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State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH SESSION

HOUSE FILE NO. 1813

March 16, 2009
Authored by Juhnke; Lieder; Hamilton; Anderson, P.; Magnus and others
The bill was read for the first time and referred to the Committee on Commerce and Labor
April 7, 2009
Committee Recommendation and Adoption of Report:
To Pass as Amended
Read Second Time

A bill for an act

relating to construction codes; modifying elevator provisions; requiring a report; amending Minnesota Statutes 2008, sections 326B.163, subdivision 5; 326B.184, subdivision 2.

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

Section 1. Minnesota Statutes 2008, section 326B.163, subdivision 5, is amended to read:

Subd. 5. **Elevator.** As used in this chapter, "elevator" means moving walks and vertical transportation devices such as escalators, passenger elevators, freight elevators, dumbwaiters, hand-powered elevators, endless belt lifts, and wheelchair platform lifts~~,~~ ~~but~~. Elevator does not include:

(1) external temporary material lifts or temporary construction personnel elevators at sites of construction of new or remodeled buildings; or

(2) manlifts in grain elevators and feed mills subject to installation limitations under Minnesota Rules, part 5205.0550.

Sec. 2. Minnesota Statutes 2008, section 326B.184, subdivision 2, is amended to read:

Subd. 2. **Annual operating permit.** No person, except for an organization designated as a nonprofit entity under section 501(c)(3) of the Internal Revenue Code of 1986, as amended through December 31, 1999, may operate an elevator without first obtaining an annual operating permit from the department or a municipality authorized by subdivision 4 to issue annual operating permits. A $100 annual operating permit fee must be paid to the department for each annual operating permit issued by the department, except that the original annual operating permit must be included in the permit fee for the

initial installation of the elevator. Annual operating permits must be issued at 12-month intervals from the date of the initial annual operating permit. For each subsequent year, an owner must be granted an annual operating permit for the elevator upon the owner's or owner's agent's submission of a form prescribed by the commissioner and payment of the $100 fee. Each form must include the location of the elevator, the results of any periodic test required by the code, and any other criteria established by rule. An annual operating permit may be revoked by the commissioner upon an audit of the periodic testing results submitted with the application or a failure to comply with elevator code requirements, inspections, or any other law related to elevators.

Sec. 3. **REGULATION OF MANLIFTS IN GRAIN ELEVATORS; STUDY.**

The Department of Labor and Industry shall establish an advisory committee to review existing rules and laws relating to special purpose lifts, hand elevators, and manlifts in grain elevators, feed mills, and similar facilities not for public use. The department shall report to the legislature by January 30, 2010, any statutory or rule changes needed to address the appropriate maintenance criteria, qualifications of maintenance personnel, and annual operating permits, inspections, audits, and fees for manlifts, hand elevators, or special purpose lifts in grain elevators, feed mills, or similar facilities not for public use.

Sec. 4. **EFFECTIVE DATE.**

Sections 1 to 3 are effective the day following final enactment.