

{As Amended by Senate Committee of the Whole}

As Amended by Senate Committee

Session of 2021

SENATE BILL No. 181

By Committee on Federal and State Affairs

2-9

1 AN ACT creating the elevator safety act; relating to safety standards for
2 elevators; licensure requirements for elevator inspection, installation
3 and repair, duties of the state fire marshal; establishing the elevator
4 safety fee fund.
5

6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. The provisions of sections 1 through 20, and amendments
8 thereto, shall be known and may be cited as the elevator safety act.

9 Sec. 2. As used in sections 1 through 20, and amendments thereto:

10 (a) "Act" means the elevator safety act.

11 (b) "Board" means the elevator safety advisory board.

12 (c) (1) "Elevator" means any device for lifting or moving people,
13 cargo or freight within, or adjacent and connected to, a structure or
14 excavation, including, but not limited to:

15 ~~(A)~~, an escalator, power-driven stairway, moving walkway or
16 stairway chair lift; ~~and~~

17 ~~(B) a dumbwaiter, conveyor, chain or bucket hoist, construction hoist~~
18 ~~or similar device used for the primary purpose of elevating or lowering~~
19 ~~materials.~~

20 (2) The term "elevator" does not mean any:

21 (A) Amusement ride or other device subject to the Kansas
22 amusement ride act, K.S.A. 2020 Supp. 44-1601 et seq., and amendments
23 thereto;

24 (B) mining equipment;

25 (C) aircraft, railroad car, boat, barge, ship, truck or other self-
26 propelled vehicle or component thereof;

27 (D) *a dumbwaiter, conveyor, chain or bucket hoist, construction*
28 *hoist or similar device used for the primary purpose of elevating or*
29 *lowering materials;*

30 (E) boiler grate stoker or other similar firing mechanism subject to
31 the boiler safety act, K.S.A. 44-913 et seq., and amendments thereto; or

32 ~~(F)~~ lift, manlift, belt manlift, *chain hoists, climb assists*, special
33 purpose personnel elevator, automated people mover or similar device in
34 *wind turbine towers*, grain elevators, grain warehouses, seed processing

Proposed Amendments to
Senate Bill No. 181 #1
House Committee on Federal and State Affairs
Prepared by: Mike Heim
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Office of Revisor of Statutes

1 or servicing of elevators shall make application for an elevator mechanic's
2 license in such form and manner as prescribed by the state fire marshal and
3 shall pay the required initial application fee, which shall not exceed \$150.

4 (3) Any individual wishing to engage in the business of inspecting
5 elevators shall make application for an elevator inspector's license in such
6 form and manner as prescribed by the state fire marshal and shall pay the
7 required initial application fee, which shall not exceed \$250. An applicant
8 shall provide proof of compliance with the insurance requirements set
9 forth in section 8, and amendments thereto.

10 (b) No license shall be issued to any applicant that has not
11 demonstrated the requisite qualifications and abilities required by this act
12 and rules and regulations adopted pursuant thereto. Upon the state fire
13 marshal's approval of an application as having met the requirements for
14 licensure, the state fire marshal shall issue a license. Such license shall be
15 valid for a period of two years and shall be renewable biennially upon
16 submission of a renewal application and payment of the required renewal
17 application fee, which shall not exceed the initial application fee.

18 (c) An elevator contractor's license may be issued, upon application,
19 to an applicant that holds a valid license from a state having standards
20 substantially equal to those of this act and rules and regulations adopted
21 pursuant thereto.

22 (4) An elevator apprentice is not required to hold a license.

23 (f) Any city or county that has adopted requirements and standards
24 that meet or exceed the requirements and standards of this act and any
25 rules and regulations adopted pursuant thereto may issue an elevator
26 contractor's license or elevator mechanic's license in accordance with
27 such requirements and standards. Any such license shall specify that it
28 is issued by such city or county. No such license shall be issued in lieu of
29 any license issued by the state fire marshal or authorize the licensee to
30 perform work as an elevator contractor or elevator mechanic outside the
31 jurisdiction of the issuing city or county.

32 Sec. 8. (a) Elevator contractors shall submit proof to the state fire
33 marshal of a current insurance policy issued by an insurance company
34 authorized to do business in this state that provides general liability
35 coverage of at least \$1,000,000 for injury or death of any number of
36 persons in any one occurrence, with coverage of at least \$500,000 for
37 property damage in any one occurrence and proof of workers
38 compensation insurance coverage as required by Kansas law.

39 (b) Elevator inspectors, except those employed by an agency, city or
40 county, shall submit to the state fire marshal proof of a current insurance
41 policy issued by an insurance company authorized to do business in this
42 state that provides general liability coverage of at least \$1,000,000 for
43 injury or death of any number of persons in any one occurrence, with

An elevator mechanic license shall be issued, upon application, to an applicant that holds a certificate of completion from the national association of elevator contractors certified elevator technician certification program, national elevator industry education apprenticeship program or other equivalent nationally approved apprenticeship program; holds a valid license from a state having standards substantially equal to those of this act and the rules and regulations adopted pursuant thereto; or grandfathering who can demonstrate within the first year following enactment that such person has worked as an elevator mechanic without supervision for at least 8,000 hours within 6 years prior to the date of application.

(e)
(f)