
A BILL FOR AN ACT

RELATING TO ELEVATOR MECHANICS.

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

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

11 The legislature further finds that, like many other
12 sectors, the elevator industry is undergoing rapid technological
13 advancements, which require elevator mechanics to expand their
14 knowledge and skills through training and education to ensure
15 that licensing standards and core competencies are met. Given
16 these technological advancements, it is necessary for elevator
17 mechanics to demonstrate core competencies when installing,



1 repairing, and maintaining all elevators, escalators, and other
2 vertical transportation.

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

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

10 "§448H-A Examination. Every applicant shall pass an
11 examination prescribed by the board for licensure. Every
12 applicant shall:

13 (1) Pass the examination with no less than seventy per
14 cent correct; and

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

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



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

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

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

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

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



1 §448H-C Elevator mechanics; scope of work. All
2 construction; reconstruction; alteration, including flooring;
3 and all elevator cab work, maintenance, repair, troubleshooting,
4 mechanical, or electrical work or adjustments, which includes
5 but is not limited to updating software, changing parameters,
6 resetting faults, and operation of all systems and functions, of
7 any conveyance shall be performed by a licensed elevator
8 mechanic.

9 Work on adjustment of the structure or facility, of which
10 the conveyance may be part or to which the conveyance may be
11 attached, including any construction; reconstruction;
12 alteration, including flooring; and all elevator cab work
13 necessary for proper completion of the work on the conveyance
14 shall be performed by a licensed elevator mechanic.

15 §448H-D Exemptions. Licensure as an elevator mechanic
16 shall not be required for:

17 (1) Dismantling or removing a conveyance; provided that
18 the conveyance is not reused and the building or
19 structure, as defined by its foundation outline, is
20 totally secure from public and unauthorized access and



1 the entire building is being completely demolished
2 down to and including the foundation; and
3 (2) Employees of an elevator contractor, duly licensed
4 under chapter 444, who enters into the contract to
5 install, repair, or remove the platform lift or
6 stairway lift within a private residence not
7 accessible to the general public or to other occupants
8 in the building.

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

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

19 1. By adding two new definitions to be appropriately
20 inserted and to read:



1 "Conveyance" means any elevator, dumbwaiter, stage lift,
2 mechanized parking garage elevator, escalator, moving walk or
3 ramp, or lift.

4 "Remote interaction" means an action to manipulate or
5 interact with the controls of a conveyance remotely, or from
6 within the building or complex in which the conveyance is
7 located."

8 2. By amending the definition of "apprentice elevator
9 mechanic" to read:

10 "Apprentice elevator mechanic" means any person who is
11 [in]:

12 (1) Enrolled in an apprenticeship program for the elevator
13 industry that is registered with the state
14 apprenticeship council or the Bureau of Apprenticeship
15 and Training, United States Department of Labor;

16 (2) Actively training to acquire the skill to become an
17 elevator mechanic; and [who is required]

18 (3) Required to work for [at least four years] no less
19 than four and one-half years full-time or its
20 equivalent, but no less than nine thousand hours,



1 under the supervision of an elevator mechanic duly
2 licensed under section 448H-6."

3 3. By amending the definition of "elevator mechanic" to
4 read:

5 "Elevator mechanic" means any person who engages in the
6 construction, reconstruction, alteration, maintenance, repair,
7 troubleshooting, mechanical, or electrical work or adjustments,
8 which includes but is not limited to updating software, changing
9 parameters, resetting faults, and the operation of all systems
10 and functions, of any [~~elevator, dumbwaiter, stage lift,~~
11 ~~mechanized parking garage elevator, escalator, moving walk or~~
12 ~~ramp, lift]~~ conveyance, including any construction,
13 reconstruction, alteration, or adjustment of the structure or
14 facility of which the same may be a part or to which the same
15 may be attached, necessary for proper completion of the work on
16 the [~~elevator, dumbwaiter, stage lift, mechanized parking garage~~
17 ~~elevator, escalator, moving walk or ramp, or lift.] conveyance."~~

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

20 "**§448H-5 Powers and duties of the board.** In addition to
21 any other powers and duties authorized by law, the board shall:



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



1 the required qualifications, this chapter, or the
2 rules of the board;

3 (5) Establish and carry out procedures designed to
4 [~~insure~~] ensure that persons licensed as elevator
5 mechanics [~~will~~], during any period they serve as
6 such, shall comply with the requirements of this
7 chapter, the rules of the board, and chapter 397 and
8 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)]~~ (7) Maintain a record of its proceedings;

19 [~~(9)~~] (8) Assist and advise the department of labor and
20 industrial relations in the adoption of rules relating
21 to the conditions of work for elevator mechanics,



1 including requirements related to equipment or
2 facilities essential for the safe installation,
3 repair, maintenance, or alteration of any [~~elevator,~~
4 ~~dumbwaiter, escalator, moving walk or ramp, and lift,~~]
5 conveyance; and

6 [~~10~~] (9) Notify the department of labor and industrial
7 relations of any fact or situation that, in the
8 opinion of the board, constitutes a violation of
9 chapter 397 or of any rule adopted thereunder."

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

12 "**§448H-6 Qualifications for license.** No person shall be
13 licensed as an elevator mechanic unless the person has
14 satisfactorily passed the examination administered by the board
15 and [~~satisfactorily completed at least four years of training~~
16 ~~under the supervision of a licensed elevator mechanic.~~] has met
17 the following minimum qualifications:

18 (1) Obtained a certificate of completion from an
19 apprenticeship program for the elevator industry that
20 is registered with the state apprenticeship council or
21 the Bureau of Apprenticeship and Training, United



1 States Department of Labor, and is approved by the
2 board using standards similar to but no less stringent
3 than those set forth by the National Elevator Industry
4 Educational Program; and

5 (2) Satisfactorily completed no less than four and one-
6 half years of full-time work or its equivalent, but no
7 less than nine thousand hours, under the direct
8 supervision of an elevator mechanic duly licensed
9 under this section. The board, by rule, shall
10 establish the terms for the verification of time in
11 the industry."

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

14 "**§448H-7 Temporary permit.** The board may issue a
15 temporary permit to [~~any~~] the following:

16 (1) Any person who has qualified as an elevator mechanic
17 in another state with standards substantially equal to
18 those of this chapter and who possesses skills or
19 training not available in the State[~~, provided that~~
20 the board shall not register any such person as an
21 apprentice elevator mechanic]. The board [shall], by



1 ~~[rules and regulations,]~~ rule, shall establish the
2 terms of the temporary permit~~[-]~~; and
3 (2) An apprentice elevator mechanic who has a minimum of
4 three years of full-time work experience, but no less
5 than six thousand hours, under the direct supervision
6 of an elevator mechanic duly licensed under section
7 448H-6, if there is a shortage of elevator mechanics
8 in the State. The board, by rule, shall establish the
9 terms for the determination of a shortage of elevator
10 mechanics, the verification of time in the industry,
11 and the terms of the apprentice's temporary permit."

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

14 "**§448H-8 Fees.** Application, examination, license,
15 temporary permit, and biennial renewal fees shall be as provided
16 in rules adopted by the director of commerce and consumer
17 affairs pursuant to chapter 91. A fee is required for each
18 reexamination. Application fees are not refundable.

19 ~~[Licenses shall expire on June 30 of each even numbered~~
20 ~~year.] "~~



1 SECTION 8. In codifying the new sections added by section
2 2 of this Act, the revisor of statutes shall substitute
3 appropriate section numbers for the letters used in designating
4 the new sections in this Act.

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

7 SECTION 10. This Act shall take effect on July 1, 2018;
8 provided that section 448H-B, Hawaii Revised Statutes, as added
9 by section 2 of this Act, and section 5 of this Act shall take
10 effect on July 1, 2020.



Report Title:

Elevator Mechanics; Apprenticeship; Licensure; Continuing Education; Requirements; Scope of Work

Description:

Updates requirements for apprenticeship and licensure of elevator mechanics, including examination, license renewal, continuing education, scope of work, exemptions, remote interaction, and qualifications for licensure. Clarifies powers and duties of the elevator mechanics licensing board and requirements for temporary permits. Effective 7/1/2020: license renewal, continuing education, and qualifications for licensure. (SD2)

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