
SENATE BILL NO. 416—SENATOR TITUS (BY REQUEST)

MARCH 15, 1999

Referred to Committee on Commerce and Labor

SUMMARY—Provides for inspection of elevators under certain circumstances. (BDR 40-355)

FISCAL NOTE: Effect on Local Government: Yes.
Effect on the State or on Industrial Insurance: Yes.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~[omitted material]~~ is material to be omitted.

AN ACT relating to elevators; providing in skeleton form for the inspection of elevators under certain circumstances; providing for the licensure of persons who construct, maintain and operate elevators; authorizing the division of industrial relations of the department of business and industry to impose a fee for inspection; providing a penalty; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE
AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** Title 40 of NRS is hereby amended by adding thereto a
2 new chapter to consist of the provisions set forth as sections 2 to 16,
3 inclusive, of this act.
- 4 **Sec. 2.** *As used in sections 2 to 16, inclusive, of this act, unless the*
5 *context otherwise requires, the words and terms defined in sections 3, 4*
6 *and 5 of this act, have the meanings ascribed to them in those sections.*
- 7 **Sec. 3.** *“Division” means the division of industrial relations of the*
8 *department of business and industry.*
- 9 **Sec. 4.** *“Elevator” includes an elevator, dumbwaiter, escalator,*
10 *moving walk, stage lift, wheelchair lift or related equipment.*
- 11 **Sec. 5.** *“Elevator constructor-mechanic” means a person who*
12 *constructs, installs, relocates, improves, alters or repairs elevators.*
- 13 **Sec. 6. 1.** *Except as otherwise provided in subsection 2, any*
14 *elevator to which the public has access must be inspected annually by the*
15 *division.*

1 2. Any elevator inspected pursuant to chapter 618 of NRS is not
2 required to be inspected pursuant to this chapter.

3 3. The owner of an elevator required to be inspected pursuant to
4 subsection 1 must obtain a permit issued by the division before operating
5 the elevator.

6 Sec. 7. The division shall adopt such regulations as are necessary to
7 establish standards and procedures for the inspection and operation of
8 elevators pursuant to section 6 this act.

9 Sec. 8. The division may charge a reasonable fee to be fixed by
10 regulation to pay the cost of the inspection of an elevator and the
11 issuance of a permit pursuant to section 6 of this act.

12 Sec. 9. The division shall:

13 1. Enforce the provisions of this chapter;

14 2. Evaluate the qualifications of an applicant for a license as an
15 elevator constructor-mechanic;

16 3. Adopt regulations establishing standards of practice for persons
17 licensed pursuant to this chapter and any other regulations necessary to
18 carry out the provisions of this chapter; and

19 4. Require a person licensed pursuant to this chapter to submit to the
20 division such documentation or perform such practical demonstrations
21 as the division deems necessary to determine whether the licensee has
22 acquired the skills necessary to construct, install, relocate, improve, alter
23 or repair an elevator.

24 Sec. 10. 1. It is unlawful for any person to construct, install,
25 relocate, improve, alter or repair an elevator within this state unless he is
26 licensed as an elevator constructor-mechanic pursuant to sections 9 to
27 16, inclusive, of this act.

28 2. A person who violates subsection 1 is guilty of a misdemeanor.

29 Sec. 11. To be eligible for a license as an elevator constructor-
30 mechanic, an applicant must:

31 1. Pass a written examination offered by the division that requires
32 the applicant to demonstrate, without limitation, his knowledge and
33 ability to use, understand and perform any calculations required to
34 ensure that work performed on an elevator is in compliance with the
35 regulations adopted pursuant to section 6 of this act or any regulations
36 adopted pursuant to chapter 618 of NRS that apply to elevators;

37 2. Have worked as an apprentice for 4 years under the direct
38 supervision of a person holding a license as an elevator constructor-
39 mechanic and completed the program of training for the installation and
40 repair of elevators offered by the National Elevator Industry Educational
41 Program or a reasonably equivalent program as determined by the
42 division;

43 3. Hold a contractor's license on or before December 1, 1999; or

1 **4. Have at least 10 years of experience that is satisfactory to the**
2 **division in the construction, installation, relocation, improvement,**
3 **alteration or repair of elevators.**

4 **Sec. 12. An apprentice who works under the direct supervision of a**
5 **licensed elevator constructor-mechanic need not obtain a license as an**
6 **elevator constructor-mechanic.**

7 **Sec. 13. 1. A person who wishes to be licensed by the division as an**
8 **elevator constructor-mechanic must:**

9 **(a) Submit an application to the division on a form furnished by the**
10 **division;**

11 **(b) Provide evidence satisfactory to the division that he possesses the**
12 **qualifications required pursuant to section 11 of this act; and**

13 **(c) Pay to the division at the time of filing his application a fee of \$50.**

14 **2. The application must include the social security number of the**
15 **applicant.**

16 **Sec. 14. 1. An applicant for the issuance or renewal of a license as**
17 **an elevator constructor-mechanic shall submit to the division the**
18 **statement prescribed by the welfare division of the department of human**
19 **resources pursuant to NRS 425.520. The statement must be completed**
20 **and signed by the applicant.**

21 **2. The division shall include the statement required pursuant to**
22 **subsection 1 in:**

23 **(a) The application or any other forms that must be submitted for the**
24 **issuance or renewal of the license; or**

25 **(b) A separate form prescribed by the division.**

26 **3. A license as an elevator constructor-mechanic may not be issued**
27 **or renewed by the division if the applicant:**

28 **(a) Fails to submit the statement required pursuant to subsection 1; or**

29 **(b) Indicates on the statement submitted pursuant to subsection 1 that**
30 **he is subject to a court order for the support of a child and is not in**
31 **compliance with the order or a plan approved by the district attorney or**
32 **other public agency enforcing the order for the repayment of the amount**
33 **owed pursuant to the order.**

34 **4. If an applicant indicates on the statement submitted pursuant to**
35 **subsection 1 that he is subject to a court order for the support of a child**
36 **and is not in compliance with the order or a plan approved by the district**
37 **attorney or other public agency enforcing the order for the repayment of**
38 **the amount owed pursuant to the order, the division shall advise the**
39 **applicant to contact the district attorney or other public agency enforcing**
40 **the order to determine the actions that the applicant may take to satisfy**
41 **the arrearage.**

1 **Sec. 15. 1.** *A license for an elevator constructor-mechanic expires*
2 *2 years after the date on which it is issued. An elevator constructor-*
3 *mechanic may renew his license before its expiration upon:*

4 *(a) Presentation of proof of completion of a program of continuing*
5 *education as required by subsections 2 and 3;*

6 *(b) Submission of the statement required pursuant to section 14 of this*
7 *act; and*

8 *(c) Payment to the division of a renewal fee of \$50.*

9 **2.** *The division shall not renew a license issued to an elevator*
10 *constructor-mechanic until the licensee submits proof satisfactory to the*
11 *division that he has, during the 2-year period immediately preceding the*
12 *renewal of the license, completed at least 3 hours of continuing*
13 *education relating to the construction, installation, relocation,*
14 *improvement, alteration or repair of elevators.*

15 **3.** *Each program of continuing education must be:*

16 *(a) Offered by the National Elevator Industry Educational Program;*
17 *or*

18 *(b) Approved by the board.*

19 **Sec. 16. 1.** *If the division receives a copy of a court order issued*
20 *pursuant to NRS 425.540 that provides for the suspension of all*
21 *professional, occupational and recreational licenses, certificates and*
22 *permits issued to a person who is the holder of a license as an elevator*
23 *constructor-mechanic, the division shall deem the license issued to that*
24 *person to be suspended at the end of the 30th day after the date on which*
25 *the court order was issued unless the division receives a letter issued to*
26 *the holder of the license by the district attorney or other public agency*
27 *pursuant to NRS 425.550 stating that the holder of the license has*
28 *complied with the subpoena or warrant or has satisfied the arrearage*
29 *pursuant to NRS 425.560.*

30 **2.** *The division shall reinstate a license as an elevator constructor-*
31 *mechanic that has been suspended by a district court pursuant to NRS*
32 *425.540 if the division receives a letter issued by the district attorney or*
33 *other public agency pursuant to NRS 425.550 to the person whose license*
34 *was suspended stating that the person whose license was suspended has*
35 *complied with the subpoena or warrant or has satisfied the arrearage*
36 *pursuant to NRS 425.560.*

37 **Sec. 17.** *Chapter 618 of NRS is hereby amended by adding thereto a*
38 *new section to read as follows:*

39 *The division may charge a reasonable fee to be fixed by regulation to*
40 *pay the cost of the inspection of an elevator, dumbwaiter, escalator,*
41 *moving walk, stage lift, wheelchair lift or related equipment inspected*
42 *pursuant to this chapter.*

1 **Sec. 18.** Section 13 of this act is hereby amended to read as follows:

2 Sec. 13. ~~1.~~ A person who wishes to be licensed by the
3 division as an elevator constructor-mechanic must:

4 ~~(a)~~ 1. Submit an application to the division on a form
5 furnished by the division;

6 ~~(b)~~ 2. Provide evidence satisfactory to the division that he
7 possesses the qualifications required pursuant to section 11 of this
8 act; and

9 ~~(c)~~ 3. Pay to the division at the time of filing his application a
10 fee of \$50.

11 ~~[2.—The application must include the social security number of~~
12 ~~the applicant.]~~

13 **Sec. 19.** Section 15 of this act is hereby amended to read as follows:

14 Sec. 15. 1. A license for an elevator constructor-mechanic
15 expires 2 years after the date on which it is issued. An elevator
16 constructor-mechanic may renew his license before its expiration
17 upon:

18 (a) Presentation of proof of completion of a program of
19 continuing education as required by subsections 2 and 3; *and*

20 (b) ~~[Submission of the statement required pursuant to section 14~~
21 ~~of this act; and~~

22 ~~—(c)]~~ Payment to the division of a renewal fee of \$50.

23 2. The division shall not renew a license issued to an elevator
24 constructor-mechanic until the licensee submits proof satisfactory to
25 the division that he has, during the 2-year period immediately
26 preceding the renewal of the license, completed at least 3 hours of
27 continuing education relating to the construction, installation,
28 relocation, improvement, alteration or repair of elevators.

29 3. Each program of continuing education must be:

30 (a) Offered by the National Elevator Industry Educational
31 Program; or

32 (b) Approved by the board.

33 **Sec. 20.** 1. Notwithstanding the provisions of section 10 of this act, a
34 person who has a contractor's license pursuant to chapter 624 of NRS as of
35 October 1, 1999, and who performs any of the functions of an elevator
36 constructor-mechanic is not required to be licensed as an elevator
37 constructor-mechanic pursuant to the provisions of this act before March 1,
38 2000.

39 2. The provisions of section 10 of this act do not apply to offenses
40 committed before October 1, 1999.

41 **Sec. 21.** The provisions of sections 13 to 16, inclusive, of this act
42 expire by limitation on the date on which the provisions of 42 U.S.C. § 666
43 requiring each state to establish procedures under which the state has

1 authority to withhold or suspend, or to restrict the use of professional,
2 occupational and recreational licenses of persons who:

3 1. Have failed to comply with a subpoena or warrant relating to a
4 proceeding to determine the paternity of a child or to establish or enforce
5 an obligation for the support of a child; or

6 2. Are in arrears in the payment for the support of one or more
7 children,

8 are repealed by the Congress of the United States.

9 **Sec. 22.** 1. This section, sections 1 to 17, inclusive, 20 and 21 of this
10 act become effective on October 1, 1999.

11 2. Sections 18 and 19 of this act become effective on the date on which
12 the provisions of 42 U.S.C. § 666 requiring each state to establish
13 procedures under which the state has authority to withhold or suspend, or to
14 restrict the use of professional, occupational and recreational licenses of
15 persons who:

16 (a) Have failed to comply with a subpoena or warrant relating to a
17 proceeding to determine the paternity of a child or to establish or enforce
18 an obligation for the support of a child; or

19 (b) Are in arrears in the payment for the support of one or more
20 children,

21 are repealed by the Congress of the United States.