ELEVATOR LICENSING

Act 333 of 1976

AN ACT to provide for the licensing of elevator journeymen and the regulation of elevators and elevator journeymen; to prescribe the functions of the director of labor and the elevator safety board; and to provide penalties for violations of this act.

History: 1976, Act 333, Eff. Mar. 31, 1977

The People of the State of Michigan enact:

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338.2151 Definitions.

Sec. 1.

(1) The definitions contained in Act No. 227 of the Public Acts of 1967, being sections 408.801 to 408.824 of the Michigan Compiled Laws, shall have the same meaning when used in this act.

(2) "Elevator journeyman" means a person who is qualified and licensed by this state to perform, or to provide supervision in the performance of, the work of installation, alteration, maintenance, repair, servicing, adjusting, inspecting, or testing of elevators.

History: 1976, Act 333, Eff. Mar. 31, 1977

338.2152 Applicability of provisions.

Sec. 2.

(1) This act does not apply to or in a city, village, or township that has regulations in its ordinances that are comparable to this act or 1967 PA 227, MCL 408.801 to 408.824.

(2) This act does not apply to licensed journeymen in a city, village, or township described in subsection (1).

(3) This act does not apply to the installation, construction, repair, alteration, or maintenance of a residential stairway chairlift or residential platform lift that is subject to section 14a of 1967 PA 227, MCL 408.814a.

History: 1976, Act 333, Eff. Mar. 31, 1977 ;-- Am. 2015, Act 34, Eff. Aug. 19, 2015

338.2153 Rules.

Sec. 3.

In addition to the functions of the board provided in Act No. 227 of the Public Acts of 1967, the board shall promulgate rules for the licensing and examination of elevator journeymen and for the periodic servicing and examination of elevators in accordance with Act No. 306 of the Public Acts of 1969, as amended, being sections 24.201 to 24.315 of the Michigan Compiled Laws.

History: 1976, Act 333, Eff. Mar. 31, 1977
Admin Rule: R 408.8101 et seq. of the Michigan Administrative Code.

338.2154 Enforcement of act and rules; variations or modifications of rules.

Sec. 4.

The director of labor shall enforce this act and the rules promulgated pursuant to this act by the board. Where, because of special conditions, a literal enforcement of the rules will result in unnecessary hardship or involve practical difficulties, the director, upon application in specific cases, may authorize variations or modifications of the rules in a manner not contrary to the public interest and so that the spirit of the rules shall be observed, public safety secured, and substantial justice done.

History: 1976, Act 333, Eff. Mar. 31, 1977

338.2155 Elevator; installation, alteration, maintenance, repair, servicing, adjusting, or testing; entering elevator hoistway or machine room.

Sec. 5.

(1) The work of installation, alteration, maintenance, repair, servicing, inspecting, adjusting, or testing of an elevator covered by Act No. 227 of the Public Acts of 1967, shall be done by a person who is licensed by the department of labor as an elevator journeyman, or by his helpers under the immediate supervision of a licensed elevator journeyman.

(2) A person entering an elevator hoistway or machine room for any reason, except under an emergency situation, shall be a licensed elevator journeyman, shall be employed as a helper and be under the supervision of a licensed elevator journeyman, or shall be commissioned as a special or general inspector. This requirement does not apply to engineering, management, or sales personnel of a licensed elevator contractor, or owner's authorized representatives.

History: 1976, Act 333, Eff. Mar. 31, 1977

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338.2156 Elevator journeyman's license; application; form; issuance without examination; qualifications; restrictions; supervised work of qualified employee; examination.

Sec. 6.

(1) An application for an elevator journeyman's license shall be made on blank forms furnished by the department.

(2) An elevator journeyman's license shall be issued without written examination to a person who has been engaged in elevator contractor work of supervising installation or repair, or who has been engaged in the installation, alteration, maintenance, repair, servicing, inspecting, or adjusting of elevator equipment, for a period of not less than 3 years before the effective date of this act, provided application for the license is made within 12 months after the effective date of this act. The elevator journeyman's license shall be issued by the director and board upon the employee's submitting a signed affidavit stating his term of employment with a licensed elevator contractor. The license may be restricted to specific types of work by the director.

(3) A degree in electrical or mechanical engineering from a recognized college or university may be considered the equivalent of 1 year toward qualification for an elevator journeyman's license. A qualified employee of a licensed elevator contractor shall be allowed to work in the installation, alteration, maintenance, repair, servicing, inspecting, adjusting, or testing of elevators under the immediate supervision of a licensed elevator journeyman.

(4) An elevator journeyman's license shall be issued, after the approval of the board and after an applicant successfully passes an examination, to an applicant having a minimum of 3 years of continuous employment as a supervisor of elevator construction or service, or as an elevator constructor, serviceman, maintenance man, or repairman. The license may be restricted to specific types or work by the director.

History: 1976, Act 333, Eff. Mar. 31, 1977

338.2157 Elevator journeyman's license; expiration; renewal; grounds for suspension or revocation.

Sec. 7.

An elevator journeyman's license shall expire 1 year after the date of issue, and, unless renewed 60 days thereafter, shall be revoked. An elevator journeyman's license may be suspended or revoked by the director after a hearing, if approved by the board, for incompetence, neglect, misrepresentation, or failure to comply with the requirements of this act or with the rules promulgated pursuant thereto by the board.

History: 1976, Act 333, Eff. Mar. 31, 1977 ;-- Am. 1978, Act 238, Imd. Eff. June 15, 1978

338.2158 License and examination fees.

Sec. 8.

(1) Fees for the elevator journeyman's license and elevator journeyman's examination shall be determined by the board.

(2) Fees shall be paid by cash, money order, or certified check to the director. Fees received by the director shall be transmitted to the state treasurer for deposit in the general fund.

History: 1976, Act 333, Eff. Mar. 31, 1977

338.2159 Servicing and examining power elevators; exceptions; minimum requirements.

Sec. 9.

A power elevator, except a private residence elevator and a private residence inclined lift, shall be serviced and examined for defects by a licensed elevator journeyman at such periods as may be necessary, but not less than every 60 days, to maintain the equipment in safe operating condition. Minimum requirements shall be established by the board.

History: 1976, Act 333, Eff. Mar. 31, 1977

338.2160 Violation; penalty.

Sec. 10.

A person, firm, or corporation who violates a provision of this act or a rule promulgated by the board, for the first offense shall be fined not more than $50.00, and, for each subsequent offense, fined not more than $100.00, or imprisoned for not more than 90 days, or both.

History: 1976, Act 333, Eff. Mar. 31, 1977

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