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# 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 license  
5 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 pursuant to chapter 91;

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

12          (3) Be disallowed from retaking an examination less than  
13 three months after failing an examination; and

14          (4) Be disallowed from reviewing the applicant's answers  
15 to an examination that the applicant failed to pass.

16          §448H- Apprentice 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 arrival in the State, whichever occurs  
3 earlier. Failure to register within sixty days shall constitute  
4 a violation of this chapter and may result in expulsion from the  
5 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  
17 registration renewal fee of not less than \$100, subject to  
18 revision by the board through rules adopted pursuant to chapter  
19 91.

20 §448H- License renewals. (a) Licenses shall expire on  
21 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 license renewal 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 the entire building  
10 or structure is:

11 (1) Completely demolished down to, and including, its  
12 foundation; or

13 (2) Provided with basic supporting walls, floors, and a  
14 roof."

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

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

19 "Conveyance" means any elevator, dumbwaiter, stage lift,  
20 mechanized parking garage elevator, escalator, moving walk or  
21 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~~]:

- 5           (1) Registered with the department of labor and industrial  
6           relations or the board;  
7           (2) Enrolled in a state-registered apprenticeship program;  
8           (3) Actively training to acquire the skill to become an  
9           elevator mechanic; and [who is required]  
10          (4) Required to work [for at least four years] at full-  
11          time or its equivalent for not less than four and one-  
12          half years, but not less than nine thousand hours,  
13          under the supervision of an elevator mechanic duly  
14          licensed under section 448H-6.

15          "Elevator mechanic" means any person who engages in the  
16 construction, reconstruction, alteration, maintenance, repair,  
17 troubleshooting, mechanical, or electrical work or adjustments,  
18 which includes updating of software, the changing of parameters,  
19 the resetting of faults, and the operation of all systems and  
20 functions, of any [~~elevator, dumbwaiter, stage lift, mechanized~~  
21 ~~parking garage elevator, escalator, moving walk or ramp, lift]~~



1 conveyance, including any construction, reconstruction,  
2 alteration, or adjustment of the structure or facility of which  
3 the same may be a part or to which the same may be attached,  
4 necessary for proper completion of the work on the [~~elevator,~~  
5 ~~dumbwaiter, stage lift, mechanized parking garage elevator,~~  
6 ~~escalator, moving walk or ramp, or lift.~~] conveyance."

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

9 "[+]§448H-2[+] **License required.** No person shall operate  
10 or practice as an elevator mechanic in the State unless the  
11 person is licensed under this chapter."

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

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



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

3 "§448H-5 Powers and duties of the board. In addition to  
4 any other powers and duties authorized by law, the board shall:

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



- 1           hearings held in accordance with chapter 91, in any  
2           case where the individual holding any license is  
3           determined substantially to have failed to conform to  
4           the required qualifications, this chapter, or the  
5           rules of the board;
- 6           (5) Establish and carry out procedures designed to insure  
7           that persons licensed as elevator mechanics will,  
8           during any period they serve as such, comply with the  
9           requirements of this chapter, the rules of the board,  
10          and chapter 397 and rules adopted thereunder;
- 11          (6) Receive, investigate, and take appropriate action with  
12          respect to, any charge or complaint filed with the  
13          board to the effect that any individual licensed as an  
14          elevator mechanic has failed to comply with the  
15          requirements of this chapter regarding any complaint  
16          regarding job performance by mechanics, the rules of  
17          the board, or chapter 397 and the rules adopted  
18          thereunder;
- 19          (7) Register apprentice elevator mechanics;
- 20          (8) Review apprentice applications prior to the acceptance  
21          of applicants;



- 1        (9) Develop and maintain a list of all registered  
2        apprentices;
- 3        (10) Review and purge lists of registered apprentices every  
4        two years;
- 5        [~~8~~] (11) Maintain a record of its proceedings;
- 6        [~~9~~] (12) Assist and advise the department of labor and  
7        industrial relations in the adoption of rules relating  
8        to the conditions of work for elevator mechanics  
9        including requirements related to equipment or  
10       facilities essential for the safe installation,  
11       repair, maintenance, or alteration of any elevator,  
12       dumbwaiter, escalator, moving walk or ramp, and lift;  
13       [~~and~~
- 14       [~~10~~] (13) Notify the department of labor and industrial  
15       relations of any fact or situation that, in the  
16       opinion of the board, constitutes a violation of  
17       chapter 397 or of any rule adopted thereunder~~[-]~~; and
- 18       (14) Serve as an advisor to the regulated industries  
19       complaints office; provided that the board member is a  
20       licensed elevator mechanic."



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

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

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

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



1           "§448H-7 Temporary permit. (a) The board may issue a  
2 temporary permit to any person who has qualified as an elevator  
3 mechanic in another state with standards substantially equal to  
4 those of this chapter and who possesses skills or training not  
5 available in the State; provided that the board shall not  
6 register any such person as an apprentice elevator mechanic.  
7 The board shall, by rules and regulations, establish the terms  
8 of the temporary permit.

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

11           (1) An application for the permit is submitted for the  
12 board's approval;

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

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



1        (4) The applicant is registered with the board and the  
2        department of labor and industrial relations as an  
3        apprentice elevator mechanic."

4        SECTION 8. This Act does not affect rights and duties that  
5        matured, penalties that were incurred, and proceedings that were  
6        begun before its effective date.

7        SECTION 9. Statutory material to be repealed is bracketed  
8        and stricken. New statutory material is underscored.

9        SECTION 10. This Act shall take effect on July 1, 2050.



**Report Title:**

Elevator Mechanics; Licensing; Apprentices

**Description:**

Clarifies the scope of work for elevator mechanics. Amends the requirements for apprentice elevator mechanics, the licensing requirements for elevator mechanics, and the powers and duties of the Elevator Mechanics Licensing Board. (HB1381 HD1)

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

