As Introduced

134th General Assembly Regular Session 2021-2022

S. B. No. 244

Senator Williams

Cosponsors: Senators Maharath, Thomas

A BILL

То	amend, for the purpose of adopting a new section	1
	number as indicated in parentheses, section	2
	4105.191 (4105.22), and to enact section 4105.23	3
	of the Revised Code to amend the law regarding	4
	elevators.	_

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 4105.191 (4105.22) be amended for	6
the purpose of adopting a new section number as indicated in	7
parentheses and section 4105.23 of the Revised Code be enacted	8
to read as follows:	9
Sec. 4105.191 4105.22. Any person owning or operating any	10
elevator subject to this chapter shall file a written report	11
with the superintendent of industrial compliance within seventy-	12
two hours after the occurrence of any accident involving such	13
elevator which results in death or bodily injury to any person.	14
Sec. 4105.23. (A) (1) Any person owning or operating any	15
elevator required by the "Americans with Disabilities Act of	16
1990," 42 U.S.C. 12101, et seq., and subject to this chapter,	17
shall do both of the following immediately if that elevator goes	18

<pre>out of service:</pre>		
(a) Deliver to the superintendent of industrial compliance	20	
a written notice that the elevator is out of service;		
(b) Post signs stating that the elevator is out of	22	
service, the expected date the elevator is expected to return to	23	
service or a statement that the date the elevator is expected to	24	
return to service is not known, and the available modes of	25	
travel between floors while the elevator is out of service. The	26	
signs shall be posted at the entrance to the building and at	27	
every entrance to the elevator that is out of service.	28	
(2)(a) Any person owning or operating any elevator	29	
required by the "Americans with Disabilities Act of 1990," 42	30	
U.S.C. 12101, et seq., and subject to this chapter, that is out	31	
of service, or expected to be out of service, for more than four	32	
consecutive calendar days, shall provide reasonable	33	
accommodations to allow individuals who rely on the elevator	34	
service due to a disability to access the building and its		
services.	36	
(b) Notwithstanding section 1.14 of the Revised Code, for	37	
the purposes of division (A)(2)(a) of this section, calendar		
days shall be counted by including the first day an elevator is	39	
out of service or expected to be out of service, whether a full	40	
day or not, and including every subsequent day the elevator is	41	
out of service or expected to be out of service, whether a full	42	
day or not.		
(3) Any person who has submitted a notice required by	44	
division (A)(1) of this section shall notify the superintendent		
of industrial compliance in writing immediately after the		
elevator described in the original notice returns to service.		

(B) The superintendent of industrial compliance shall	48
maintain a public list of elevators that are required by the	49
"Americans with Disabilities Act of 1990," 42 U.S.C. 12101, et	50
seq., subject to this chapter, and that are out of service.	51
(C) Within seventy-two hours after receiving a notice	52
required by division (A)(1) of this section, the superintendent	53
of industrial compliance shall contact the person owning or	54
operating the out-of-service elevator and inquire about the	55
status of repairs needed to bring the elevator back into	56
service.	57
(D) The superintendent may allow persons required to	58
provide written notices pursuant to divisions (A)(1) and (3) of	59
this section to provide the notices electronically such that	60
elevators are added to and removed from the list required by	61
division (B) of this section automatically.	62
Section 2. That existing section 4105.191 of the Revised	63
Code is hereby repealed.	64