



# OHIO LEGISLATIVE SERVICE COMMISSION

## Sub. Bill Comparative Synopsis

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### H.B. 236

132nd General Assembly

(H. Economic Development, Commerce, and Labor)

This table summarizes how the latest substitute version of the bill differs from the immediately preceding version. It addresses only the topics on which the two versions differ substantively. It does not list topics on which the two bills are substantively the same.

Topic	Previous Version (As Introduced)	Sub. Version (L_132_1249-2)
<b>Elevator Safety Review Board</b>	<p>Creates the Elevator Safety Review Board (ESRB) (R.C. 4105.04).</p> <p>Makes the ESRB responsible for adopting rules and codes pertaining to the construction and maintenance of elevators (R.C. 4105.04(J)).</p> <p>Makes the ESRB responsible for enforcing the Model Elevator Act and associated rules and code (R.C. 4105.04(E)(2)).</p> <p>Makes the ESRB responsible for licensing inspectors and overseeing inspections, as well as all elevator registration and permitting (R.C. 4105.03(C), 4105.05(F), 4105.08, 4105.10, and 4105.11).</p> <p>Makes the ESRB responsible for licensing elevator mechanics (R.C. 4105.03(A) and 4105.05(B)).</p>	<p>Creates the ESRB, but makes it solely responsible for disciplinary and administrative hearings for elevator mechanic and contractor license holders (R.C. 4785.09, 4785.091, and 4785.092).</p> <p>Prohibits the Superintendent of Industrial Compliance from adopting rules pertaining to the construction, maintenance, and repair of elevators (R.C. 4785.08(C)).</p> <p>Reverts to current law, under which licensing of inspectors, inspections, registration, and permitting are overseen by the Division of Industrial Compliance within the Department of Commerce (DOIC) (R.C. 4105.10 and 4105.15 and R.C. 4105.02, 4105.09, and 4105.16, not in the bill).</p> <p>Licensing of elevator mechanics and contractors is overseen by the DOIC (R.C. 4785.03(A) and 4785.04(A) and (B)).</p>

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	Makes the ESRB responsible for licensing elevator contractors ( <i>R.C. 4105.03(A) and 4105.05(A)</i> ).	
<b>License requirement for conveyance services in private residences</b>	Requires individuals or entities providing conveyance services in a private residence, including chairlifts, to be licensed ( <i>R.C. 4105.01(A)(27), 4105.03(A), and 4105.05(A) and (B)</i> ).	Exempts individuals or entities providing conveyance services exclusively in private residences from the licensing requirement, but requires such entities or individuals to provide the DOIC with notification of the individual or entity's operations and a list of all employees providing conveyance services.  Requires the list to be updated as needed to maintain accuracy ( <i>R.C. 4785.03(C)</i> ).
<b>Inspection requirements for conveyances installed in a private residence</b>	Requires initial inspection and certificate of operation. Certificate of operation must be renewed every three years ( <i>R.C. 4105.11(D) and (E)(2)</i> ).	Requires initial inspection prior to use and additional inspections prior to any transfer of title ( <i>R.C. 4105.10(B) and 4105.15(B)</i> ).
<b>Inspection fees for conveyances installed in a private residence</b>	Waives fees for initial certificate and renewals for private residence owners ( <i>R.C. 4105.11(D)(1)(b) and (D)(2)</i> ).	Applies the existing law fee of \$220, plus \$12 for each floor where the elevator stops ( <i>R.C. 4105.15 and 4105.17(C), not in the bill</i> ).
<b>Conveyances covered</b>	Subjects all conveyances to the bill's requirements ( <i>R.C. 4105.02(A)</i> ).	Explicitly exempts conveyances installed in a showroom for demonstration purposes only and chairlifts from the bill's requirements ( <i>R.C. 4105.01(A) and 4785.02(B)(15) and (16)</i> ).
<b>Dismantling a conveyance</b>	Prohibits the ESRB from requiring an elevator contractor to remove or dismantle a conveyance that is to be destroyed as a result of a complete demolition of a secured building or where the hoistway or wellway is demolished back to the basic support structure and where no access is permitted ( <i>R.C. 4105.14(E)</i> ).	Prohibits a person from dismantling a conveyance unless that person is a licensed elevator mechanic but maintains the demolition exemption ( <i>R.C. 4785.03(D)</i> ).

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<b>Successor standards</b>	No provision.	Specifies that if a standard referenced in the bill is replaced by a successor, then that successor is to be referenced when interpreting the bill's requirements ( <i>R.C. 4785.01(C)</i> ).
<b>Examples of meeting education and experience requirements</b>	Lists successful completion of the national elevator industry educational program as an example of evidence indicating the successful completion of a nationally recognized training program for purposes of demonstrating education and experience for licensure ( <i>R.C. 4105.05(E)(3)</i> ).	Adds the certified elevator technician program ( <i>R.C. 4785.04(D)(3)</i> ).
<b>Conveyance inspections</b>	Requires all conveyances to be inspected on an annual basis and imposes related requirements ( <i>R.C. 4105.14</i> ).	Maintains current law requirements ( <i>R.C. 4105.10 and R.C. 4105.11 and 4105.16, not in the bill</i> ).
<b>Conveyance testing</b>	Imposes on conveyance owners the responsibility to have an elevator contractor ensure that periodically required tests are performed in compliance with specified standards and requires all tests be performed by a licensed elevator mechanic ( <i>R.C. 4105.14(C)</i> ).	Same ( <i>R.C. 4105.30</i> ).
<b>Temporarily dormant conveyance</b>	Specifies standards that are to be met when a conveyance is rendered temporarily dormant ( <i>R.C. 4105.15</i> ).	No provision.
<b>Disqualifications for obtaining license/grounds for discipline</b>	<p>Permits the ESRB to discipline a licensee if the licensee has done any of the following:</p> <p>(1) Made any false statement as to a material matter in an application for a license;</p> <p>(2) Committed fraud, misrepresentation, or bribery in securing a license;</p>	<p>Permits the refusal of an application or renewal and permits discipline if any of the following apply:</p> <p>(1) The applicant has obtained or attempted to obtain a license or renewal of such license pursuant to the Elevator Law by means of fraud, deception, or misrepresentation;</p>



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	<p>(3) Committed any violation of the Model Elevator Law;</p> <p>(4) Failed to notify the board and the owner or lessee of a conveyance of any condition not in compliance with the Model Elevator Law or associated rules (<i>R.C. 4105.07(A)</i>).</p>	<p>(2) The applicant has violated any provision of the Elevator Law or any rule adopted under that Law;</p> <p>(3) The applicant has been convicted of or pleaded guilty to a crime of moral turpitude or disqualifying offense;</p> <p>(4) The applicant has demonstrated incompetence or untrustworthiness;</p> <p>(5) The applicant has engaged in fraud, misrepresentation, or deception in the conduct of business;</p> <p>(6) The applicant has obtained or attempted to obtain an order, ruling, or authorization from the division of industrial compliance by means of fraud or misrepresentation (<i>R.C. 4785.04(E), 4785.041(F), and 4785.091(A)</i>).</p>
<b>Violations</b>	<p>Stipulates that violations of the Model Elevator Law are subject to a fine of not more than \$1,500, a jail term of not more than 30 days, or both (<i>R.C. 4105.99</i>).</p>	<p>Maintains these penalties for violating the mechanic's and contractor's licensing requirements.</p> <p>For violations related to inspections and inspectors, reverts to existing law penalties of \$200 for an initial violation and not more than \$1,000 for subsequent violations (<i>R.C. 4105.99 and 4785.99</i>).</p>