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# A BILL FOR AN ACT

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RELATING TO ELEVATOR MECHANICS.

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

1       SECTION 1. Elevators are one of the safest modes of  
2 transportation. There are an estimated eighteen billion  
3 elevator trips taken per year in the United States. With the  
4 continued vertical growth of urban Honolulu, including some  
5 condominium developments that exceed forty floors, it is  
6 important for Hawaii to ensure that state laws governing repair  
7 and maintenance of elevators remain current. The elevator  
8 mechanics' statute, chapter 448H, Hawaii Revised Statutes, has  
9 not been updated in more than ten years.

10       Like many other sectors, the elevator industry is  
11 undergoing rapid technological advancements which require  
12 elevator mechanics to expand their knowledge and skills through  
13 training and education to ensure that licensing standards and  
14 core competencies are met. With the advancements in the  
15 industry, it is necessary for mechanics to demonstrate core  
16 competencies when installing, repairing, and maintaining all  
17 elevators, escalators, and other vertical transportation.



1 The purpose of this Act is to strengthen regulatory  
2 oversight of the licensed profession of elevator mechanics by  
3 amending the permissible scope of work, apprenticeship and  
4 licensing requirements, and remote interaction requirements.

5 SECTION 2. Chapter 448H, Hawaii Revised Statutes, is  
6 amended by adding five new sections to be appropriately  
7 designated and to read as follows:

8 "§448H-A Examination. Every applicant shall be examined  
9 and shall pass an examination to be eligible for licensure.

10 Every applicant shall:

11 (1) Pass the examination with not less than seventy per  
12 cent correct; and

13 (2) Not be allowed to review any of the applicant's failed  
14 examinations.

15 §448H-B License renewals; continuing education. (a)  
16 Licenses shall expire on June 30 of each even-numbered year.  
17 Licensees seeking renewal shall pay all applicable fees and  
18 complete the continuing education requirements pursuant to  
19 subsection (b).

20 (b) Prior to each license renewal, all licensed elevator  
21 mechanics shall complete:



1        (1) An educational course, approved by the board, of no  
2        less than eight hours related to the elevator  
3        industry; or

4        (2) A qualified elevator inspector continuing education  
5        course of no less than eight hours offered by an  
6        American National Standards Institute accredited  
7        certifying organization.

8        (c) An elevator mechanic initially licensed within one  
9        year prior to the applicable renewal date shall not be required  
10       to complete the eight hours of continuing education to renew the  
11       elevator mechanic's license.

12       (d) The board may conduct random audits to determine  
13       compliance with the continuing education requirement. The board  
14       shall provide written notice of an audit to a licensee randomly  
15       selected for audit. Within sixty days of notification, the  
16       licensee shall provide the board documentation verifying  
17       compliance with the continuing education requirement established  
18       by this section.

19       §448H-C Exemptions. Licensure as an elevator mechanic  
20       shall not be required for:



(1) Dismantling or removing a conveyance; provided that the conveyance will not be reused and the building or structure, as defined by its foundation outline, is totally secure from public and unauthorized access and the entire building is completely demolished down to and including the foundation; and

(2) Employees of a contractor duly licensed under chapter 444 who enters into the contract to install, repair, or remove the platform lift or stairway lift within a private residence not accessible to the general public or to other occupants in the building.

**§448H-D Elevator mechanics scope of work.** All construction, reconstruction, alteration including flooring and all elevator cab work, maintenance, repair, troubleshooting, mechanical, or electrical work or adjustments, which includes but is not limited to updating software, changing parameters, resetting faults, and operation of all systems and functions, shall be performed by a licensed elevator mechanic. Work on adjustment of the structure or facility of which the conveyance may be part or to which the conveyance may be attached, including any construction, reconstruction, alteration including



1 flooring and all elevator cab work with the exclusion of  
2 cleaning and painting, necessary for proper completion of the  
3 work on the conveyance shall be performed by a licensed elevator  
4 mechanic.

5 §448H-E Remote interaction. Remote interaction of a  
6 conveyance shall not be permitted without the express permission  
7 of a licensed elevator mechanic who shall be physically present  
8 at the conveyance; provided that this requirement shall not  
9 preclude remote interaction with the conveyance from within the  
10 building or complex in which the conveyance is located if the  
11 interaction is for the sole purpose of securing, locking, or  
12 providing private use of the conveyance."

13 SECTION 3. Section 448H-1, Hawaii Revised Statutes, is  
14 amended as follows:

15 1. By adding two new definitions to be appropriately  
16 inserted and to read:

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



1       "Remote interaction" means an action to manipulate or  
2 interact with the controls of a conveyance remotely, or from  
3 within the building or complex."

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

6       "Apprentice elevator mechanic" means any person who is  
7 [in] enrolled in a registered apprenticeship program under an  
8 apprenticeship agreement registered with the department of labor  
9 and industrial relations, a state apprenticeship counsel, or the  
10 Bureau of Apprenticeship and Training of the federal Department  
11 of Labor and is actively training to acquire the skill to become  
12 an elevator mechanic, and who is required to work for [at least  
13 four years] no less than four and one half years full time or  
14 its equivalent, but not less than nine thousand hours under the  
15 direct supervision of an elevator mechanic duly licensed under  
16 section 448H-6.

17       "Elevator mechanic" means any person who engages in the  
18 construction, reconstruction, alteration, maintenance, repair,  
19 troubleshooting, mechanical, or electrical work or adjustments,  
20 which includes but is not limited to updating software, changing  
21 parameters, resetting faults, and the operation of all systems



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

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

11 "**§448H-5 Powers and duties of the board.** In addition to  
12 any other powers and duties authorized by law, the board shall:

- 13 (1) Adopt rules in accordance with chapter 91 to carry out  
14 the purposes of this chapter;
- 15 (2) Develop, apply, review and upgrade appropriate  
16 techniques, including examinations and investigations  
17 for determining whether a person meets the  
18 requirements of this chapter and standards to insure  
19 that elevator mechanics will be persons qualified to  
20 serve as such;



1 (3) Prescribe, at a minimum, that a nationally recognized  
2 examination, augmented with locally developed  
3 material, be used in testing for licensure[, the  
4 ~~passing grade for the examination to be not less than~~  
5 ~~seventy per cent~~];

6 (4) Issue licenses to persons determined, after  
7 application of those techniques, to have met the  
8 required qualifications and revoke or suspend  
9 licenses[~~7~~] previously issued by the board, pursuant  
10 to hearings held in accordance with chapter 91, in any  
11 case where the individual holding any license is  
12 determined substantially to have failed to conform to  
13 the required qualifications, this chapter, or the  
14 rules of the board;

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

20 (6) Receive, investigate, and take appropriate action with  
21 respect to, any charge or complaint filed with the





1 board to the effect that any individual licensed as an  
2 elevator mechanic has failed to comply with the  
3 requirements of this chapter regarding any complaint  
4 regarding job performance by mechanics, the rules of  
5 the board, or chapter 397 and the rules adopted  
6 thereunder;

7 ~~[(7) Register apprentice elevator mechanics;~~

8 ~~(8)]~~ (7) Maintain a record of its proceedings;

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

17 ~~[(10)]~~ (9) Notify the department of labor and industrial  
18 relations of any fact or situation that, in the  
19 opinion of the board, constitutes a violation of  
20 chapter 397 or of any rule adopted thereunder."



SECTION 5. Section 448H-6, Hawaii Revised Statutes, is amended to read as follows:

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

(1) The applicant has obtained a certificate of completion from an apprenticeship program registered with the department of labor and industrial relations, a state apprenticeship counsel, or the Bureau of Apprenticeship and Training of the federal Department of Labor and has successfully passed the elevator mechanic's examination of a nationally-recognized training program as approved by the board with standards similar to but not less than those set forth by the National Elevator Industry Educational Program; and

(2) The applicant has satisfactorily completed no less than four and one-half years full time work or its



1       equivalent, but not less than nine thousand hours,  
2       under the direct supervision of an elevator mechanic  
3       duly licensed under section 448H-6. The board shall,  
4       by rule, establish the terms for the verification of  
5       time in the industry."

6       SECTION 6. Section 448H-7, Hawaii Revised Statutes, is  
7       amended to read as follows:

8       "**§448H-7 Temporary permit.** The board may issue a  
9       temporary permit to ~~[any]~~ the following:

10       (1) Any person who has qualified as an elevator mechanic  
11       in another state with standards substantially equal to  
12       those of this chapter and who possesses skills or  
13       training not available in the State~~[, provided that~~  
14       ~~the board shall not register any such person as an~~  
15       ~~apprentice elevator mechanic]~~. The board shall, by  
16       rules and regulations, establish the terms of the  
17       temporary permit ~~[;]~~ ; and

18       (2) An elevator mechanic apprentice who has a minimum of  
19       three years full time work experience, but not less  
20       than six thousand hours, under the direct supervision  
21       of an elevator mechanic duly licensed under section



1       448H-6, if there is a shortage of elevator mechanics  
2       in the State. The board shall, by rule, establish the  
3       terms for the determination of a shortage of elevator  
4       mechanics, the verification of time in the industry,  
5       and the terms of the apprentice's temporary permit."

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

8       "**§448H-8 Fees.** Application, examination, license,  
9 temporary permit, and biennial renewal fees shall be as provided  
10 in rules adopted by the director of commerce and consumer  
11 affairs pursuant to chapter 91. A fee is required for each  
12 reexamination. Application fees are not refundable.

13       ~~[Licenses shall expire on June 30 of each even-numbered~~  
14 ~~year.] "~~

15       SECTION 8. In codifying the new sections added by section  
16 2 of this Act, the revisor of statutes shall substitute  
17 appropriate section numbers for the letters used in designating  
18 the new sections in this Act.

19       SECTION 9. Statutory material to be repealed is bracketed  
20 and stricken. New statutory material is underscored.

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



**Report Title:**

Elevator Mechanics; Apprenticeship; Licensure Requirements;  
Remote Interaction

**Description:**

Amends requirements for apprenticeship and licensure of elevator mechanics and adds provisions relating to examination, license renewals, continued competency, scope of work, and remote interaction. (HB1630 HD1)

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

