

**SUBSTITUTE FOR
HOUSE BILL NO. 4510**

A bill to amend 1967 PA 227, entitled

"An act to regulate the inspection, construction, installation, alteration, maintenance, repair and operation of elevators and the licensing of elevator contractors; to regulate the construction, installation, alteration, maintenance, and repair of certain residential lifts; to prescribe the functions of the director of the department of licensing and regulatory affairs; to create, and prescribe the functions of, the elevator safety board; to provide penalties for violations of the act; and to repeal acts and parts of acts,"

by amending sections 2 and 9 (MCL 408.802 and 408.809), as amended by 1980 PA 282.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. **As used in this act:**

2 **(a)** ~~(1)~~—"Approved" means that which the director designates as



1 acceptable to the department.

2 (b) ~~(2)~~—"Board" means the elevator safety board **created in**
3 **section 7.**

4 (c) ~~(3)~~—"Department" means the department of ~~labor~~.**licensing**
5 **and regulatory affairs.**

6 (d) ~~(4)~~—"Director" means the director of ~~labor or his duly~~
7 ~~designated representative~~.**the department or his or her designee.**

8 (e) ~~(5)~~—"Division" means the elevator safety division of the
9 department.

10 (f) ~~(6)~~—"Dormant elevator" means an elevator that is still
11 intact and on the premises but the premises are vacated or the
12 equipment is entirely disconnected in an approved manner.

13 (g) ~~(7)~~—"Repairs" ~~where used herein shall mean only such means~~
14 **only the** work ~~as that~~ is necessary to maintain present equipment in
15 a safe and serviceable condition; ~~and to adjust~~ **parts**; or replace
16 defective, broken, or worn parts ~~, with parts~~ **that are** made of
17 equivalent material, strength, and design ~~, and where the replacing~~
18 ~~part performs and that perform~~ the same function as the replaced
19 ~~part~~.**parts.**

20 (h) ~~(8)~~—"Major alteration" means an alteration as defined in
21 the standard ~~. Any person, firm or corporation performing such~~
22 ~~major alteration shall obtain~~ **and for which** a permit from the
23 department ~~as outlined in~~ **is required under** section 15. ~~of this~~
24 ~~act.~~

25 Sec. 9. (1) The director shall enforce the provisions of this
26 act and the rules promulgated ~~by the board pursuant to~~ **under** this
27 act. ~~and where, owing to~~

28 (2) **If, because of** special conditions, a literal enforcement
29 of the ~~provisions of these rules~~ **promulgated under this act** will



1 result in unnecessary hardship or involve practical difficulties,
2 the director, upon application in specific cases, may authorize
3 variations or modifications of the ~~terms of these rules which will~~
4 ~~not be~~ **that are not** contrary to the public interest, and ~~so~~
5 **observes** the spirit of ~~these~~ **the** rules, ~~shall be observed,~~ **secures**
6 **the** public safety, ~~secured,~~ and **does** substantial justice. ~~done.~~

7 (3) Upon application in a specific case, the director shall
8 grant any exceptions or variations from the literal requirements of
9 this act or rules promulgated under this act that are necessary to
10 authorize the making of an alteration to a safety measure of an
11 elevator if that safety measure was not required at the time of the
12 construction of the elevator or at the time the application is made
13 and if the director believes reasonable safety will be secured by
14 granting the exception or variation.

15 Enacting section 1. This amendatory act takes effect 15 days
16 after the date it is enacted into law.

