

Department of Legislative Services  
Maryland General Assembly  
2012 Session

FISCAL AND POLICY NOTE  
Revised

House Bill 109  
Economic Matters

(Delegate Vitale)

Finance

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Public Safety - Elevator Safety Review Board - Membership

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This bill increases the number of members of the Elevator Safety Review Board from 9 to 10 by adding a representative from the elevator interior renovation industry.

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Fiscal Summary

**State Effect:** None. Any expense reimbursements for the additional board member are assumed to be minimal and absorbable within existing budgeted resources.

**Local Effect:** None.

**Small Business Effect:** None.

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Analysis

**Current Law:** The Elevator Safety Review Board consists of nine members: the Commissioner of Labor and Industry as an *ex officio* member; two members of the public; and six other members, representing a major elevator manufacturing company, an elevator servicing company, the architectural design profession, a municipal corporation in the State, a building owner or manager, and labor involved in the installation, maintenance, and repair of elevators, respectively.

With the exception of the *ex officio* member, the members of the board are appointed by the Governor with the advice of the Secretary of Labor, Licensing, and Regulation and with the advice and consent of the Senate. The members serve three-year staggered terms that begin on October 1. Board members continue to serve after their term has ended until their successor is appointed.

The board has the authority to (1) consult with engineering authorities and organizations concerned with standard safety codes about regulations governing the operation, maintenance, servicing, construction, alteration, installation, and inspection of elevator units and qualifications that are adequate, reasonable, and necessary for elevator mechanics and elevator contractors; (2) recommend applicable legislation; (3) adopt bylaws for the conduct of its proceedings; and (4) adopt regulations to carry out the elevator contractor and mechanic licensing law.

**Background:** The Elevator Safety Review Board was established by Chapter 703 of 2001 within the Department of Labor, Licensing, and Regulation (DLLR) to license elevator contractors and elevator mechanics. The original board, though fully appointed by January 2003, did not receive funding, and therefore did not operate, until fiscal 2009.

Chapter 484 of 2008 established the Elevator Safety Review Board Fund, which is a special fund that may be used only to cover the actual documented direct and indirect costs of fulfilling the statutory and regulatory duties of the board. After money was appropriated to the board beginning with the fiscal 2009 budget, the original board members from 2003 were contacted to see if they were still interested in serving on the board. Four original board members were still interested. On October 1, 2010, those four original board members were appointed to the board for three-year terms. The board now has eight members, and DLLR is actively working to fill the remaining consumer member vacancy.

Chapter 254 of 2003 created elevator contractor and elevator renovator mechanic licensure categories and defined elevator interior renovation as work (1) on the interior of an elevator involving the removal or installation of the nonstructural surface of the elevator's wall, ceiling, floor, rail or handle; and (2) that does not affect the elevator's moving operation.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** SB 23 (Senator Reilly) - Finance.

**Information Source(s):** Department of Labor, Licensing, and Regulation; Department of Legislative Services

**Fiscal Note History:** First Reader - January 19, 2012  
mc/mcr Revised - House Third Reader/Updated Information - March 24,  
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