

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

**LEGISLATIVE BILL 573**

Introduced by Nordquist, 7.

Read first time January 21, 2009

Committee: Business and Labor

A BILL

1 FOR AN ACT relating to the Conveyance Safety Act; to amend sections  
2 48-2503, 48-2507, 48-2508, and 48-2512, Revised Statutes  
3 Cumulative Supplement, 2008; to change Conveyance  
4 Advisory Committee membership provisions; to change  
5 applicability of the act; to harmonize provisions; and to  
6 repeal the original sections.  
7 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 48-2503, Revised Statutes Cumulative  
2 Supplement, 2008, is amended to read:

3           48-2503 (1) The Conveyance Advisory Committee is created.  
4 One member shall be the state elevator inspector appointed pursuant  
5 to section 48-2512.01. One member shall be the State Fire Marshal  
6 or his or her designee. The Governor shall appoint the remaining  
7 members of the committee as follows: One representative from a  
8 major elevator manufacturing company; one representative from an  
9 elevator servicing company; one representative who is a building  
10 manager; and one representative who is an elevator mechanic.~~+~~  
11 ~~and one representative of the general public from each county that~~  
12 ~~has a population of more than one hundred thousand inhabitants.~~  
13 The committee shall be appointed within ninety days after January  
14 1, 2008. On and after the effective date of this act, the three  
15 representatives from the general public may be appointed from three  
16 different counties of the state to represent urban, suburban, and  
17 rural interests.

18           (2) The members of the committee appointed by the  
19 Governor shall serve for terms of three years, except that of  
20 the initial members appointed, two shall serve for terms of one  
21 year and three shall serve for terms of two years. The state  
22 elevator inspector and the State Fire Marshal or his or her  
23 designee shall serve continuously. The appointed members shall be  
24 reimbursed for their actual and necessary expenses for service  
25 on the committee as provided in sections 81-1174 to 81-1177. The

1 members of the committee shall elect a chairperson who shall be the  
2 deciding vote in the event of a tie vote.

3 (3) The committee shall meet and organize within thirty  
4 days after the appointment of the members. The committee shall meet  
5 quarterly at a time and place to be fixed by the committee for the  
6 consideration of code regulations and for the transaction of such  
7 other business as properly comes before it. Special meetings may be  
8 called by the chairperson or at the request of two or more members  
9 of the committee. Any appointed committee member absent from three  
10 consecutive meetings shall be dismissed.

11 Sec. 2. Section 48-2507, Revised Statutes Cumulative  
12 Supplement, 2008, is amended to read:

13 48-2507 (1) The Conveyance Safety Act applies to  
14 the construction, operation, inspection, testing, maintenance,  
15 alteration, and repair of conveyances. Conveyances include the  
16 following equipment, associated parts, and hoistways which are not  
17 exempted under section 48-2508:

18 (a) Hoisting and lowering mechanisms equipped with a car  
19 which moves between two or more landings. This equipment includes  
20 elevators, platform lifts, and stair chairs;

21 (b) Power driven stairways and walkways for carrying  
22 persons between landings. This equipment includes:

23 (i) Escalators; and

24 (ii) Moving sidewalks; and

25 (c) Hoisting and lowering mechanisms equipped with a car,

1 which serves two or more landings and is restricted to the carrying  
2 of material by its limited size or limited access to the car. This  
3 equipment includes:

4 (i) Dumbwaiters;

5 (ii) Material lifts and dumbwaiters with automatic  
6 transfer devices; and

7 (iii) Conveyors and related equipment within the scope of  
8 American Society of Mechanical Engineers B20.1.

9 (2) The act applies to the construction, operation,  
10 inspection, maintenance, alteration, and repair of automatic guided  
11 transit vehicles on guideways with an exclusive right-of-way. This  
12 equipment includes automated people movers.

13 ~~(3) The act applies to conveyances in private residences~~  
14 ~~located in counties that have a population of more than one hundred~~  
15 ~~thousand inhabitants at the time of installation. Such conveyances~~  
16 ~~are subject to inspection at installation but are not subject to~~  
17 ~~periodic inspections.~~

18 (3) The act applies to conveyances in private residences  
19 at the time of installation. Conveyances are subject to inspection  
20 at the time of installation but are not subject to periodic  
21 inspections if the conveyance is properly maintained by licensed  
22 elevator mechanics and contractors with documented inspections  
23 annually pursuant to subsections (2) and (3) of section 48-2512.

24 Sec. 3. Section 48-2508, Revised Statutes Cumulative  
25 Supplement, 2008, is amended to read:

- 1           48-2508 The Conveyance Safety Act does not apply to:
- 2           (1) Conveyances under the jurisdiction and subject to
- 3 inspection by the United States Government;
- 4           (2) Conveyances used exclusively for agricultural
- 5 purposes;
- 6           (3) Personnel hoists within the scope of American
- 7 National Standards Institute A10.4;
- 8           (4) Material hoists within the scope of American National
- 9 Standards Institute A10.5;
- 10          (5) Manlifts within the scope of American Society of
- 11 Mechanical Engineers A90.1;
- 12          (6) Mobile scaffolds, towers, and platforms within the
- 13 scope of American National Standards Institute A92;
- 14          (7) Powered platforms and equipment for exterior and
- 15 interior maintenance within the scope of American National
- 16 Standards Institute 120.1;
- 17          (8) Cranes, derricks, hoists, hooks, jacks, and slings
- 18 within the scope of American Society of Mechanical Engineers B30;
- 19          (9) Industrial trucks within the scope of American
- 20 Society of Mechanical Engineers B56;
- 21          (10) Portable equipment, except for portable escalators
- 22 which are covered by American National Standards Institute A17.1;
- 23          (11) Tiering or piling machines used to move materials to
- 24 and from storage located and operating entirely within one story;
- 25          (12) Equipment for feeding or positioning materials at

1 machine tools, printing presses, and similar equipment;

2 (13) Skip or furnace hoists;

3 (14) Wharf ramps;

4 (15) Railroad car lifts or dumpers;

5 (16) Line jacks, false cars, shafters, moving platforms,  
6 and similar equipment used for installing a conveyance by an  
7 elevator contractor;

8 (17) Manlifts, hoists, or conveyances used in grain  
9 elevators or feed mills;

10 (18) Dock levelators; and

11 (19) Stairway chair lifts and platform lifts. + and

12 ~~(20) Conveyances in residences located in counties that~~  
13 ~~have a population of one hundred thousand or less inhabitants.~~

14 Sec. 4. Section 48-2512, Revised Statutes Cumulative  
15 Supplement, 2008, is amended to read:

16 48-2512 (1) No person shall wire, alter, replace, remove,  
17 or dismantle an existing conveyance contained within a building  
18 or structure located in a county that has a population of more  
19 than one hundred thousand inhabitants unless such person is a  
20 licensed elevator mechanic or he or she is working under the  
21 direct supervision of a person who is a licensed elevator mechanic.  
22 Neither a licensed elevator mechanic nor a licensed elevator  
23 contractor is required to perform nonmechanical maintenance of  
24 a conveyance so long as it does not affect the operation  
25 of the elevator. Neither a licensed elevator contractor nor a

1 licensed elevator mechanic is required for removing or dismantling  
2 conveyances which are destroyed as a result of a complete  
3 demolition of a secured building.

4 (2) It shall be the responsibility of licensed  
5 elevator mechanics and licensed elevator contractors to ensure  
6 that installation and service of a conveyance is performed in  
7 compliance with applicable fire and safety codes. It shall be the  
8 responsibility of the owner of the conveyance to ensure that the  
9 conveyance is maintained in compliance with applicable fire and  
10 safety codes.

11 (3) All new conveyance installations shall be performed  
12 by a licensed elevator mechanic under the control of a licensed  
13 elevator contractor or by a licensed elevator contractor.  
14 Subsequent to installation, a licensed elevator contractor shall  
15 certify compliance with the Conveyance Safety Act.

16 Sec. 5. Original sections 48-2503, 48-2507, 48-2508,  
17 and 48-2512, Revised Statutes Cumulative Supplement, 2008, are  
18 repealed.