

HOUSE BILL NO. 4510

April 25, 2019, Introduced by Rep. Farrington and referred to the Committee on Government Operations.

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:

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

(a) ~~(1)~~—"Approved" means that which the director designates as acceptable to the department.

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

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

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

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

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

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

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

Sec. 9. **(1)** The director shall enforce the provisions of this



1 act and the rules promulgated ~~by the board pursuant to~~ **under** this
2 act. ~~and where, owing to~~

3 **(2) If, because of** special conditions, a literal enforcement
4 of the ~~provisions of these rules~~ **promulgated under this act** will
5 result in unnecessary hardship or involve practical difficulties,
6 the director, upon application in specific cases, may authorize
7 variations or modifications of the ~~terms of these rules which will~~
8 ~~not be~~ **that are not** contrary to the public interest, ~~and so~~
9 **observes** the spirit of ~~these~~ **the** rules, ~~shall be observed,~~ **secures**
10 **the** public safety, ~~secured,~~ and **does** substantial justice. ~~done.~~

11 **(3) Upon application in a specific case, the director shall**
12 **grant any exceptions or variations from the literal requirements of**
13 **this act or rules promulgated under this act necessary to authorize**
14 **the making of an alteration to a safety measure of an elevator if**
15 **that safety measure was not required at the time of the**
16 **construction of the elevator or at the time the application is**
17 **made.**

18 Enacting section 1. This amendatory act takes effect 90 days
19 after the date it is enacted into law.

