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# A BILL FOR AN ACT

RELATING TO ELEVATOR MECHANICS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1. The legislature finds that elevators are one of  
2 the safest modes of transportation. There are an estimated  
3 eighteen billion elevator trips taken per year in the United  
4 States. With the continued vertical growth of urban Honolulu,  
5 including some condominium developments that exceed forty  
6 floors, it is important for Hawaii to ensure that state laws  
7 governing repair and maintenance of elevators remain current.  
8 The legislature notes that the elevator mechanics' statute,  
9 chapter 448H, Hawaii Revised Statutes, has not been updated in  
10 more than ten years.

11       The legislature further finds that, like many other  
12 sectors, the elevator industry is undergoing rapid technological  
13 advancements, which require elevator mechanics to expand their  
14 knowledge and skills through training and education to ensure  
15 that licensing standards and core competencies are met. Given  
16 these technological advancements, it is necessary for elevator  
17 mechanics to demonstrate core competencies when installing,



1 repairing, and maintaining all elevators, escalators, and other  
2 vertical transportation.

3 The purpose of this Act is to strengthen regulatory  
4 oversight of the licensed profession of elevator mechanics by  
5 amending the permissible scope of work, apprenticeship and  
6 licensing requirements, and remote interaction requirements.

7 SECTION 2. Chapter 448H, Hawaii Revised Statutes, is  
8 amended by adding five new sections to be appropriately  
9 designated and to read as follows:

10 "§448H-A Examination. Every applicant shall pass an  
11 examination prescribed by the board for licensure. Every  
12 applicant shall:

13 (1) Pass the examination with no less than seventy per  
14 cent correct; and

15 (2) Not be allowed to review any of the applicant's failed  
16 examinations.

17 §448H-B License renewals; continuing education. (a)  
18 Licenses shall expire on June 30 of each even-numbered year.  
19 Licensees seeking renewal shall pay all applicable fees and  
20 complete the continuing education requirements pursuant to  
21 subsection (b).



1        (b) Prior to each license renewal, all licensed elevator  
2 mechanics shall complete:

3        (1) An educational course, approved by the board, of no  
4        less than eight hours related to the elevator  
5        industry; or

6        (2) A qualified elevator inspector continuing education  
7        course of no less than eight hours offered by a  
8        certifying organization accredited by the American  
9        National Standards Institute.

10       (c) An elevator mechanic initially licensed within one  
11 year prior to the applicable renewal date shall not be required  
12 to complete the eight hours of continuing education to renew the  
13 elevator mechanic's license.

14       (d) The board may conduct random audits to determine  
15 compliance with the continuing education requirement. The board  
16 shall provide written notice of an audit to a licensee randomly  
17 selected for audit. Within sixty days of notification, the  
18 licensee shall provide the board with documentation verifying  
19 compliance with the continuing education requirement established  
20 by this section.



1        §448H-C   Elevator mechanics; scope of work.   All

2   construction; reconstruction; alteration, including flooring;  
3   and all elevator cab work, maintenance, repair, troubleshooting,  
4   mechanical, or electrical work or adjustments, which includes  
5   but is not limited to updating software, changing parameters,  
6   resetting faults, and operation of all systems and functions, of  
7   any conveyance shall be performed by a licensed elevator  
8   mechanic.

9        Work on adjustment of the structure or facility, of which  
10   the conveyance may be part or to which the conveyance may be  
11   attached, including any construction; reconstruction;  
12   alteration, including flooring; and all elevator cab work  
13   necessary for proper completion of the work on the conveyance  
14   shall be performed by a licensed elevator mechanic.

15        §448H-D   Exemptions.   Licensure as an elevator mechanic  
16   shall not be required for:

- 17        (1)   Dismantling or removing a conveyance; provided that  
18           the conveyance is not reused and the building or  
19           structure, as defined by its foundation outline, is  
20           totally secure from public and unauthorized access and



1           the entire building is being completely demolished  
2           down to and including the foundation; and

3           (2) Employees of an elevator contractor, duly licensed  
4           under chapter 444, who enters into the contract to  
5           install, repair, or remove the platform lift or  
6           stairway lift within a private residence not  
7           accessible to the general public or to other occupants  
8           in the building.

9           §448H-E Remote interaction. Remote interaction of a  
10          conveyance shall not be permitted without the express permission  
11          of a licensed elevator mechanic who shall be physically present  
12          at the conveyance; provided that this section shall not preclude  
13          remote interaction with the conveyance from within the building  
14          or complex in which the conveyance is located if the interaction  
15          is for the sole purpose of securing, locking, or providing  
16          private use of the conveyance."

17          SECTION 3. Section 448H-1, Hawaii Revised Statutes, is  
18          amended as follows:

19          1. By adding two new definitions to be appropriately  
20          inserted and to read:



1       "Conveyance" means any elevator, dumbwaiter, stage lift,  
2 mechanized parking garage elevator, escalator, moving walk or  
3 ramp, or lift.

4       "Remote interaction" means an action to manipulate or  
5 interact with the controls of a conveyance remotely, or from  
6 within the building or complex in which the conveyance is  
7 located."

8       2. By amending the definition of "apprentice elevator  
9 mechanic" to read:

10       "Apprentice elevator mechanic" means any person who is  
11 [in] :

12       (1) Enrolled in an apprenticeship program for the elevator  
13 industry that is registered with the state  
14 apprenticeship council or the Bureau of Apprenticeship  
15 and Training, United States Department of Labor;

16       (2) Actively training to acquire the skill to become an  
17 elevator mechanic; and ~~[who is required]~~

18       (3) Required to work for ~~[at least four years]~~ no less  
19 than four and one-half years full-time or its  
20 equivalent, but no less than nine thousand hours,



1 under the supervision of an elevator mechanic duly  
2 licensed under section 448H-6."

3 3. By amending the definition of "elevator mechanic" to  
4 read:

5 "Elevator mechanic" means any person who engages in the  
6 construction, reconstruction, alteration, maintenance, repair,  
7 troubleshooting, mechanical, or electrical work or adjustments,  
8 which includes but is not limited to updating software, changing  
9 parameters, resetting faults, and the operation of all systems  
10 and functions, of any [~~elevator, dumbwaiter, stage lift,~~  
11 ~~mechanized parking garage elevator, escalator, moving walk or~~  
12 ~~ramp, lift]~~ conveyance, including any construction,  
13 reconstruction, alteration, or adjustment of the structure or  
14 facility of which the same may be a part or to which the same  
15 may be attached, necessary for proper completion of the work on  
16 the [~~elevator, dumbwaiter, stage lift, mechanized parking garage~~  
17 ~~elevator, escalator, moving walk or ramp, or lift.]~~ conveyance."

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

20 "§448H-5 Powers and duties of the board. In addition to  
21 any other powers and duties authorized by law, the board shall:



- 1       (1) Adopt rules in accordance with chapter 91 to carry out  
2       the purposes of this chapter;
- 3       (2) Develop, apply, review, and upgrade appropriate  
4       techniques, including examinations and investigations  
5       for determining whether a person meets the  
6       requirements of this chapter and standards to insure  
7       that elevator mechanics will be persons qualified to  
8       serve as such;
- 9       (3) Prescribe, at a minimum, that a nationally recognized  
10      examination, augmented with locally developed  
11      material, be used in testing for licensure[, the  
12      ~~passing grade for the examination to be not less than~~  
13      ~~seventy per cent~~];
- 14      (4) Issue licenses to persons determined, after  
15      application of those techniques, to have met the  
16      required qualifications and revoke or suspend  
17      licenses[~~7~~] previously issued by the board, pursuant  
18      to hearings held in accordance with chapter 91, in any  
19      case where the individual holding any license is  
20      determined substantially to have failed to conform to





1 the required qualifications, this chapter, or the  
2 rules of the board;

3 (5) Establish and carry out procedures designed to  
4 [~~insure~~] ensure that persons licensed as elevator  
5 mechanics [~~will~~], during any period they serve as  
6 such, shall comply with the requirements of this  
7 chapter, the rules of the board, and chapter 397 and  
8 rules adopted thereunder;

9 (6) Receive, investigate, and take appropriate action with  
10 respect to, any charge or complaint filed with the  
11 board to the effect that any individual licensed as an  
12 elevator mechanic has failed to comply with the  
13 requirements of this chapter regarding any complaint  
14 regarding job performance by mechanics, the rules of  
15 the board, or chapter 397 and the rules adopted  
16 thereunder;

17 [~~(7)~~] ~~Register apprentice elevator mechanics;~~

18 ~~(8)~~] (7) Maintain a record of its proceedings;

19 [~~(9)~~] (8) Assist and advise the department of labor and  
20 industrial relations in the adoption of rules relating  
21 to the conditions of work for elevator mechanics,



1 including requirements related to equipment or  
2 facilities essential for the safe installation,  
3 repair, maintenance, or alteration of any [~~elevator,~~  
4 ~~dumbwaiter, escalator, moving walk or ramp, and lift,~~]  
5 conveyance; and

6 ~~[-(10)-]~~ (9) Notify the department of labor and industrial  
7 relations of any fact or situation that, in the  
8 opinion of the board, constitutes a violation of  
9 chapter 397 or of any rule adopted thereunder."

10 SECTION 5. Section 448H-6, Hawaii Revised Statutes, is  
11 amended to read as follows:

12 "**§448H-6 Qualifications for license.** No person shall be  
13 licensed as an elevator mechanic unless the person has  
14 satisfactorily passed the examination administered by the board  
15 and [~~satisfactorily completed at least four years of training~~  
16 ~~under the supervision of a licensed elevator mechanic.~~] has met  
17 the following minimum qualifications:

18 (1) Obtained a certificate of completion from an  
19 apprenticeship program for the elevator industry that  
20 is registered with the state apprenticeship council or  
21 the Bureau of Apprenticeship and Training, United



1 States Department of Labor, and is approved by the  
2 board using standards similar to but no less stringent  
3 than those set forth by the National Elevator Industry  
4 Educational Program; and

5 (2) Satisfactorily completed no less than four and one-  
6 half years of full-time work or its equivalent, but no  
7 less than nine thousand hours, under the direct  
8 supervision of an elevator mechanic duly licensed  
9 under this section. The board, by rule, shall  
10 establish the terms for the verification of time in  
11 the industry."

12 SECTION 6. Section 448H-7, Hawaii Revised Statutes, is  
13 amended to read as follows:

14 "**§448H-7 Temporary permit.** The board may issue a  
15 temporary permit to [any] the following:

16 (1) Any person who has qualified as an elevator mechanic  
17 in another state with standards substantially equal to  
18 those of this chapter and who possesses skills or  
19 training not available in the State~~[, provided that~~  
20 ~~the board shall not register any such person as an~~  
21 ~~apprentice elevator mechanic]~~. The board ~~[shall]~~, by



1           ~~[rules and regulations,]~~ rule, shall establish the  
2           terms of the temporary permit[-]; and

3       (2) An apprentice elevator mechanic who has a minimum of  
4       three years of full-time work experience, but no less  
5       than six thousand hours, under the direct supervision  
6       of an elevator mechanic duly licensed under section  
7       448H-6, if there is a shortage of elevator mechanics  
8       in the State. The board, by rule, shall establish the  
9       terms for the determination of a shortage of elevator  
10       mechanics, the verification of time in the industry,  
11       and the terms of the apprentice's temporary permit."

12       SECTION 7. Section 448H-8, Hawaii Revised Statutes, is  
13       amended to read as follows:

14       "**§448H-8 Fees.** Application, examination, license,  
15       temporary permit, and biennial renewal fees shall be as provided  
16       in rules adopted by the director of commerce and consumer  
17       affairs pursuant to chapter 91. A fee is required for each  
18       reexamination. Application fees are not refundable.

19       ~~[Licenses shall expire on June 30 of each even-numbered~~  
20       ~~year.] "~~



1       SECTION 8. In codifying the new sections added by section  
2 2 of this Act, the revisor of statutes shall substitute  
3 appropriate section numbers for the letters used in designating  
4 the new sections in this Act.

5       SECTION 9. Statutory material to be repealed is bracketed  
6 and stricken. New statutory material is underscored.

7       SECTION 10. This Act shall take effect on January 1, 2050;  
8 provided that section 448H-B, Hawaii Revised Statutes, as added  
9 by section 2 of this Act, and section 5 of this Act, shall take  
10 effect on January 1, 2050.



**Report Title:**

Elevator Mechanics; Apprenticeship; Licensure; Continuing Education; Requirements; Scope of Work

**Description:**

Updates requirements for apprenticeship and licensure of elevator mechanics, including examination, license renewal, continuing education, scope of work, exemptions, remote interaction, and qualifications for licensure. Clarifies powers and duties of the Elevator Mechanics Licensing Board and requirements for temporary permits. (SB2494 HD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

