

ACT 217

S.B. NO.695

A Bill for an Act Relating to the Elevator Mechanics Licensing Board.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 26H-4, Hawaii Revised Statutes, is amended to read as follows:

“Sec. 26H-4 Repeal dates. [(a) The following chapters are hereby repealed effective December 31, 1978:

- (1) Chapter 448A (Escort Agencies)
- (2) Chapter 462 (Board of Photography)]

[(b)] (a) The following chapters are hereby repealed effective December 31, 1979:

- (1) Chapter 437 (Motor Vehicle Industry Licensing Board)
- (2) Chapter 440 (Boxing Commission)
- (3) Chapter 443 (Collection Agencies Board)
- (4) Chapter 446D (Degree Granting Institutions)
- [(5) Chapter 448H (Elevator Mechanics Licensing Board)]

[(6)] (5) Chapter 467A (Rental Agencies)

[(7)] (6) Chapter 452 (Board of Massage)

[(c)] (b) The following chapters are hereby repealed effective December 31, 1980:

- (1) Chapter 436 (Board of Examiners for Abstract Makers)
- (2) Chapter 439 (Board of Cosmetology)
- (3) Chapter 447 (Dental Hygienists)
- (4) Chapter 463 (Board of Private Detectives and Guards)
- (5) Chapter 468J (Travel Agencies)
- (6) Chapter 471 (Board of Veterinary Examiners)
- (7) Chapter 438 (Board of Barbers)

[(d)] (c) The following chapters are hereby repealed effective December 31, 1981:

- (1) Chapter 441 (Cemetery Board)
- (2) Chapter 451A (Board of Hearing Aid Dealers and Fitters)
- (3) Chapter 457B (Board of Examiners of Nursing Home Administrators)
- (4) Chapter 458 (Board of Dispensing Opticians)
- (5) Chapter 459 (Board of Examiners in Optometry)
- (6) Chapter 465 (Board of Certification for Practicing Psychologists)

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(7) Chapter 468E (Board of Speech Pathology and Audiology)

[(e)] (d) The following chapters are hereby repealed effective December 31, 1982:

- (1) Chapter 436D (Board of Acupuncture)
- (2) Chapter 437B (Motor Vehicle Repair Industry Board)
- (3) Chapter 442 (Board of Chiropractic Examiners)
- (4) Chapter 448E (Board of Electricians and Plumbers)
- (5) Chapter 464 (Board of Registration of Professional Engineers, Architects, Surveyors and Landscape Architects)
- (6) Chapter 466 (Board of Public Accountancy)
- (7) Chapter 467 (Real Estate Commission)
- (8) Chapter 448H (Elevator Mechanics Licensing Board)

[(f)] (e) The following chapters are hereby repealed effective December 31, 1983:

- (1) Chapter 444 (Contractors License Board)
- (2) Chapter 448 (Board of Dental Examiners)
- (3) Chapter 453 (Board of Medical Examiners)
- (4) Chapter 457 (Board of Nursing)
- (5) Chapter 460 (Board of Osteopathic Examiners)
- (6) Chapter 461 (Board of Pharmacy)

[(g)] (f) The following chapters are hereby repealed effective December 31, 1984:

- (1) Chapter 455[, Hawaii Revised Statutes] (Board of Examiners in Naturopathy)
- (2) Chapter 463E[, Hawaii Revised Statutes] (Podiatry).''

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

“Sec. 448H-3 Elevator mechanics licensing board; appointment; organization. There is created an elevator mechanics licensing board within the department of regulatory agencies for administrative purposes. The board shall consist of [five] seven members, three of whom shall be licensed elevator mechanics, [and the remaining] three others of whom shall be lay members, not connected or associated with the elevator or building industry, and one of whom shall be the branch manager of the technical inspection branch, division of occupational safety and health, department of labor and industrial relations. The governor shall appoint the members of the board in accordance with section 26-34; provided that in the initial appointment of the board, the elevator mechanic members need not satisfy the licensing requirements of this chapter, but shall have been elevator mechanics registered by the department of labor and industrial relations. The board shall elect one of its members as chairman.

Members of the board shall serve without compensation but shall be reimbursed for travel and other necessary expenses incurred in the performance of official duties.’’

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

“**Sec. 448H-4 Meetings; quorum.** The board shall meet not less than once a year at a time and place as determined by the board. The board shall also meet at such other times and places as may be necessary or requested by the department of regulatory agencies. [Three] Five members of the board shall constitute a quorum.”

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

“**Sec. 448H-5 Powers and duties of the board.** The board shall:

- (1) Adopt rules and regulations in accordance with chapter 91 to carry out the purposes of this chapter;
- (2) Develop and apply appropriate techniques, including examinations and investigations for determining whether a person meets the requirements of this chapter and standards to insure that elevator mechanics will be persons qualified to serve as such;
- (3) Issue licenses to persons determined, after application of such techniques, to have met such qualifications and revoke or suspend licenses, previously issued by the board pursuant to hearings held in accordance with chapter 91, in any case where the individual holding any such license is determined substantially to have failed to conform to such qualifications, this chapter, or the rules and regulations of the board;
- (4) Establish and carry out procedures designed to insure that persons licensed as elevator mechanics will, during any period they serve as such, comply with the requirements of this chapter, the rules and regulations of the board, and chapter 396 and the rules and regulations promulgated thereunder;
- (5) Receive, investigate, and take appropriate action with respect to, any charge or complaint filed with the board to the effect that any individual licensed as an elevator mechanic has failed to comply with the requirements of this chapter regarding any complaint regarding job performance by mechanics, the rules and regulations of the board, or chapter 396 and the rules and regulations promulgated thereunder;
- (6) Register apprentice elevator mechanics;
- (7) Maintain a record of its proceedings;
- (8) Assist and advise the department of labor and industrial relations in the promulgation of rules and regulations relating to the conditions of work for elevator mechanics including requirements related to equipment or facilities essential for the safe installation, repair, maintenance, or alteration of any elevator, dumbwaiter, escalator, moving walk or ramp, and manlift; and
- (9) Notify the department of labor and industrial relations of any fact or situation that, in the opinion of the board, constitutes a violation of chapter 396 or of any rule or regulation promulgated thereunder.”

SECTION 5. Statutory material to be deleted is bracketed. New material is underscored.

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

(Approved June 21, 1979.)