
A BILL FOR AN ACT

RELATING TO ELEVATOR MECHANICS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 448H, Hawaii Revised Statutes, is
2 amended by adding four new sections to be appropriately
3 designated and to read as follows:

4 "§448H- Examination. (a) Every applicant for a
5 license shall pass a licensing examination.

6 (b) In addition, every applicant for a license under
7 subsection (a) shall also:

8 (1) Pay an examination fee as provided in rules adopted by
9 the board under chapter 91;

10 (2) Pass the examination with an examination score of not
11 less than seventy per cent;

12 (3) Refrain from taking an examination less than three
13 months after failing a previous examination;

14 (4) Not be allowed to review the applicant's answers to an
15 examination that the applicant failed to pass.

16 §448H- Apprenticeship registration. (a) All apprentices
17 shall register with the board and the department of labor and



1 industrial relations within sixty days of entering into an
2 apprenticeship program or upon arrival in the State, whichever
3 occurs earlier. Failure to register within sixty days shall
4 constitute a violation of this chapter and may result in
5 expulsion from the apprenticeship program.

6 (b) In order to be eligible for registration, an applicant
7 shall:

- 8 (1) Not be registered in any other apprenticeship program
9 that is certified by the State or the United States
10 Department of Labor;
11 (2) Be employed by a licensed contractor with a C-16
12 classification; and
13 (3) Be enrolled in, and actively participating in, an
14 elevator mechanic apprenticeship program approved by
15 the State or the United States Department of Labor.

16 (c) All apprentices shall be subject to an annual renewal
17 fee of not less than one hundred dollars, subject to revision by
18 the board through rules adopted pursuant to chapter 91.

19 §448H- License renewals. (a) Licenses shall expire on
20 June 30 of each even-numbered year. Licensees seeking renewal



1 shall pay all applicable fees and pass the competency
2 requirements under subsection (b).

3 (b) Prior to each license renewal, a licensed elevator
4 mechanic shall furnish the board with proof of attendance in an
5 educational course:

6 (1) Related to the construction, installation,
7 modernization, repair, and maintenance of elevators
8 and other similar conveyances; or

9 (2) Offered by a certified elevator inspection entity such
10 as the National Association of Elevator Safety
11 Authorities - Qualified Elevator Inspector
12 certification program;

13 provided that course work or proof of attendance thereof shall
14 total not less than ten hours per cycle.

15 **§448H- Elevator mechanics; scope of work.** (a) All
16 construction, reconstruction, alteration, maintenance, repair,
17 troubleshooting, mechanical, or electrical work or adjustments,
18 which include the updating of software, the changing of
19 parameters, the resetting of faults, and the operation of all
20 systems and functions, of any conveyance, including any
21 reconstruction, alteration, or adjustment of the structure or



1 facility of which the same may be a part or to which the same
2 may be attached, necessary for proper completion of the work on
3 the conveyance shall be performed by an elevator mechanic who is
4 licensed by the board.

5 (b) Unless a licensed elevator mechanic is performing work
6 for a licensed C-16 elevator contractor, the licensed elevator
7 mechanic may not dismantle or remove a conveyance from a
8 building or structure until the building or structure is fully
9 secure from unauthorized public access and:

10 (1) The entire building or structure is completely
11 demolished down to, and including, its foundation; or

12 (2) The entire building or structure is provided with
13 basic supporting walls, floors, and a roof."

14 SECTION 2. Section 448H-1, Hawaii Revised Statutes, is
15 amended as follows:

16 1. By adding a new definition to be appropriately inserted
17 and to read:

18 "Conveyance" means any elevator, dumbwaiter, stage lift,
19 mechanized parking garage elevator, escalator, moving walk or
20 ramp, or lift."



1 2. By amending the definitions of "apprentice elevator
2 mechanic" and "elevator mechanic" to read:

3 "Apprentice elevator mechanic" means any person who is [~~in~~
4 ~~training~~] registered with the department of labor and industrial
5 relations or the board, is enrolled in a state-registered
6 apprenticeship program, and is actively training to acquire the
7 skill to become an elevator mechanic and who is required to work
8 [~~for at least four years~~] at full-time or its equivalent for not
9 less than four and one-half years, but not less than nine
10 thousand hours, under the supervision of an elevator mechanic
11 duly licensed under section 448H-6.

12 "Elevator mechanic" means any person who engages in the
13 construction, reconstruction, alteration, maintenance, repair,
14 troubleshooting, mechanical, or electrical work or adjustments,
15 which includes updating of software, the changing of parameters,
16 the resetting of faults, and the operation of all systems and
17 functions, of any [~~elevator, dumbwaiter, stage lift, mechanized~~
18 ~~parking garage elevator, escalator, moving walk or ramp, lift~~]
19 conveyance, including any construction, reconstruction,
20 alteration, or adjustment of the structure or facility of which
21 the same may be a part or to which the same may be attached,



1 necessary for proper completion of the work on the [~~elevator,~~
2 ~~dumbwaiter, stage lift, mechanized parking garage elevator,~~
3 ~~escalator, moving walk or ramp, or lift.~~] conveyance."

4 SECTION 3. Section 448H-2, Hawaii Revised Statutes, is
5 amended to read as follows:

6 "[~~+~~§448H-2[~~+~~] **License required.** No person shall operate
7 or practice as an elevator mechanic in the State unless the
8 person is licensed under this chapter."

9 SECTION 4. Section 448H-4, Hawaii Revised Statutes, is
10 amended to read as follows:

11 "~~§~~448H-4 **Meetings.** The board shall meet not less than
12 [~~twice~~] twelve times a year at a time and place as determined by
13 the board. The board shall also meet but not later than thirty
14 days prior to the licensing examination pursuant to section
15 448H-5(2) in order to evaluate applications therefor. Any board
16 member who misses two consecutive meetings of the board or fifty
17 per cent of the meetings in a year shall be removed from the
18 board."

19 SECTION 5. Section 448H-5, Hawaii Revised Statutes, is
20 amended to read as follows:



- 1 **"§448H-5 Powers and duties of the board.** In addition to
2 any other powers and duties authorized by law, the board shall:
- 3 (1) Adopt rules in accordance with chapter 91 to carry out
4 the purposes of this chapter;
- 5 (2) Develop, apply, review and upgrade appropriate
6 techniques, including examinations and investigations
7 for determining whether a person meets the
8 requirements of this chapter and standards to insure
9 that elevator mechanics will be persons qualified to
10 serve as such;
- 11 (3) . Prescribe, at a minimum, that a nationally recognized
12 examination, augmented with locally developed
13 material, be used in testing for licensure[~~the~~
14 ~~passing grade for the examination to be not less than~~
15 ~~seventy per cent~~];
- 16 (4) Issue licenses to persons determined, after
17 application of those techniques, to have met the
18 required qualifications and revoke or suspend
19 licenses, previously issued by the board pursuant to
20 hearings held in accordance with chapter 91, in any
21 case where the individual holding any license is



1 determined substantially to have failed to conform to
2 the required qualifications, this chapter, or the
3 rules of the board;

4 (5) Establish and carry out procedures designed to insure
5 that persons licensed as elevator mechanics will,
6 during any period they serve as such, comply with the
7 requirements of this chapter, the rules of the board,
8 and chapter 397 and rules adopted thereunder;

9 (6) Receive, investigate, and take appropriate action with
10 respect to, any charge or complaint filed with the
11 board to the effect that any individual licensed as an
12 elevator mechanic has failed to comply with the
13 requirements of this chapter regarding any complaint
14 regarding job performance by mechanics, the rules of
15 the board, or chapter 397 and the rules adopted
16 thereunder;

17 (7) Register apprentice elevator mechanics;

18 (8) Review apprentice applications prior to the acceptance
19 of applicants;

20 (9) Develop and maintain a list of all registered
21 apprentices;



1 (10) Review and purge lists of registered apprentices every
2 two years;

3 [~~8~~] (11) Maintain a record of its proceedings;

4 [~~9~~] (12) Assist and advise the department of labor and
5 industrial relations in the adoption of rules relating
6 to the conditions of work for elevator mechanics
7 including requirements related to equipment or
8 facilities essential for the safe installation,
9 repair, maintenance, or alteration of any elevator,
10 dumbwaiter, escalator, moving walk or ramp, and lift;
11 [~~and~~

12 ~~(10)~~ (13) Notify the department of labor and industrial
13 relations of any fact or situation that, in the
14 opinion of the board, constitutes a violation of
15 chapter 397 or of any rule adopted thereunder~~[-]~~; and

16 (14) Serve as an advisor to the regulated industries
17 complaints office; provided that the board member is a
18 licensed elevator mechanic."

19 SECTION 6. Section 448H-6, Hawaii Revised Statutes, is
20 amended to read as follows:



1 **"§448H-6 Qualifications for license.** No person shall be
2 licensed as an elevator mechanic unless the person has
3 satisfactorily passed the examination administered by the board
4 and [~~satisfactorily completed at least four years of training~~
5 ~~under the supervision of a licensed elevator mechanic.~~] has met
6 the following minimum qualifications:

- 7 (1) Obtaining a certificate of completion and successfully
8 passing the mechanic examination of a nationally
9 recognized training program for the elevator industry
10 such as the National Elevator Industry Educational
11 Program; and
- 12 (2) Satisfactorily completing not less than four and one
13 half years of full-time or equivalent elevator
14 mechanic training; provided that not less than nine
15 thousand hours of training were received under the
16 supervision of a licensed elevator mechanic."

17 SECTION 7. Section 448H-7, Hawaii Revised Statutes, is
18 amended to read as follows:

19 **"§448H-7 Temporary permit.** (a) The board may issue a
20 temporary permit to any person who has qualified as an elevator
21 mechanic in another state with standards substantially equal to



1 those of this chapter and who possesses skills or training not
2 available in the State; provided that the board shall not
3 register any such person as an apprentice elevator mechanic.
4 The board shall, by rules and regulations, establish the terms
5 of the temporary permit.

6 (b) A temporary permit may be issued to an apprentice if
7 the following conditions are met:

8 (1) An application for the permit is submitted for the
9 board's approval;

10 (2) The permit shall be for a three-month period or for
11 the duration of time required to complete the
12 particular job for which the permit was issued,
13 whichever is longer;

14 (3) The applicant presents proof of not less than three
15 years of work experience; provided that not less than
16 six thousand hours were spent under the supervision of
17 an elevator mechanic licensed under section 448H-6;
18 and

19 (4) The applicant is registered with the board and the
20 department of labor and industrial relations as an
21 apprentice elevator mechanic."



H.B. NO. 1381

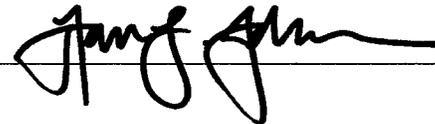
1 SECTION 8. This Act does not affect rights and duties that
2 matured, penalties that were incurred, and proceedings that were
3 begun before its effective date.

4 SECTION 9. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 10. This Act shall take effect upon its approval.

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INTRODUCED BY:



JAN 24 2017



H.B. NO. 1381

Report Title:

Elevator Mechanics; Licensing; Apprentices

Description:

Expands or clarifies various aspects of statutes regarding elevator mechanic licensing and apprentice registration.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

