

1 STATE OF OKLAHOMA

2 1st Session of the 51st Legislature (2007)

3 COMMITTEE SUBSTITUTE

4 FOR

HOUSE BILL NO. 2152

By: Jett

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7 COMMITTEE SUBSTITUTE

8 An Act relating to elevators; amending Section 3,
9 Chapter 207, O.S.L. 2006 (59 O.S. Supp. 2006, Section
10 3022), which relates to definitions; modifying
11 definition of elevator; providing an effective date;
12 and declaring an emergency.

13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. AMENDATORY Section 3, Chapter 207, O.S.L.
15 2006 (59 O.S. Supp. 2006, Section 3022), is amended to read as
16 follows:

17 Section 3022. As used in the Elevator Safety Act:

18 1. "Agency" means the Oklahoma Department of Labor;

19 2. "Certificate of operation" means a document issued by the
20 Commissioner and affixed to an elevator that indicates that the
21 elevator has been inspected and tested and found to be in compliance
22 with all applicable standards of operation as determined by the
23 Department of Labor;

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1 3. "Certificate of operation - temporary" means a document
2 issued by the Commissioner that permits temporary use of a
3 noncompliant elevator by the general public for not more than thirty
4 (30) days while minor repairs are being completed;

5 4. "Commissioner" means the Commissioner of Labor or his/her
6 authorized representative;

7 5. "Chief elevator inspector" means the chief elevator
8 inspector appointed under the Elevator Safety Act;

9 6. "Deputy inspector" means an inspector appointed by the chief
10 elevator inspector subject to the approval of the Commissioner under
11 the provisions of the Elevator Safety Act;

12 7. a. "Elevator" means any device for lifting or moving
13 people, cargo, or freight within, or adjacent and
14 connected to, a structure or excavation, and includes
15 any escalator, power-driven stairway, moving walkway
16 or stairway chair lift.

17 b. The term "elevator" does not mean any:

18 (1) amusement ride or device subject to inspection
19 and regulation under the provisions of Section
20 460 et seq. of Title 40 of the Oklahoma Statutes,

21 (2) mining equipment subject to inspection and
22 regulation by the Department of Mines,
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1 (3) aircraft, railroad car, boat, barge, ship, truck,
2 or other self-propelled vehicle or component
3 thereof,

4 (4) any boiler grate stoker or other similar firing
5 mechanism subject to inspection under the
6 provisions of the Oklahoma Boiler and Pressure
7 Vessel Safety Act, ~~or~~

8 (5) a dumbwaiter, conveyor, chain or bucket hoist,
9 construction hoist or similar devices used for
10 the primary purpose of elevating or lowering
11 materials. This list is not exhaustive, or

12 (6) elevator, conveyance, manlift or similar device
13 in grain elevators, grain warehouses, seed
14 processing facilities, feed mills and/or flour
15 mills, which is used by employees, but is not
16 accessible to or used by members of the general
17 public;

18 8. "Elevator apprentice" means an unlicensed person registered
19 with the Department of Labor who works under the direct supervision
20 of a licensed elevator mechanic, licensed elevator contractor, or
21 licensed elevator inspector;

22 9. "Licensed elevator contractor" means a person or business
23 entity that possesses a valid elevator contractor's license issued
24 by the Department of Labor pursuant to the provisions of the

1 Elevator Safety Act and is thus entitled to engage in the business
2 of erecting, constructing, installing, altering, servicing,
3 repairing, or maintaining elevators;

4 10. "Licensed elevator inspector" means a person who possesses
5 a valid elevator inspector's license issued by the Department of
6 Labor pursuant to the provisions of the Elevator Safety Act and is
7 thus entitled to engage in the business of inspecting elevators;

8 11. "Licensed elevator mechanic" means a person who possesses a
9 valid elevator mechanic's license issued by the Department of labor
10 in accordance with the provisions of the Elevator Safety Act and is
11 thus, when employed by a licensed elevator contractor, entitled to
12 install, construct, alter, service, repair, perform electrical work
13 on, test, and maintain elevators; and

14 12. "Private residence" means a separate dwelling or a separate
15 apartment in a multiple dwelling that is occupied by members of a
16 single-family unit.

17 SECTION 2. This act shall become effective July 1, 2007.

18 SECTION 3. It being immediately necessary for the preservation
19 of the public peace, health and safety, an emergency is hereby
20 declared to exist, by reason whereof this act shall take effect and
21 be in full force from and after its passage and approval.

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