

**RHODE ISLAND GOVERNMENT REGISTER
PUBLIC NOTICE OF PROPOSED RULEMAKING**

AGENCY: Department of Labor and Training

RULE IDENTIFIER: 260-RICR-30-10-1

REGULATION TITLE: Elevator Safety Code

RULEMAKING ACTION: Proposed Rulemaking

TYPE OF FILING: Amendment

TIMETABLE FOR ACTION ON THE PROPOSED RULE:

Public notice date of: June 6, 2018

Comment period ends: July 6, 2018

SUMMARY OF PROPOSED RULE: To provide safety standards for the installation, construction, operation, inspection, repair or use of elevators and related equipment.

COMMENTS INVITED:

All interested parties are invited to submit written or oral comments concerning the proposed regulations by July 6, 2018 to the addresses listed below.

ADDRESSES FOR PUBLIC COMMENT SUBMISSIONS:

Mailing Address: Sean M. Fontes, Executive Counsel, Department of Labor and Training, 1511 Pontiac Avenue, Cranston, RI 02920

Email Address: sean.fontes@dlt.ri.gov

WHERE COMMENTS MAY BE INSPECTED:

Mailing Address: Department of Labor and Training, 1511 Pontiac Avenue, Cranston, RI, 02920.

PUBLIC HEARING INFORMATION:

Public Hearing Date & Time: June 29, 2018 @ 3:00 PM

Public Hearing Location: Department of Labor & Training 1511 Pontiac Ave, 73-1, Cranston, RI 02920

The place of the public hearing is accessible to individuals who are handicapped. If communication assistance (readers/interpreters/captioners) is needed or any other accommodation to ensure equal participation, please call 462-8897 or RI Relay 711 at least three (3) business days prior to the meeting so arrangements can be made to provide such assistance at no cost to the person requesting.

FOR FUTHER INFORMATION CONTACT:

Sean M. Fontes, Executive Counsel, Department of Labor and Training, 1511 Pontiac Avenue, Cranston, RI 02920, 462-8890, sean.fontes@dlt.ri.gov

SUPPLEMENTARY INFORMATION:

Regulatory Analysis Summary and Supporting Documentation:

The proposed changes align the regulation with code versions currently being enforced by DLT. Any revisions stricken from the regulation are being removed because they are either defunct or duplicative of the code books incorporated by the regulation. There are no additional requirements being added, therefore the public is as safe under the proposed rule as the current regulatory environment and elevator operators and installer will not see any additional costs to installing elevators and lifts.

Authority for This Rulemaking: 23-33-2

Regulatory Findings:

In the development of the proposed amendment consideration was given to: (1) alternative approaches; (2) overlap or duplication with other statutory and regulatory provisions; and (3) significant economic impact on small business. No alternative approach, duplication, or overlap was identified based upon available information.

The Proposed Amendment:

Department of Labor and Training proposes to amend the proposed rule as follows below:

260-RICR-30-10-1

TITLE 260 – Department of Labor and Training

CHAPTER 30 - Workforce Regulation and Safety

SUBCHAPTER 10 - Occupational Safety

PART 1 – Elevator Safety Code

1.1 Authority

This Part is promulgated pursuant to R.I. Gen. Laws § 23-33-2.

1.2 Purpose

The purpose of these rules and regulations is to provide safety standards for the installation, construction, operation, inspection, repair or use of elevators and related equipment. Where compliance would be impracticable, the Director of Labor and Training and/or the Chief Elevator Inspector may issue an exemption from the requirements of these rules and regulations and permit the use of other devices and/or methods, but only when it is established by clear and convincing evidence that safety is reasonably assured.

1.3 Incorporated Materials

A. These regulations hereby adopt and incorporate the following sections of the American Society of Mechanical Engineers Safety Code for Elevators and Escalators (ASME), by reference, not including any further editions or amendments thereof and only to the extent that the provisions therein are not inconsistent with these regulations.

1. ASME A17.1 (2016) applies to all new passenger and freight elevators, escalators, Material Lifts, Limited Use, Limited Application elevators, Dumbwaiters, Moving Walks and all other Special Application Devices and § 1.6 of this Part. Additionally, section 8.7 of ASME A17.1 (2016) applies to all Alterations and Modernizations.
2. ASME A17.3 (2015) applies to all existing Elevators, Escalators, Dumbwaiters, Moving Walks and all other Equipment as listed within A17.3 and § 1.7 of this Part.
3. ASME A10.4 (2016) applies to all new Personnel Hoists and Employee Elevators and § 1.8 of this Part.
4. ASME A10.5 (2013) applies to all new Material Hoists and § 1.9 of this Part.
5. ASME A18.1 (2017) applies to all new Vertical Platform Lifts, Incline Platform Lifts, Inclined Stairway Chairlifts and § 1.10 of this Part.

6. ASME B20.1 (2015) applies to all new Vertical Reciprocating Conveyors and § 1.11 of this Part.

1.4 Definitions

"Chief inspector" means the existing position of chief elevator inspector as appointed by the director of labor and training.

"Commission" means the code commission for occupational safety and health created under R.I. Gen. Laws § 28-20-22.

"Compliance inspector" means an industrial safety technician (also known as a safety compliance inspector) who holds a certification as a qualified elevator inspector as required by the American National Standards Institute (ANSI) and is appointed by the director of labor and training under the provisions of chapter 20 of title 28.

"Director" means the director of labor and training or his or her duly authorized representative.

"Elevator" means a hoisting and lowering mechanism equipped with a car or platform which moves in guides in a substantially vertical direction. The term "elevator" or other device, whenever used in this chapter shall include but not be limited to dumbwaiters, vertical reciprocating conveyors, wheelchair lifts, and material lifts. The term "elevator" shall also include any lifting and lowering mechanisms moving in fixed guides, erected and used solely during and in aid of the construction, alteration, or demolition of buildings.

"Elevator checklist form" means a state issued form listing all the parts and areas of an elevator that need to be examined during an inspection.

"Elevator-freight" means an elevator primarily used for carrying freight and on which only the operator and the persons necessary for loading and unloading the freight are permitted to ride.

"Elevator-passenger" means an elevator used primarily to carry persons other than the operator and persons necessary for loading and unloading.

"Escalator" means a moving, inclined, continuous stairway or runway used for raising or lowering passengers.

"Full maintenance contract" means a signed contract between a qualified service company and the owner or responsible party of an elevator, escalator, or other device subject to the provisions of this chapter. The contract shall provide that all parts of the elevator or other device shall be maintained in compliance with the rules and regulations promulgated by the commission and shall provide for service inspections by a qualified mechanic within specific periods for the duration of the contract. Code revisions, vandalism, or acts of God are excluded from the contract unless specifically stated within the contract. In addition, the contract shall state the number of nonchargeable service calls per month as well as the rate for emergency or chargeable calls. The contract shall also provide a means of emergency dispatching and reasonable response time.

"Licensed Company" means a company licensed by the Division of Occupational Safety to perform installations, construction, service, repairs, modernizations, decommissioning, removal, and maintenance of elevators and other devices subject to the provisions of this code and R.I. Gen. Laws Chapter 23-33.

"Licensed Individual" means an employee of a licensed company who by reason of competency is authorized to perform any and all work within the scope as issued.

"Logbook" means a bound, standardized, industry accepted format handwritten record of the following activities:

- a1. Description of maintenance tasks performed and dates
- 2b. Description and dates of examinations, tests, adjustments, repairs, and replacements
- 3e. Description and dates of call backs (trouble calls) or reports that are reported to elevator personnel by any means, including corrective action taken
- 4d. Written record of the findings on the firefighters service operation required by Rule 8.6.11.1 of ASME A17.1 a-2005, incorporated above.

The LOG BOOK shall be provided for each elevator or escalator within that unit's machine room or space and shall be maintained as a permanent part of that room or space.

"Minor repair" means repairs to emergency lights, emergency phone, alarm bell or electric lights.

"Operating certificate" means a document indicating an elevator and devices are in compliance with R.I. Gen. Laws § 23-33 et seq.

"Owner" means any person owning, operating, or in charge or control of any elevator or escalator, or other device subject to the provisions of this chapter as defined in this section.

"Qualified mechanic" means a person employed by a qualified service company to whom, due to experience and qualifications, a license to construct, install, maintain, or repair elevators, escalators or other devices subject to the provisions of this chapter has been issued by the administrator of the division of occupational safety.

"Qualified service company" means a firm or corporation engaged in the business of construction, installation, maintenance or repair of elevators, escalators or other devices subject to the provisions of this chapter to which a license to conduct such business has been issued by the administrator of the division of occupational safety.

"Review board" means the occupational safety and health review board created under R.I. Gen. Laws § 28-20-19.

1.5 Accident Reports

- A. It shall be reported by the owner or his authorized agent within twenty-four (24) hours to the Department of Labor and Training, Division of Occupational Safety. Any accident resulting in a fatality shall be reported to said office immediately.
- B. The operating certificate shall be summarily revoked until the Department of Labor and Training shall have inspected and/or shall have again made valid the operating certificate or permit of the subject installation;
- C. Failure to report any accident within the prescribed time, shall be a violation of [R.hode I.sland Gen.erel Law_s § 23-33-20\(a\)](#) and as such, subject to the penalty provided therein;
- D. No person shall remove from the premises, any part of the damaged installation or operating mechanism or any other part of the equipment, subject to the provisions of [Rhode Island General Law 23-33](#)[R.I. Gen. Laws Chapter 23-33](#), until permission to do so has been granted by the Chief Elevator Inspector.

1.6 New Installations

- A. The edition of the American National Standard Safety Code for Elevators and Dumbwaiters (~~ASME A17.1 and ASME A18.1~~) [incorporated by reference in § 1.3 of this Part, as amended,](#) which also includes escalators and moving walks, ~~in effect at the time of installation, modernization, inspection and testing of new elevators and dumbwaiters or the relocation of such elevators and other devices~~ shall govern the installation, modernization, inspection and testing of new, or relocation of, such elevators and other devices with any exceptions as stated herein.

~~B. REVISION:~~

~~303.4(a) Supply Line Shutoff Valve. A manually operated shut-off valve shall be provided between the hydraulic machines and hydraulic jack and a second shut-off valve shall be located in the pit on all hydraulic elevators.~~

1.7 Existing Installations

~~A. Definitions~~

- ~~1. "Elevator-passenger" means an elevator used primarily to carry persons other than the operator and persons necessary for loading and unloading.~~
- ~~2. "Elevator-freight" means an elevator primarily used for carrying freight and on which only the operator and the persons necessary for loading and unloading the freight are permitted to ride.~~
- ~~3. "Licensed Company" means a company licensed by the Division of Occupational Safety to perform installations, construction, service, repairs, modernizations, decommissioning, removal, and maintenance of elevators~~

~~and other devices subject to the provisions of this code and Rhode Island General Laws 23-33-.1. Gen. Laws Chapter 23-33.~~

- ~~4. "Licensed Individual" means an employee of a licensed company who by reason of competency is authorized to perform any and all work within the scope as issued.~~
- ~~5. "Logbook" means a bound, standardized, industry accepted format handwritten record of the following activities:~~
 - ~~a. Description of maintenance tasks performed and dates~~
 - ~~b. Description and dates of examinations, tests, adjustments, repairs, and replacements~~
 - ~~c. Description and dates of call backs (trouble calls) or reports that are reported to elevator personnel by any means, including corrective action taken~~
 - ~~d. Written record of the findings on the firefighters service operation required by Rule 8.6.11.1 of ASME A17.1a-2005, incorporated above.~~

~~— The LOG BOOK shall be provided for each elevator or escalator within that unit's machine room or space and shall be maintained as a permanent part of that room or space.~~

~~**Minor repair shall mean repairs to emergency lights, emergency phone, alarm bell or electric lights.**~~

BA. General Provisions

- ~~1. The edition of the American National Standard Safety Code for Elevators and Dumbwaiters ASME A17.3 incorporated by reference in § 1.3 of this Part, which also includes escalators and moving walks, shall govern the installation, modernization, inspection and testing of existing elevators and other devices with any exceptions as stated herein.~~
- ~~2. Whenever this code conflicts with the State Building Code, regarding the materials to be used for construction purposes and/or the type of construction to be employed, the requirements of Rhode Island General Laws shall prevail.~~
- ~~2.3. All electric wiring and apparatus shall comply with the requirements of the National Electrical Code adopted by the Rhode Island Building Code Commission at the time of installation.~~

CB. Inspections

- ~~1. Permit to Act as Authorized Inspector~~
 - ~~a. An authorized inspector permit is required under the provisions of Rhode Island General Laws § 23-33-5-.1 Gen. Laws § 23-33-5, for~~

any person to make inspection of any existing elevator subject to the provisions of [R.I. Gen. Laws Chapter 23-33](#) ~~of the Rhode Island General Laws~~ and/or this code;

- ~~b.~~ Persons holding a Qualified Elevator Inspection (QEI) certification employed by an insurance company authorized to insure elevator devices in Rhode Island or any person, firm or corporation who holds a certificate of competency as an inspector of elevators from a state that has a standard of examination equal to that of Rhode Island shall, upon application and payment of an authorized inspector's permit fee, be issued an authorized inspector permit;
- ~~c.~~ After July 1, 2013, persons holding a qualified mechanic's license shall, upon application, written examination approved by the chief inspector, and payment of an authorized inspector permit fee be granted an authorized inspector permit. The requirements of this paragraph shall also apply to qualified mechanics holding an authorized inspector permit prior to July 1, 2013;
- ~~d.~~b. An authorized inspector permit shall be renewed ~~every two (2) years~~ annually;

- (1) Renewal of an authorized inspector permit shall consist of submission of a renewal application, accepted and approved by the chief inspector, and payment of a renewal fee. ~~The chief inspector may at any time revoke any permit issued by him or her to act as an authorized inspector, for cause shown, after a hearing, of which the holder of the permit shall receive five (5) days notice in writing;~~
- (2) The chief inspector may at any time revoke any permit issued by him or her to act as an authorized inspector. In cases of a revocation ~~of a permit to act as an authorized inspector,~~ the division of occupational safety administrator shall order a hearing to be conducted within 30 days. Notice of the hearing, given at least five (5) days in advance, shall include a specified time and place, a statement of the facts resulting from investigation, and shall be served mby mail to the authorized inspector. ~~thereon at a time and place to be specified, and shall give notice thereof, including a statement of the facts disclosed upon investigation, which notice shall be served by mail to the authorized inspector. The authorized inspector shall have an opportunity to be heard in respect to the matters complained of at the time and place specified in the notice.~~ The hearing shall be conducted by the ~~Occupational Safety and Health~~ Review Board and shall allow the authorized inspector an opportunity to be heard on the matters contained within the notice.

- ~~ec.~~ An authorized inspector, holding a qualified mechanic's license pursuant to ~~Rhode Island General Laws § 23-33-2.3~~R.I. Gen. Laws §

23-33-2.3, shall not make any repairs as a result of an annual inspection which such authorized inspector performed, except that ~~an~~ such an authorized inspector may make a minor repair, as defined herein, on the same day as any inspection;

~~f. — Renewal of an authorized inspector permit shall consist of submission of a renewal application, accepted and approved by the chief inspector, and payment of a renewal fee. The chief inspector may at any time revoke any permit issued by him or her to act as an authorized inspector, for cause shown, after a hearing, of which the holder of the permit shall receive five (5) days notice in writing;~~

~~g. — In cases of a revocation of a permit to act as an authorized inspector, the division of occupational safety administrator shall order a hearing thereon at a time and place to be specified, and shall give notice thereof, including a statement of the facts disclosed upon investigation, which notice shall be served by mail to the authorized inspector. The authorized inspector shall have an opportunity to be heard in respect to the matters complained of at the time and place specified in the notice. The hearing shall be conducted by the Occupational Safety and Health Review Board.~~

2. Periodic Inspections

- a. The chief inspector, any compliance inspector or any authorized inspector shall make the required inspection of each elevator or other device at least once per year, except that each elevator or other device subject to a full maintenance contract with a qualified service company shall be inspected at least once every two (2) years -subject to Chapter 23-33 of the Rhode Island General Laws; R.I. Gen. Laws Chapter 23-33
- b. The chief inspector, compliance inspector or authorized inspector shall complete the elevator checklist form, approved by the chief inspector, for all existing elevators during the required inspection;
- c. Following inspection, the chief inspector, compliance inspector or authorized inspector shall, within ten business (10) days of inspection, submit the completed elevator checklist form to the division of occupational safety administrator and, if the elevator is adjudged to conform in all respects with this code, the division of occupational safety administrator, upon payment of the appropriate fee, shall issue to the elevator owner a certificate of operation;
- d. A certificate of operation shall state the inspection date, which shall be renewable annually, but shall be valid until revoked;
- e. An owner shall ensure that the required inspections are performed and that the completed elevator checklist form is submitted to the

division of occupational safety administrator. The owner shall schedule the required inspections at least sixty (60) days prior to the expiration of the current certificate of operation;

3. Imminent Harm Violations

- a. If as a result of inspection, the chief inspector determines that any elevator or device is in such a condition as to be unsafe and that the danger is imminent, the chief inspector shall ~~issue a notice and~~ order the operation of that elevator to be stopped immediately, ~~and~~ the certificate revoked and shall physically render the unit inoperable;
- b. ~~The order to cease operation shall state that the~~ The owner shall be notified by certified mail that he or she has fifteen (15) business days from the receipt of the order to notify the division of occupational safety administrator that he or she intends to contest the order to cease operation. ~~The but that the~~ order shall remain in effect pending hearing before the review board;
- c. In cases where the chief inspector revokes a certificate of operation, use of the elevator shall be stopped until the elevator or the defective part or parts shall be repaired or renewed and put in safe condition, and a new certificate issued by the administrator of occupational safety;
- d. In the event that the owner fails, within 15 business days of the receipt of the order, to contest the order to cease operation, the order shall be deemed a final order of the review board and not subject to any review as to any question of fact by any court or agency;
- e. After the issuance of an order to cease operation, the chief inspector may issue a Notice of Proposed Penalty, notifying the owner of the penalty proposed to be assessed under ~~Rhode Island General Laws § 23-33-20~~ R.I. Gen. Laws § 23-33-20 and that the owner has fifteen (15) business days within which to either pay the penalty or notify the administrator of the division of occupational safety that he or she wishes to contest the proposed assessment of penalty;
- f. Any appeal to the review board shall not stay an order to cease operation but the review board may vacate any such order.

4. Non-Imminent Harm Violations

- a. In the event that the elevator checklist form indicates a violation of this code/regulation, which imposes no immediate danger; ~~or a~~ required inspection has not been performed; ~~or~~ the completed elevator checklist form has not been submitted to the division of occupational safety administrator; ~~or~~ the owner fails to schedule the required inspections at least sixty (60) days prior to the expiration of the current certificate of operation, the chief inspector or compliance inspector shall issue a Notice of Violation, notifying the owner and

requiring the owner, within thirty (30) business days after the receipt of the notice, to abate said violations and it shall be the duty of the owner to comply with that requirement;

- b. Upon abatement of the violation, notice shall be provided to the chief inspector that the required repairs, inspections or appointments have been completed, and the chief inspector shall issue a certificate of operation upon payment of the appropriate fee;
- c. The elevator ~~shall~~ may, at the discretion of the chief inspector, be re-inspected by a compliance inspector or the chief inspector prior to the issuance of a certificate of operation;
- d. Following the issuance of a Notice of Violation and the owner's failure to abate the violations during the period provided, the chief inspector or compliance inspector shall issue a Compliance Order, notifying the owner to abate the violations within such reasonable time as he or she may prescribe, and if the violations are not remedied within the prescribed time, the use of the elevator shall be discontinued and the certificate revoked until the elevator is put in a safe condition and a new certificate is issued;
- e. If within fifteen (15) business days from the receipt of the Compliance Order issued by the chief inspector or compliance inspector, the owner fails to notify the administrator of the division of occupational safety that he or she intends to contest the proposed Compliance Order, the Compliance Order shall be deemed a final order of the review board and not subject to review as to any question of fact by any court or agency;
- f. After the issuance of a Compliance Order and abatement of the violation(s) by the owner, the chief inspector may issue a Notice of Proposed Penalty, notifying the owner of the penalty proposed to be assessed under [R.I. Gen. Laws ~~hode Island General Laws~~ § 23-33-20](#), and that the owner has fifteen (15) business days within which to either pay the penalty or notify the administrator of the division of occupational safety that he or she wishes to contest the proposed assessment of penalty;
- g. If within fifteen (15) business days from the receipt of the Notice of Proposed Penalty issued by the administrator of the division of occupational safety, the owner fails to notify the administrator of the division of occupational safety that he or she intends to contest the proposed assessment of penalty, the proposed assessment of penalty shall be deemed a final order of the review board and not subject to review as to any question of fact by any court or agency.

5. Appeals

- a. If an owner notifies the administrator of the division of occupational safety that he or she intends to contest any notice and/or order,

including but not limited to, order to cease operation, notice of violation, compliance order, and/or notice of proposed penalty, except as where provided by [R.I. Gen. Laws Chapter 23-33 of the Rhode Island General Laws](#) and/or this code, the administrator of the division of occupational safety shall immediately notify review board of such appeal and convene a meeting of the review board as soon as practicable thereafter;

- b. The owner shall be notified of the review board hearing and the review board shall provide the affected owner an opportunity to participate in the hearing;
- c. Appeals from the review board may be made pursuant to [R.I. Gen. Laws Chapter 42-35 of the Rhode Island General Laws](#).

6. Exceptions

- ~~a. Where any elevator is altered, by the addition of either car tops, car doors or gates, car sidings, or any appurtenances thereof, or any combination of the foregoing features, the capacity of the elevator shall be reduced to compensate for the weight added thereto, unless all parts of the equipment affected thereby are designed or altered to adequately handle the altered car and the capacity load simultaneously. Departmental approval is mandatory in all such cases.~~
- ~~b. Relocation. When an existing elevator is relocated, it shall comply with [§Section 11.5 A](#) of this Code.~~
- ~~ea.~~ Demolition or removal of any device subject to the provisions of ~~Chapter 23-33 of the Rhode Island General Laws~~[R.I. Gen. Laws Chapter 23-33](#) shall be performed only by individuals licensed by the Division of Occupational Safety pursuant to [R.I. Gen Laws §hode Island General Laws Section 23-33-2.3](#), except where a building is being destroyed in its entirety.
- ~~eb.~~ ~~All elevators having travel of twelve (12) feet or more shall be provided with Phase I and Phase II Fire Service subject to the provisions of ASME A17.3 Rule 3.11.3. a A~~ standardized key switch for the activation of fire service shall be required. This key shall be an ADAMS PART NUMBER AKC-0054A [KEY CODE WD01].
- ~~ec.~~ The key required to activate fire service shall be accessible to fire department personnel, qualified mechanics and compliance inspectors only.

~~E. Cables, Car and Counterweight~~

- ~~1. Except for home elevators, nNo winding drum elevator shall be used for passenger service unless it is equipped with two (2) or more hoisting cables.~~

~~F.~~ Cable Connections

- ~~1. The hoisting rope of power elevators having drum-type driving machines with one-to-one (1:1) roping shall be reshackled, at the car ends at intervals not longer than: (1) Twelve (12) months for machine located over the hoistway. (2) Twenty-four (24) months for machines located below or at side of the hoistway.~~
- ~~2. A metal tag, in addition to the tag required in Rule 2.5b, shall be provided when hoist ropes are reshackled. Said tag shall state the date of the reshackling, and also the name of the concern performing the reshackling.~~

~~GC.~~ Hydraulic Machines

- ~~1. New or replacement hydraulic cylinders shall be installed within a PVC liner inside of the casing.~~
- ~~2. Every hydraulic elevator pump unit shall be provided with an appropriate sized valved connection equipped with an AEROQUIP 5602- 4-4S male connector for attaching an inspector's test gauge.~~
3. Every hydraulic elevator shall be subject to a static load test every three (3) years. As part of this test, the working pressure of the pump unit shall be tested and recorded as well as the relief valve setting. A metal plate shall be attached to the hydraulic tank of all such elevators indicating (1) the working pressure, (2) the relief valve setting, (3) the amount and type of fluid used in the hydraulic system.
4. All hydraulic elevators equipped with an APOLLO BALL VALVE (Part number 70-108-01) located in the oil supply pipe shall have this valve replaced with an equivalent valve of a different manufacturer.

~~HD.~~ Penthouses and Machine Rooms

- ~~1. Elevator disconnect switches, of the approved heavy duty type, lockable, manually operated, and of the multiple pole type, shall be located on the lock jamb side of the entrance to the machine room and shall be accessible from the machine location on all elevators. No device shall be permitted which closes this disconnect switch from any other part of the building.~~
- ~~2. Machine rooms shall be provided with a floor. If metal bar grating is used for flooring, the flooring shall reject a three-quarter (3/4) inch round ball. If perforated sheet steel is used for flooring, the openings shall reject a ball one and one-eighth (1 1/8) inch in diameter.~~

~~I.~~ Counterweights, Drum and/or Car

- ~~1. Counterweights shall run in guide rails or guide boxes and these guides shall confine the counterweights to a definite lane of travel in the elevator hoistway. Counterweight guide boxes outside the elevator hoistway shall be prohibited.~~

- ~~2. Cables extending through counterweights shall be guarded by metal or fiber sleeves attached to the cables.~~
- ~~3. All counter weight fillers shall be bolted down in the frame.~~

JE. Hoistways - Car

1. All hoistways shall be of at least two (2) hour fire resistant rated construction. ~~unless written permission of the fire authorities is provided to the Division indicating a lesser rated construction is permitted by that authority.~~
2. ~~N~~No non-fire resistant materials shall not be installed within any hoistway.
- ~~3. Hoistway enclosures shall have substantially flush surfaces on the hoistway side subject to the following:~~
 - ~~a. On Sides for Loading and Unloading. Landing sills, hoistway doors, door tracks and hangers may project inside the general line of the hoistway.~~
 - ~~b. On Sides Not Used for Loading and Unloading. Recesses except those necessary for installation of elevator equipment shall not be permitted. Beams, floor slabs or other building construction shall not project more than two (2) inches inside the general line of the hoistway unless the top surface of the projection is beveled at an angle of not less than seventy-five (75) degrees from the horizontal. Where setbacks occur in the enclosure wall, the top of the setback shall be beveled at an angle of not less than seventy-five (75) degrees from the horizontal. Separator beams between adjacent elevators are not required to have bevels.~~

K. Guide Rails

- ~~1. Where guide rails are sufficiently worn to cause any material reduction in the clearances as mentioned in Rules 2.45 a, b, c, the guide rails shall be replaced.~~
- ~~2. Guide rails for the car and/or counterweight hoistway shall extend the full length of the travel plus the overtravel.~~
- ~~3. Where guide rails are deteriorated or damaged, they shall be replaced.~~

LE. Terminal Limit Switches and Stopping Devices

Top and bottom final terminal limit switches or stopping devices shall be provided on traction and winding drum ~~all~~ elevators in addition to the normal terminal limits or stopping devices and shall:

- ~~-1.~~ 1. be arranged to automatically prevent all movement of the car by the operating devices; and

2. to stop the car independent of the normal terminal limit switches or stopping devices, and, further, shall, when traveling at any speed attained during normal operations, bring the car to rest within the overtravels but the buffers may be compressed.

M. Elevator Pits

1. ~~There shall be a pit underneath every elevators, except for sidewalk elevators and dumbwaiters. This pit shall be not less than three (3) feet deep, and adequately illuminated.~~
 - a. ~~EXCEPTION: Sidewalk elevators, hand elevators, and dumbwaiters.~~
2. ~~Elevator pits shall be kept clean and dry. Water or other liquid which may accumulate in the pit shall be pumped out. Floor drains in elevator pits shall not be permitted.~~

NG. Hoistway Doors - Cars Equipped with Inching Devices

1. Hoistway doors for power elevators, with a contract speed not in excess of one hundred (100) fpm, may have the interlock service arranged to permit the car to be operated away from the landing a distance of not over ~~twelve (12)~~ ten (10) inches before the locking operation takes place, provided the following requirements are met:
 - a. If the locking operation fails to take place as specified, further movement of the car will open the operating circuit.
 - b. The car cannot be started by the operating devices until the hoistway door is closed.
 - c. The car platform is equipped with a substantial vertical face flush with its outer edge and extending at least fifteen (15) inches below the car platform.
2. ~~On existing power opened and/or closed hoistway doors equipped with door closer, hoistway doors shall be considered in the closed position and the car may be started only when:~~
 - a. ~~the door is within three quarter (3/4) inch of the "lock" jam; or~~
 - b. ~~the edge of the opposite door if bi-parting doors are provided.~~

OH. Power Elevator Car Tops

1. A standard railing conforming to ASME A17.1 CodeSection 2.10.2 (incorporated above) shall be provided on the outside perimeter of the car top on all sides where the perpendicular distance between the edges of the car top and the adjacent hoistway enclosure exceeds 300 mm (12 in)- horizontal clearance.

2. The focus specified in ASME ~~Code A17.1 Section~~ 2.10.2.4 shall not deflect the railing beyond the perimeter of the car top.
3. The top-of-car enclosure, or other surface specified by the elevator installer, shall be the working surface referred to in ~~Code ASME A17.1 Section~~ 2.10.2.

~~Pj.~~ Car and Counterweight Safeties and Speed Governors

1. Every car safety and its speed governor devices shall be tested in the presence of a State Elevator Inspector or an authorized inspector at least once every twelve (12) months that the elevator is in service.

~~2. a. NOTES~~

- ~~(1) Broken rope type safeties shall be tested by obtaining a minimum of 5' of slack which will cause them to function when the supports are abruptly removed.~~
- ~~(2) Speed governor applied type safeties shall be applied at capacity speed by tripping the governor by hand.~~
- ~~(3) Capacity safety load test is required once every five (5) years.~~
- ~~(4) Each over speed governor shall be calibrated every five (5) years.~~
- ~~2. Where governor mechanisms are replaced, they shall be tested and calibrated by an authorized inspector in the presence of a State Elevator Inspector.~~

~~4~~

1.8 Personnel Hoists

- A. The edition of the ASME ~~/ANSI-A10.4, as amended, in effect at the time of installation or, if later, modernization incorporated above in § 1.3 of this Part,~~ shall govern the design, construction, installation, operation, inspection, testing, maintenance, alterations and repair of structures and hoists which are not a permanent part of the buildings, and are installed inside or outside buildings and other structures during construction, alteration, demolition or other temporary usage and are used to raise and lower workers and other persons engaged in the project. The hoist may also be used for transportation of materials.

- ~~1. These devices are subject to the provisions of Chapter 23-33 of the Rhode Island General Laws-R.I. Gen. Laws- Chapter 23-33.~~ The provisions of ASME/ANSI-A10.4 are subject to any exceptions provided within.

- B. The following additions shall be part of the within Code:

- ~~1. Installation of said devices shall be subject to the permit procedures required under the provisions of Rhode Island General Laws Section .I. Gen. Laws § 23-33-17.~~

2. Said devices are subject to the licensing provisions set forth in ~~Rhode Island General Laws Sections 23-33-2.2 and 23-33-2.3.~~ R.I. Gen. Laws- §§ 23-33-2.2 and 23-33-2.3.
3. Said devices shall be erected, installed, repaired, maintained, serviced and/or operated only by persons licensed by the Division of Occupational Safety.

1.9 Material Hoists

- A. The edition of the ANSI-ASME A10.5, as amended, in effect at the time of any installation or, if later, modernization incorporated above in § 1.3 of this Part, shall govern the design, construction, installation, operation, inspection, testing, maintenance, alterations and repair of structures and hoists which are used to raise or lower materials during construction, alteration or demolition of a building.
1. These devices may be installed inside or outside of a building or other structure. This section is not applicable to the temporary use of permanently installed passenger elevators as material hoists.
 2. These devices are subject to the provisions of ~~Chapter 23-33 of the Rhode Island General Laws~~ R.I. Gen. Laws- Chapter 23-33. The provisions of ANSI-A10.5 are subject to any exceptions provided within.
- B. Installation of these devices shall be subject to the permit procedures required under the provisions of ~~Rhode Island General Laws Section 23-33-17.~~ R.I. Gen. Laws- § 23-33-17. The devices are subject to the licensing provisions set forth within ~~R.I. Gen. Laws- §§ 23-33-2.2 and 23-33-2.3.~~ R.I. Gen. Laws- §§ 23-33-2.2 and 23-33-2.3. These devices shall be erected, installed, repaired, maintained, serviced and/or operated only by individuals licensed by the Division of Occupational Safety, ~~except~~

1.10 Wheelchair Lifts/Stairway Chairlifts

All wheelchair lifts or stairway chairlifts shall be installed and maintained in accordance with the edition of ANSI-ASME A18.1, as amended, in effect at the time of the installation or, if later, modernization incorporated above in § 1.3 of this Part. The provisions of ANSI-ASME A18.1, as amended incorporated by reference, are subject to any exceptions provided within.

1.11 Vehicle Reciprocating Conveyors

- A. The edition of the ASME/ANSI B20.1, as amended, in effect at the time of installation or, if later, modernization incorporated above in § 1.3 of this Part, shall govern permanently installed vertical reciprocating conveyors used strictly for the movement of material in or at a building and is not part of a continuous conveyor system.
1. All personnel are expressly forbidden to ride on these units.
- B. In addition, the following shall apply. The provisions s of ASME ANSI-B20.1 are subject to any exceptions provided within.

APPENDIX A

1.12 Permits for Installation and/or Modernization

A. ~~RULE 1.~~

- ~~1.A.~~ No elevator, escalator, dumbwaiter, moving walk or other device subject to the provisions of R.I. Gen. Laws § 23-33 shall be installed, constructed or modernized within the limits of this state without a permit issued by the Division of Occupational Safety, Elevator Unit.
- ~~2.B.~~ All applications for a permit to install, modernize or construct, shall include duplicate sets of data sheets and complete and accurate plans and/or drawings of the device, hoistways, machine rooms, landings and appurtenances. These plans shall also show the device location and machine room relation within the structure. All information as required by ~~ANSI~~ ASME A17.1 and ANSI A18.1, incorporated above by reference, shall be included within these plans. The use of "stock" or computer drawn plans shall be allowed provided that all required information is provided for each unit or device. A permit to install shall be issued when the above required plans and appropriate fee are submitted and approved. No person, firm or corporation shall install, construct, modernize or relocate, or attempt to install, construct, modernize or relocate any device subject to the provisions of R.I. Gen. Laws Chapter 23-33 ~~of the Rhode Island General Laws~~ without having first obtained this permit.

~~B. — RULE 2. Limited Operating Permits For The Use Of Elevators During Construction~~

- ~~1. — Any person, firm or corporation who has been issued a permit by the Department of Labor and Training to install, modernize or construct an elevator pursuant to the provisions of Chapter 23-33 of the Rhode Island General Laws R.I. Gen. Laws § 23-33 may apply in writing to the Director of Labor and Training or his/her designee for the issuance of a sixty (60) day Limited Operating Permit for the temporary use of an elevator during construction and prior to the issuance of a regular Certificate of Operation.~~
- ~~2. — The issuance of this Limited Operating Permit is within the sole discretion of the Director of Labor and Training or his/her designee and is subject to the following conditions and restrictions:~~
 - ~~a. — The Applicant for this permit must receive the prior written approval for the limited operation of the elevator during construction from the State Fire Marshall's office; and~~
 - ~~b. — The Applicant must fulfill any and all conditions and requirements set forth by the State Fire Marshall's office as part of its approval for such limited elevator use during construction; and~~
 - ~~c. — The Applicant for this permit must provide written notification of the limited operation of the elevator during construction to the United States' (Federal) OSHA office whose jurisdiction includes the State of Rhode Island, the Occupational Safety Unit of the Department of~~

~~Labor and Training (if applicable), the Fire Department and Building Inspector's Office within the City or Town where the construction project is located, and the State Building Commissioner's Office (if applicable); and~~

- ~~d. The use of the elevator under this Limited Operating Permit during construction shall be subject to all applicable laws of the State of Rhode Island, all Regulations and licensing requirements of the Department of Labor and Training, and all applicable Federal OSHA Standards as set forth in the Code of Federal Regulations; and~~
- ~~e. The Applicant shall comply with any and all conditions and requirements set forth by the Director of Labor and Training or his/her designee as part of his/her issuance of this Limited Operating Permit for use of the elevator during construction, including but not limited to safety requirements and the limitation of hours of operation to a maximum of seven (7) hours of use per work shift, with total usage not to exceed twenty-one (21) hours within any twenty-four (24) hour period; and~~
- ~~f. The use of the elevator under this Limited Operating Permit shall not include public use, and any operation of the elevator without the issuance of this Limited Operating Permit is restricted to the use for temporary testing purposes set forth in R.I. Gen. Laws §28-33-17; and~~
- ~~g. The initial Limited Operating Permit for Use During Construction is valid for sixty (60) days. The Applicant must apply for a renewal and re-inspection to extend the permit for any additional sixty (60) day periods; and~~
- ~~h. The fee for the issuance of an initial Limited Operating Permit is \$120.00, and there is no renewal fee for each subsequent sixty (60) day renewal of the permit that is issued prior to the issuance of a Certificate of Operation pursuant to R.I. Gen. Laws §23-33-16; and~~
- ~~i. Any violation of this regulation or of the terms and conditions of any Limited Operating Permit issued hereunder, may be addressed in the same manner as set forth in R.I. Gen. Laws §§ 23-33-15 and §23-33-15.1; and~~
- ~~j. Any Applicant who is dissatisfied with any decision of the Director of Labor and Training or his/her designee regarding the issuance of a Limited Operating Permit pursuant to this regulation, may appeal said decision in the same manner as set forth in R.I. Gen. Laws § 23-33-18.~~

APPENDIX B

1.13 License Requirements

A. ~~RULE 1~~ Company License:

1. An annual license is required under the provisions of ~~R.I. Gen. Laws § Rhode Island Section~~ 23-33-2.2 for any business entity engaged in the testing and inspecting, construction, servicing, maintenance, modernization, removal or repair of any device subject to the provisions of this code or ~~the provision of Chapter 23-33 of the Rhode General Laws~~ R.I. Gen. Laws Chapter 23-33. The annual initial and renewal fee for company licenses shall be \$240.00.
2. Company licenses shall be subject to suspension or revocation after a hearing before the Director of Labor and Training, and upon a finding by a preponderance of the evidence that a licensee has violated the terms and provisions of these Rules and Regulations or ~~the provisions of Chapters 23-33 of the Rhode Island General Laws.~~ R.I. Gen. Laws Chapter 23-33.

B. ~~RULE 2.0~~ Requirements

1. The following conditions shall be met prior to the issuance of a company license:
 - a. Registration with the Rhode Island Secretary of State indicating that the company does business within this State of Rhode Island;
 - b. Shall register the name and business address of the individual owner with the names and business addresses of the corporate officers with the Rhode Island Department of Labor and Training;
 - c. Shall register a list of the types of equipment installed, constructed, maintained, repaired, or serviced with the Rhode Island Department of Labor and Training;
 - d. Register a list of any other current state or municipal licenses held and description of same with the Rhode Island Department of Labor and Training;
 - e. Coverage by a liability insurance policy or ~~self insurance~~ self-insurance in an amount not less than \$500,000; proof of insurance or adequacy of self-insurance shall be filed at the time of initial license or renewal application;
 - f. Licensure by all employees of said business entities as required by R.I. Gen. Laws § 23-33-2.3 and filing of said employees' names and license types and numbers with the Chief Elevator Inspector;
 - g. For companies created after July 1, 1992 at least (1) owner or (1) corporate officer shall have a minimum of ten (10) years of experience in the installation, construction, servicing, maintenance,

modernization, removal or repair of any device subject to the provisions of this code or ~~of Chapter 23-33 of the Rhode Island General Laws.~~ R.I. Gen. Laws Chapter 23-33.

C. RULE 3.0 Individual Licenses/Permit (Mechanic and Authorized Inspector):

1. An annual license is required under the provisions of R.I. Gen. Laws ~~§ 23-33-2.3~~ for any person employed in the installation, construction, maintenance, modernization, removal or repair of any device subject to the provisions of this Code or of R.I. Gen. Laws Chapter 23-33 ~~of the Rhode Island General Laws~~ requirements for individual license.
2. A permit is required under the provisions of R.I. Gen. Laws ~~Rhode Island General Law~~ § 23-33-5 for any person to act as an Authorized Inspector.

D. RULE 4.0 Requirements

1. The following conditions shall be met prior to the issuance of a mechanic's license or an authorized inspector permit:
 - a. Passage of a written examination with a score of not less than 70% on the mechanic's license examination, ~~and after July 1, 2013, for the authorized inspector permit, on the authorized inspector examination and filing all information, forms and payment of the appropriate fees for examinations.~~
 - (1) ~~A person may sit for the Mechanic's license examination upon completion of three (3) years and 1,700 hours in a Department registered elevator mechanic's apprenticeship program, but shall not be issued a Mechanic's license until completion of a Department registered elevator mechanic's apprenticeship program;~~
 - b. Completion of a Department registered elevator apprenticeship mechanic's program or an apprenticeship program registered in a reciprocal jurisdiction under direct supervision with a licensed mechanic;
 - c. Payment of a fee;
 - d. Licenses issued by any foreign licensing authority shall not authorize work on an elevator or other device subject to the provisions of this Code or ~~Chapter 23-33 of the Rhode Island General Laws within the State of Rhode Island~~ R.I. Gen. Laws Chapter 23-33; and
 - e. Individual Licenses may be suspended by the Chief until a hearing before the Director is held to determine if the suspension is to be lifted or the license is revoked.