



# Department of Commerce

Division of Industrial Compliance  
 John R. Kasich, Governor  
 Jacqueline T. Williams, Director

## FEBRUARY 2017 STAKEHOLDER MEETING ELEVATOR RULES PROPOSED CHANGES AND FIVE YEAR RULE REVIEW

Ohio Administrative Code Rule Number	Paragraph/Table	Reason for Proposed Change/Five Year Rule Review
4101:5-1-01	Paragraphs (C) & (I)	Adds stages lifts and wind turbine tower elevators to list of elevators regulated by the rules
	Paragraph (J)	Clarifies the applicability of the rules for material lifts, workmen's hoists, and in dwelling units
4101:5-1-02	NA	No change
4101:5-1-03	Paragraphs (A) & (B)	Revised to provide clarification of the scope of authority of the Division of Industrial Compliance and certified building departments for enforcement of the Board's rules for work in elevator hoistways
4101:5-1-04	NA	No change
4101:5-1-05	NA	No change
4101:5-1-06	NA	No change
4101:5-1-07	NA	No change
4101:5-3-01	Table 4101:5-3-01	Update ASME A 17.1 standard from 2010 to 2016 edition
	Table 4101:5-3-01	Update ASME A 17.3 standard from 2008 to 2015 edition
	Table 4101:5-3-01	Add ASME A 17.8-2014 Standard for Wind Turbines
	Table 4101:5-3-01	Update ASME A 18.1 standard from 2008 to 2014 edition
	Table 4101:5-3-01	Update ASME A 90.1 standard from 2009 to 2015 edition
	Table 4101:5-3-01	Add ESTA E1.42-2016 Standard for Orchestra and Pit Lifts
	Table 4101:5-3-01	General editorial change and clarifications to Notes
4101:5-3-02	NA	No change

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**4101:5-1-01 Scope.**

This code covers the design, construction, repair, alteration, and maintenance of:

(A) Passenger elevators;

(B) Freight elevators;

(C) Stage lifts;

~~(C)~~(D) Dumbwaiters;

~~(D)~~(E) Escalators;

~~(E)~~(F) Moving walks;

~~(F)~~(G) Belt Manlifts;

~~(G)~~(H) Mine elevators;;

(I) Wind turbine tower elevators

~~(H)~~(J) Special service elevators and other lifting and lowering equipment as provided for by section 4105.01 of the Revised Code, but shall not include the following:

(1) Conveyors and related equipment within the scope of "ANSI B20.1";

(2) Tiering or piling machines used to move material to and from storage and located and operating entirely within one story;

(3) Equipment for feeding or positioning materials at machine tools, printing presses, etc.;

(4) Hoists for raising or lowering materials and which are provided with unguided hooks, slings, and similar means for attachment to the materials;

(5) Skip or furnace hoists;

(6) Wharf ramps;

(7) Amusement devices, but does include elevators in observation towers, etc.;

(8) Lift bridges;

(9) Railroad car lifts or dumpers;

(10) Material hoists and ~~workmen's hoists in place for the duration of the construction renovation or demolition of the project~~material lifts; and

(11) Workmen's hoists in place for the duration of the construction renovation or demolition of the project; and

~~(11)~~(12) Elevators ~~in one-, two-, and three-family dwelling houses~~ within individual dwelling units.

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## **4101:5-1-02 Definitions.**

Note: For definitions used in rules 4101:5-1-01 to 4101:5-3-02 of the Administrative Code:

(For definitions not contained herein, refer to the "ASME" standards listed in rule 4101:5-3-01 of the Administrative Code.)

"ASME" means the "American Society of Mechanical Engineers." Referenced standards, codes, and related technical information developed by this organization can be purchased by logging on to <http://www.asme.org> or by calling 1-800-the-asme.

"Board" means the board of building standards as established by section 3781.07 of the Revised Code and authorized by division (A) of section 4105.011 of the Revised Code to formulate rules and regulations governing the design, construction, repair, alteration, and maintenance of elevators.

"Board of building appeals" means the board of building appeals as established by section 3781.19 of the Revised Code.

"Division" means the division of industrial compliance in the department of commerce.

"Elevator" means, a hoisting and lowering apparatus equipped with a car, cage, or platform which moves on or between permanent rails or guides and serves two or more fixed landings in a building or structure to which section 3781.06 of the Revised Code applies. "Elevator" includes dumb-waiters other than hand-powered dumb-waiters, escalators, manlifts of the endless belt type, moving walks, other lifting or lowering apparatus permanently installed on or between rails or guides, and all equipment, machinery, and construction related to any elevator; but does not include construction hoists and other similar temporary lifting or lowering apparatuses, ski lifts, traveling, portable amusement rides or devices that are not affixed to a permanent foundation, or nonportable amusement rides or devices that are affixed to a permanent foundation.

"Freight elevator" means an elevator normally used for carrying freight and on which only the operator and employees in the pursuit of their duties, by the permission of the employer, are allowed to ride.

"General inspector" means a state inspector examined and hired to inspect elevators and lifting apparatus for that state.

"Inspector" means either a general or special inspector.

"Moving walks" means a type of passenger-carrying device on which passengers stand or walk, and in which the passenger-carrying surface remains parallel to its direction of motion and is uninterrupted.

"Owner or user" means any person, firm or corporation owning or operating any elevator.

"Special inspector" means an inspector examined and commissioned by the superintendent to inspect elevators and lifting apparatus in the state.

"Superintendent" means the superintendent of the division of industrial compliance created in the department of commerce under section 121.04 of the Revised Code, or the person designated by the superintendent as responsible for the enforcement of rules 4101:5-1-01 to 4101:5-3-02 and 1301:3-6-01 to 1301:3-6-06 of the Administrative Code.

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**4101:5-1-03**      **Enforcement.**

(A) The superintendent of the division of industrial compliance shall enforce all provisions of rules 4101:5-1-01 to 4101:5-3-02 and rules 1301:3-6-01 to 1301:3-6-06 of the Administrative Code relating to the design, construction, repair, alteration, and maintenance of elevators and elevator controls as defined in rule 4101:5-1-02 of the Administrative Code.

Exception: Municipal corporations, such as the city of Cleveland and the city of Cincinnati, which are authorized to adopt regulations for the regular inspection of elevators pursuant to section 4105.19 of the Revised Code.

(B) All requirements within the standards referenced in "Table 4101:5-3-01" of rule 4101:5-3-01 of the Administrative Code that relate to the construction of the building and the building service equipment located within an elevator hoistway enclosure, hoistway, machine room, and control room such as, but not limited to, requirements for wall materials, wall fire resistance ratings, fire and/or smoke dampers, means of egress doors and hardware, ladders, air conditioning systems, ventilation systems, fire protection systems, lighting systems, electrical power supply to the elevator controls, lighting switches, electrical disconnects and selective coordination of overcurrent protective devices (OCPD), plumbing, sanitary piping, and sump pits shall be enforced by the building official having jurisdiction as determined in division (A)(1) of section 3791.04 of the Revised Code.

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**4101:5-1-04      Application for permit.**

In accordance with section 4105.16 of the Revised Code , every owner or contractor shall apply for and obtain a permit from the division of industrial compliance prior to the installation of, alteration of, or repair of any elevator regulated by the division. The application shall be made on forms prescribed by the superintendent and in accordance with rule 1301:3-6-03 of the Administrative Code.

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**4101:5-1-05      Adjudication order.**

Before attempting to enforce, by any remedy, civil or criminal, the provisions with which the inspected elevator does not comply, the superintendent shall issue an adjudication order in accordance with section 4105.11 of the Revised Code. The owner of the elevator specified therein may appeal to the board of building appeals under section 3781.19 of the Revised Code.

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**4101:5-1-06 Examination for certificate of competency.**

- (A) No person may act, either as a general inspector or as a special inspector of elevators, unless he holds a certificate of competency issued by the superintendent in accordance with rule 1301:3-6-02 of the Administrative Code.
- (B) The written examination administered by the superintendent, prior to issuance of a certificate of competency, shall be the "Quality Elevator Inspectors (QEI) Examination."

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**4101:5-1-07      Assessment fee.**

- (A) In accordance with division (I) of section 4105.17 of the Revised Code, in addition to any fees assessed and collected directly from the owner or user for the inspection and issuance of a certificate of operation, the superintendent will collect, directly from the owner or user, a board assessed fee of three dollars and twenty-five cents for each certificate of operation or renewal thereof and for each inspection conducted.
- (B) The three dollars and twenty-five cent assessment fee collected directly from the owner or user on behalf of the board shall be remitted to the board when deposited by the division of industrial compliance pursuant to section 121.084 of the Revised Code. The superintendent shall report to the board the amounts remitted not later than one month following the first full month's collection and then monthly thereafter.



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**4101:5-3-01 Accepted engineering practice and approved standards.**

Unless otherwise specifically provided for in rules 4101:1-30-01 or 4101:5-1-01 to 4101:5-3-02 of the Administrative Code, compliance with the applicable technical provisions and requirements of the standards listed in "Table 4101:5-3-01" of the Administrative Code is prima facie evidence of conformity with accepted engineering practice or with an approved standard governing the design, construction, repair, alteration and maintenance of elevators.

Table 4101:5-3-01

<u>Authority</u> <u>Promulgating Agency</u> (Note a)	<u>Designation</u> <u>Standard</u> <u>Identification</u> (Note e)	Edition	Title
ASME	A 17.1 (Note b)	<del>2010</del> <u>2016</u>	Safety Code for Elevators and Escalators
ASME	A17.3 (Note <del>d</del> <u>c</u> )	<del>2008</del> <u>2015</u>	Safety Code for Existing Elevators and Escalators.
ASME	A17.6	2010	Standard for Elevator Suspension, Compensation, and Governor Systems
ASME	A17.7	2007	Performance-based Safety Code for Elevators and Escalators
<u>ASME</u>	<u>A17.8</u>	<u>2016</u>	<u>Standard for Wind Turbine Tower Elevators</u>
ASME	A18.1	<del>2008</del> <u>2014</u>	Safety Standard for Platform Lifts and Stairway Chairlifts
ASME	A 90.1	<del>2009</del> <u>2015</u>	Safety Standard for Belt Manlifts
<u>ESTA</u>	<u>E1.42</u>	<u>2016</u>	<u>Design, Installation, and Use of Orchestra Pit Lifts</u>
Note a	ASME means the "American Society of Mechanical Engineers" <u>and</u> <u>ESTA means the "Entertainment Services and Technology Association"</u>		
Note b	Section 2.2.2.5-delete the last sentence; Section 8.11.1.1.2(a)- change to read as follows: Periodic tests, as required in 8.6, are not		

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Table 4101:5-3-01

	required to be witnessed by a general or special inspector.; Section 8.11.1.1.2(b)- change to read as follows: Periodic test reports shall be submitted to the division within five business days of the completion of the periodic test. The test reports shall be on forms prescribed by the superintendent and shall include the date and type of test(s) performed, detailed results of the test(s), and a statement as to any corrective action taken.
Note <del>e</del>	<del>Where additional standards are referenced both in the "Ohio Building Code" and the standards referenced within this rule, the applicable edition of the standard shall be the edition referenced in rule 4101:1-35-01 of the Administrative Code</del>
Note <del>d</del> <u>c</u>	The rules of the board shall not be retroactively applied to existing elevators that are not otherwise being altered or repaired. Portions of an elevator not altered and not affected by an alteration are not required to comply with the code requirements for a new elevator.

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**4101:5-3-02 Resolution of conflicts.**

- (A) In the event of conflict, the rules of the board of building standards adopted pursuant to section 3781.10 of the Revised Code and known as the "Ohio Building Code", the "Ohio Mechanical Code", and the "Ohio Plumbing Code" shall govern any rule or standards adopted by the board pursuant to division (A) of section 4105.011 of the Revised Code.
- (B) The rules of the board shall not be retroactively applied to existing elevators that are not otherwise being altered or repaired. Portions of an elevator not altered and not affected by an alteration are not required to comply with the code requirements for a new elevator.