

Tom Patton Sponsor Testimony – HB 236
House Economic Development, Commerce, and Labor Committee
9/19/17

Chairman Young, Vice Chairman DeVitis, Ranking Member Lepore-Hagan, and members of the House Economic Development, Commerce, and Labor Committee, thank you for the opportunity to provide sponsor testimony on House Bill 236, which seeks to modernize Ohio's elevator law.

Elevators are regular parts of our lives, and malfunctions can seriously injure riders. Representative Cupp and I believe as though this update will protect the safety and health of elevator riders and workers by codifying industry standards and setting licensure qualifications.

The Model Elevator Law seeks to update a number of areas of current elevator law, starting with the definition of an elevator. This bill expands the current definition of "elevator" under R.C. 4105.01 by removing the requirement that moving walks must be of the endless belt type; and by specifying that to be excluded from this law, a hoist must be a material hoist. It also covers the design, construction, and repair of automatic guided transit vehicles on guideways with an exclusive right-of-way (automated people movers).

The Model Elevator Law proposes creating an Elevator Safety Review Board. The board would be authorized to set forth regulations that implement ASME's safety codes, consult with engineering authorities and organizations, grant exceptions and variances from the rules if the situation does not jeopardize public safety and welfare, investigate any alleged violation of the Model Elevator Law, administer written examination for elevator mechanics, and establish fee schedules for licenses, permits, certificates, and inspections.

A licensure requirement is outlined in the Model Elevator Law so that only qualified elevator mechanics and elevator contractors, as evidenced by licenses, are permitted to install, or service elevators or escalators. A licensed elevator mechanic must be working under the direct supervision of a licensed contractor. An elevator inspector will be licensed upon meeting the current Standards for the Qualifications of Elevator Inspectors. The renewal of the licenses will be conditional upon completing continuing education; at least eight hours of instructions must be completed every year.

The Model Elevator Law also establishes an insurance requirement for elevator contractors and inspectors not employed by the state of Ohio with general liability coverage of at least \$1,000,000 for injury or death and at least \$500,000 for property damage.

The Model Elevator Law also imposes responsibility on mechanics and contractors to comply with the State Fire Prevention and Building code; increases the maximum fine from \$1,000 to \$1,500, and adds imprisonment as a form of penalty. This law does not relieve the liability of anyone operating, installing, or repairing any elevator for any damages caused by the elevator's defect.

Again, our aim is to ensure the highest level of safety for the public and for the men and women who work and install these everyday necessities. Representative Cupp and I believe the best way

to achieve this level of safety is to ensure that elevators in Ohio are installed and maintained by licensed professionals.

Again, I would like to thank Chairman Young, and committee members for hearing our sponsor testimony today. At this time, Representative Cupp and I are available to answer any questions.