

ACT 36

S.B. NO. 42

A Bill for an Act Relating to Elevator Mechanics.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 26H-4, Hawaii Revised Statutes, is amended to read as follows:

“§26H-4 [[NEW]] Repeal dates. (a) The following chapters are hereby repealed effective December 31, 1983:

- (1) Chapter 444 (Contractors License Board)
- (2) Chapter 448E (Board of Electricians and Plumbers)
- (3) Chapter 464 (Board of Registration of Professional Engineers, Architects, and Surveyors)
- (4) Chapter 466 (Board of Public Accountancy)
- (5) Chapter 467 (Real Estate Commission)
- [(6) Chapter 448H (Elevator Mechanics Licensing Board)]

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- (b) The following chapters are hereby repealed effective December 31, 1984:
- (1) Chapter 436D (Board of Acupuncture)
 - (2) Chapter 442 (Board of Chiropractic Examiners)
 - (3) Chapter 448 (Board of Dental Examiners)
 - (4) Chapter 453 (Board of Medical Examiners)
 - (5) Chapter 457 (Board of Nursing)
 - (6) Chapter 447 [(Board] (Dental Hygienists)
- (c) The following chapters are hereby repealed effective December 31, 1985:
- (1) Chapter 460 (Board of Osteopathic Examiners)
 - (2) Chapter 461 (Board of Pharmacy)
 - (3) Chapter 455 (Board of Examiners in Naturopathy)
 - (4) Chapter 463E (Podiatry)
 - (5) Chapter 451A (Board of Hearing Aid Dealers and Fitters)
 - (6) Chapter 457B (Board of Examiners of Nursing Home Administrators)
 - (7) Chapter 448H (Elevator Mechanics Licensing Board)
- (d) The following chapters are hereby repealed effective December 31, 1986:
- (1) Chapter 437 (Motor Vehicle Industry Licensing Board)
 - (2) Chapter 437B (Motor Vehicle Repair Industry Board)
 - (3) Chapter 440 (Boxing Commission)
 - (4) Chapter 460J (Pest Control Board)
 - (5) Chapter 438 (Board of Barbers)
 - (6) Chapter 439 (Board of Cosmetology)
- (e) The following chapters are hereby repealed effective December 31, 1987:
- (1) Chapter 458 (Board of Dispensing Opticians)
 - (2) Chapter 459 (Board of Examiners in Optometry)
 - (3) Chapter 452 (Board of Massage)
 - (4) Chapter 471 (Board of Veterinary Examiners)
 - (5) Chapter 441 (Cemeteries and Mortuaries)
 - (6) Chapter 463 (Board of Detectives and Guards)
- (f) The following chapters are hereby repealed effective December 31, 1988:
- (1) Chapter 465 (Board of Certification for Practicing Psychologists)
 - (2) Chapter 468E (Board of Speech Pathology and Audiology)
 - (3) Chapter 359L (Factory Built Housing Advisory Board)
 - (4) Chapter 468B (Solar Energy Device Dealers)
 - (5) Chapter 468K (Travel Agencies)
 - (6) Chapter 373 (Commercial Employment Agencies).”

SECTION 2. Section 448H-3, Hawaii Revised Statutes, is amended to read as follows:

“**§448H-3 Elevator mechanics licensing board; appointment; organization.** There is created an elevator mechanics licensing board within the department of commerce and consumer affairs for administrative purposes. The board shall

consist of seven members, [three] four of whom shall be licensed elevator mechanics, [three] two others of whom shall be lay members, not connected or associated with the elevator or building industry, and one of whom shall be the branch manager of the [technical inspection branch], boiler and elevator inspection bureau, division of occupational safety and health, department of labor and industrial relations. The governor shall appoint the members of the board in accordance with section 26-34; provided that in the initial appointment of the board, the elevator mechanic members need not satisfy the licensing requirements of this chapter, but shall have been elevator mechanics registered by the department of labor and industrial relations. The board shall elect one of its members as chairman.

Members of the board shall serve without compensation but shall be reimbursed for travel and other necessary expenses incurred in the performance of official duties.”

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

“**§448H-4 Meetings; quorum.** The board shall meet not less than once a year at a time and place as determined by the board. The board shall also meet [at such other times and places as may be necessary or requested by the department of commerce and consumer affairs] but not later than thirty days prior to the licensing examination pursuant to section 448H-5(2) in order to evaluate applications therefor. [Five] Four members of the board shall constitute a quorum. Any board member who misses two consecutive meetings of the board or fifty per cent of the meetings in a year shall be removed from the board.”

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

“**§448H-5 Powers and duties of the board.** The board shall:

- (1) Adopt rules and regulations in accordance with chapter 91 to carry out the purposes of this chapter;
- (2) Develop, [and] apply, review and upgrade appropriate techniques, including examinations and investigations for determining whether a person meets the requirements of this chapter and standards to insure that elevator mechanics will be persons qualified to serve as such;
- (3) Issue licenses to persons determined, after application of such techniques, to have met such qualifications and revoke or suspend licenses, previously issued by the board pursuant to hearings held in accordance with chapter 91, in any case where the individual holding any such license is determined substantially to have failed to conform to such qualifications, this chapter, or the rules and regulations of the board;
- (4) Establish and carry out procedures designed to insure that persons licensed as elevator mechanics will, during any period they serve as such, comply with the requirements of this chapter, the rules and regulations of the board, and chapter [396] 397 and the rules and regulations promulgated thereunder;

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- (5) Receive, investigate, and take appropriate action with respect to, any charge or complaint filed with the board to the effect that any individual licensed as an elevator mechanic has failed to comply with the requirements of this chapter regarding any complaint regarding job performance by mechanics, the rules and regulations of the board, or chapter [396] 397 and the rules and regulations promulgated thereunder;
- (6) Register apprentice elevator mechanics;
- (7) Maintain a record of its proceedings;
- (8) Assist and advise the department of labor and industrial relations in the promulgation of rules and regulations relating to the conditions of work for elevator mechanics including requirements related to equipment or facilities essential for the safe installation, repair, maintenance, or alteration of any elevator, dumbwaiter, escalator, moving walk or ramp, and manlift; and
- (9) Notify the department of labor and industrial relations of any fact or situation that, in the opinion of the board, constitutes a violation of chapter [396] 397 or of any rule or regulation promulgated thereunder.”

SECTION 5. Statutory material to be repealed is bracketed. New material is underscored.

SECTION 6. This Act shall take effect upon its approval.

(Approved May 18, 1983.)