

2023 Kansas Statutes

44-1811. Imposition of civil penalties for violations; hearings; orders; remittance of fines collected. (a) In addition to any other penalty provided by law, the state fire marshal, upon a finding that any owner, lessee or operator of an elevator, or owner or lessee of a building or structure in which an elevator is located, has violated, knowingly permitted a violation or negligently failed to detect, report or correct a violation of any provision of this act or rules and regulations adopted pursuant thereto with regard to the construction, installation, maintenance, inspection or operation of an elevator, is authorized to impose a civil penalty not to exceed \$1,000 per violation for each day of such unlawful operation or violation. Such civil penalty shall constitute an actual and substantial economic deterrent to the violation for which the penalty is assessed.

(b) In addition to any other penalty provided by law, the state fire marshal, upon a finding that any licensee has violated, knowingly permitted a violation or negligently failed to detect, report or correct a violation of any provision of this act or rules and regulations adopted pursuant thereto, is authorized to impose a civil penalty not to exceed \$1,000 per violation. Such civil penalty shall constitute an actual and substantial economic deterrent to the violation for which the penalty is assessed.

(c) No civil penalty shall be imposed except upon the written order of the state fire marshal to the person who committed the violation. Such order shall state the violation, the penalty to be imposed and the right of the person to request a hearing as provided in K.S.A. 2023 Supp. 44-1812, and amendments thereto.

(d) All fines assessed and collected under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the elevator safety fee fund.

History: L. 2022, ch. 60, § 12; July 1.