
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 an
8 American National Standards Institute accredited
9 certifying organization.

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

14 §448H-D Exemptions. Licensure as an elevator mechanic
15 shall not be required for:

- 16 (1) Dismantling or removing a conveyance; provided that
17 the conveyance will not be reused and the building or
18 structure, as defined by its foundation outline, is
19 totally secure from public and unauthorized access and
20 the entire building is being completely demolished
21 down to and including the foundation; and



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

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

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

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

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



1 "Remote interaction" means an action to manipulate or
2 interact with the controls of a conveyance remotely, or from
3 within the building or complex."

4 2. By amending the definition of "apprentice elevator
5 mechanic" to read:

6 "Apprentice elevator mechanic" means any person who is
7 ~~[in]~~ enrolled in an apprenticeship program for the elevator
8 industry registered with a state apprenticeship counsel or the
9 Bureau of Apprenticeship and Training, United States Department
10 of Labor, is actively training to acquire the skill to become an
11 elevator mechanic, and who is required to work for [at least
12 ~~four years]~~ no less than four and one half years full time or
13 its equivalent, but no less than nine thousand hours under the
14 supervision of an elevator mechanic duly licensed under section
15 448H-6."

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

18 "Elevator mechanic" means any person who engages in the
19 construction, reconstruction, alteration, maintenance, repair,
20 troubleshooting, mechanical, or electrical work or adjustments,
21 which includes but is not limited to updating software, changing



1 parameters, resetting faults, and the operation of all systems
2 and functions, of any [elevator, dumbwaiter, stage lift,
3 mechanized parking garage elevator, escalator, moving walk or
4 ramp, lift] conveyance including any construction,
5 reconstruction, alteration, or adjustment of the structure or
6 facility of which the same may be a part or to which the same
7 may be attached, necessary for proper completion of the work on
8 the [elevator, dumbwaiter, stage lift, mechanized parking garage
9 elevator, escalator, moving walk or ramp, or lift.] conveyance."

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

12 "**§448H-5 Powers and duties of the board.** In addition to
13 any other powers and duties authorized by law, the board shall:

14 (1) Adopt rules in accordance with chapter 91 to carry out
15 the purposes of this chapter;

16 (2) Develop, apply, review and upgrade appropriate
17 techniques, including examinations and investigations
18 for determining whether a person meets the
19 requirements of this chapter and standards to insure
20 that elevator mechanics will be persons qualified to
21 serve as such;



1 (3) Prescribe, at a minimum, that a nationally recognized
2 examination, augmented with locally developed
3 material, be used in testing for licensure[, the
4 ~~passing grade for the examination to be not less than~~
5 ~~seventy per cent~~];

6 (4) Issue licenses to persons determined, after
7 application of those techniques, to have met the
8 required qualifications and revoke or suspend
9 licenses[7] previously issued by the board, pursuant
10 to hearings held in accordance with chapter 91, in any
11 case where the individual holding any license is
12 determined substantially to have failed to conform to
13 the required qualifications, this chapter, or the
14 rules of the board;

15 (5) Establish and carry out procedures designed to insure
16 that persons licensed as elevator mechanics will,
17 during any period they serve as such, comply with the
18 requirements of this chapter, the rules of the board,
19 and chapter 397 and rules adopted thereunder;

20 (6) Receive, investigate, and take appropriate action with
21 respect to, any charge or complaint filed with the



1 board to the effect that any individual licensed as an
2 elevator mechanic has failed to comply with the
3 requirements of this chapter regarding any complaint
4 regarding job performance by mechanics, the rules of
5 the board, or chapter 397 and the rules adopted
6 thereunder;

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

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

9 [~~(9)~~] (8) Assist and advise the department of labor and

10 industrial relations in the adoption of rules relating
11 to the conditions of work for elevator mechanics
12 including requirements related to equipment or
13 facilities essential for the safe installation,
14 repair, maintenance, or alteration of any [~~elevator,~~
15 ~~dumbwaiter, escalator, moving walk or ramp, and lift,~~]
16 conveyance; and

17 [~~(10)~~] (9) Notify the department of labor and industrial
18 relations of any fact or situation that, in the
19 opinion of the board, constitutes a violation of
20 chapter 397 or of any rule adopted thereunder."



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

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

- (1) Obtained a certificate of completion from an apprenticeship program for the elevator industry registered with a state apprenticeship counsel or the Bureau of Apprenticeship and Training, United States Department of Labor, approved by the board with standards similar to but no less than those set forth by the National Elevator Industry Educational Program; and
- (2) Satisfactorily completed no less than four and one-half years full time work or its equivalent, but no less than nine thousand hours, under the direct supervision of an elevator mechanic duly licensed under this section. The board shall, by rule,



1 establish the terms for the verification of time in
2 the industry."

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

5 "**§448H-7 Temporary permit.** The board may issue a
6 temporary permit to ~~[any]~~ the following:

7 (1) Any person who has qualified as an elevator mechanic
8 in another state with standards substantially equal to
9 those of this chapter and who possesses skills or
10 training not available in the State~~[; provided that~~
11 ~~the board shall not register any such person as an~~
12 ~~apprentice elevator mechanic]~~. The board shall, by
13 ~~[rules and regulations,]~~ rule, establish the terms of
14 the temporary permit~~[;]~~ ; and

15 (2) An apprentice elevator mechanic who has a minimum of
16 three years full time work experience, but no less
17 than six thousand hours, under the direct supervision
18 of an elevator mechanic duly licensed under section
19 448H-6, if there is a shortage of elevator mechanics
20 in the State. The board shall, by rule, establish the
21 terms for the determination of a shortage of elevator



1 mechanics, the verification of time in the industry,
2 and the terms of the apprentice's temporary permit."

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

5 "**§448H-8 Fees.** Application, examination, license,
6 temporary permit, and biennial renewal fees shall be as provided
7 in rules adopted by the director of commerce and consumer
8 affairs pursuant to chapter 91. A fee is required for each
9 reexamination. Application fees are not refundable.

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

12 SECTION 8. In codifying the new sections added by section
13 2 of this Act, the revisor of statutes shall substitute
14 appropriate section numbers for the letters used in designating
15 the new sections in this Act.

16 SECTION 9. Statutory material to be repealed is bracketed
17 and stricken. New statutory material is underscored.

18 SECTION 10. This Act shall take effect on July 1, 2018;
19 provided that section 448H-B, Hawaii Revised Statutes, as added
20 by section 2 of this Act, and section 5 of this Act shall take
21 effect on July 1, 2020.



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. Effective 7/1/2020: license renewal, continuing education, and qualifications for licensure. (SD1)

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