The permit fee shall be as set by the Board. Permit  
7 fees collected are non-refundable.

8 (c) Each application for a permit shall be accompanied by  
9 applicable fees and by copies of specifications and accurately  
10 scaled and fully dimensioned plans showing the location of the  
11 installation in relation to the plans and elevation of the  
12 building, the location of the machinery room and the equipment  
13 to be installed, relocated, or altered, and all structural  
14 supporting members, including foundations. The applicant shall  
15 also specify all materials to be employed and all loads to be  
16 supported or conveyed. These plans and specifications shall be  
17 sufficiently complete to illustrate all details of  
18 construction and design.

19 (d) Permits may be revoked for the following reasons:

20 (1) Any false statements or misrepresentation as to the  
21 material facts in the application, plans, or  
22 specifications on which the permit was based.

23 (2) The permit was issued in error and should not have  
24 been issued in accordance with the code.

25 (3) The work detailed under the permit is not being  
26 performed in accordance with the provisions of the  
27 application, plans, or specifications or with the code or  
28 conditions of the permit.

29 (4) The elevator contractor or accessibility  
30 contractor to whom the permit was issued fails or refuses  
31 to comply with a "stop work" order.

32 (5) If the work authorized by a permit is not commenced  
33 within 6 months after the date of issuance, or within a  
34 shorter period of time as the Administrator or his or her  
35 duly authorized representative in his or her discretion may  
36 specify at the time the permit is issued.

1 (6) If the work is suspended or abandoned for a period  
2 of 60 days, or shorter period of time as the Administrator  
3 or his or her duly authorized representative in his or her  
4 discretion may specify at the time the permit is issued,  
5 after the work has been started. For good cause, the  
6 Administrator or his or her representative may allow an  
7 extension of this period at his or her discretion.

8 (e) This Section does not apply to conveyances located in a  
9 municipality with a population over 500,000 that provides for  
10 permits of such conveyances.

11 (f) No State permit fee shall be applied to an  
12 accessibility conveyance that has been verified by an elevator  
13 contractor or an accessibility contractor as a conveyance for  
14 use in a private residence.

15 (Source: P.A. 92-873, eff. 6-1-03.)

16 (225 ILCS 312/95)

17 (Section scheduled to be repealed on January 1, 2013)

18 Sec. 95. New installations; certificates of operation  
19 ~~annual inspections~~ and registrations.

20 (a) All new conveyance installations shall be performed by  
21 a person, firm, or company to which a license to install or  
22 service conveyances has been issued. Subsequent to  
23 installation, the licensed person, firm, or company must  
24 certify compliance with the applicable Sections of this Act.  
25 Prior to any conveyance being used, the property owner or  
26 lessee must obtain a certificate of operation from the  
27 Administrator, unless the property is located within a  
28 municipality with a population greater than 500,000. A fee as  
29 set forth in this Act shall be paid for the certificate of  
30 operation. It shall be the responsibility of the licensed  
31 elevator contractor or accessibility contractor to complete  
32 and submit first time registration for new installations. The  
33 certificate of operation fee for newly installed accessibility  
34 conveyances ~~platform lifts and stairway chair lifts for private~~  
35 ~~residences~~ shall be subsequent to an inspection by a licensed

1 third party inspection firm.

2 (b) No State ~~The~~ certificate of operation fee shall be  
3 required for any ~~all~~ new and existing accessibility conveyance  
4 installed in a private residence ~~platform and stairway chair~~  
5 ~~lifts for private residences and any renewal certificate fees~~  
6 ~~shall be waived. The Administrator or his or her designee shall~~  
7 ~~inspect, in accordance with the requirements set forth in this~~  
8 ~~Act, all newly installed and existing platform lifts and~~  
9 ~~stairway chair lifts for private residences subsequent to an~~  
10 ~~inspection by a person, firm, or company to which a license to~~  
11 ~~inspect conveyances has been issued, unless the private~~  
12 ~~residence is located within a municipality with a population~~  
13 ~~greater than 500,000.~~

14 (c) The ~~A~~ certificate of operation referenced in subsection  
15 ~~subsections (a) and (b)~~ of this Section is renewable annually,  
16 except for certificates issued for accessibility conveyances  
17 ~~platform and stairway chairlifts for private residences~~, which  
18 shall be valid for a period of 3 years. Certificates of  
19 operation must be clearly displayed on or in each conveyance or  
20 in the machine room for use for the benefit of code enforcement  
21 staff.

22 (Source: P.A. 92-873, eff. 6-1-03.)

23 (225 ILCS 312/100)

24 (Section scheduled to be repealed on January 1, 2013)

25 Sec. 100. Insurance requirements.

26 (a) Elevator contractors shall submit to the Administrator  
27 an insurance policy or certified copy thereof, issued by an  
28 insurance company authorized to do business in the State, to  
29 provide general liability coverage of at least \$2,000,000 for  
30 injury or death of any one person and \$2,000,000 for injury or  
31 death of any number of persons in any one occurrence, with  
32 coverage of at least \$1,000,000 for property damage in any one  
33 occurrence and statutory workers compensation insurance  
34 coverage.

35 (a-5) Accessibility conveyance contractors shall submit to

1 the Administrator an insurance policy or certified copy  
2 thereof, issued by an insurance company authorized to do  
3 business in the State, to provide general liability coverage of  
4 at least \$1,000,000 for injury or death of any one person and  
5 \$2,000,000 for injury or death of any number of persons in any  
6 one occurrence, with coverage of at least \$1,000,000 for  
7 property damage in any one occurrence and statutory workers  
8 compensation insurance coverage.

9 (b) Private elevator inspectors shall submit to the  
10 Administrator an insurance policy or certified copy thereof,  
11 issued by an insurance company authorized to do business in the  
12 State, to provide general liability coverage of at least  
13 \$2,000,000 for injury or death of any one person and \$2,000,000  
14 for injury or death of any number of persons in any one  
15 occurrence, with coverage of at least \$1,000,000 for property  
16 damage in any one occurrence and statutory workers compensation  
17 insurance coverage.

18 (c) These policies, or duly certified copies thereof, or an  
19 appropriate certificate of insurance, approved as to form by  
20 the Department of Insurance, shall be delivered to the  
21 Administrator before or at the time of the issuance of a  
22 license. In the event of a material alteration or cancellation  
23 of a policy, at least 10 days notice thereof shall be given to  
24 the Administrator.

25 (Source: P.A. 92-873, eff. 6-1-03.)

26 (225 ILCS 312/107 new)

27 (Section scheduled to be repealed on January 1, 2013)

28 Sec. 107. Violations.

29 (a) Any person who willingly violates any provision of this  
30 Act or a rule, regulation, or safety code provided for  
31 equipment defined under Section 10 of this Act shall be guilty  
32 of a Class B misdemeanor and a fine of \$500 for the first  
33 offense; and a second or subsequent violation of this Act shall  
34 be guilty of a Class A misdemeanor with a fine of \$1,000. Each  
35 day of violation constitutes a separate offense. The State's

1 Attorney of the County in which the violation occurred or the  
2 Attorney General shall bring such actions in the name of the  
3 People of the State of Illinois. The court may enjoin the use  
4 of conveyances installed in violation of this Act or of a rule  
5 or regulation adopted under this Act until it has been  
6 corrected to comply with the minimum safety standards for  
7 conveyances set forth in Section 10 of this Act.

8 (b) If it is established that an individual has been or is  
9 engaging in or about to engage in any activity set forth  
10 Section 10 of this Act without having been issued a license or  
11 has been or is engaged in or is about to engage in any activity  
12 set forth in Section 10 of this Act after his or her license  
13 has been suspended or revoked or after his or her license has  
14 not been renewed, the Court may enter a judgment perpetually  
15 enjoining the individual from further engaging such activity.  
16 In case of violation of any injunction entered under this  
17 Section, the Court may summarily sanction the offender for  
18 contempt of Court. Such injunction proceedings shall be in  
19 addition to, and not in lieu of, all penalties and other  
20 remedies provided in this Act.

21 (225 ILCS 312/120)

22 (Section scheduled to be repealed on January 1, 2013)

23 Sec. 120. Inspection and testing.

24 (a) It shall be the responsibility of the owner of all new  
25 and existing conveyances located in any building or structure  
26 to have the conveyance inspected annually by a person, firm, or  
27 company to which a license to inspect conveyances has been  
28 issued. Subsequent to inspection, the licensed person, firm, or  
29 company must supply the property owner or lessee and the  
30 Administrator with a written inspection report describing any  
31 and all violations. Property owners shall have 30 days from the  
32 date of the published inspection report to be in full  
33 compliance by correcting the violations.

34 (b) It shall be the responsibility of the owner of all  
35 conveyances to have a firm or company licensed as described in

1 this Act to ensure that the required inspection and test are  
2 performed at intervals in compliance with ASME A17.1, ASME  
3 A18.1, and ASCE 21.

4 (c) All tests shall be performed by a licensed elevator  
5 mechanic.

6 (d) Accessibility conveyances shall be tested by a licensed  
7 elevator mechanic or a licensed accessibility technician.

8 (e) The owner of a new or existing non-hoistway  
9 accessibility conveyance may have the conveyance inspected by a  
10 third party licensed elevator inspector. Any new hoistway  
11 accessibility conveyance shall be inspected no less than every  
12 three years by a third party licensed elevator inspector.

13 (Source: P.A. 92-873, eff. 6-1-03.)

14 (225 ILCS 312/135)

15 (Section scheduled to be repealed on January 1, 2013)

16 Sec. 135. Residential accessibility conveyances ~~Elevators~~  
17 ~~in private residences~~. The owner of an accessibility a  
18 conveyance installed ~~located~~ in a ~~his or her~~ private residence  
19 may register, pay the required fee, and have his or her  
20 existing conveyance inspected. The Administrator shall provide  
21 notice to the owner of the private residence where the  
22 conveyance is located with relevant information about  
23 conveyance safety requirements, including the need to have the  
24 accessibility conveyance ~~elevator~~ periodically and timely  
25 inspected and made safe. Any inspection performed shall be done  
26 solely at the request and with the consent of the private  
27 residence owner. No penalty provision of this Act shall apply  
28 to private residence owners.

29 (Source: P.A. 92-873, eff. 6-1-03.)

30 Section 99. Effective date. This Act takes effect upon  
31 becoming law.