ALABAMA DEPARTMENT OF LABOR
ELEVATOR SAFETY RULES
ADMINISTRATIVE CODE

CHAPTER 480-8-1
GENERAL PROVISIONS

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Ed. Note: Former Chapter 490-2-1 has been renumbered Chapter 480-8-1. Due to the merger of the Department of Industrial Relations and the Department of Labor, the Department of Industrial Relations has been dissolved and all the rules will be listed under the Department of Labor as per certification filed January 9, 2013; effective February 13, 2013.

480-8-1-.01 Purpose Of The Rules. The purpose of this subchapter is to assure that elevators and other automated conveyances are correctly and safely installed and operated within the state by authorizing and enforcing rules for the design, installation, operation and maintenance of automated people conveyances, and by licensing mechanics and inspectors who work on these conveyances.
Author: Andrew Hamilton Smith
Statutory Authority: Code of Ala. 1975, §25-13-6 (2003).
History: New Rule: Filed June 22, 2004; effective July 27, 2004. **Amended:** Filed January 9, 2013; effective February 13, 2013.

480-8-1-.02 Authority And Definitions. These rules are adopted under the authority of Code of Ala. 1975, (2003 supp.) §25-13-1 *et seq*. For the purposes of these rules all definitions shall be the same as Section 25-13-2 of the Elevator Safety Act:

(1) ADMINISTRATOR. The State Commissioner of the Department of Labor or his or her designee.

(2) ASCE 21. American Society of Civil Engineers Automated People Mover Standards.

(3) ASME A17.1. The Safety Code for Elevators and Escalators, an American National Standard.

(4) ASME A17.3. The Safety Code for Existing Elevators and Escalators, an American National Standard.

(5) ASME A18.1. The Safety Standard for Platform Lifts and Stairway Chairlifts, an American National Standard.

(6) AUTOMATED PEOPLE MOVER. An installation as defined as an "automated people mover" in ASCE 21.

(7) BOARD. The Elevator Safety Review Board.

(8) CERTIFICATE OF OPERATION. A document issued by the administrator that indicates that the conveyance has had the required safety inspection and tests, and fees have been paid as set forth in this chapter.

(9) CERTIFICATE OF OPERATION; TEMPORARY. A document issued by the administrator which permits the temporary use of a non-complaint conveyance by the general public for a limited time while minor repairs are being completed.

(10) CONVEYANCE. Any elevator, dumbwaiter, escalator, moving sidewalk, platform lifts, stairway chairlifts, and automated people movers.

(11) DORMANT ELEVATOR, DUMBWAITER, or ESCALATOR. An installation placed out of service as specified in ASME A17.1 and ASME A18.1.

(12) ELEVATOR. An installation as defined as an "elevator" in ASME A17. 1.

(13) ELEVATOR CONTRACTOR. Any sole proprietor, firm, or corporation who possesses an elevator contractor's license in accordance with the provisions of Code of Ala. 1975, §25-13-7 or §25-13-8, and who is engaged in the business of erecting, constructing, installing, altering, servicing, repairing, or

maintaining elevators or related conveyances covered by this chapter.

(14) ELEVATOR HELPER/APPRENTICE. Any person who works under the general direction of a licensed elevator mechanic. A license is not required.

(15) ELEVATOR INSPECTOR. Any person, as defined in ASME QEI as an inspector, who possesses an elevator inspector's license in accordance with the provisions of this chapter.

(16) ELEVATOR MECHANIC. Any person who possesses an elevator mechanic's license in accordance with the provisions of Code of Ala. 1975, §25-13-7 or §25-13-8 and who is engaged in erecting, constructing, installing, altering, servicing, repairing, or maintaining elevators or related conveyances covered by this chapter.

(17) ESCALATOR. An installation as defined as an "escalator" in ASME A17.1.

(18) EXISTING INSTALLATION. An installation as defined as an "installation, existing" in ASME A17.1

(19) LICENSE. A written license, duly issued by the administrator, authorizing a sole proprietor, firm, or company to carry on the business of erecting, constructing, installing, altering, servicing, repairing, or maintaining or performing inspections of elevators or related conveyances covered by this chapter.

(20) LICENSE, ELEVATOR CONTRACTOR'S. A license which is issued to an elevator contractor who has proven his or her qualifications and ability and has been authorized by the board to possess this type of license. It shall entitle the holder thereof to engage in the business of erecting, constructing, installing, altering, servicing, testing, repairing, or maintaining elevators or related conveyances covered by this chapter.

(21) LICENSE, ELEVATOR MECHANIC. A license which is issued to a person who has proven his or her qualifications and ability and has been authorized by the board to work on conveyance equipment. It shall entitle the holder thereof to install, construct, alter, service, repair, test, maintain, and perform electrical work on elevators or related conveyances covered by this chapter.

(22) LICENSE, LIMITED ELEVATOR MECHANIC. A license which is issued to a person who has proven his or her qualifications and ability, and has been authorized by the board to work on platform lifts and stairway chair lifts.

(23) LICENSE, INSPECTOR. A license which is issued to a qualified individual who has proven his or her qualifications and ability and has been authorized by the board to possess this type of license. It shall entitle the holder thereof to engage in the business of inspecting elevators or related conveyances covered by this chapter.

(24) LICENSE, LIMITED ELEVATOR CONTRACTOR'S. A license which is issued by the administrator, authorizing a sole proprietor, firm, or company who employs individuals to carry on a business of erecting, constructing, installing, altering, servicing, repairing, or maintaining platform lifts and stairway chairlifts within any building or structure, including, but not limited to, private residences.

(25) LICENSEE. An elevator mechanic, elevator contractor, elevator inspector, or elevator inspection agency.

(26) MATERIAL ALTERATION. An "alteration" as defined in the referenced standards.

(27) MOVING WALK OR SIDEWALK. An installation as defined as a "moving walk" in ASME A17.1.

(28) PRIVATE RESIDENCE. A separate dwelling or a separate apartment in a multiple dwelling which is occupied by members of a single-family unit.

(29) REPAIR. A "repair" as defined in the referenced standards and which does not require a permit.

(30) TEMPORALLY DORMANT ELEVATOR, DUMBWAITER, or ESCALATOR. An installation whose power supply has been disconnected by removing fuses and placing a padlock on the mainline disconnect switch in the "OFF" position. The car is parked and the hoist away doors are in the closed and latched position. A wire seal shall be installed on the mainline disconnect switch by a licensed elevator inspector. This installation shall not be used again until it has been put in safe running order and is in condition for use. Annual inspections shall continue for the duration of the temporally

dormant status by a licensed elevator inspector. "Temporally dormant" status shall be renewable on an annual basis and shall not exceed a five-year period. The elevator inspector shall file a report with the chief elevator inspector describing the current conditions. The wire seal and padlock shall not be removed for any purpose without permission from the elevator inspector.

All other building transportation terms are as defined in the latest edition of ASME A17.1 and ASME A18.1.
Author: Ralph P. Pate
Statutory Authority: Code of Ala. 1975, §25-13-6 (2003).
History: New Rule: Filed June 22, 2004; effective July 27, 2004. **Amended:** Filed August 17, 2006; effective September 21, 2006. **Amended:** Filed January 9, 2013; effective February 13, 2013. **Amended:** Filed November 25, 2013; effective December 30, 2013.

480-8-1-.03 Effective Date. These rules shall take effect June 21, 2004.
Author: Andrew Hamilton Smith
Statutory Authority: Code of Ala. 1975, §25-13-6 (2003).
History: New Rule: Filed June 22, 2004; effective July 27, 2004. **Amended:** Filed January 9, 2013; effective February 13, 2013.

480-8-1-.04 Severability Clause. In the event any part or provision of these rules is held to be illegal, this shall not have the effect of making void or illegal any of the other parts or provisions of these rules.
Author: Andrew Hamilton Smith
Statutory Authority: Code of Ala. 1975, §25-13-6 (2003).
History: New Rule: Filed June 22, 2004; effective July 27, 2004. **Amended:** Filed January 9, 2013; effective February 13, 2013.

ALABAMA DEPARTMENT OF LABOR
ELEVATOR SAFETY RULES
ADMINISTRATIVE CODE

CHAPTER 480-8-2
BOARD POWERS AND STANDARDS

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Ed. Note: Former Chapter 490-2-2 has been renumbered Chapter 480-8-2. Due to the merger of the Department of Industrial Relations and the Department of Labor, the Department of Industrial Relations has been dissolved and all the rules will be listed under the Department of Labor as per certification filed January 9, 2013; effective February 13, 2013.

480-8-2-.01 Board Composition And Powers.

(1) The Elevator Safety Review Board is comprised of 10 members as specified in Code of Ala. 1975, §25-13-5. The Board's office is located at the Department of Labor, 649 Monroe Street, Montgomery, Alabama 36131.

(2) The Board controls the issuance, renewal, suspension and revocation of elevator mechanics, lift mechanics and inspectors licenses. In order to exercise its powers and carry out its responsibilities the Board may:

(a) Conduct or otherwise provide examinations;

(b) Conduct hearings with regard to the administration of its affairs;

(c) Investigate all matters within its jurisdiction; and,

(d) Adopt rules consistent with its statutory authority.

(e) The public may obtain information and make submissions or requests at the Board's office.
Author: Andrew Hamilton Smith
Statutory Authority: Code of Ala. 1975, §§25-13-6, -13, -20 (2003).
History: **New Rule:** Filed June 22, 2004; effective July 27, 2004. **Amended:** Filed January 9, 2013; effective February 13, 2013.

480-8-2-.02 Registration Of Conveyances.

(1) The owner or lessee of a conveyance shall register the conveyance with the department, pursuant to rules adopted by the Board. The registration shall include the type, rated load and speed, manufacturer, location, purpose, date of installation and any additional information the Board may require.

(2) Six months after the Board's adoption of these Rules, the Board may, after notice and hearing, assess an administrative penalty of no more than $500.00 per day against a building owner or lessee who fails to register a conveyance as required by this subchapter 30 days after being directed to do so by the Board.

(3) A jurisdiction tag shall be furnished and shall be permanently attached on or near the conveyance's crosshead by the inspector. On conveyances without a crosshead, jurisdiction tags shall be attached to the equipment on the car top. On conveyances also lacking car tops, the jurisdiction tag shall be attached on or near the control panel.
Author: Andrew Hamilton Smith
Statutory Authority: Code of Ala. 1975, §25-13-14 (2003).
History: **New Rule:** Filed June 22, 2004; effective July 27, 2004. **Amended:** Filed January 9, 2013; effective February 13, 2013.

480-8-2-.03 Minimum Standards Adoption Of Nationally Recognized Safety Codes.

(1) If not previously adopted, The Board shall automatically adopt the latest editions of the following standards six months from their effective date:

(a) THE NATIONAL SAFETY CODE FOR ELEVATORS AND ESCALATORS (ASME A.17.1)

(b) THE NATIONAL SAFETY CODE FOR EXISTING ELEVATORS AND ESCALATORS (ASME A.17.3).

(c) Those conveyances that are required to be in compliance with the provisions of ASME A17.3 - 1996 shall have until July 1, 2009 to meet the requirement of this standard.

(d) THE NATIONAL SAFETY STANDARD FOR PLATFORM LIFTS AND STAIRWAY CHAIRLIFTS (ASME A.18.1)

(e) THE NATIONAL SAFETY STANDARD FOR THE QUALIFICATIONS OF ELEVATOR INSPECTORS (ASME QEI-1)

(f) AUTOMATED PEOPLE MOVER STANDARDS (ASCE 21)

(2) Hydraulic elevators that have any portion of the cylinder buried in the ground and that do not have a double cylinder or a cylinder with a safety bulkhead shall:

(a) have the cylinder replaced with a double cylinder or a cylinder with a safety bulkhead protected from corrosion by one or more of the following methods:

(1) monitored cathodic protection;

(2) a coating to protect the cylinder from corrosion that will withstand the installation process;

(3) by a protective plastic casing immune to galvanic or electrolic action, salt water, and other known underground conditions; or

(b) be provided with a device meeting the requirements of Section 3.5 or a device arranged to operate in the down direction at an over speed not exceeding 125% of rated speed. The device shall mechanically act to limit the maximum car speed to the buffer striking speed, or stop the elevator car with rated load with a deceleration not to exceed 32.2ft/s2(9.8m/s2), and shall not automatically reset. Actuation

of the device shall cause power to be removed from the pump motor and control valves until manually reset; or

(c) have other means acceptable to the authority having jurisdiction to protect against unintended movement of the car as a result of uncontrolled fluid loss.

(d) All new and existing jacks must be in compliance by October 1, 2007

(3) The following standards shall govern restricted openings of hoistway doors and/or car doors on passenger elevators.

(a) When a car is outside the unlocking zone, the hoistway doors or car doors shall be so arranged that the hoistway doors or car doors cannot be opened more than 4 in. (102 mm) from inside the car.

(b) When the car is outside the unlocking zone, the car doors shall be openable from outside the car without the use of special tools.

(c) The unlocking zone shall extend from the landing floor level to a point no greater than 18 in. (457 mm) above or below the landing floor level.

(d) All existing elevators that are not in compliance with this rule have six months after the inspection report is received by the department to be in compliance.

(4) The following procedures shall be followed for Temporary Certificates of Operation

(a) A temporary certificate of operation may be issued at the discretion of the chief inspector if requested by the elevator contractor and the inspector. This request must be submitted by the inspector in the form of an inspection report, along with the required fee.

(b) The fee required for the certificate and inspection is $100.00 must be submitted with the inspection report at the time of the request. The remaining $160.00 will be paid to the inspector as determined at the time of the inspection. Any violations that would prevent the elevator from receiving a temporary certificate of operation must be completed prior to sending in the inspection report.

(c) The elevator must have all safety devices properly tested and witnessed by the inspector. The inspector along with the elevator contractor must decide if an elevator operator will be required. If so, the operator must receive proper training by the elevator contractor. If an operator will be stationed in the elevator during operation, no working phone is required during temporary operation. The operator will be required to have some form of 2-way communication.

(d) When the inspection report and fee are submitted to this office, the inspector is certifying the elevator is safe for this type service.

(5) In order to reduce the hazards associated with water on energized circuits from the activation of sprinklers in the elevator equipment room, new elevator installations, and modernizations/alterations will require the shunt trip of each elevator disconnecting means to be located outside the elevator equipment room.

(a) It shall de-energize both the line side and load side of the affected elevator's disconnecting means.

(b) In cases of extreme difficulty in locating the shunt trip outside the machine room, and with prior written approval from the administrator, locating the shunt trip in the machine room may be approved, if the disconnect is a rainproof NEMA 3R or better enclosure.

(c) Control circuits to shut down elevator power shall be monitored for presence of operating voltage. Loss of voltage to the control circuit for the disconnecting means shall cause a supervisory signal to be indicated at the control unit and required remote enunciators.

Author: Ralph Pate

Statutory Authority: Code of Ala. 1975, §25-13-6 (2003).

History: **New Rule:** Filed June 22, 2004; effective July 27, 2004. **Amended:** Filed December 29, 2004; effective February 2, 2005. **Amended:** Filed August 17, 2006; effective September 21, 2006. **Amended:** Filed May 8, 2008; effective June 12, 2008. **Amended:** Filed January 9, 2013; effective February 13, 2013.

480-8-2-.04 Variance, Exemption And Reconsideration.

(1) The Board may grant a variance approving a different solution to compliance with the intent of this code. In considering a request for a variance, the board may take into consideration the impact to the historic character of the conveyance and/or the building. It is the policy of the Board that whenever possible the determination of a variance or exemption request be made by the Elevator Safety Review Board.

(2) In order for a variance or exemption request to be reviewed the owner or designated representative shall submit:

(a) Evidence that the proposed or existing conveyance is not in compliance with this Code.

(b) Evidence, letters, statements, test results, construction documents, or other supporting information as required to justify the request.

(c) Evidence that strict compliance with the Code would entail practical difficulty, unnecessary hardship or is otherwise found unwarranted.

(d) Evidence that any such variance or exemption secures the public safety and health and that the methods, means or practices proposed provide equal protection of the public safety and health.

(3) The determination on the variance or exemption request shall be made in writing to the applicant and shall advise the applicant of the reconsideration process. This determination shall be made no later than 30 days after the request is made.

(4) The Board may reconsider an interpretation or decision made pursuant to this Section. To request reconsideration the owner shall submit a written request to the Board including:

(a) Evidence the proposed or existing conveyance is not in compliance with this Code.

(b) Evidence, letters, statements, test results, construction documents or other supporting information as required to justify the request.

(c) Evidence that the true intent of the Code has been incorrectly interpreted, or the provisions of the Code do not fully apply; or the decision is unreasonable or arbitrary as it applies to alternatives or new materials.

(5) The request for reconsideration shall be submitted no later than 30 days after receiving the variance or exemption determination.

(6) A request for variance, exemption, or reconsideration shall not relieve a person from complying with this Code, permit or occupancy requirements, unless the Board expressly authorizes an extension of compliance period pending review of the request.

Author: Andrew Hamilton Smith
Statutory Authority: Code of Ala. 1975, §25-13-6 (2003).
History: **New Rule:** Filed June 22, 2004; effective July 27, 2004. **Amended:** Filed January 9, 2013; effective February 13, 2013.

480-8-2-.05 Application Form For Variance From Adopted Elevator Code. The following form shall be used to submit applications for a variance from the adopted elevator code as authorized in Administrative Rule 480-8-2-.04. However, the standards for the granting or denial of a variance as set forth in Rule 480-8-2-.04 are the standards applicable to the granting or denial of a variance and are not altered, amended, changed or diminished by the adoption of this form as an administrative requirement for the processing of the application for a variance. The applicant has the burden of proof to meet the standards set forth in Administrative Rule 480-8-2-.05.

STATE OF ALABAMA- DEPARTMENT OF LABOR
ELEVATOR SAFETY REVIEW BOARD
Application for Variance
(Revised 03/30/09)

CONVEYANCE PERMIT #._____ NEW CONSTRUCTION _____ EXISTING _____

APPLICATION FOR VARIANCE FROM ADOPTED ELEVATOR CODE

Application is hereby made to the Elevator Safety Review Board to grant a variance from a provision of the adopted Elevator Code.

Code _____ Section or Article _____ Rule _____ as follows:

_____

_____

_____

_____

This request for a variance or exception is requested for the following reasons:

_____

_____

_____

_____

_____

Address of Job:

_____ AL._____

NO. STREET CITY ZIP

Petitioners Name _____ Telephone (_____) - _____

Email address _____

Address of Petitioner

_____ AL._____

NO. STREET CITY ZIP

OWNERS NAME _____ Telephone (_____) - _____

OWNERS ADDRESS

_____ AL._____

NO. STREET CITY ZIP

Application must be on file with the Department of Labor at least 10 Days before the next scheduled meeting of the Elevator Safety Review Board to be included on that months agenda. (It is understood that only those points mentioned are affected by action taken on this appeal.). Two sets of plans and specifications, which are pertinent to the appeal, shall be submitted with the application for the hearing. Applicant must be present for hearing.

DATE _____ OWNER _____
Signature

Conditions of Approval: All approved code variances issued by this board are subject to any special conditions that might be required of the owner applicant to insure safe operation of equipment considered herein. All approved code variances issued by this board are subject to review and repeal at anytime when future inspections, tests, or events reveal unsafe risks or operation due to the approval of this variance. **Hardships due to financial issues are not a consideration for granting of a variance by the board.** All approved code variances shall be considered as one-time events for certain piece of equipment and in no way considered a precedent for future variance requests. A copy of this approved variance will be displayed in the equipment machine room.

Staff Use Only	APPROVED	DENIED	TABLED

Author: Allen Pate
Statutory Authority: Code of Ala. 1975, §25-13-6.
History: New Rule: Filed September 11, 2009; effective October 16, 2009. **Amended:** Filed January 9, 2013; effective February 13, 2013.

ALABAMA DEPARTMENT OF LABOR
ELEVATOR SAFETY RULES
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CHAPTER 480-8-3
LICENSING AND FEES

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Ed. Note: Former Chapter 490-2-3 has been renumbered Chapter 480-8-3. Due to the merger of the Department of Industrial Relations and the Department of Labor, the Department of Industrial Relations has been dissolved and all the rules will be listed under the Department of Labor as per certification filed January 9, 2013; effective February 13, 2013.

480-8-3-.01 Qualifications To Be Licensed As An Elevator Mechanic.

(1) No License shall be granted to any person who has not proven their qualifications and abilities. Applicants must demonstrate the following qualifications:

(a) An acceptable combination of documented experience and education credits: not less than 3 years work experience in the elevator industry, in construction, maintenance and service/repair, as verified by current and previous employers licensed to do business in the State of Alabama. Satisfactory completion of a written examination

administered by the Division on the most recent referenced codes and standards.

(b) Certificates of completion and successfully passing the mechanic examination of a nationally recognized training program for the elevator industry such as the National Elevator Industry Educational Program or the Canadian Elevator Industry Education Program or their equivalent, that have been approved by the Department; or certificates of completion of an apprenticeship program for elevator mechanic, having standards substantially equal to those of this chapter, and registered with the Bureau of Apprenticeship and Training, U.S. Department of Labor or the Alabama Department of Labor.

(2) Any person who furnishes the Board with acceptable proof that they have worked as an elevator constructor, maintenance, or repair person shall upon making application and paying the fee shall be entitled to receive a License without an examination. They shall have worked without direct and immediate supervision as a mechanic for an elevator contractor registered to do business in the State of Alabama. This employment shall not be less than 3 years immediately prior to September 1, 2003. The person must make application within one year of September 1, 2003.

(3) A license shall be issued to an individual holding a valid license from a state or province having standards substantially equal to those of this chapter, upon application and payment of the fee but without examination.

(4) A limited elevator mechanic must be certified by the manufacturer of the equipment he or she installs or an approved training program acceptable to the equipment manufacturer. This certification must accompany the application for license.

(5) A temporary elevator mechanic license good for Thirty (30) days may be issued if the following procedures are followed:

(a) On your company letterhead you must request the temporary license and certify that the applicant has 2 years minimum experience and acceptable combination of documented experience and education to perform elevator work without direct and immediate supervision.

(b) The request must be notarized.

(c) There will be a $50.00 processing fee to be attached to the written request.

(d) The Temporary Mechanic License will recite that it is valid for thirty (30) days from date of issuance and while the person is employed by the licensed elevator contractor who certified the individual as qualified. The license shall be renewable as needed, for $50.00 each renewal.

(e) The Temporary Mechanic License must be present while the work is being performed.

(f) The Temporary Mechanic License must be present while the work is being performed.
Author: Ralph P. Pate
Statutory Authority: Code of Ala. 1975, §§25-13-7, -8, -12 (2003).
History: **New Rule:** Filed June 22, 2004; effective July 27, 2004. **Amended:** Filed August 17, 2006; effective September 21, 2006. **Amended:** Filed January 9, 2013; effective February 13, 2013.

480-8-3-.02 Qualifications To Be Licensed As An Elevator Contractor.

(1) No license shall be granted to any sole proprietor, firm, or corporation that has not demonstrated the requisite qualifications and abilities. Duly authorized applicants for an elevator contractor's license must have in their employ licensed elevator mechanics who perform the work described herein and have proof of compliance with the insurance requirements as set forth in Code of Ala. 1975, §25-13-1, *et seq*.

(2) No license shall be granted to any sole proprietor, firm, or corporation that has not demonstrated the requisite qualifications and abilities. Duly authorized applicants for a limited elevator contractor's license must have in their employ licensed limited elevator mechanics who perform the work described herein and have proof of compliance with the insurance requirements as set forth in Code of Ala. 1975, §25-13-1, et seq.
Authors: Ralph Pate, Andrew Hamilton Smith
Statutory Authority: Code of Ala. 1975, §25-13-10.

History: **New Rule:** Filed June 22, 2004; effective July 27, 2004. **Amended:** Filed August 17, 2006; effective September 21, 2006. **Amended:** Filed January 9, 2013; effective February 13, 2013.

480-8-3-.03 Qualifications To Be Licensed As An Elevator Inspector.

(1) No inspector's license shall be granted to any person unless he or she demonstrates to the satisfaction of the administrator or other officer designated by the board that he or she meets the current Department of Labor Standards for the Qualifications of Elevator Inspectors.

(2) No license shall be granted to any entity that has not demonstrated the requisite qualifications and abilities. Notwithstanding any other provision, cities or municipalities wishing to engage in the safety inspections of existing elevators or related conveyances, the permitting and inspection of new or modernized elevators or related conveyances, may perform inspection programs on behalf of the Board, provided they meet the following requirements:

(a) The inspector shall meet the experience requirements noted in the qualifications for an inspector as set forth by the Department of Labor

(b) The inspector must submit an application to the Alabama Department of Labor to be a licensed elevator inspector;

(c) Subsequent to inspection, the city or municipal inspector shall supply the property owner or lessee and the Administrator with a written inspection report describing any and all violations;

(d) When a unit is proven to be in safe operating condition, a Certificate of Operation shall be issued through the Alabama Department of Labor and may be issued jointly with the Municipality; and

(e) The applicant or licensee must meet all other statutory requirements and rules and regulations enforced by the Board.

(3) Qualifications: An inspector shall meet the definition of "Elevator Personnel" in ASME A17.1/CSA B44, Section 1.3 and have documented training and at least 1 year of experience performing inspections and performing or witnessing tests specified in ASME A17.1/CSA B44, CSA B311, ASME A18.1 or CSA B355, and ANSI/ASSE A10.4 or CSA Z185. Verifiable evidence of training and experience shall be documented with the application for license to the department. . Knowledge may be evidenced by approved written and/or oral examinations, as administered by the department or other organizations acceptable to the department.

General Knowledge:
An inspector shall also verify that he or she meets the following qualifications:

(a) knowledge of personal safety practices to perform the following:

1. acceptance inspections of new construction

2. routine and periodic inspections of existing equipment

3. inspections of equipment in hazardous environments, where applicable

(b) familiarity with industry terminology, including the following:

1. terms defined and used in ASME A17.1/CSA B44, ASME A18.1.A17.3 and NFPA Standards.

2. terms used in ASME A17.2

3. terms defined and used in the National Electrical Code

4. Administrative rules and regulations published by the department

(c) ability to read architectural and installation drawings including hoistway and machine room layouts.

(d) working knowledge of electrical, electronic, and

circuit construction principles, including but not limited to:

(1) voltage, currents, and resistance

(2) series and parallel circuits

(3) grounding

(4) ability to read circuit diagrams

(e) knowledge of the purpose and function of safety devices in the following locations:

(1) machine rooms and machinery spaces

(2) hoistways

(3) on the cars

(4) pits

(5) escalators, moving walks, and other related equipment

(f) working knowledge of mechanical principles as applied to structures, machines, mechanisms, and the effects of traction on ropes and sheaves.

(g) working knowledge of hydraulic principles as applied to the operation of valves, pumps, plungers, piping, and buffers.

(h) working knowledge of the various types of equipment; their code requirements, uses, and limitations.

(1) classification of usage

(a) passenger elevators

(b) freight elevators (classes A, B, C1, C2, and C3)

(c) private residence elevators

(d) sidewalk elevators

(e) special purpose personnel elevators

(f) inclined elevators

g) material lifts and dumbwaiters with automatic transfer devices

(h) dumbwaiters

(I)elevators used for construction

(j) personnel hoists and employee elevators

(2) Classification of driving means

(a) traction

(b) winding drum

(c) hydraulic (direct-plunger hydraulic, electro-hydraulic, maintained-pressure hydraulic, and roped hydraulic)

(d) screw machine

(e) rack and pinion

(f) hand

(g) belt and chain drives

(3) escalators and moving walks

(4) inclined and vertical wheelchair lifts and stairway chairlifts (ASME A17.1b-1998 and earlier.

(i) working knowledge of the functions and operations of elevator systems, including machines, motors, governors, and other machine room equipment; controllers, position devices, door operator systems, hoistway systems, safety system testing and functions, pit equipment escalators, moving walks, electrical devices, and hydraulics

(j) working knowledge of inspection and testing procedures as described in ASME A17.2 and awareness of published interpretations of those procedures

(k) working knowledge of applicable building, fire, electrical, and accessibility codes

(l) demonstrated ability to perform the duties specified in Section 2.2

(m) working knowledge of the requirements of ASME A17.3 and awareness of published interpretations of ASME A17.3

(n) must have in his or her personal possession the current codes in effect at the time of each inspection.

(4) Duties:
The duties of an inspector include but are not limited to the following:

(a) making acceptance inspections and witnessing tests to determine whether all parts of the installation conform to the requirements of the applicable code or regulations and whether the required safety devices function as required therein

(b) making routine or periodic inspections and witnessing tests of existing installations to determine that the equipment is in apparent safe operating condition, has not been altered except in conformity to the applicable code or regulations, and performs in accordance with test requirements

(c) reporting the results of the inspection and testing in accordance with the appropriate administrative procedures established by the department.
Authors: Ralph Pate, Andrew Hamilton Smith
Statutory Authority: Code of Ala. 1975, §25-13-6, -9 (2003).
History: New Rule: Filed June 22, 2004; effective July 27, 2004. **Amended:** Filed August 17, 2006; effective September 21, 2006. **Amended:** Filed January 9, 2013; effective February 13, 2013. **Amended:** Filed November 25, 2013; effective December 30, 2013.

480-8-3-.04 Fee Schedule.

(1) Fees shall be established as follows:

(a)	Elevator Contractor's license:	$300.00;
(b)	Elevator Contractor's license renewal (biennial):	$200.00;

(c)	Limited Elevator Contractor's License:	$300.00;
(d)	Limited Elevator Contractor's License renewal (biennial)	$200.00;
(e)	Elevator Mechanics and Limited License (initial and biennial renewal):	$100.00;
(f)	Elevator Inspectors License (initial) and biennial renewal:	$100.00;
(g)	Installation Permits	
	Elevators, per unit:	$400.00;
	Plus, for each floor:	$ 15.00;
	Dumbwaiter and material lifts, per unit	$250.00;
(h)	Escalator, per unit:	$250.00;
(i)	Private residence inclined lifts and elevators:	$250.00;
(j)	Special purpose personnel elevators and wheelchair lifts, per unit:	$250.00.

(2) Two acceptance inspections and the operating permit fees are included in the installation permit fee. All additional inspections shall be $260.00 per visit.

(3) Major Alteration Permits:

(a)	Each alteration - one item as outlined in Section 1200 and 1201 of the Standard, per unit:	$250.00;
(b)	Each additional alteration, per unit:	$250.00;
(c)	Maximum alteration fee, per unit:	$500.00.

(d) The acceptance inspection fee is included in the major alteration permit fee. The alterations inspection will not change the normal inspection or the operating permit due date. Additional inspections shall be $250.00.

(4) Operating Permits:

(a) One-year permit: $ 75.00;

(b) Temporary permit: $260.00.

(5) Inspections by a licensed inspector per unit: $ 90.00.

Authors: Ralph Pate
Statutory Authority: Code of Ala. 1975, §25-13-6, -12 (2005).
History: **New Rule:** Filed June 22, 2004; effective July 27, 2004. **Amended:** Filed December 29, 2004; effective February 2, 2005. **Amended:** Filed August 17, 2006; effective September 21, 2006. **Amended:** Filed March 11, 2008; effective April 15, 2008. **Amended:** Filed September 11, 2009; effective October 16, 2009. **Amended:** Filed January 9, 2013; effective February 13, 2013.

480-8-3-.05 Renewal Of License.

(1) A license issued by the Board shall be valid for two years. The Board may renew a license, provided the applicant submits a written application for renewal accompanied by the required fee prior to expiration of the license.

(2) Applicants for license renewal shall provide evidence, satisfactory to the Board, of completion of eight hours of instruction approved by the Board, designed to ensure the continued qualifications of the applicant.

(3) If a license is allowed to lapse it may be renewed within one year of its expiration date by the payment of $25.00 in addition to the renewal fee.

(4) If a license is not renewed within one year of its expiration date the inactive licensee shall make application for a new license and shall follow the appropriate licensing procedure.

Author: Andrew Hamilton Smith
Statutory Authority: Code of Ala. 1975, §25-13-6, -7, -12 (2003).
History: **New Rule:** Filed June 22, 2004; effective July 27, 2004. **Amended:** Filed December 29, 2004; effective February 2, 2005. **Amended:** Filed January 9, 2013; effective February 13, 2013.

480-8-3-.06 Emergency And Temporary Mechanics Licenses.

(1) Whenever an emergency exists in the state due to disaster, act of God, or work stoppage, as declared by the President of the United States or Governor of Alabama, and the number of persons in the state holding licenses granted by the administrator is insufficient to cope with the emergency, the licensed elevator contractors shall respond as necessary to assure the safety of the public. Any person certified by a licensed elevator contractor to have an acceptable combination of documented experience and education to perform elevator work without direct and immediate supervision shall seek an emergency elevator mechanic license from the administrator within five business days after commencing work requiring a license. The administrator shall issue emergency elevator mechanic licenses. The licensed elevator contractor shall furnish proof of competency as the administrator may require. Each such license shall recite that it is valid for a period of 30 days from the date of issuance for particular elevators or geographical areas as the administrator may designate and shall entitle the licensee to the rights and privileges of an elevator mechanic license issued in this chapter. The administrator shall renew an emergency elevator mechanic license during the existence of an emergency. No fee shall be charged for any emergency elevator mechanic license or renewal thereof.

(2) A licensed elevator contractor shall notify the administrator when there are no licensed personnel available to perform elevator work. The licensed elevator contractor may request that the administrator issue temporary elevator mechanic licenses to person certified by the licensed elevator contractor to have an acceptable combination of documented experience and education to perform elevator work without direct and immediate supervision. Any person certified by the licensed elevator contractor to have an acceptable combination of documented experience and education to perform elevator work without direct and immediate supervision shall immediately seek a temporary elevator mechanic license from the administrator and shall pay a fee of $50 per month. Each such license shall recite that it is valid for 30 days from the date of issuance and while the person is employed by the elevator contractor who certified the individual as qualified. The license shall be renewable as long as the shortage of license holders shall continue.

(3) For purposes of this Rule, the phrase "acceptable combination of documented experience and education "shall mean

at least two years of experience in performing elevator work and the completion of a least 288 hours of Board-approved education relating to the same.
Author: Andrew Hamilton Smith
Statutory Authority: Code of Ala. 1975, §25-13-12 (2003).
History: **New Rule:** Filed June 22, 2004; effective July 27, 2004. **Amended:** Filed December 29, 2004; effective February 2, 2005. **Amended:** Filed January 9, 2013; effective February 13, 2013.

480-8-3-.07 Continuing Education.

(1) The renewal of all licenses granted under the provisions of this section shall be conditioned upon the submission of a certificate of completion of course(s) designed to ensure the continuing education of the holder of a License on new and existing provisions of the regulations of the Division. Such course(s) shall consist of not less than eight hours of instruction that shall be attended and completed within the year immediately preceding the renewal.

(2) The course(s) shall be taught by instructors through continuing education providers that may include, but shall not be limited to, association seminars, and labor training programs. The Board shall approve the continuing education providers. All instructors shall be approved by the Board and are exempt from the requirements of the preceding paragraph with regard to their application for License renewal provided that such applicant was qualified as an instructor at any time during the year immediately preceding the renewal.

(3) A holder of a License who is unable to complete the continuing education course required under this section prior to the expiration of their License due to a temporary disability may apply for a waiver from the Division. This will be on a form provided by the Division, shall be signed under the pains and penalties of perjury and shall be accompanied by a certified statement from a competent physician attesting to such temporary disability. At that time a waiver sticker, valid for 90 days, shall be Issued to such person and affixed to their License. Upon the termination of such temporary disability, such person shall submit to the Division a certified statement from the same physician, if practicable, attesting to the termination of such temporary disability.

(4) Approved training providers shall keep uniform records, for a period of ten years, of attendance of person holding an License following a format approved by the Division and such records shall be available for Inspection by said Division at its request. Approved training providers shall be responsible for the security of all attendance records and certificates of completion; provided, however, that falsifying or knowingly allowing another to falsify such attendance records or certificates of completion shall constitute grounds for suspension or revocation of the approval required under this section.

Author: Andrew Hamilton Smith
Statutory Authority: Code of Ala. 1975, §25-13-12 (2003).
History: **New Rule:** Filed June 22, 2004; effective July 27, 2004. **Amended:** Filed December 29, 2004; effective February 2, 2005. **Amended:** Filed January 9, 2013; effective February 13, 2013.

480-8-3-.08 Permits.

(1) An application for a permit shall be filed with the department in accordance with Code of Ala. 1975, §25-13-16(d) for all elevator work covered under these rules.

(2) Each application for a permit shall be accompanied by copies of specifications and accurately-scaled and fully-dimensioned plans that clearly indicate location of the elevator in the building; the location of the machinery room and the equipment to be installed, relocated or altered; all structural supporting members, including foundations; and a specification of all materials to be used and all loads to be supported or conveyed. The plans and specifications shall be sufficiently complete to illustrate all details of construction and design.

(3) The applicable fees shall accompany each permit application.

(4) A permit may be revoked for any of the following reasons:

(a) Where any false statements or misrepresentations were made as to the material facts in the application, plans, or specifications on which the permit was based.

(b) Where the permit was issued in error and should not have been issued in accordance with this chapter.

(c) Where the work detailed under the permit is not being performed in accordance with the provisions of the application, plans, or specifications or with this chapter or conditions of the permit.

(d) Where the elevator contractor to whom the permit was issued fails or refuses to comply with a STOP WORK order.

(e) If the work authorized by the permit is not commenced within six months after the date of issuance or within a shorter period of time as the administrator, or his or her authorized representative in his or her discretion, may specify at the time the permit is issued.

(f) If the work is suspended or abandoned for 60 days, or shorter time as the administrator may specify at the time the permit is issued, after the work has been started.

(5) The administrator may allow an extension of time at his or her discretion.

Author: Andrew Hamilton Smith

Statutory Authority: Code of Ala. 1975, §25-13-6, -16, -20 (2003).

History: **New Rule:** Filed June 22, 2004; effective July 27, 2004. **Amended:** Filed January 9, 2013; effective February 13, 2013.

ALABAMA DEPARTMENT OF LABOR
ELEVATOR SAFETY RULES
ADMINISTRATIVE CODE

CHAPTER 480-8-4
DISCIPLINARY PROCEDURES

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Ed. Note: Former Chapter 490-2-4 has been renumbered Chapter 480-8-4. Due to the merger of the Department of Industrial Relations and the Department of Labor, the Department of Industrial Relations has been dissolved and all the rules will be listed under the Department of Labor as per certification filed January 9, 2013; effective February 13, 2013.

480-8-4-.01 **Complaints.** A person may file a complaint with the Board by doing so in writing, setting forth a full statement of the facts concerning the alleged infraction of the elevator licensing law or rules. In the event a complaint is filed with the Board, the Board's investigation shall not be limited to the matter setforth in the request for investigation but may extend to any act coming to the attention of the Board which appears to violate the law or these rules.
Author: Andrew Hamilton Smith
Statutory Authority: Code of Ala. 1975, §§25-13-13, -20 (2003).
History: **New Rule:** Filed June 22, 2004; effective July 27, 2004. **Amended:** Filed January 9, 2013; effective February 13, 2013.

480-8-4-.02 **Disciplinary Proceedings.**

(1) In accordance with Code of Ala. 1975, §25-13-13, the Elevator Safety Review Board may revoke or suspend a license. This shall not preclude the Board from taking lesser steps, including, but not limited to formal reprimand, required education, etc. The Board may act if any one or more of the following reasons exist:

(a) Any false statement as to material matter in the application.

(b) Fraud, misrepresentation, or bribery in securing a license.

(c) Failure to notify the administrator and the owner or lessee of an elevator or related mechanism of any condition not in compliance with this chapter.

(d) Violation of any provisions of this chapter.

(2) The Board may take these actions only after notice and provision to the licensee of an opportunity to appear before the Board for a hearing, in accordance with Code of Ala. 1975, §41-22-12 *et* seq., the Alabama Administrative Procedure Act, and these rules issued thereunder.

Author: Andrew Hamilton Smith

Statutory Authority: Code of Ala. 1975, §25-13-13, -20 (2003).

History: **New Rule:** Filed June 22, 2004; effective July 27, 2004. **Amended:** Filed January 9, 2013; effective February 13, 2013.

480-8-4-.03 Initiating A Complaint Against A Licensee.

(1) Form of complaint filing. A person may register a complaint against a mechanic or inspector licensed by the elevator Board by filing a written complaint with the Department of Labor. The written complaint must set forth, at a minimum, the nature, date and place of the alleged violations. The Board may also initiate a license review procedure on its own motion by filing a complaint with the department.

(2) Verification. Upon receipt of a complaint, the department will verify the license number of the person against whom the complaint is lodged. If the person is unlicensed and the complaint alleges criminal conduct, the department will refer the complaint to the office of the Attorney General or the Office of the District Attorney having jurisdiction over the

case. If the person is a licensee of the Board, the department will docket the complaint and open an investigation file under the name and license number of the person.

(3) Investigating Panel. An investigating panel consisting of an investigator designated by the department and an Assistant Attorney General will be formed upon the docketing of a complaint. The Assistant Attorney General assigned to the case will head the panel and supervise the investigation of the complaint.

Author: Andrew Hamilton Smith
Statutory Authority: Code of Ala. 1975, §25-13-13, -20 (2003).
History: **New Rule:** Filed June 22, 2004; effective July 27, 2004. **Amended:** Filed January 9, 2013; effective February 13, 2013.

480-8-4-.04 Initiating The Investigation.

(1) Notice to the Licensee. The department will send written notice of the initiation of an investigation to the licensee against whom the complaint has been filed. The notice shall include a copy of the complaint and a copy of the statute and these rules. The notice will inform the licensee that inquiries or materials regarding the investigation should be addressed to the investigating panel at the address of the department.

(2) Notice to the Board. The department will send written notice to the Board and the complaintant indicating that an investigation has been instituted regarding a licensing complaint.

(3) The inspector assigned to investigate the complaint shall inspect the work which is the subject of the complaint and interview the complainant. The inspector may also meet and interview the licensee at the direction of the Assistant Attorney General or District Attorney assigned to the matter.

Author: Andrew Hamilton Smith
Statutory Authority: Code of Ala. 1975, §25-13-13, -20 (2003).
History: **New Rule:** Filed June 22, 2004; effective July 27, 2004. **Amended:** Filed January 9, 2013; effective February 13, 2013.

480-8-4-.05 Recommended Action.

(1) At the conclusion of the investigation the Assistant Attorney General or District Attorney assigned to the matter shall make a recommendation as to whether formal proceedings should commence against the licensee.

(2) If formal disciplinary proceedings are recommended, the Assistant Attorney General or District Attorney shall submit a complaint describing the alleged violations, and the rules or statutes violated, with the recommendation.

(3) If the licensee is willing to admit to the charges the Assistant Attorney General or District Attorney may explore the possibility of a stipulated settlement. A stipulated settlement must be approved by the Board.

(4) If no disciplinary action is recommended the case will be closed and the complainant and the license will be notified that no further action will be taken at this time. The matter may be reopened if new evidence is presented.
Author: Andrew Hamilton Smith
Statutory Authority: Code of Ala. 1975, §25-13-13, -20 (2003).
History: **New Rule:** Filed June 22, 2004; effective July 27, 2004. **Amended:** Filed January 9, 2013; effective February 13, 2013.

480-8-4-.06 Administrative Hearing Procedures.

(1) The Board may appoint a person to act on its behalf as Hearing Officer at its administrative hearings. The Hearing Officer shall preside at administrative hearings and shall rule on all questions of evidence and procedure. The Hearing Officer shall admit all evidence that is relevant, material, and which has probative value to the issues under consideration by the Board. Offers of settlement and compromise are not admissible. The Hearing Officer shall consider the evidence presented and submit a recommendation to the Board, including: a procedural summary of the case; findings of fact; conclusions of law; and a recommended decision on the issues included in the administrative complaint including, if necessary, suggested administrative punishment pursuant to the charges in the administrative complaint. The Hearing Officer's recommendation shall be considered by the Board but is not

binding on the Board. The Board shall issue an appropriate administrative order modifying, approving, or rejecting the Hearing Officer's recommendation. The Board shall issue its orders within thirty (30) days after receipt of the hearing Officer's recommendation. If the hearing was conducted by the Board itself, the Board shall issue its order within thirty (30) days after receipt of the court reporter's transcript of the administrative hearing. The Board's order in all instances shall include a procedural history of the case, findings of fact, conclusions of law, and its decision regarding the issues contained within the administrative complaint including, if necessary, the appropriate administrative punishment.

(2) Prior to the taking of witness testimony at the administrative hearing, the Respondent or Respondents shall enter a plea of "guilty" or "not guilty" to each charge contained in the administrative complaint.

(3) All parties shall be allowed to make a concise opening statement regarding the charges in the administrative complaint, defenses to the administrative complaint, expected testimony and evidence, and any proposed administrative punishment.

(4) The parties shall be allowed to present evidence by direct and cross-examination. The executive director, or a designee acting on behalf of the Investigative Committee, shall present its evidence first followed by the other parties in the order determined by the Board or its Hearing Officer. Examination of witnesses shall not be unduly repetitious. The testimony of all parties and witnesses shall be made under oath administered by the Board or the Board's Hearing Officer.

(5) The Board or the Board's Hearing Officer may examine and question any party or witness regarding the administrative complaint and defenses thereto.

(6) All parties shall be allowed to make a brief closing statement summarizing the evidence presented and regarding the applicability or relevant state law and/or Board rules and regulations.

(7) All testimony and statements given in the administrative hearing shall be electronically or stenographically recorded. Any party wishing to obtain

a transcript of the hearing shall make arrangements with the court reporter to receive a copy of the transcript at their own expense.

(8) The parties shall not be bound by the strict rules of evidence prevailing in the courts. Evidence shall be admitted in accordance with the Alabama Administrative Procedures Act, Section 13. The administrative complaint and all attachments thereto shall be made a part of the administrative record for consideration by the Board without further authentication.

(9) The Board or its Hearing Officer may admit into evidence the deposition of any witness who is not subject to the subpoena power of the Board or who is unable to be present to testify at the hearing because of death, physical or mental illness, or other good reason at the discretion of the Board or its Hearing Officer.

(10) All exhibits that are offered into evidence, whether admitted or not, shall be made a part of the administrative record in the case and be included as part of the court reporter's original transcript of the hearing. The party who offers each exhibit shall be permitted to substitute a true copy of the exhibit for the original exhibit upon request to and permission by the Board or its Hearing Officer.

(11) All objections concerning the conduct of the hearing or the admission of evidence may be stated orally or filed in writing during the hearing. The objections and responses thereto shall include a statement of the grounds for the objection and legal authority relied upon. The ruling on the objection by the Board or the Board's Hearing Officer shall be made a part of the administrative record of the hearing. Any party may make an offer of proof regarding evidence that is not admitted and may describe the general nature of the evidence offered and not admitted as party of the administrative record of the hearing.

(12) The Board or the Board's Hearing Officer may allow the parties to submit for consideration a proposed order or recommendation which includes a procedural history, proposed findings of fact, conclusions of law, and any suggested administrative punishment. The parties shall cite the appropriate pages of the hearing transcript for any proposed findings of fact.

(13) The administrative hearing shall be otherwise conducted in compliance with the provisions and in accordance with the Alabama Administrative Procedures Act, Code of Ala. 1975, §41-22-12, *et. seq.* and Code of Ala. 1975, §25-13-13.
Author: Andrew Hamilton Smith
Statutory Authority: Code of Ala. 1975, §25-13-13, -20 (2003).
History: **New Rule:** Filed June 22, 2004; effective July 27, 2004. **Amended:** Filed December 29, 2004; effective February 2, 2005. **Amended:** Filed January 9, 2013; effective February 13, 2013.

480-8-4-.07 Administrative Penalties/Fines.

(1) In assessing the penalty for code violations the administrator or administrator's designee shall consider the seriousness of the hazard, the number of people exposed to the hazard whether or not the violation was corrected after notification of its existence, and whether the person has been disciplined for the same or similar violation previously. When a monetary penalty is assessed the fine shall be as follows:

(a) Operating equipment without an operating certificate.

First Offense:	$ 250.00
Further Offenses:	$ 500.00

(b) Operating Equipment in unsafe condition.

First Offense:	$ 500.00
Further Offenses:	$1000.00

(c) Owner/User not allowing free access for the purpose of inspecting or investigating the equipment.

First Offense:	$ 500.00
Further Offenses:	$1000.00

(d) Placing unit back in service, which has been "Red-Tagged" and placed out of service by an inspector, without first having the unit pass inspection.

Any Offense:	$1500.00

(e) Turning equipment over for use without a final acceptance inspection.

First Offense:	$ 500.00
Further Offenses:	$1000.00

(f) Any installer who installs equipment without a permit.

First Offense:	Double Permit Fee (up to $1500.00)
Further Offenses:	Triple Permit Fee (up to $1500.00)

(g) Any other violation of adopted Code, Standards, Rules or Regulations.

First Offense:	$250.00
Further Offenses:	$500.00

(2) Administrative penalties issued under the these rules shall not be construed to limit the authority of the administrator to issue orders, revoke permits, revoke licenses or take any other appropriate enforcement action in addition to the administrative fines.

Author: Andrew Hamilton Smith
Statutory Authority: Code of Ala. 1975, §25-13-13, -20 (2003).
History: **New Rule:** Filed June 22, 2004; effective July 27, 2004. **Amended:** Filed December 29, 2004; effective February 2, 2005. **Amended:** Filed January 9, 2013; effective February 13, 2013.